

Youth Justice Reform Select Committee inquiry into youth justice reform in Queensland

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JUSTICE REFORM INITIATIVE SUBMISSION: INQUIRY INTO YOUTH JUSTICE REFORM

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ABOUT THE JUSTICE REFORM INITIATIVE

The Justice Reform Initiative was established in September 2020 with a goal to reduce Australia's harmful and costly reliance on incarceration. We seek to reduce incarceration in Australia by 50% by 2030 and build a community in which disadvantage is no longer met with a default criminal justice system response.

Our patrons include 120 eminent Australians, including two former Governors-General, former Members of Parliament from all sides of politics, academics, respected Aboriginal and Torres Strait Islander leaders, senior former judges, including High Court judges, and many other community leaders who have added their voices to the movement to end the cycle of incarceration in Australia.

We also have a rapidly growing number of supporter organisations (168 at the time of writing) that have joined the movement to reduce incarceration. These include the Australian Medical Association, The Law Council of Australia, the Federation of Ethnic Community Councils, the Australian Council of Churches, the Australian Catholic Bishops Conference, and multiple First Nations-led organisations and service-delivery organisations that have expertise working with people who have been impacted by the justice system.

The Justice Reform Initiative seeks to work with parliamentarians from all sides of politics, policy makers, people with experience of the justice system, and people of goodwill across the country to embrace evidence-based criminal justice policy in order to reduce crime, reduce recidivism and build safer communities.

We are working to shift the public conversation and public policy away from building more prisons as the primary response of the criminal justice system and move instead to proven alternative evidence-based approaches that break the cycle of incarceration. We are committed to elevating approaches that seek to address the causes and drivers of contact with the criminal justice system. We are also committed to elevating approaches that see Aboriginal and Torres Strait Islander-led organisations being resourced and supported to provide appropriate support to Aboriginal and Torres Strait Islander people who are impacted by the justice system.

Queensland patrons of the Justice Reform Initiative include:

- Sallyanne Atkinson AO, Co-Chair of the Queensland Interim Body for Treaty and a member of the Queensland University Senate
- Professor Kerry Carrington, Adjunct Professor, University of Sunshine Coast
- Mick Gooda, former Aboriginal and Torres Strait Islander Social Justice Commissioner and former Royal Commissioner into the Detention of Children in the Northern Territory
- Keith Hamburger AM, former Director-General, Queensland Corrective Services Commission
- Gail Mabo, from the Meriam language group and clan of Mer (Murray Island) in the Torres Strait. She is an Australian visual artist who has had her work exhibited across Australia and is represented in most major Australian art galleries and internationally. She was formerly a dancer and choreographer. Gail is also deeply

engaged with young people in her community as a mentor and is the daughter of land rights campaigner Eddie Mabo and educator and activist Bonita Mabo AO

- Professor Emeritus Ross Homel AO, Foundation Professor of Criminology and Criminal Justice, Griffith University
- Professor Elena Marchetti, co-Lead Disrupting Violence Beacon and Deputy Head of School (Research) Griffith Law School, Griffith University and Deputy Chair, Queensland Sentencing Advisory Council
- The Honourable Margaret McMurdo AC, former President of the Court of Appeal, Supreme Court of Queensland, Commissioner of the Victorian Royal Commission into the Management of Police Informants and Chair of the Women's Safety and Justice Taskforce
- Dr Mark Rallings, former Commissioner, Queensland Corrective Services
- Greg Vickery AO, Former President Queensland Law Society and former Chair of the Standing Commission of the International Red Cross and Red Crescent Movement
- The Honourable Dean Wells, former Attorney-General of Queensland
- The Honourable Margaret White AO, former Judge of the Queensland Supreme Court and Queensland Court of Appeal, former Royal Commissioner into the Detention of Children in the Northern Territory, and Adjunct Professor, TC Berne School of Law, The University of Queensland.

INTRODUCTION

The Justice Reform Initiative welcomes the opportunity to put forward a submission in response to the Inquiry into Youth Justice Reform in Queensland. We thank the Youth Justice Select Committee for allowing a significant amount of time for community-based organisations and stakeholders to make a submission to this inquiry. We are encouraged to see the formation of this Committee as a positive first step towards realising bi-partisan support for evidence-based youth justice reform in Queensland.

The Justice Reform Initiative acknowledges and supports submissions that have already been made by service delivery, policy, research, and legislative Queensland experts including Legal Aid Queensland, Queensland Law Society, Youth Advocacy Centre, PeakCare Queensland, Professor Tamara Walsh, and Dr Troy Allard and Dr Molly McCarthy. We also acknowledge and support the submission put forward by Anne Hollands who is the National Children's Commissioner and a national patron for the Justice Reform Initiative.

This submission draws from and expands on several Queensland reports¹ produced by the Justice Reform Initiative to provide suggestions on practical youth justice reforms that will enhance community safety in Queensland, and to highlight the overweighing evidence demonstrating the failure of imprisonment and harsher penalties when it comes to building safer communities. We recognise the politically charged environment in which youth justice policy has often been developed in Queensland (particularly over the last year) as well as the challenges faced by governments on all sides of politics when there is pressure to respond to community concern about youth offending.

Queenslanders rightly deserve to feel safe in our own homes and to live our lives free from crime or violence. We must consider what the evidence says works when it comes to making this human right a reality. Building new prisons and introducing harsher penalties has become the default political response of the Queensland Government in the face of community outrage about crime, **despite there being no evidence either in Australia, or internationally that such measures improve community safety.**² Studies have shown recidivism and re-incarceration rates are higher when children spend longer-periods incarcerated.³ Pre-sentence detention (holding children on remand) has been associated with a 33% increase in recidivism.⁴ The most recent Queensland data from 2020–21 shows **91.3% of children released from sentenced detention in Queensland return within 12 months.**⁵ This percentage has increased significantly over the previous five-year period (from 74.3% in 2015–16). We also know that almost all children (90%), whether sentenced or on remand, who are released from prison in Queensland are alleged to reoffend within 12 months of their release (96% for Cleveland Youth Detention Centre, 92% for Brisbane Youth Detention Centre, and 84% for West Moreton Youth Detention Centre).⁶ This undoubtably tells us that incarceration is not the answer in Queensland (or anywhere else in Australia).

'Tough on crime' responses may appear to be politically and publicly popular in the short-term but there is a very real risk to both sides of politics that community confidence and perceptions around community safety will remain unstable in Queensland if decision-makers continue to invest in and prioritise the use of ineffective and expensive prisons for children. While there is no single reform fix to reduce youth crime and build safer communities, there are multiple proven, cost-effective reforms that can work together to make progress. There are clear examples and case studies both in Australia and internationally (as evidenced in this submission) that demonstrate how community and health sector-led approaches make a profound difference in disrupting entrenched criminal justice system trajectories. This submission includes case stories of early intervention programs that have reduced anti-social

and problematic behaviour by up to 48%, primary prevention models that have reduced youth crime at the population level by 2-5% annually (depending on the crime type), and tertiary alternatives to custody that have resulted in significant reductions in youth crime (between 33-45%) and high rates of children not reoffending (between 42-95%). This submission demonstrates that there is strong evidence surrounding the efficacy of community-led approaches that address the social drivers of incarceration.

Instead of building two new prisons for children and continuing down the path of tough-on-crime policies, the Justice Reform Initiative recommends that all sides of politics make a multi-party commitment to making a long-term and sustainable investment in evidence-based alternatives to incarceration (that extends beyond budget and election cycles). This funding must be distributed in a way that generates system change and allows Queensland to move towards non-siloed, flexible, and long-term service delivery to break the cycle of offending and keep communities safe.

The Bob Atkinson 2022 youth justice reform review recommended 'engaging with the Queensland community to build balanced public awareness of the drivers behind youth offending and evidence-based prevention and response actions.'⁷ There is a particular opportunity for all sides of politics in Queensland to work collaboratively with the community sector to help build community understanding, awareness and support these evidence-based alternatives to prison that actually work to keep the community safe.

THE STATE OF CHILDREN'S INCARCERATION IN QUEENSLAND

Queensland relies on a system of incarceration for children (and adults) that is harmful, expensive, and ineffective. Prison does not work to reduce crime; it does not work to build safer communities; and it does not work to address the social drivers of contact with the criminal justice system.

The overuse of incarceration in Queensland has historically been driven by a politicised approach to justice policy (especially youth justice policy), with both major parties frequently competing to promote a 'tough on crime' agenda. Too often, decision-making about critical policy and legislative reform has focused on political rather than policy outcomes. Heated political conversations about how to respond to crime often entirely neglect the evidence about what actually works to reduce it.

It is time for all sides of politics in Queensland to press pause on politicised 'law and order' policy and instead look towards responses that align with what the evidence shows will genuinely make a difference when it comes to crime reduction and protecting the community. Although there are already excellent programs, strategies and policies operating in Queensland (several of which are outlined in this submission), alternative approaches are struggling to make a systemic difference in the current Queensland policy environment, which remains heavily invested in incarceration.

Despite efforts made in recent years by the Queensland Parliament to explore alternative approaches to the current system of incarceration, and the state government's public commitment to adopt many of the important recommendations made in recent rigorous reports¹, Queensland's prison population continues to grow. Any sensible and evidence-based policy commitments have been limited by the consequences of entrenched and long-standing 'law and order' politics. This approach has resulted in a dramatically increasing prison population, skyrocketing costs for Queensland taxpayers, and thousands of children (and adults) unnecessarily incarcerated in a system with no evidence of efficacy in terms of rehabilitation, deterrence, or community safety in the long term.

Queensland has the second-highest rate of children's incarceration (4.8 per 10,000 children) in Australia, after the Northern Territory.⁸ In terms of raw numbers, more children are incarcerated in Queensland than anywhere else in Australia, with Queensland incarcerating the highest number of children nationally since 2020.⁹ On an average night in 2021–22, there were 267 children imprisoned in the state.¹⁰ On an average night in 2022–23, there were 283 children imprisoned in Queensland.¹¹ This is significantly higher than jurisdictions with larger populations, including New South Wales and Victoria. Queensland has more than three times as many incarcerated children than Victoria (which has 78 children incarcerated).¹² The number of children in Queensland prisons also continues to rise. There has been a 41% increase in the children's prison population since 2019–20.¹³ In contrast, over this period, the children's prison population has decreased 34% in Victoria and 24% in New South Wales.¹⁴

This rise in the number of children in prison in Queensland has been driven by systematic failings and legislative and policy choices that funnel children unnecessarily into imprisonment, particularly children with experiences involving disadvantage and trauma. As shown in a recent in-depth analysis of crime in Australia, imprisonment does not have a significant impact

¹ These reports include the 2018 'Atkinson Report' on youth justice (<https://www.cjma.qld.gov.au/resources/dcsyw/youth-justice/reform/youth-justice-report.pdf>); the 2019 Queensland Productivity Commission report, *Inquiry into imprisonment and recidivism* (<https://apo.org.au/sites/default/files/resource-files/2020-01/apo-nid273991.pdf>); and the 2022 Women's Safety and Justice Taskforce report, 'Hear her voice' (report two, volume Two), which explores women's and girls' experiences across the criminal justice system (https://www.womenstaskforce.qld.gov.au/data/assets/pdf_file/0009/723843/Hear-her-voice-Report-2-Volume-2.pdf).

on crime rates.¹⁵ There is no causal relationship between imprisonment rates and crime reduction. At the same time as the rate of children’s incarceration has been increasing in Queensland, there has been a decrease in the number of children involved in crime.¹⁶ Recorded crime data shows us that the rate of children involved in crime has decreased from 2,650 per 100,000 children (10 to 17 years old) in 2014–15 to 1,863 per 100,000 in 2021–22.¹⁷

In addition to an increase in the Queensland prison population, we have seen an increase in the number of children (and adults) held on remand. Remand numbers are especially high for children in Queensland, with Queensland having a higher percentage of children on remand than any other state or territory in Australia.¹⁸ According to the Australian Institute of Health and Welfare, 89.0% of children in Queensland prisons on an average night in the June 2022 quarter were being held on remand.¹⁹ This is important in the context of this submission, as there are specific supports, services, and approaches for people on bail that have a strong evidence base in terms of reducing reoffending.

Productivity Commission data shows there were 1,049 unique children under the age of 17 who were supervised in Queensland prisons during 2021–22.²⁰ These are the numbers we must consider when we are considering ‘what works’ to reduce the number of people in prison (121 of these children were aged 10 to 13 years old).²¹ The Australian Institute for Health and Welfare notes children across Australia who are incarcerated have on average two receptions into custody over a year. Although data on the actual number of children who flow through Queensland prisons is not as readily available as the data by the Australian Bureau of Statistics on the adult prison population, we can assume (as is the case with adults) that it is significantly higher than the number of children incarcerated, given that short stays, multiple receptions for each child and high rates of recidivism are all realities of Queensland’s youth justice system.

Like every other jurisdiction in Australia, Queensland continues to disproportionately imprison First Nations children. The imprisonment rate for Aboriginal and Torres Strait Islander children in Queensland aged 10 to 17 years old is 40.9 per 10,000, compared to 1.8 per 10,000 for non-Indigenous children.²² On an average night, two-thirds (66.6%) of children²³ and over one-third (36.4%) of adults²⁴ who the Queensland state government imprisons identify as Aboriginal or Torres Strait Islander, despite Aboriginal and Torres Strait Islander peoples making up only 4.6% of the general population.²⁵

Not only is prison ineffective, it is also extremely expensive. The most recent Productivity Commission data shows the annual operating cost of imprisoning children in Queensland is \$218 million.²⁶ The real direct cost per child in prison is \$2,068.32 per day, equivalent to \$761,507 per year.²⁷ This is a significant investment in a system that is failing.

THE SOCIAL DETERMINANTS OF INCARCERATION

The fact of disadvantage²⁸ cannot be used to discount the consequences of crime. However, it is crucial to understand the context in which most crime is committed²⁹ to build and implement effective policy to reduce the numbers of children in custody and strengthen genuine alternatives to prison in Queensland. Understanding the place-based nature of disadvantage when designing interventions is critical. The Dropping off the Edge Report is a useful resource in terms of identifying those postcodes of disadvantage in Queensland. This report notes that disadvantage is geographically concentrated in Queensland including criminal justice system involvement.³⁰ The majority of children (and adults) incarcerated in Queensland have experienced multiple and intersecting forms of disadvantage.

For decades, research about the social determinants of health has shown how social and structural factors (including poverty, disadvantage, geography, and access to supports and services) impact on health outcomes and life expectancy.³¹ More recently Australian researchers have used administrative data to unpack the social determinants of incarceration and have identified eight social determinants that increase the likelihood of incarceration:

1. Having been in out of home (foster) care;
2. Receiving a poor school education;
3. Being Indigenous;
4. Having early contact with police;
5. Having unsupported mental health and cognitive disability;
6. Alcohol and other drug dependency;
7. Experiencing homelessness or unstable housing;
8. Coming from or living in a disadvantaged location.³²

A 2018 study by the Telethon Kids Institute and the University of Western Australia showed that 9 out of 10 (90%) incarcerated young people in WA had some form of neuro-disability, ranging from dyslexia or similar learning disability, language disorder, attention deficit hyperactivity disorder, intellectual disability, executive function disorder, memory impairment or motor coordination disorder.³³ Similarly, the 2020 Youth Justice Assessment and Intervention Project in South Australia found that 9 out of 10 children in Adelaide Youth Training Centre at Cavan (Kurlana Tapa) had some form of disability.³⁴ There is no reason to assume this would be different in Queensland.

When building a comprehensive picture of 'what works to keep children (and adults) out of prison' understanding the demographics of who it is that is going to prison is critical. It is by exploring both the drivers of incarceration and support needs that we can start properly unpacking the kinds of supports that are required outside of the criminal justice system.

EVIDENCE BASED WAYS TO PROTECT THE COMMUNITY

"If locking them up doesn't work, then we need to do whatever does work." - Victim of offending by a young person³⁵

The overuse of incarceration in Queensland, and in fact around Australia, has predominately been driven by a politicised approach to justice policy, with both major parties frequently competing to promote a 'tough on crime' agenda. Too often, decision-making about critical policy and legislative reform focused on political rather than policy outcomes. Investment in evidence-based and evidence-informed alternatives to imprisonment should not be mistaken as a 'soft on crime' approach. Taking crime seriously requires taking the drivers of crime seriously and looking outside the justice system to develop evidence-led solutions.

The policy aim should not be to excuse crime or minimise its impact but to build responses to crime that will genuinely disrupt its reoccurrence. Although imprisonment takes a person out of the community for the period that someone is incarcerated (especially if someone has been offending repeatedly), it does not address the root causes of crime. We know imprisonment does not rehabilitate people and that it makes reoffending much more likely.

There is an opportunity for the Queensland Government to expand its investment in evidence-based programs and services run by the community sector (especially First Nations-led

organisations) to keep the community safe, address the social drivers of contact with the criminal justice system, and provide 'off-ramps' out of the justice system.

EVIDENCE BASED EARLY INTERVENTION AND PREVENTION

Investment in a wide-variety of community-led early intervention and developmental crime prevention policies and initiatives is key to preventing offending and diverting children away from the criminal justice system in Queensland.³⁶

Although there has been some investment in early intervention programs in Queensland³⁷, this **resourcing has been piecemeal**. Primary crime prevention initiatives are also lacking in Queensland (and Australia), despite their demonstrated crime prevention potential.³⁸ **There must be greater investment** from the Queensland Government in early intervention responses and in building capacity for sustainable, scalable, place-based primary youth crime prevention across the state if we want to genuinely keep the community safe from crime.³⁹

It is important to distinguish the difference between early prevention and early intervention. Prevention focuses on modifying 'criminogenic' factors in physical and social environments early – it's about stopping crime before it starts.⁴⁰ Early intervention (secondary crime prevention) aims to intervene early in an individual's developmental pathway to address risk factors associated with offending and strengthen protective factors that support engagement in pro-social behaviour.⁴¹ Children who are at-risk of justice system involvement often experience a number of individual, family, peer, school and community risk factors such as disconnection from education, unstable home environments and poverty (as examples).⁴² Programs that work to reduce contact with the justice system tend to be holistic and address a multitude of risk and protective factors at once.⁴³

There has been public support for early intervention and prevention across party lines in Queensland.⁴⁴ In 2020, the Queensland Government also released a whole-of-government plan to support children in their early years (zero to eight years old). This plan commits to 'targeting early intervention and prevention' and using 'evidence-informed' programs and services as guiding principles.⁴⁵ In 2021, the Queensland Police Union National Youth Crime Symposium Report noted 'early intervention is critical to the achievement of positive outcomes, the changing of behaviours and the reduction of crime, and should be the fundamental platform of any justice program'.⁴⁶ The resourcing priority in Queensland; however, has clearly been 'tough on crime' responses (such as creating more prison beds and increasing police presence to lock up more children). This is despite evidence showing this approach is ineffective⁴⁷ and that there is a compounding criminogenic nature of any criminal justice system involvement.⁴⁸

While there are clear limitations to studies that focus primarily on costs, these findings are important in framing the significance of the impact of early intervention and prevention, not just financially, but in terms of a range of social and health wellbeing measures. A study of children at-risk of criminalisation in New South Wales found that 7% of individuals under the age of 25 will account for half the estimated cost of the state's social services by the time they are 40 years old. Additionally, 1% of this cohort will be responsible for 32% of New South Wales' justice service costs, highlighting that early intervention targeting a small percentage can reduce future costs significantly.⁴⁹ A recent economic analysis of early intervention resourcing in Australia found that one dollar invested in early childhood education yields a return of two dollars.⁵⁰ The cost of late intervention in Australia has been estimated to be \$15.2 billion per year, including \$2.7 billion (18%) for youth crime.⁵¹

Research findings support investing in capacity building strategies that scale up community-based approaches to early intervention and prevention. Building on the success of relatively small-scale and economically efficient community-led innovations that create the conditions for healthy development pathways early in life can be a path to larger-scale crime prevention.⁵² Early intervention and prevention initiatives are effective at achieving long-term change. This should not be a deterrent for greater investment in these areas. Children who are 5,6,7,8, and 9 years old right now will be 12, 13, 14, 15 and 16 years old in seven years' time – and all of the research suggests the getting in early to support children, families and communities is critical to preventing and reducing serious and repeat offending, which is a current priority for the Queensland Government.

WHAT WORKS IN EARLY INTERVENTION AND PREVENTION?

Community-led

HOME VISITATION PROGRAMS (INTERNATIONAL & AUSTRALIA)

Pre-natal and infancy home visitation programs show positive outcomes in terms of improving the health and wellbeing of children and families and reducing contact with the criminal justice system.⁵³ Within these programs, health professionals visit new parents (typically mothers or expected mothers) to provide support, care, and education pre-and post-birth. The most common home visiting programs involve sustained nurse home visiting (SNHV). The Elmira Nurse-Family Partnership program is an evidence-based SNHV program that originated in the United States.⁵⁴ This program has been shown to have sustained effects on outcomes for children and mothers within several randomised-controlled trials in the United States, the Netherlands, and the United Kingdom.⁵⁵ In the United States, young girls whose mothers participated in the program were less likely to be arrested than those whose mothers did not participate in the program.⁵⁶ In addition, participation in the program was shown to be associated with significantly reduced reports of child abuse and neglect, among other benefits.

The Australian Nurse-Family Partnership Program (ANFPP) is an adaption of the evidence-based United States Elmira Nurse-Family Partnership program, designed to be culturally appropriate for Aboriginal and Torres Strait Islander people.⁵⁷ This program is currently delivered in Queensland (Cairns, Brisbane north, Brisbane south), New South Wales (Wellington, Blacktown, Kempsey), the ACT (Canberra), Victoria (Goulburn Valley), South Australia (Adelaide) and Northern Territory (Alice Springs, Katherine, Darwin, and four remote communities including Maningrida, Gunbalanya, Wadeye, and Wurrumiyanga with the hub in Darwin). In 2012, Ernst and Young conducted a process evaluation of the ANFPP using qualitative data. This evaluation concluded there were some challenges associated with implementation of the program; however, most mothers, families, and services reported positive outcomes in the early stages of the program.⁵⁸ A 2018 evaluation of this program delivered by an Aboriginal Community Controlled Organisation in Mparntwe (Alice Springs) found participation was associated with lower rates of child protection system involvement, especially for young and first time mothers.⁵⁹ In 2020, the Australian Government Department of Health sought a provider to undertake an independent outcomes evaluation of the ANFPP over four years.⁶⁰ This evaluation was due to be completed in December 2023.⁶¹

In addition to the ANFPP, Queensland has implemented the right@home nurse visiting program.⁶² The right@home nurse visiting program is an adaption of an evidence-based

Australian program called the Maternal Early Childhood Sustained Home-visiting (MECSH) program.⁶³ The MECSH program is delivered in a universal healthcare setting and has demonstrated several positive outcomes including more confident and supportive parenting, improved child cognitive development, better child and parenting experiences, and longer periods of breastfeeding.⁶⁴ The right@home program is also embedded in the universal healthcare setting to provide support to children aged zero to two years old and their families.⁶⁵ Parents who participate in the program receive support from a nurse and social worker over 25 home visits. Similar to other SNHV programs, the right@home program was found to improve home environments and parenting relationships⁶⁶, which are protective factors against future offending. This included increased safety, increased warm parenting, less hostile parenting, increased parental involvement, increased variety in experience, and more regular bedtimes.⁶⁷

'I think it's fantastic, this right@home ... and it's specifically about your bub, and family and wellbeing ... it was just brilliant.' (Mother)⁶⁸

PARENTING PROGRAMS (INTERNATIONAL & AUSTRALIA)

The parenting programs found to be the most effective at reducing antisocial behaviour and youth crime include parent-child interaction therapy, the Triple P (Positive Parenting Program) and the Incredible Years Parenting Program.⁶⁹ These programs typically involve training and education that supports parents to develop positive parenting skills and strong relationships with their children.⁷⁰ Systematic reviews of parenting program evaluations have estimated such interventions have resulted in anywhere between a 34-48% reduction in problematic child behaviour.⁷¹

The Triple P was developed in Australia and is now delivered around the world including in Queensland where it is free for all parents and carers of a child who is aged 16 years or younger.⁷² There is an abundance of research demonstrating the effectiveness of the Triple P in addressing risk factors for offending. In addition, the Triple P has been recognised as a cost-saving intervention in the Queensland context.⁷³ The program has the potential to save the government and the taxpayer money by reducing the costs associated with conduct disorder and problematic behaviour.

There are other parenting programs operating across Queensland, which to the best of our knowledge do not have publicly available evaluation data. For instance, the North Queensland Domestic Violence Resource Service runs a Safe Dads parenting program that aims to provide education and information to fathers to address the use of domestic violence.⁷⁴ Sisters Inside also deliver a Child and Parenting Support Program, which provides intensive support and parenting education/peer support group sessions with women in the community to help improve their parenting skills and child/parenting relationships.⁷⁵ SHINE for Kids runs the Stay Together Play Together program with the aim of supporting mothers and fathers in prison to maintain relationships with their children and families, build their parenting skills, and develop familial and social networks. The program was developed from the Early Years Learning Framework for Australia and is delivered through structured and unstructured playgroup activities.

For parents in prison in the Brisbane, Townsville and Gold Coast areas, SHINE for Kids runs the Stay Together Play Together program, which aims to support mothers and fathers in prison to maintain relationships with their children and families, build their parenting skills, and develop familial and social networks. The program was developed from the Early Years Learning

Framework for Australia and is delivered through structured and unstructured playgroup activities.⁷⁶

PRE-SCHOOL PROGRAMS (AUSTRALIA) & THE PERRY PRESCHOOL PROJECT (US)

Preschool programs provide early intervention and support for children at a crucial transition point in their development. There is evidence that certain behaviours in childhood are indicative of future offending.⁷⁷ In the United States, the **Perry Preschool Project** is an evidence-based program that supports children from disadvantaged backgrounds to prevent the onset of offending. The Perry Preschool Project provides high-quality preschool education to children aged three and four years old in small school-based sessions delivered by qualified teachers. In addition, teachers conduct a weekly home visit to support parents with at-home learning. An evaluation of the Perry Preschool Project found the program produced sustained effects well into adulthood. Positive outcomes include improved educational attainment, fewer teen pregnancies, reduced likelihood of spending time in prison, lower arrest rates for violent crimes, higher median incomes, and reduced likelihood of receiving government assistance.⁷⁸

Queensland has implemented some early intervention kindergarten programs that share similarities with the Perry Preschool Project. For example, the **KindyLinQ** Program aims to provide active learning and development opportunities for children as well as build up a family's capacity to support their child's learning and development at home.⁷⁹ The sessions are delivered by a qualified teacher and an early years support coordinator. The Queensland Government Department of Education designed the KindyLinQ program based on the Western Australian (WA) KindiLink Program. A qualitative evaluation of WA KindiLink found children and families who participated in the program experienced considerable learning and social and emotional benefits.⁸⁰ The University of Queensland undertook an independent evaluation looking at outcomes over one year of the pilot program (2021).⁸¹ Promising outcomes included high stakeholder satisfaction with the program, high program fidelity, the provision of a flexible play-based program delivered by qualified staff, engagement and participation from parents, relationship building between schools and families and links with community organisations. Opportunities identified to improve the program included providing additional resourcing to support recruitment and attendance of families (the target of 50% attendance was only achieved by 27.5% of schools and average attendance was 42%), increased resourcing for staff planning and community engagement, and building family/community connections, knowledge sharing and positive engagement.

In addition to the KindyLinQ Program, Queensland has implemented **Early Years Places and the Step up into Education 2021–2024** initiative. Early Years Places have been set up in over 50 communities in Queensland to provide a central location for families to access early childhood supports and services.⁸² There is the opportunity for future research to assess longitudinal child and family outcomes of these initiatives, like those examined in the Perry Preschool Project randomised controlled trial evaluation, related to imprisonment and offending.

COMMUNITIES THAT CARE (AUSTRALIA & INTERNATIONAL)

There is strong evidence that primary prevention models – such as the Communities That Care (CTC) model⁸³ – are successful in mobilising communities to address factors that increase the risk of justice system involvement and strengthen protective factors that prevent future offending. Such risk factors include anti-social behaviour, harmful substance use, low

academic achievement, early school leaving, and violence. The CTC model has five stages that communities can follow to identify and set local priorities and implement evidence-based strategies:

1. getting started (identifying and recruiting key community stakeholders and leaders)
2. getting organised (establishing community leaders group and a coalition and getting them ready)
3. developing a profile (looking at community level risk and protective factors as reported by young people)
4. creating a plan (that targets priority risk and protective factors with evidence-based programs and interventions)
5. implementing and evaluating (implementing the action plan and making sure evidence-based programs are implemented as intended and evaluated).

A recent study evaluated the impact of the CTC model across communities in Victoria, Australia, between 2010 and 2019. This study supports the existing evidence that shows CTC prevents youth crime at a population level. The findings demonstrate significant reductions in crimes associated with CTC including a 2% annual reduction in risk for crimes against persons and a 5% annual reduction in risk for crimes of property and deception.⁸⁴

MENTORING PROGRAMS (QLD & INTERNATIONAL)

Internationally, evaluations have found that mentoring programs are effective at reducing offending and supporting children and young people to engage in prosocial behaviour.⁸⁵ One study that reviewed 25 experimental and quasi-experimental evaluations of mentoring programs and their impact on delinquency found a 19–26% reduction in behaviours of concern.

There are many mentoring programs for children delivered by the community sector in Queensland; however, there is not a clear picture of how many exist across the state and whether such programs have been evaluated. To provide some examples of programs in Queensland, Yumba-Meta Limited has set up a community centre in Townsville where they deliver the **Weeburra Thulgarri Mentoring and Family Wellbeing Program**, which provides early intervention tutoring and mentoring support to Aboriginal and Torres Strait Islander children aged seven to eight years old. Weeburra Thulgarri means 'one big family'. The program aims to improve children's physical, social and emotional wellbeing; strengthen their connection to culture; and build resilience and coping skills.⁸⁶

SHINE for Kids also deliver a mentoring program in Townsville and Ipswich, which is a place-based community mentoring program that aims to support young people aged 12 to 21 years old in Townsville and young people aged 12 to 18 years old in Ipswich who have (or have had) a parent in custody and are at-risk of justice system involvement.⁸⁷ The program matches young people with a consistent adult mentor for 12 months to support the delivery of structured activities; support young people to engage with education, training, and employment; and connect young people with community and culture.

Inspiring Brighter Futures Foundation also delivers the **Onwards & Upwards Wellbeing Mentoring Program** across South-East Queensland to support children and adults who may be experiencing disadvantage through one-on-one personal development and support. The program has been delivered for diverse groups of people including people with a criminal justice system experience and young people who are disengaged from education.⁸⁸

In Cairns, **Selectability Limited** has partnered with Harbrow Mentoring to deliver after-hours outreach and mentoring supports in Earlville and Edmonton.⁸⁹ This includes engaging with people at BikeShed and the local shopping centre to connect them with other local services and supports.⁹⁰

AFTER-SCHOOL PROGRAMS (INTERNATIONAL)

Evaluations have shown after-school programs that incorporate skills training, mentoring and/or academic components may reduce antisocial behaviour. Two robust systematic reviews of after-school program evaluations estimated between a 6–14% decrease in antisocial behaviour among the program participants.⁹¹ There does not appear to be a clear picture of after-school programs that are delivered across Queensland and how these programs are working to prevent crime.

ANTI-BULLYING/ANTI-CYBER BULLYING PROGRAMS (INTERNATIONAL)

Bullying is a known predictor of future offending and violence. Anti-bullying and anti-cyber bullying programs have the potential to reduce youth offending. There are various examples of programs in Australia and overseas that aim to intervene early (mostly during the school years) to reduce bullying. Several systematic reviews of anti-bullying and anti-cyberbullying program evaluations have estimated such interventions result in a reduction in bullying anywhere between 10–35% among the program cohort. There does not appear to be a clear picture of anti-bullying and anti-cyber bullying programs that are delivered across Queensland and how these programs are working to prevent crime.⁹²

SPORTS PROGRAMS (AUSTRALIA & INTERNATIONAL)

There are limited evaluations in Australia with sound designs that evaluate the effectiveness of sport programs in preventing and reducing crime. However, a recent systematic review and meta-analysis of 13 control-group evaluations (two in Australia and the remainder overseas) found sport programs significantly protect against offending behaviour and related antisocial attitudes as well as significantly increase self-esteem and psychological wellbeing.⁹³

RESOLVE (LOGAN, QLD)

Resolve is an early intervention program for young people aged 10 to 16 years old who are at-risk of justice system involvement. The program is delivered in Logan through a joint partnership between Youth and Family Service, Griffith University, Overflow Foundation and Queensland Police Service. The program includes community outreach, diversionary activities and intensive case management that uses a flexible, relational, and strengths-based approach. The program also offers targeted and flexible individualised alcohol and drug interventions. Griffith University conducted an interim evaluation of this program using quantitative data of pre-and post-outcome measures with field observations and semi-structured interviews. This evaluation found young people who participated in the program demonstrated significant changes or reductions in their risk profiles and demonstrated major gains in subjective wellbeing and their ability to achieve goals. A key strength of this program is that it builds community capacity by leveraging existing relationships with community stakeholders to progress collective impact.

YOUTH ADVOCATE PROGRAM (AUSTRALIA & US)

The Youth Advocate Program was developed in the United States. It is a strengths-based intensive support and advocacy program that provides individually tailored and wrap-around support to young people who are at-risk of, or already experiencing, involvement with the justice system. Evaluations have shown the program is more cost-effective than incarceration, it reduces justice system involvement, and improves other factors in children's lives.⁹⁴ The Queensland Government funded a 12-month trial of the Youth Advocate Program on the Gold Coast for children aged 10 to 17 years old.⁹⁵

FAST TRACK (US)

Fast Track is an evidence-based early intervention program in the United States that focuses on disrupting the school-to-prison pipeline. The program delivers a series of multi-level, developmental and age-appropriate interventions to support children (from the age of five onwards), families and schools over a long-term developmental period. A 10-year longitudinal study found children who were randomly assigned to the intervention displayed a reduction in violent offences (31% reduction) and drug offences (35% reduction) as well as significantly lower internalising problems, externalising problems and alcohol and other drug use.⁹⁶ Fast Track costs \$58,000 per child over the 10-year investment period, which is cheaper than incarcerating one child for just one year.⁹⁷

FIRE PROJECT (CAIRNS, QLD)

In 2022, James Cook University conducted an evaluation of the Fire Project, which is an early intervention and prevention initiative delivered by Harbrow Mentoring in partnership with Queensland Police. This evaluation notes that the program diverted 1341 young people from the CBD area in Cairns who were at-risk of offending behaviour over the 20 weeks it was operational. The evaluation recommended that the program be improved by establishing a safe place in Cairns for young people to engage in structured activities and developing a holistic plan with stakeholders to ensure young people and their families receive the appropriate supports and services.⁹⁸

In April 2023, Selectability Limited received \$259,331 funding through the Community Partnership Innovation Grant scheme to establish an after-hours outreach and mentoring program in Earlville and Edmonton.⁹⁹ Selectability Limited has partnered with Harbrow Mentoring to deliver the Fire Project in Cairns, offering after-hours activities pm Thursday, Friday, and Saturday nights (such as sports programs and connection through the local BikeShed).¹⁰⁰

YOU GOT THIS (7 LOCATIONS, QLD)

In The University of Sunshine Coast conducted an independent evaluation of the Johnathon Thurston Academy 'You Got This' initiative, which aims to boost courage and self-belief in young people aged nine to 16 years old experiencing disadvantage. The Queensland Government noted the success of the program, outlining that the evaluation (based on the data of 39 participants, and also interviews with staff members and stakeholders) found successes in diversion, school re-engagement and a reduction of offending. The evaluation found there was a reduction in the number of offences committed by the young people who were at-risk and who participated in the program in Cairns. Nine out of 10 young people with a prior offending history who participated in the program in Cairns did not reoffend within nine months after completing the program.¹⁰¹

DETERRING DRIVERS PROGRAM (TOWNSVILLE, QLD)

The Detering Drivers Program is an innovative six-week pilot program designed by criminologists from Australian Catholic University (ACU), which aims to prevent motor vehicle offending by intervening early and engaging youth aged 13 to 17 years old from Townsville in alternative educational and adrenaline-based activities. A qualitative evaluation of the pilot program showed it was successful in enhancing cultural safety and social cohesion, providing children with pro-social role models, and offering employment and training opportunities. Recommendations to improve the program in the future included improving the number of and timeliness of referrals to the program, strengthening pre-program engagement to build buy-in for the program (such as through an on country barbeque), including more activities that strengthen cultural connectedness, increasing opportunities for children to participate in car-related activities (such as mechanical workshops and go-karting), and expanding children's social ecosystem by engaging local support services and community connections. Children who participated in the study reported several reasons for engaging in motor vehicle offending including peer-pressure, feelings of boredom, and as an opportunistic option when looking for money and property to steal.¹⁰²

Government-led

CHILD SKILLS AND BEHAVIOURAL PROGRAMS (AUSTRALIA & INTERNATIONAL)

In young people, the pre-frontal cortex (the part of the brain that controls executive functioning) is still developing. This means that children and young people are still developing the cognitive processes required to plan, control impulses and weigh-up the consequences of decisions before acting.¹⁰³ There are various examples of programs that aim to build children's skills and cognitive abilities in areas that are often related to antisocial behaviour and offending (for example, self-control, impulsiveness, perspective, and delayed gratification). Systematic reviews examining randomised-controlled trials of child skills training programs reported such interventions decrease antisocial behaviour by anywhere between 24–32% among the participants.¹⁰⁴ Similarly, systematic reviews of interventions that involve cognitive-behavioural therapy have shown effects on youth offending with anywhere between a 21–35% reduction in recidivism among the participants.¹⁰⁵

The Queensland Government runs several evidence-informed behavioural change intervention programs for young people in the youth justice system including Rethinking our Attitude to Driving (ROAD)¹⁰⁶, Changing Habits and Reaching Targets (CHART), Aggression Replacement Training (ART), Re-navigating Anger and Guilty Emotions (RAGE) and Emotional Regulation and Impulse Control (ERIC).¹⁰⁷

YOUTH PARTNERSHIP PROJECT (WA)

The Youth Partnership Project (YPP) brings together state government, local government, and the community sector in a place-based, collective impact approach to youth justice. The project focuses on the early identification of young people aged 8 to 12 years old with complex needs, and the delivery of targeted community services to prevent their involvement with the justice system.¹⁰⁸ The Armadale Youth Intervention Partnership, part of the YPP, achieved a 50% reduction in reoffending for those who completed the program. Evaluation of YPP social outcomes used modelling to estimate that without the intervention, participants were likely to cost the government ~\$3 million in the future. It concluded that if the YPP Youth Justice Model

reduces participants' future reliance on government by 10%, the program almost pays for itself, with ~\$300,000 of reduced government costs.¹⁰⁹

OTHER CASE STUDIES: EARLY INTERVENTION AND PREVENTION PROGRAMS IN QUEENSLAND

Community-led

INDIGENOUS YOUTH AND FAMILY WORKERS/ABORIGINAL AND TORRES STRAIT ISLANDER WELLBEING SERVICES (QLD)

Thirty-four Aboriginal and Torres Strait Islander Family Wellbeing Services operate across Queensland to provide culturally safe and responsive support to First Nations families who may be experiencing disadvantage.¹¹⁰ Indigenous Youth and Family Workers are embedded within 17 of these Aboriginal and Torres Strait Islander Family Wellbeing Services to support young people under the age of 18 years old who are at-risk of involvement in the justice system and wrap support around their families.¹¹¹ This includes referring children and families to specialised services and delivering family-based early interventions that aim to strengthen cultural connections, build skills, and prevent future offending. The Department of Children, Youth Justice and Multicultural Affairs has allocated \$30.1 million to fund this program up until 2026–27.¹¹²

PROJECT OVERHAUL AND PROUD WARRIOR PROJECT (TOWNSVILLE & MT ISA, QLD)

Project Overhaul is an early intervention and diversion program available to young people aged 15 to 21 years old in Townsville and Mount Isa who are at-risk of engaging in offending or antisocial behaviour.¹¹³ The project is offered by Queensland Youth Service in partnership with Chameleon Upcycled Products, Pitstop Karting and Kalkadoon Elder, Doug Bruce. The program provides case management and support as well as offers different opportunities for young people (depending on their location) to develop socially acceptable behaviours and practice skills that will assist them to transition to a better path. In April 2023, Queensland Youth Services also received \$128,592 for the Project Warrior Project, which provides multiagency intervention and support for primarily First Nations young people experiencing specific risk factors for offending.¹¹⁴

MOUNT ISA YOUTH TRANSITIONAL HUB (QLD)

Queensland Government has allocated \$12.7 million for the Mount Isa Youth Transitional Hub, which provides a safe space for young people and delivers support services based on culturally appropriate assessments of risk and need. This includes engaging with local services providers to ensure young people and their families receive intensive and specialised support.¹¹⁵ The Queensland Government has reported that 36% of young people known to youth justice at the time of referral/engagement with the hub did not re-offend within 6 months.¹¹⁶

YOUTH EMPOWERING STRENGTH (MT ISA, QLD)

Youth Empowering Strength (YES) is an early intervention program that works with young people aged 12 to 21 years old who present with risk factors relating to individual, school,

family, and community circumstances. YES aims to provide support to young people, in the context of their families, to assist them to develop positive relationships with their family and community; engage in education, training and/ or employment; lead healthy and violence free lives; and have safe and stable places to live.¹¹⁷

QUEENSLAND YOUTH PARTNERSHIP INITIATIVE (QLD)

The Queensland Youth Partnership (QYPI) Initiative aims to prevent youth crime and antisocial behaviour by engaging with young people in shopping centres.¹¹⁸ The QYPI involves retailers, youth services, security officers, and police working collaboratively to keep young people connected and engaging in pro-social behaviours. This includes delivering youth focused crime prevention and diversion activities that incorporate activities such as sport, art, and music. The QYPI Stockland's Outreach program in Rockhampton is supported by Darumbal Community Youth Service in partnership with Stockland's management and security staff.¹¹⁹

ASPIRE, UNITING CARE (TOWNSVILLE, QLD)

Aspire is a community-based service that supports young people aged 12 to 21 years old (as well as siblings aged 8 to 11 years old) who are at-risk of involvement with the youth justice system.¹²⁰ The program aims to support young people through individualised assistance, tailored youth development activities, recreational programs, education, community participation, and advocacy.

YOUTH STEP-UP STEP-DOWN SERVICE (CABOOLTURE, LOGAN & CAIRNS, QLD)

The Youth Step-Up Step-Down Service (SUSD) is an evidence-informed initiative that offers short-term (up to 28 days), sub-acute community bed-based mental health support and treatment to young people aged 16 to 21 years old who are experiencing severe and complex mental health concerns. In addition to clinical services, a non-government organisation is integrated within the Youth SUSD to provide non-clinical holistic support.¹²¹

FAMILY AND CHILD CONNECT (QLD)

Local community-based Family and Child Connect services are available in 20 locations across Queensland. These services aim to provide advice and information to families, which includes linking children and families with services to assist with their individual situation.¹²²

YOUTH HOUSING AND REINTEGRATION SERVICE (QLD)

Community-based organisations provide a Youth Housing and Reintegration Service in six locations across Queensland to support young people aged 12 to 21 years old who are experiencing homelessness, who are at-risk of homelessness, who are transitioning from/have recently exited care or youth detention, or who have unstable living arrangements. This includes case management and brokerage to assist young people with housing needs.¹²³

YOUTH SUPPORT SERVICES (QLD)

There are 87 community-based youth support services across Queensland who work with young people aged 8 to 21 years old to help them connect to positive family support, engage in employment, training and/or education, and live a healthy and violence-free life with a safe and stable place to live.¹²⁴ Youth support services deliver both access services (information, advice, and referral to other services) and support services (case management/coordination and one-on-one assistance) that are tailored to the individual and their circumstances.

YOUTH DAY SUPPORT PROGRAM (ROCKHAMPTON, QLD)

Lives Lived Well runs a free non-residential drug and alcohol Day Support Program for young people aged 12 to 17 years old and young people aged 18 to 21 years old in Rockhampton.¹²⁵ Lives Lived Well has a research partnership with the University of Queensland in support of providing timely evidence-informed treatment.¹²⁶

JACARANDA PLACE (BRISBANE, QLD)

Jacaranda Place is a 12-bed sub-acute extended treatment centre that provides inpatient support (for up to six months) to young people primarily aged 13 to 18 years old who have severe and complex mental health concerns. Jacaranda Place also provides a day program that provides outpatient support to young people aged 13 to 18 years old who live in the community.¹²⁷

E_SUARVE (GOLD COAST, QLD)

Everything Suarve Inc (E_Suarve) is a not-for-profit organisation offering alternative learning programs for young people who are at-risk of justice system involvement or have experienced the justice system on the Gold Coast. The E_Suarve Big Brother program supports young people aged 14 to 25 years old to re-engage with education, training and/or employment, which includes building tiny homes for homeless people and gaining certificates in construction. E_Suarve has reported that 90% of participants have gained employment on completion of the program.¹²⁸

RECYCLE YOUR DREAMS (TOWNSVILLE, QLD)

Recycle Your Dreams, formerly run by Queensland Youth Services, was a two-year pilot program (from 2017 to 2019) aimed at connecting young people aged 15 to 25 years old at-risk with education, training, and employment. In total, 37 participants gained full time employment and 13 participants went on to further study and training. Queensland Youth Services estimated this is a potential economic savings of \$714,000 Newstart savings from youth who gained employment or returned to school, and \$2.3 million in potential Newstart savings based on recipients accessing financial assistance for five years.¹²⁹

BEYOND DOMESTIC VIOLENCE (BRISBANE, QLD)

In April 2023, Beyond DV (Domestic Violence) received \$295,665 funding through the Community Partnership Innovation Grant scheme to establish a holistic early intervention that will support young people impacted by domestic and family violence.¹³⁰ In July 2023, Beyond DV commenced a new young person's program, which is an extension of the 'HOPE 4 Life Youth Program.' This program provides holistic early intervention for young people aged 10 to 15 years old who have been impacted by domestic and family violence, with the aim of protecting against the impact of Adverse Childhood Experiences on their future lives. Beyond DV works collaboratively with other community-based organisations to support young people engaged in the program.¹³¹

AUSTRALIAN TRAINING WORKS GROUP (BRISBANE, QLD)

In April 2023, Australian Training Works Group Pty Ltd (an Indigenous group training organisation) received \$299,423 funding to provide work-readiness courses and skills building for young people in Cairns.¹³²

THE BLOCK (GOONDIWINDI, QLD)

In April 2023, Winangali Infusion received \$300,000 in funding through the Community Innovation Grant Scheme to support young people in Goondiwindi (as well as young people in border towns in New South Wales) through a community hub that provides pro-social activities, cultural education, and other opportunities.¹³³ The name of the community hub is The Block, which stands for Belonging, Love, Opportunity, Community and Kinship. This hub model centres community-focused healing and wellbeing – “Empowering Our Communities” from a grass roots meaningful purpose driven level.¹³⁴

Government-led

EARLY ACTION GROUPS (TOWNSVILLE, MT ISA & CAIRNS, QLD)

Following an internal review, the remit of the Townsville Stronger Communities initiative was refreshed in 2021 to focus on early intervention through an Early Action Group.¹³⁵ This multi-agency Early Action Group includes representatives from Queensland Police Service, Department of Children, Youth Justice and Multicultural Affairs, Department of Education, Department of Communities, Housing and Digital Economy, Department of Seniors, Disability and Aboriginal and Torres Strait Islander Partnerships, and Queensland Health.¹³⁶ The group works in partnership with relevant community-services and supports children aged 8 to 16 years old to address the underlying factors that lead to offending. In February 2023, \$1.8 million in funding was committed to roll out this initiative in Mount Isa and Cairns.¹³⁷

PROJECT BOOYAH, QPS (QLD)

Project Booyah is a Queensland Police-led mentoring program for disconnected young people aged 14 to 17 years old, which aims to empower participants to make better life choices.¹³⁸ It incorporates adventure-based learning, leadership skills development, decision-making and problem-solving activities, resilience training, policing strategies, and family inclusive principles. In 2014, Griffith University undertook an evaluation of Project Booyah to establish its efficacy in targeting criminogenic behaviours and attitudes.¹³⁹ This evaluation was not made publicly available. However, Queensland Government reported publicly that the majority of young people who participated in the program did not go on to offend again, and that for every dollar invested in Project Booyah, the savings to the community are \$2.55.¹⁴⁰

FRAMING THE FUTURE, QPS (QLD)

Framing the Future aims to continue engagement with Project Booyah graduates for 18 months (and longer if required) after completion of the program to prevent involvement in antisocial and offending behaviour. This includes supporting young people to engage with education and/or employment and providing tailored interventions.¹⁴¹

PROUD WARRIOR (TOWNSVILLE, QLD)

Proud Warrior is an Australian Army program that aims to positively influence young people aged 14 years and above in Townsville who are at-risk of further justice system involvement. The program provides a safe and enjoyable environment for young people to be mentored, coached, and supported. It is delivered in collaboration with Police, Youth Justice, Department of Seniors, Disability and Aboriginal and Torres Strait Islander Partnerships, Australian Army Cadets, local Aboriginal Elders, Sunbus, Education Queensland and Unity Care.¹⁴²

YOUTH SUPPORT COORDINATOR INITIATIVE (QLD)

The Queensland Government Department of Education Youth Support Coordinator Initiative provides funding to schools to employ one full-time equivalent staff member to focus on supporting educational retention and attainment of young people in Year 10 to Year 12. This early intervention initiative aims to provide educational and sustainable future employment opportunities for young people who are disengaged, or at-risk of disengaging, from school.¹⁴³

GENERAL PRACTITIONERS IN SCHOOLS PILOT PROJECT (QLD)

The Queensland Government has funded 50 schools across Queensland through the General Practitioners (GPs) in School Pilot Project to run an onsite GP clinic one-day per week for secondary students. This project is intended to provide timely and appropriate health care for students and thereby remove barriers to access.¹⁴⁴ Access to good-quality health care, including mental health care, especially for children and young people experiencing disadvantage is an important protective factor.

REGIONAL ENGAGEMENT SERVICE (QLD)

The Queensland Government Department of Education has established Regional Youth Engagement Services in eight regions within Queensland, which provide place-based support for young people to reengage with education or work. The services work in partnership with other government agencies, schools, registered training organisations, community-based organisations, and other stakeholders.¹⁴⁵

POSITIVE LEARNING CENTRES, FLEXISPACES & SPOTLIGHT SCHOOLS (QLD)

There are Queensland Government Department of Education funded Positive Learning Centres in 15 locations across Queensland. Positive Learning Centres provide an alternative education option for students who require early intervention beyond what is available within a mainstream classroom. This can include long-term placements, part-time programs, and suspension periods, with the aim of keeping students engaged in education and ultimately reengaging students back into mainstream school or alternate learning/vocational pathways.¹⁴⁶ There are also 52 schools across Queensland with a Flexi-Space, which is an alternative learning environment for students who may be experiencing disengagement. Complementary to these alternative education options, the Spotlight Schools Initiative provides evidence-informed professional development and capacity-building support to schools who are working to improve practices and responses for disengaged students and/or students at-risk of disengagement.¹⁴⁷

LINK AND LAUNCH (QLD)

The Queensland Government Department of Education's Link and Launch program aims to provide case management support to Year 12 young people to assist them to engage with education, training and/or employment at a key transition point in their life course.¹⁴⁸ Link and Launch services are now available in 36 schools across Queensland following an independent evaluation that showed 73.2% of participants transitioned into employment, further education, or training and 90.9% remained engaged after 30 months.¹⁴⁹

EVIDENCE BASED DIVERSION AND TERTIARY ALTERNATIVES

Children, especially First Nations children, in Queensland need a multitude of off-ramps from the criminal justice system into effective community-based supports and interventions. Tertiary prevention programs occur after a child has had contact with the law or after a person has become a victim of crime, with the aim of preventing recidivism and repeat victimisation.¹⁵⁰ Like adult programs, community-led services and strategies for children in contact with the justice system encompass diversion and sentencing alternatives, in-prison programs, and post-release support. It is important that these options are developmentally and age appropriate, considering the specific needs of children and their families.

According to Queensland Government data, 20% of children were responsible for 54.5% of all child charges before the Courts (which increased from the previous year when 17% of children were responsible for 48% of charges before the court).¹⁵¹ These trends are consistent with existing evidence that shows a small proportion of people who offend are responsible for a disproportionate amount of all crime.¹⁵²

In March 2023, the Queensland Parliament passed the Strengthening Community Safety Bill 2023 (Qld). This bill introduced several 'tough on crime' responses without any supporting evidence demonstrating how such responses will effectively meet the legislation's desired aims of 'keeping the community safe' (including introducing breach of bail as an offence).¹⁵³ The bill centred a punitive approach rather than an evidence-led solution. Key stakeholders, including the Queensland Police Union, have noted evidence-based alternative approaches will be more effective than punitive approaches like those set out in the bill. The Queensland Police Union National Youth Crime Symposium report noted: 'There was a powerful and united view that the punitive model for children is not effective. There has to be, and is, a better way. The research and best-practice model already exist. We do not need to reinvent the wheel to get the best outcomes.' This report recommended that 'the primary, overriding aim of [youth] justice strategies should be to provide alternatives to the criminal justice process and keep [young people] out of court and custody'.¹⁵⁴

The Queensland Children's Court Annual Report for 2022-23 recognised that this legislation "seems to have resulted in an increase in the number of children in detention on remand...[but]...it has not, as yet, resulted in a decrease in offending." This suggests that far too many children are being unnecessarily funnelled into prison, rather than being diverted into community-led alternatives that will wrap supports around them and their families to address the root causes of offending. The effectiveness of community-led tertiary interventions in responding to youth crime (including serious and violent offending) is well documented in the literature.¹⁵⁵

Existing solutions to repeat offending for children in Queensland are top-down rather than community-led. The Queensland Government established a Youth Justice Taskforce to provide a whole-of-government response to serious repeat offending, which included refocusing and establishing initiatives like multi-agency collaborative panels, intensive case management, Transition to Success and Youth Co-Responder teams. While some of the initiatives targeting serious and repeat offending have evaluations showing merit and potential (see below), they are largely tertiary (rather than preventative) and government-led. Queensland also has several other early intervention and diversion responses that are government-led including restorative justice conferencing, Transition to Success, Early Action Groups, conditional bail programs, and police-run programs.

On an average day, 73% of children who the Queensland Government has labelled as committing serious and repeat offences are First Nations children.¹⁵⁶ The Queensland Government also disproportionately incarcerates First Nations children, who make up 66% of children in Queensland prisons.¹⁵⁷ Noting this, **the Queensland Government must refocus funding efforts to ensure there is significant investment in place-based tertiary (and preventative) alternatives that are First Nations community controlled, designed and led** (which is further explored later in this submission).

EVIDENCE BASED CASE STUDIES: WHAT WORKS IN DIVERSION AND TERTIARY ALTERNATIVES?

Community-led

GRIFFITH YOUTH FORENSIC SERVICE (QLD)

Griffith University delivers the Griffith Youth Forensic Service in Queensland, which provides state-wide multisystemic and specialist assessment and treatment services for young people adjudicated for sexual offences. In 2015, a study evaluating the impact of the treatment provided by this service found it was equally effective at preventing sexual recidivism for Aboriginal and/or Torres Strait Islander and non-Indigenous youth. It also prevented violent and other recidivism for non-Indigenous youth living in remote and non-remote locations.¹⁵⁸

TED NOFFS FOUNDATION (QLD & NSW)

The Ted Noffs Foundation runs a residential alcohol and other drug treatment service called Program for Adolescent Life Management (PALM) for young people aged 13 to 18 years old with problematic substance and crime-related behaviours. A recent evaluation of this program analysed three pre-referral trajectories of convictions (no or low, moderate, or high-incline convictions) for over 891 young people referred to the PALM service in New South Wales. This study found treatment was associated with a significant decrease in convictions for the high-incline convictions trajectory, with 4.36 fewer convictions on average over five years post referral.¹⁵⁹ The Queensland Government has allocated \$12.7 million to build a 10-bed PALM residential facility in Queensland, which will be located in the Moreton Bay Region and will be available to young people aged 14 to 17 years old. The Ted Noffs Foundation also runs Street Universities in three locations in Queensland (Logan, Gold Coast and Townsville) to support young people aged 12 to 25 years experiencing disadvantage.¹⁶⁰

SUPERVISED COMMUNITY ACCOMODATION (QLD)

In 2019, Griffith University conducted an evaluation of the Supervised Community Accommodation (SCA) program for young people in Queensland. This evaluation found SCA provided young people with a high level of service delivery that addressed the drivers of offending and provided long-term safe and stable accommodation in a home-like environment. This evaluation highlighted the relatively strong integration of case management partnerships between youth justice staff and non-government service providers operating the facilities.¹⁶¹ In 2020, Ernst & Young produced a follow-up evaluation and comparative analysis of SCAs in comparison to other residential care and bail support services. This evaluation concluded that SCA and residential care are higher in cost than bail support programs due to offering housing 24 hours a day, seven days a week. It also found that over 70% of young people did not offend while residing at SCAs but 83% of young people reoffended after exiting the program.¹⁶² Following this review in January 2021, the

Queensland Government ceased operation and funding of SCA facilities. There is an opportunity to adopt lessons learnt from this supported bail accommodation model in Queensland and evidence-based models in other jurisdictions to establish alternative community-based accommodation options that support children to comply with their bail conditions and address the drivers of incarceration. Importantly, future alternative residential options in Queensland must be designed and delivered in collaboration with Elders, First Nations service providers and local communities.

WEAVE (CREATING FUTURES) EVALUATION (NSW)

This independent three-year evaluation of the Weave Creating Futures program (which provides intensive, culturally safe case work support to Aboriginal young people on release from custody) found that only 4.11% of the 93 young people who engaged in the program over the period of the evaluation reoffended. This compared to BOCSAR reoffending rates for young Aboriginal people, which are 57.30% for a comparable cohort.¹⁶³

BACKTRACK YOUTH SERVICES IMPACT REPORT (NSW)

Over the last 10 years, the intensive, holistic, and relational case work provided by Backtrack Youth Services has supported 1,000 children and young people at-risk of criminal justice system involvement or who are entrenched in the justice system. An impressive 87% of the young people who leave Backtrack transition into employment or education. A University of New South Wales report about the impact of the program on the local community in Armidale found a 35% reduction in crime because of the engagement of young people in the program.¹⁶⁴

A PLACE TO GO (NSW)

The A Place to Go pilot has been operational in the Nepean Police Area Command and Parramatta Children's Court since November 2018. The program aims to improve supports and deliver a better service response for 10 to 17-year-olds in contact with the justice system, with a focus on young people on remand. It draws on services from across New South Wales Government and non-government service providers to deliver a coordinated and multiagency service solution that can support young people to change their life trajectory. A Place to Go uses a young person's contact with police and/or the court as an opportunity to intervene early and link them with appropriate community supports and services, court liaison staff, cross-agency panels and dedicated short-term transitional accommodation. An independent evaluation found that young people were supported in finding stable and appropriate accommodation, accessing health services, removing barriers to education, and connecting with their communities.¹⁶⁵

FOCUSED DETERRENCE (UNITED KINGDOM)

Internationally, focused deterrence strategies have been shown to reduce crime in circumstances where a small cohort of people are responsible for a disproportionate amount of crime. Focused deterrence works by gaining an understanding of the drivers behind offending and implementing appropriate interventions that combine police engagement, community mobilisation and social service responses. It involves directly communicating the consequences of continued offending, while also ensuring required social services are available to the target groups or individuals. A systematic review of 24 evaluations on focused deterrence in the United Kingdom found it contributed to a reduction in crime by anywhere between 33–43%.¹⁶⁶ Exploration of focused deterrence strategies in Queensland must ensure

appropriate representatives (such as youth workers or Elders) deliver deterrence messaging and connect young people with relevant supports.

MULTI-SYSTEMIC THERAPY (AUSTRALIA & INTERNATIONAL)

There is extensive evidence demonstrating the efficacy of multisystemic therapy in addressing the root causes of antisocial behaviour for children aged 11 to 18 years old. Multisystemic therapy is delivered in home, school, neighbourhood, and community contexts to provide a holistic response, and it draws on other evidence-based techniques such as family therapies, behavioural therapy, parent management training and Cognitive Behaviour Therapy. Multisystemic therapy works by providing intensive clinical support for children and caregivers. Numerous robust evaluations over three decades have shown multisystemic therapy reduces long-term rearrest rates for children committing serious offences (by a median of 42%), reduces out-of-home care placements (by a median of 54%), improves family functioning, decreasing substance use amongst children, reduces mental health concerns for children, results in considerable cost savings and has higher levels of client satisfaction.¹⁶⁷ A longitudinal 22 year follow-up study in Missouri found children who participated in multisystemic therapy had 35% fewer felony arrests, 75% fewer violent felony arrests, 33% fewer days in custody, 37% fewer court engagements involving divorce, paternity, and child support matters, and 56% fewer felony arrests for siblings.¹⁶⁸

Life Without Barriers delivered multisystemic therapy, through a social benefit bond, to children in Brisbane who had serious and repeat offending histories (average of 35 criminal charges over the 18 months pre-referral). Evaluation data showed that 18 months after the exit, multisystemic therapy achieved a 43% reduction in offending, a 92% reduction in custody nights, and an 18% reduction in the proportion of children who seriously offend.¹⁶⁹

Government-led

TRANSITION TO SUCCESS (QLD)

In 2018, Deloitte undertook a six-month outcome evaluation of the Queensland Government Youth Justice run Transition to Success (T2S) voluntary vocational and therapeutic service for young people.¹⁷⁰ Following this, Deloitte released further analysis evaluating outcomes from the program over a 12-month reporting period. This analysis found, when compared with a comparison group, T2S participants with a youth justice history had a lower reoffending rate (58% compared to 73% reoffended), a reduction in custody nights (0.7 decrease in average custody nights compared to a 1.7 increase in average custody nights) and a reduction in the average supervision days (1.4 decrease in average supervision days per month compared to a 1.9 increase in average supervision days per month). Additionally, the evaluation found for every \$1.00 spent on the T2S program, the program results in \$2.13 of benefits.¹⁷¹ The Queensland Department of Children, Youth Justice and Multicultural Affairs reports that it has allocated \$61.5 million towards delivering this initiative in 20 locations across Queensland.

INTENSIVE CASE MANAGEMENT (QLD)

In February 2023, the Queensland Government published a report summarising findings from a 2022 Nous Group evaluation of the government-led Intensive Case Management (ICM) program. ICM is modelled on evidence-based practice frameworks including multi-systemic therapy¹⁷², Collaborative Family Work¹⁷³, the Good Lives Model¹⁷⁴, and Strengthening Families Protective Factors.¹⁷⁵ This evaluation found 42% of ICM clients did not reoffend (some for as

long as three years post-intervention). Additionally, the evaluation showed ICM resulted in a 51% reduction in the frequency of offending (in comparison to a 29% reduction for young people receiving alternative youth justice supports) and a 72% reduction in the proportion of crimes against the person (in comparison to a 13% reduction for young people receiving alternative youth justice supports). It is estimated that the program results in an \$8.1–15.7 million saving through reduced frequency and severity of offending and reduced time in custody.¹⁷⁶

PRE-CHARGE DIVERSION (AUSTRALIA & INTERNATIONAL)

A 2018 review of 19 studies evaluated the effects of police-initiated diversion programs on re-offending behaviour, compared to traditional system processing. The review summarises evidence from four countries – the United States (11), Canada (four) the United Kingdom (two) and Australia (two). The general pattern of evidence suggests that police-initiated diversion reduces future offending behaviour of low-risk youth relative to traditional processing. Assuming a 50% reoffending rate for the traditional processing condition, the results suggest a reoffending rate of roughly 44% for the diverted young people. The findings from this systematic review support the use of police-initiated diversion for low-risk youth with limited or no prior involvement with the juvenile justice system.¹⁷⁷

PRE-COURT DIVERSION (AUSTRALIA)

Children and young people may undertake pre-court diversion that involves an intervention (for example they are required to participate in a formal diversion program) or no intervention (for example they just receive a caution, reprimand, or warning).¹⁷⁸ Systematic reviews of studies that compare children who were diverted with children who were processed through formal court proceedings show pre-court diversion is associated with a decrease in recidivism anywhere between 9–36%.¹⁷⁹ Pre-court diversion programs that include services and supports have been found to be significantly more effective than diversion on its own.¹⁸⁰

A 2011 study in Queensland found that in comparison to children who were processed through the court on their first contact with the justice system, children who were cautioned for their first contact were significantly less likely to have repeated contact with the justice system (as well as less frequent and less serious re-contact). This study also found that, when compared to non-Indigenous young people, First Nations young people were less likely to be diverted to cautioning for their first contact and less likely to be diverted by police for conferencing for their second, third and fourth contact with the justice system. This study noted there is a particular need to undertake rigorous evaluations of diversion programs to better understand what programs are working and could be expanded across the state.¹⁸¹

CHILDREN'S COURT YOUTH DIVERSION (VICTORIA)

In Victoria, the Children's Court operates a Youth Diversion Service based on restorative justice principles that aim to assist participants to take responsibility for their actions, repair harm and increase insight into the impacts of their offending upon the victim, their family, and the community. Children and young people can have court proceedings adjourned for up to four months to participate in diversion programs or services. They must acknowledge responsibility for the offence. An evaluation report found that the program was successful in diverting young people from the formal justice system. The magistrates working across the pilot sites for the program uniformly agreed that it provided them with an important additional option to their decision-making process. All stakeholders and young people agreed that the

program offered a positive alternative and filled an important gap to help keep the young people diverted from the formal justice system.¹⁸²

RESTORATIVE JUSTICE CONFERENCING (QLD & INTERNATIONAL)

Internationally, studies have found restorative justice conferencing is cost effective in terms of reducing repeat reoffending.¹⁸³ In Australia, restorative youth justice conferencing has also been shown to reduce reoffending in circumstances where young people are remorseful, and their conference outcomes are reached via consensus.¹⁸⁴ According to an internal 2018 12-month program evaluation of restorative youth justice conferencing in Queensland, 59% of young people who participated in restorative justice conferencing did not reoffend within six months of their conference.¹⁸⁵ The Queensland Government has since reported that it has over a number of years invested \$65.1 million towards restorative youth justice conferencing and 77% of participants either did not reoffend or decreased the magnitude of their offending.¹⁸⁶

Regardless of reoffending outcomes, restorative youth justice conferencing results in positive outcomes for victims and communities through actions that repair the harm caused by the young person's offending.¹⁸⁷ In Queensland, 70% of victims reported youth justice conferencing helped them to 'manage the effects of the crime'.¹⁸⁸ Yet, restorative youth justice conferencing remains underutilised in Queensland.¹⁸⁹ The number of children referred to a restorative justice conference decreased substantially from 3,169 referrals in 2020–21¹⁹⁰ to 2,249 referrals in 2021–22¹⁹¹ and 2,164 referrals in 2022–23.¹⁹² The number of children participated in a restorative justice conference increased slightly from 1,527 in 2021–22 to 1,604 in 2022–23. Reasons cited for the underutilisation of restorative justice conferencing in Queensland include discretionary gatekeeping by police, lack of a systematic and comprehensive consultation process with victims and children who are referred, and lack of evidence based implementation of restorative youth justice conferencing.¹⁹³

In Queensland, restorative youth justice conferences are convened by departmental staff.¹⁹⁴ Comparatively, Jesuit Social Services (JSS) in Australia run restorative justice conferences in Victoria and the Northern Territory. In a recent evaluation by Swinburne University, it was found that JSS-run group conferencing was associated with a reduction in recidivism of between 24–40% compared to mainstream justice processes. This evaluation also found conferencing was extraordinarily cost-effective (running one conference costs about the equivalent of keeping a child in custody for four days).¹⁹⁵

In New Zealand, family-group conferences are used at different stages of interaction with the youth justice system¹⁹⁶, including where there is an intention to charge, as a court-ordered option pre-or post-sentencing, when a young person is remanded (to explore alternative community-based options), and where there is a care and protection consideration (for children aged 10 to 13 years old).¹⁹⁷

There have been some important critiques in Australia of the way in which restorative conferencing has not always adequately engaged in a meaningful or respectful way with First Nations communities. The research in this space notes the importance of ensuring restorative programs are developed and implemented by First Nations communities with appropriate self-determination and resourcing.¹⁹⁸

OTHER CASE STUDIES: DIVERSION AND TERTIARY ALTERNATIVES IN QUEENSLAND

Community-led

THE LIGHTHOUSE: YOUTH AFTER (TOWNSVILLE, QLD)

The Lighthouse is open from 6pm to 8am seven nights per week to provide support for young people aged 10 to 17 years old in Townsville who need a safe place to go. Young people who access the service are assigned a case worker and can access overnight accommodation as well as other activities/supports.¹⁹⁹

COMMUNITY YOUTH RESPONSE AND DIVERSION (QLD)

The Queensland Government has allocated a total amount of \$56.9 million towards Community Youth Response and Diversion programs that aim to divert young people aged 10 to 15 years old from the justice system into placed-based diversion services, integrated case management and other supports. Community-based organisations provide culturally appropriate diversionary options in Brisbane, Gold Coast, Logan, Ipswich, Cairns, and Townsville, with the current program funded until June 2023.²⁰⁰ The Queensland Government has contracted Nous Group to undertake an evaluation of this program.²⁰¹

DISRUPTING THE SCHOOL TO PRISON PIPELINE PROJECT (MORETON BAY REGION, QLD)

The Disrupting the School to Prison Pipeline Project aims to reconnect disengaged First Nations young people in the Moreton Bay Region with education, training, or employment. The project is delivered by Mindle Bygul Aboriginal Corporation and Queensland University of Technology who are undertaking the evaluation component.²⁰²

TRANSITION TO COMMUNITY (IPSWICH, QLD)

The Transition to Community is an intensive six-month post-release program in Ipswich that aims to support young people leaving youth detention to reintegrate back into the community including through connection with training and employment opportunities.²⁰³ This program is delivered by Fearless Towards Success, who have developed a collaborative relationship with the evidence-based BackTrack Youth Works Project in New South Wales and have developed their services using an evidence-informed approach.²⁰⁴

ON COUNTRY PROGRAM (CAIRNS, MT ISA & TOWNSVILLE, QLD)

The Queensland Government has funded \$9.8 million towards an On Country program for Aboriginal and/or Torres Strait Islander young people aged 10 to 17 years old who have offended and are assessed as having high and complex needs. The program is delivered by First Nations community-controlled organisations in three locations including Jabalbina Yalanji Aboriginal Corporation in Cairns, Mona Aboriginal Corporation in Mount Isa, and Gr8Motive Aboriginal and Torres Strait Islander Corporation Queensland in Townsville.²⁰⁵ Queensland Council of Social Service undertook an evaluation that looked at the effectiveness and impact of the program on youth offending.²⁰⁶ In addition, Jabalbina Yalanji Aboriginal Corporation received additional funding through the Community Partnership Innovation Grant scheme to deliver overnight On Country Healing Camps at short notice and in the 72 hours after young people leave youth detention.²⁰⁷

ELDERS CAUTIONING PROGRAM (QLD)

The Queensland Government has funded an Elders Cautioning Pilot Program in Inala. This project is run by Inala Elders Aboriginal and Torres Strait Islander Corporation in partnership with Queensland Police and Griffith University who are undertaking the evaluation component.²⁰⁸ The program aims to divert young people from the justice system into culturally appropriate cautioning and other supports. Elders in other communities (including Rockhampton, North Stradbroke Island, and Townsville) are also providing Elders Cautioning in partnership with Queensland Police (however, Elders Cautioning in these communities is unfunded and voluntary).

COMMUNITY HELPING ADOLESCENTS WITH NEW GROWTH AND ENDEAVOURS (CHANGE) (TOOWOOMBA, QLD)

CHANGE aims to provide wrap-around interventions and supports for young people aged 10 to 17 years old in Toowoomba who are at-risk of becoming entrenched in the youth justice system. Five community-based service providers (Catholic Care Social Service, Emerge, Good Samaritan College, Bunya Peoples Aboriginal Corporation, and Raw Impact) collectively deliver the program to ensure young people receive holistic support (including housing, mentoring, education, training, employment, recreational activities, and cultural connection).²⁰⁹ In April 2023, Raw Impact also received \$300,000 in funding through the Community Partnership Innovation Grant scheme to deliver intensive cultural connection support and opportunities for young people at-risk in Toowoomba.²¹⁰

KEEPING OUR KIDS OUT (KOKO) PASIFIKA YOUTH HOLISTIC HUB (LOGAN, QLD)

Village Connect Ltd has developed the first culturally safe integrated service response for Pacific Islander young people in Queensland, which aims to provide wrap-around supports for young people who are offending as well as their families.²¹¹

YANGAH PROGRAM (BRISBANE, QLD)

Sisters Inside delivers this program, which aims to reduce the number of young girls aged 10 to 17 years old held on remand in prison or within police watch houses by providing pre- and post-release support to improve the likelihood of bail and bail compliance. This includes supporting girls to access accommodation, community-based services and supports, legal representation and individual/family support.²¹²

INTENSIVE BAIL INITIATIVE (5 LOCATIONS, QLD)

The Intensive Bail Initiative (IBI) is delivered by community-based service providers in five locations across Queensland who provide support to young people aged 10 to 17 years old who have committed serious, repeat offences, and have intensive bail conditions (such as electronic monitoring or a conditional bail program) as well as support their families. The IBI includes bail support; intensive family partnership case work; and community co-responders who are available to provide support and connection services out of hours (including in response to calls from young people, families, Youth Co-Responder Teams, and Youth Justice Service Centres). The program is being expanded to Toowoomba, Mount Isa, and Cairns. The Queensland Department of Children, Youth Justice, and Multicultural Affairs reports that it has allocated total funding of \$33.9 million for delivery in a total of eight locations over a number of years until 2026–27, and that there has been a 34% reduction in custody nights in the existing five locations. Current service providers are Youth Advocacy Centre (Brisbane),

Anglicare Queensland (Logan), TAIHS (Townsville bail support component only), Kurbingui (Caboolture/Redcliffe) and Anglicare Southern Queensland (Gold Coast).²¹³

SPECIALIST SUPPORT AND COUNSELLING SERVICES (QLD)

Queensland Government funds specialist support and counselling services for people impacted by sexual offending. Youth Sexual Violence and Abuse (YSVA) Services have been established within various locations across Queensland to provide trauma-informed counselling for young people aged 10 to 17 years old who have experienced sexual violence or child sexual abuse as well as early intervention responses for young people exhibiting problematic sexual behaviours.²¹⁴ Additionally, Bravehearts Foundation Limited provides evidence-based specialist counselling services involving therapeutic intervention support within restorative justice conferencing for adolescents who have committed sexual offences and their families, and persons harmed and their families/significant others.²¹⁵ External providers have been engaged to evaluate the effectiveness of these services.²¹⁶

FAMILY-LED DECISION MAKING (4 LOCATIONS, QLD)

Family-led decision-making aims to empower Aboriginal and/or Torres Strait Islander children who have offended and their families to have a voice about youth justice responses through a culturally safe decision-making process. Queensland Government has allocated \$8.7 million for this service, which Aboriginal and Torres Strait Islander community-controlled organisations deliver in four regions (Cairns, Toowoomba, Brisbane south/Logan, and North Brisbane) across Queensland in partnership with youth justice staff. The Queensland Aboriginal and Torres Strait Islander Child Protection Peak provides program support including with planned evaluation.²¹⁷

LEGAL ADVOCACY AND BAIL SUPPORT SERVICES (13 LOCATIONS, QLD)

Legal advocacy and bail support services are delivered by community-based organisations in 13 locations across Queensland to support young people aged 10 to 17 years old in the youth justice system through court advocacy, case management, after hours support and visits, connection to local community services and assistance to comply with bail conditions.²¹⁸ The Queensland Department of Children, Youth Justice and Multicultural Affairs reports it has allocated \$43.1 million towards these services over several years until 2026–27 and that these services have resulted in a 32% reduction in reoffending frequency and severity.²¹⁹

THE YILI PROGRAM (QLD)

Yiliyapinya Indigenous Corporation delivers the Yili Program, which is a transition and engagement support program for youth aged 10 to 15 years old on bail reporting conditions who cannot have their needs met by alternative education facilities. This program and all other services that Yiliyapinya Indigenous Corporation delivers are evidence and neuroscience informed. In April 2023, Yiliyapinya Indigenous Corporation received \$300,000 through the Community Innovation Grant Scheme to deliver a neuroplasticity program for Aboriginal children aged 10 to 18 years old on bail in Woorabinda. Yiliyapinya Indigenous Corporation also offers their expertise in neuroplasticity programs to support other organisations through the development of tailored brain fitness programs for children, youth, and adults.²²⁰

LUTHERAN CHURCH (BRISBANE, QLD)

In April 2023, Brisbane Lutheran Church received \$300,000 funding through the Community Partnership Innovation Grant scheme to establish a targeted-holistic case-coordination and intensive case management service that will target drivers behind young people's offending behaviours.

BACK TO COMMUNITY REINTEGRATION PROGRAM (MT ISA, DOOMADGEE & MORNINGTON ISLAND, QLD)

In April 2023, 54 Reasons received \$300,000 funding through the Community Partnership Innovation Grant scheme to establish this program that will provide rights-based, trauma informed and culturally responsive throughcare support to young people from Mount Isa, Doomadgee or Mornington Island who are leaving youth detention.²²¹

ADAM WENITONG (TOOWOOMBA, QLD)

In April 2023, Adam Wenitong received \$142,483 funding through the Community Partnership Innovation Grant scheme to establish a 30-week response for young people who have reoffended in Toowoomba (which includes a First Nations cultural project).²²²

YOUTH OFF THE STREETS (LOGAN, QLD)

In April 2023, Youth Off the Streets received \$293,500 funding through the Community Partnership Innovation Grant scheme to support the delivery of targeted and evidence-based interventions for young people transitioning from detention to the community and for young people who require support to re-engage with education (including young people from First Nations, Pasifika and African communities).²²³

Government-led

NAVIGATE YOUR HEALTH (QLD)

Navigate Your Health is available to young people aged 10 to 17.5 years old who are subject to community-based youth justice orders in Brisbane, Western Districts, Ipswich, Logan, and Cairns. Queensland Health Nurse Navigators work in collaboration with other government departments, general practitioners, Aboriginal Medical Services, and other community health services to ensure young people receive support related to their health and wellness.²²⁴

SPECIALISED HIGH-RISK YOUTH COURT (TOWNSVILLE, QLD)

The Queensland Government introduced the Townsville High-Risk Youth Court in 2017 for the purpose of ensuring 'high risk and repeat young defendants appear in court and are heard by the same magistrate'.²²⁵

MULTI AGENCY COLLABORATIVE PANELS (17 LOCATIONS, QLD)

The Queensland Government has legislated the operation of multi-agency collaborative panels for government departments to coordinate the provision of services, including assessments and referrals, for young people who have offended or who are at-risk of offending. The legislation provides the option for government to invite prescribed entities or service providers to assist with the provision of services through the panels.²²⁶ The Department

of Children, Youth Justice and Multicultural Affairs reports that it has allocated \$17.5 million to the operation of multi-agency collaborative panels, which are available in 17 locations across Queensland (Brisbane, Caboolture, Cairns, Darling Downs, Gold Coast, Ipswich, Logan, Mackay, Mareeba, Mount Isa, Rockhampton, south-west Queensland, Sunshine Coast, Townsville, Wandama, Western Districts and Wide Bay Burnett).

YOUTH CO-RESPONDER TEAMS (13 LOCATIONS, QLD)

The Queensland Government has established Youth Co-Responder Teams in eight locations across Queensland (Townsville, Cairns, Mackay, Rockhampton, Moreton Bay region, Brisbane North, Logan and Gold Coast), and has recently announced expansion of this initiative in five additional locations (Toowoomba, Hervey Bay, Mount Isa, Ipswich and south Brisbane). Youth Co-Responder Teams operate as a partnership between police and youth justice workers who patrol the streets and engage with young people including those on bail. The Queensland Department of Children, Youth Justice, and Multicultural Affairs reports that it has committed a total amount of \$97.5 million towards the Youth Co-Responder Teams and associated youth justice after hours support over several years until 2026–27, and that there is a 96% average bail compliance across all locations.²²⁷

YOUNG, BLACK, AND PROUD (QLD)

Aboriginal and Torres Strait Islander youth justice service centre staff deliver the Young, Black, and Proud program in partnership with community leaders (such as Elders and Traditional Owners) to support Aboriginal and/or Torres Strait Islander young people to develop and strengthen positive connections with culture and identity. The program is evidence-informed, change-oriented and delivered in a group context through structured activities and cultural knowledge sharing connections.²²⁸

GIRLS MOVING ON (QLD)

Youth Justice Service Centres deliver this evidence-informed, change-oriented program to support girls and young women to develop new skills and resources relating to resilience and healthy relationships.²²⁹

BLACK CHICKS TALKING (BCT) (QLD)

Aboriginal and/or Torres Strait Islander women deliver this evidence-informed, change-oriented program within Youth Justice Service Centres to support young Aboriginal and/or Torres Strait Islander women. The program is delivered in a group context, with the aim of building cultural connections to community and identity through storytelling, yarning, and adventure activities.²³⁰

FIRST NATIONS PLACE BASED APPROACHES

First Nations place-based and community controlled approaches seek to address structural and systemic social and justice problems at the local level rather than through top-down policies. They draw on the unique capabilities and strengths, as well as the challenges, that First Nations communities face and challenge governments to develop genuine partnerships with communities to alleviate structural disadvantage. Place-based initiatives prioritise networks, collaboration, community engagement and flexibility.²³¹ This submission provides just some of the many First Nations place-based approaches across Queensland and within Australia that are improving outcomes for First Nations children, families and communities.

The Justice Reform Initiative acknowledges commitments made by the Queensland Government to reduce the disproportionate representation of First Nations children (and adults) in the criminal justice system such as participating in the Commonwealth Justice Policy Partnership, establishment of the First Nations Justice Office (who are developing a co-designed whole-of-government strategy to reduce this disproportionate representation), implementing recommendations from the Women's Safety Justice Taskforce reports, progressing Queensland's Path to Treaty, and establishing the Local Thriving Communities model. Despite the good intentions of these responses, First Nations communities across Queensland continue to advocate for true self-determination and for decision making authority to be handed back to communities to better resolve structural disadvantage, systemic racism, and the ongoing impacts of colonisation (especially when it comes to youth and adult justice).

A whole-of-government funding approach that provides First Nations communities with sustainable, long-term, and flexible funding is needed in Queensland to improve both social and justice outcomes for First Nations peoples. Breaking down complicated, restrictive, and siloed funding mechanisms that currently exist will enable First Nations communities to better provide holistic community-controlled and placed-based responses that meet the needs of their community. This includes the opportunity for enhanced housing and homeless services; support across kinship care; support to retain engagement in culturally modelled education and health systems; support to strengthen social and emotional wellbeing and economic wellbeing; support to heal from ongoing impacts of international trauma and colonisation; alongside support to maintain strong and healthy relations with family, kin, community, Country, and non-human relations.

EVIDENCE BASED CASE STUDIES: WHAT WORKS IN FIRST NATIONS LED APPROACHES?

COMMUNITY JUSTICE GROUPS (STATEWIDE, QLD)

Community Justice Groups (CJGs) were first trialled in three Queensland communities in 1993 in response to the Royal Commission into Aboriginal Deaths in Custody. The program has since been expanded state-wide, with Aboriginal and Torres Strait Islander-led CJGs now operating in 41 communities across Queensland. CJGs work with key stakeholders to coordinate place-based responses that support First Nations people interacting with the justice system. A 2010 KPMG-led evaluation found stakeholders involved in Queensland CJGs widely supported the initiative and that it is closely aligned with state and national justice priorities; however, CJGs required greater resourcing and support to improve their capacity

to deliver responses that reduce the over-representation of Aboriginal and Torres Strait Islander people in prison.²³²

Following the initial evaluation, Queensland Government released a Framework for Stronger CJGs and allocated an additional \$19.1 million over four years in the 2019-20 state budget to enhance the initiative. Myuma Pty Ltd is currently undertaking a second outcome evaluation of the CJG initiative (due for completion in December 2023). A Phase 1 implementation evaluation report was released in November 2021, which noted the extensive outputs of CJGs and provided recommendations to strengthen program implementation and inputs during the program enhancement phase.²³³ This implementation evaluation as well as the Our Community Justice website share early success stories from CJGs across Queensland.²³⁴

In July 2022, CJGs and governmental representatives attended a Stop Black Deaths in Custody (Meanjin) Forum on First Nations justice. A comprehensive report from this forum sets out a roadmap for Queensland to implement justice reforms that will improve outcomes for First Nations communities at both the local and state level. This report provides a number of concrete recommendations about how to immediately improve outcomes for First Nations people – including First Nations children – at multiple touchpoints in the criminal justice system.

THE YIRIMAN PROJECT (WA)

The Yiriman Project – which is run by the elders of four Kimberley language groups to reconnect their young people to culture while also reducing contact with the criminal justice system, harmful substance use and suicide – has received numerous awards and positive evaluations.²³⁵ Yet it has struggled over the past two decades to secure the funding it needs to continue its services. Children and young people aged 15 to 25 years are taken out on country to visit Elders where they are involved in deep learning and transmission of culture and language, workshops, making of artefacts and taking care of the land. A three-year evaluation found it reduced participants' subsequent contact with the criminal justice system, with some concluding it was better than most other sentencing and diversionary options in this regard.²³⁶

MARANGUKA JUSTICE REINVESTMENT PROJECT (NSW)

The independent review of the Maranguka Justice Reinvestment Project at Bourke in 2016–17 found a 23% reduction in domestic violence offending; 38% reduction in the number of youth proceeded against for driving offences, alongside increased rates of school retention and estimated savings of \$3.1 million over the course of a year.²³⁷ The close partnership between the community and police was critical to the success of this work, with regular meetings between police and community members, sharing of data, and working together to identify community members in need.²³⁸

YUWAYA NGARRA-LI (NSW)

Yuwaya Ngarri-li is a community-led partnership between the Dharriwaa Elders Group and the University of New South Wales, which aims to improve the wellbeing, social, built and physical environment and life pathways of Aboriginal people in Walgett, New South Wales, through collaboration on evidence-based initiatives, research and capacity building. A 2022 report from Yuwaya Ngarra-li evaluating change in youth justice outcomes since the commencement of the partnership in 2018 showed there were overall increases in diversions in 2019 and 2020 (but decreases again in 2021); overall reductions in charges and court cases;

and reductions in youth custody episodes but noted the need for ongoing work to embed systemic change.²³⁹

OLABUD DOOGETHU (WA)

The Kimberley-based Olabud Doogethu project is Western Australia's first justice reinvestment site. Olabud Doogethu aims to create stronger communities, more resilient families and young people, and reduce youth involvement in the criminal justice system in the Halls Creek Shire. The project's focus is community-driven and Aboriginal-led initiatives that build local community cohesion, capacity, leadership and infrastructure; tackle disadvantage; and create local justice support opportunities. 90% local Aboriginal employment has been achieved for all Olabud Doogethu service programs.²⁴⁰ Data provided by Western Australia Police for the period 2017–20 showed significant reductions in youth crime at the site, including a 63% reduction in burglaries; a 43% reduction in oral cautions, a 69% reduction in arrests; a 64% reduction in Aboriginal persons admitted to police custody (aged 10-plus) and a 59% reduction in stealing of motor vehicles.²⁴¹

ANINDILYAKWA GROOTE PEACEMAKERS PROGRAM (NT)

A collection of programs and supports led by Elders on Groote Eylandt have resulted in significant decreases of crime by children and young people. Police data indicates a 95% drop in offending from 346 recorded offences in 2018 to 17 in 2019. A range of interventions including youth mentoring, a 'spotters' program (where spotters identify potential problems and intervene before they arise) and different forms of community mediation have contributed to the reductions. The success of the project has also been attributed to a return to local decision making in a range of key areas including in housing, justice, education, and health.²⁴²

INDIGENOUS HEALING LODGES (CANADA)

In Canada, there are currently 10 Indigenous Healing Centres that operate as alternatives to custody for Indigenous peoples. These centres are modelled on Indigenous values, traditions, and beliefs, and provide culturally responsive services and programs to address the drivers of incarceration and prepare a person for their release into the community. The most recent evaluation of Indigenous Healing Lodges outlines their success in terms of supporting and preparing Indigenous people to return to the community. When compared with a matched control group, Indigenous people who resided at a healing lodge demonstrated greater positive changes in dynamic risk factors over the course of their stay and were more likely to participate in services, programs and supports available to them. When controlling for other factors, Indigenous people residing at a healing lodge who engaged with Indigenous specific services and interventions were also less likely to have further engagements with the justice system. Men who completed Indigenous programs at the lodge had a 54% lower risk of revocation of release, while women who demonstrated an interest at intake had a 65% lower risk of return to custody.²⁴³ Elders and First Nations communities in Queensland continue to call for funding to establish First Nations-led healing centres for both children and adults.

FIRST NATIONS COURTS

For First Nations people, courts have regularly failed to acknowledge or recognise the impact and context of the history of colonisation, and the specific set of circumstances in which contact with the justice system has occurred. Mainstream courts have also often failed to respond to First Nations people in ways that are culturally meaningful.

Specialist First Nations alternative courts models differ to the mainstream court system in that they incorporate restorative principles, support First Nations leadership (usually involving First Nations Elders) and adopt a culturally safe model for working with First Nations People.²⁴⁴ First Nations Courts put culture and healing at the centre of the court process, often through Elders participation, with the ultimate aim of reducing incarceration and ongoing criminal justice system involvement. First Nations specialist courts have been introduced throughout Australia, such as Queensland's Murri Courts, New South Wales's Circle Sentencing, Victoria's Koori Courts, South Australia's Nunga Courts and Western Australia's Kalgoorlie Court.²⁴⁵

In a recent evaluation of the Queensland Murri Court (operating across 14 jurisdictions in Queensland), participants reported that participation in the court had reduced their contact with the justice system, and that the involvement of Elders encouraged attendance at court and provided a layer of support and accountability that encouraged people before the court to take responsibility.²⁴⁶ The Youth Murri Court has resumed operation in Magistrate Courts within Cairns, Rockhampton, and Mackay; however, as pointed out in the Queensland Children's Court Annual Report 2022-23, 'more needs to be done to make the Children's Court a more relevant place for First Nations peoples'. This report also notes that the uptake of the Youth Murri Court pilot program in the Cairns Children's Court has not been strong, suggesting more needs to be done to collaboratively engage with First Nations peoples in this area.²⁴⁷

Overall, evaluations have found First Nations-led courts to be highly effective in several ways. For instance, court attendance is higher for specialist First Nations courts in comparison to mainstream courts²⁴⁸ and court staff are better equipped to support First Nations people.²⁴⁹ There are also strong indications that reoffending rates are also reduced when processes are implemented well and when there are resources to support participants. For example, a New South Wales BOCSAR evaluation found First Nations participation in Circle Sentencing led to a 9.3% reduction in people receiving a prison sentence and a 3.9% reduction in reoffending within 12 months.²⁵⁰ The study also noted that it took an extra 55 days for a reoffence to occur. Similarly, an evaluation of the Youth Koori Court pilot in Parramatta, New South Wales found fewer children were locked up in youth detention as a result of the Youth Koori Court, and days in custody were reduced.²⁵¹

An evaluation of the original Koori Court Pilot program in Victoria found Koori Courts improved rates of recidivism, with a 16.91% and 13.91% reduction of reoffending in the Shepparton Court and the Broadmeadow Court respectively.²⁵² The success of the Victorian Koori courts was more recently noted in the recent Parliamentary Inquiry into the Criminal Justice System in Victoria, where the committee recommended expanding the reach, the jurisdiction and scope of the Koori Court.²⁵³

In South Australia, an earlier study compared outcomes from the South Australian mainstream Magistrates Court and the Nunga Court between 2007 and 2009.²⁵⁴ This study found Nunga Court defendants were significantly less likely to be sent to prison, receive a monetary penalty, and have their drivers licence disqualified in comparison to similarly positioned First Nations defendants who had their matter processed through the conventional courts.

Internationally, studies on the impact of the Iwi Justice Panels in New Zealand and the Gladue Court in Canada have also found that people who participated in specialist courts were less likely to reoffend, and where reoffending did occur, it was less severe.²⁵⁵

Other benefits associated with specialist First Nations courts include their ability to empower First Nations by ensuring they self-determine their own outcomes related to criminal justice,

increase access to justice, and foster a better relationship between First Nations communities and criminal justice authorities.²⁵⁶ Additionally, participants in the Iwi Justice Panels reported positive lifestyle changes such as finding employment and education opportunities.²⁵⁷

There have been some examples where specialist sentencing courts have not appeared to have an impact in terms of recidivism. In 2015, the two specialist Aboriginal sentencing courts in Western Australia were abolished following evaluations that found recidivism did not significantly reduce as a consequence of participation. Although subsequently re-established, this also happened in Queensland to Murri Courts in 2012.²⁵⁸ Evaluation of Nunga courts in South Australia also found unclear results relating to the impact of the court on reoffending.²⁵⁹

There have however been clearly identified limitations related to data collection, data analysis and methodology in these evaluations.²⁶⁰ Other issues have emerged in response to these evaluations, which identify some of the complexities and challenges of successful implementation. For instance, the evaluation of the Murri Courts in Queensland noted the effectiveness and success of specialist courts was also dependent on external factors such as the availability of adequate resources in First Nations communities, particularly services that are culturally appropriate and First Nations-led. This includes the opportunities to improve the availability of culturally meaningful diversionary programs, alongside addressing the structural and economic factors associated with First Nations over-incarceration. This means for instance addressing unemployment, low school attendance, problematic alcohol and other drug use, homelessness, lack of crisis support, and family support.²⁶¹

The Australian Law Reform Commission suggests First Nations courts should ideally:

- » Involve active participation by the defendant and the community
- » Provide individualised case management for the defendant and wrap-around services
- » Be culturally appropriate and competent
- » Ensure their design, implementation and evaluation is led by relevant Aboriginal and/or Torres Strait Islander organisations.

OTHER CASE STUDIES: FIRST NATIONS PLACE BASED APPROACHES IN QUEENSLAND

NORTH STRADBROKE ISLAND YOUTH AND SOCIAL JUSTICE WORKING GROUP (TERRANGERI, QLD)

The North Stradbroke Island Youth and Social Justice Working Group was established after discussions between Aboriginal Elders across Terrangeri (Stradbroke Island) and south-east Queensland, who were concerned about the ongoing issues impacting Aboriginal youth. These discussions identified the ongoing failures of existing systems and highlighted the need for an urgent and self-determining response. Led by the Minjerribah Moorgumpin (Elders-in-Council) (MMEIC) the working group includes a grass-roots network of stakeholders who create justice reinvestment and restoration initiatives for the local community. This work is

community-controlled. It was founded by, and ensures the ongoing engagement of, Aboriginal Elders across all levels of decision-making. The working group has a particular focus on promoting self-pride and self-worth in Quandamooka youth through culturally-based models, with the fundamental intention of life promotion and belonging. The group membership includes MMEIC, Redlands City Council, community members (First Nations and non-Indigenous), schools from the Quandamooka region, Queensland Government Departments (including Health, Youth Justice, Aboriginal and Torres Strait Islander Partnerships, the Police), First Nations-led organisations (Yulu-Burri-Ba, COOEE First Nations Family and Community Education Centre, Goompi Give and Grow), Straddie Chamber of Commerce, Non-Government Organisations (Justice Reform Initiative, YMCA & Headspace), academics and PhD students.

MORNINGTON ISLAND RESTORATIVE JUSTICE PROJECT (MORNINGTON ISLAND, QLD)

This evaluation utilised a mixed-methodology approach to explore outcomes from the Mornington Island Restorative Justice Project. This community-led mediation/peacemaking project aimed to build Mornington Island community capacity to self-determine conflict management without violence or engagement with external agencies (such as police and courts). The evaluation outlined several positive outcomes of this place-based mediation project including community ownership, confidence and trust in the process, restoration, and healing in the community (rather than through the justice system), and restoration of Elder authority and respect.²⁶²

AURUKUN RESTORATIVE JUSTICE AND REINTEGRATION JUSTICE PROJECT (AURUKUN, QLD)

Through the Aurukun Restorative Justice Project (which commenced in 2013), a local and culturally inclusive mediation and peacekeeping service has been established to build community dispute resolution capacity in Aurukun.²⁶³ A 2017 evaluation of this project found the community was very supportive of localised mediation and over two-thirds (64%) of mediation participants recorded successful outcomes. Following this evaluation in April 2017, the Aurukun Reintegration Justice Project commenced to improve services and supports for people from the Aurukun community before, during, and after incarceration.²⁶⁴

MURRI WATCH COMMUNITY PATROL PROGRAM (TOWNSVILLE & MACKAY, QLD)

Murri Watch delivers a Community Patrol program in Townsville and Mackay, which provides outreach, support (including referring to services), and transport for Aboriginal and Torres Strait Islander people who are homeless/sleeping rough and intoxicated in public spaces.²⁶⁵

COEN MEN'S CENTRE (CAPE YORK, QLD)

The Coen Regional Aboriginal Corporation commenced operations of the Coen Men's Centre in August 2023 as a way to provide a fit-for-purpose community space that supports First Nations men and boys through social, cultural, and recreational activities. This centre aims to provide space for men and boys to bond, deal with men's business, and receive supports particularly around preventing suicide and domestic violence.²⁶⁶

JUSTICE REINVESTMENT (STATEWIDE, QLD)

As part of the National Justice Reinvestment funding package, five Queensland communities have received community readiness funding and support to progress community-controlled,

place-based approaches to justice reinvestment. The communities who received community readiness support in Queensland include Townsville, Minjerribah (North Stradbroke Island), Mornington Island, Cherbourg, and Doomadgee.²⁶⁷ Many other communities across the state are progressing justice reinvestment planning and have expressed interest in the national grant funding progress. In February 2023, the Queensland Government announced \$5 million dollars over four years funding to establish community-led and place-based justice reinvestment initiatives that will address the underlying causes of youth crime and address the disproportionate representation of First Nations peoples in the criminal justice system.²⁶⁸ There is a dire need to increase investment from the state government to better support First Nations communities to self-determine holistic community-controlled and place-based justice reinvestment approaches that will reduce the number of children (and adults) interacting with the criminal justice system and other systems that cause harm across Queensland.

rites of passage framework (GOONDIWINDI, QLD)

In April 2023, Marigurim Yalaam Indigenous Corporation for Community Justice received \$298,980 in funding through the Community Innovation Grant scheme to develop a community-controlled Rites of Passage framework that provides intensive support to young people (and one family member each) over 12 weeks in total both pre-and-post young people attending a culturally modelled Rites of Passage Camp. The program is called gambay bay-m, which stands for together come/follow. The framework includes:

- story - connection and relationships are deepened using storytelling;
- challenge - resilience is strengthened by providing challenge;
- vision - creating a vision for the future and a framework to achieve it;
- honouring - most importantly, every young person is honoured and recognised for their individual gifts, strengths, and talents.²⁶⁹

TAGAI STATE COLLEGE SOCIAL REINVESTMENT PROGRAM (THURSDAY ISLAND, QLD)

This place-based social reinvestment initiative on Thursday Island aims to support children in years 7 to 12 to engage with school, improve educational outcomes, increase vocational opportunity, and reduce contact with the criminal justice system. The program supports students disengaged from school through leadership development, on country camps, and culturally modelled activities (such as painting murals at the school).²⁷⁰

COMMUNITY NIGHT PATROL (KOWANYAMA, QLD)

Kowanyama Aboriginal Shire Council has established a community night patrol that operates between 6pm and 6am to proactively engage with children who are out at night. The initiative aims to improve community safety and reduce youth offending. Over a 14 month period, 169 community members were assisted, the majority of whom were children under the age of 12 years old (65 boys and 24 girls). This initiative has enabled children to instead be referred to diversionary activities and support services (rather than having contact with the criminal justice system).²⁷¹

DEADLY YOUTH LEADERSHIP AND CULTURAL PROGRAM (MAPOON, QLD)

This place-based social reinvestment initiative aims to engage children aged 5 to 15 years old in strengths-based, developmentally appropriate, and culturally modelled diversionary activities that protect against future offending and strengthen wellbeing. Activities offered through a school holiday program have focused on areas such as leadership development, bush navigation, sport, art, and camps.²⁷²

YOUTH HUB (BAMAGA, QLD)

The Northern Peninsula Area Regional Council established a Youth Hub in Bamaga in May 2023 that proactively engaged children and families through a range of co-designed activities aim to improve developmental outcomes, improve school engagement, and address the underlying drivers of youth crime to prevent future offending. The Youth Hub is supported by local community services, stakeholders, and government agencies, and supports children through sport and after-school, activities, youth counselling, case management services, and job readiness programs.²⁷³

SENVTY7 YOUTH HANGOUT CENTRE (INALA, QLD)

Inala Wangarra Incorporated the Seventy7 Youth Hangout Centre to provide First Nations children aged 6 to 18 years old with after-hours social and emotional wellbeing supports (from 3:30pm to 8:30pm). The centre aims to prevent high-risk behaviours and reoffending by promoting increased community participation.²⁷⁴

ALTERNATIVE YOUTH JUSTICE RESIDENTIAL MODELS

The literature is clear that children and the community are best served through models that support children and families to access targeted and evidence-based supports while staying connected to their community and living in their home environment.²⁷⁵ That is, non-residential support options are far more effective than residential options.²⁷⁶ If residential options are required where there is not a suitable home environment, it is critical to consider what does work. Incarceration does not work to make the community safer, deter offending, or reduce crime. **Youth detention centres, prisons, and watch houses – in any form – are not suitable places for children.** Any model that seeks to support children to stop offending should take a child-centred approach to ‘do no harm’. In Queensland, there have been numerous reports of children being held in solitary confinement for significant periods in prison and watch houses, of children losing hair due to lack of sunlight while being held in watch houses, and of children experiencing other inhumane conditions that compound harm and trauma.²⁷⁷

Despite prisons being the most ineffective and expensive response, the Queensland Government is planning to build two new prisons for children, which will increase the number of beds in child prisons from 306 to 426 by 2027.²⁷⁸ It is stated that these new centres will be ‘therapeutic’ and modelled on the principles of the 32 bed West Moreton Youth Detention Centre (which include restorative practice, trauma informed care and positive behaviour support).²⁷⁹ In considering what infrastructure and residential options are suitable for children, it is important to consider the efficacy of models like West Moreton Youth Detention Centre. Although West Moreton Youth Detention Centre is smaller than Brisbane Youth Detention Centre and Cleveland Youth Detention Centre, it has not achieved the therapeutic and rehabilitative aims intended – **84% of young people who completed a custody stay at West Moreton Youth Detention Centre were alleged to have reoffended within 12 months of release from this prison.**²⁸⁰ In the youth justice departmental briefing for this inquiry, it was noted that reoffending rates have not materially changed over the last four years.²⁸¹ **This tells us that our current approach is not working.**

In jurisdictions where therapeutic and rehabilitative facilities have worked (such as Hawai‘i, Missouri and Spain), there has been a whole-of-system change process that genuinely centres a trauma-informed and restorative approach. This is more than simply implementing ‘therapeutic’ or ‘rehabilitative’ programs or centres. It is a significant paradigm shift in the way that systems work, and in the knowledge, attitudes, perspectives, and skills of people who work within those systems.²⁸² Effective residential models have emerged alongside major systemic reforms that move jurisdictions away from the traditional punitive and carceral aspects of the criminal justice system. The responses in these jurisdictions are very different to those in Queensland (which centre ‘tough on crime’ policies, ‘stronger laws’ and tougher penalties).

As shown in the case studies below, therapeutic residential models differ across jurisdictions; however, unlike youth detention centres in Queensland, these facilities are much smaller in scale, local and community-based. They are delivered as part of a whole-of-community response and in most cases are designed and run by community-based services. Facilities are home-like, prioritise trust and relationships (above security and compliance), and create stable, safe, and trauma-informed environments for children to thrive (rather than survive). There is a particular focus on wrapping community-led supports and services around children and their families to address the root causes of their offending. Staff are highly-skilled and guide children (and their families) down a different path through positive connections and

relationships. Unlike Queensland where the majority of children held in prison are there for very short periods on remand, children in jurisdictions with alternative residential models that work are typically sentenced and receive support over a longer period. Importantly, alternative residential models that work also provide the avenue for children to stay connected and involved in their community – whether through social media or giving them flexibility (and trusting them) to leave the residential facility to participate in employment, workforce development and training opportunities, recreational activities and/or community/cultural engagements.

In considering evidence-based youth justice residential models and what might work in Queensland (and Australia), it is fundamental to consider the historical context of our country. The disproportionate representation of Aboriginal and Torres Strait Islander children (and adults) in Queensland prisons both reflects and reproduces systemic disadvantage. It is impossible to disconnect this disproportionate representation and the continued institutionalisation of First Nations peoples with the social drivers of incarceration identified so clearly in the thirty-year-old Royal Commission into Aboriginal Deaths in Custody report, including the impact of colonisation, structural racism, and dispossession.

Colonialisation and the “eroding of First Nations peoples’ ways of knowing, being and doing” has led to current levels of First Nations incarceration.²⁸³ Drawing on the strengths of First Nations communities is infinitely more difficult when governments “are imprisoning traumatised, developmentally compromised, and disadvantaged young people, where imprisonment itself adds to the re-traumatisation and complexity of supporting rehabilitation and recovery.”²⁸⁴

Aboriginal and Torres Strait Islander organisations and communities have for decades been providing leadership and advocacy in this space, as well as clearly stating what is needed to prevent this disproportionate representation continuing. Some of the reforms required are legislative. Other reform areas are about handing back cultural authority and community control to First Nations communities and increasing accessibility to services and supports that are First Nations-led and culturally modelled. There are well-developed, researched, and detailed proposals for new alternatives to youth detention centres in Queensland. Remote healing centres – proposals that have been put together by respected First Nations leaders alongside subject matter experts – have the potential to be an extraordinarily helpful tool in the development of alternative youth justice residential responses.²⁸⁵ There is an opportunity for governments in Queensland (and Australia) to look across the borders and learn lessons from the major systems reform that has occurred in Hawai’i. As outlined below, Hawai’i has replaced its punitive colonial youth justice system with an Indigenous-led and culturally modelled restorative alternative. **Governments here must follow in the footsteps of jurisdictions like Hawai’i and build genuine partnerships with First Nations people to ensure First Nations children have access to culturally modelled and community-led supports.**

THE KAWAILOA YOUTH AND FAMILY WELLNESS CENTRE IN HAWAI’I (INTERNATIONAL)

Hawai’i has reduced the number of children in prison by 82%²⁸⁶, reduced youth crime overall by 86%²⁸⁷, and achieved zero girls in prison.²⁸⁸ This dramatic reduction is a direct result of systems change that replaced the harmful and punitive western carceral criminal justice system with a culturally modelled restorative alternative. Reforms in Hawai’i particularly focused on providing adequate community-led and culturally modelled alternatives at the point of police interaction to divert children away from the system. This included implementing Indigenous Assessment Centres where children can be taken following contact with Police to have

comprehensive assessment and screening completed, which informs decision-making around community-based programming that will support children (and their families) to address challenges in their life and the drivers of behaviours deemed problematic²⁸⁹. For children who are considered "high-risk", the focus is on probation not prison. Other alternatives implemented include day and evening reporting centres, shelter care, home confinement, and the Kawaiiloa Youth and Family Centre.

The Kawaiiloa Youth and Family Wellness Center in Hawai'i is a community-based alternative and transformative Indigenous-led model, which seeks to replace incarceration with therapeutic services that empower youth and strengthen community.²⁹⁰ 'Kawaiiloa' translates to the long waters, which represents the ecosystem of resources and supports that guide youth to become leaders of social justice systems, racial equity, and healthy lives. The model is a whole of community-partnership response between state departments, community organisations and service providers, universities, and foundations.²⁹¹ It is a place of healing located on 500 acres of property where youth have access to holistic services and supports including:

- housing and homelessness support;
- support around commercial sexual exploitation;
- workforce training and development opportunities in partnership with local businesses and volunteers who are mentors in trades and community services;
- vocational training, healing and connection, and economic opportunities to transform island food systems;
- the Olomana School;
- a residential facility; and
- connections with the broader community through social media, employment, volunteers, community council, youth and elder councils, youth transition supports, state-wide involvement with service, faith-based and cultural groups.

DIAGRAMA FOUNDATION, SPAIN (INTERNATIONAL)

Diagrama is an international not-for-profit organisation that operates over 35 custodial centres across Spain for young people aged 14 to 23 who are remanded or sentenced to custody (typically for serious and persistent violent offending). The Diagrama model has demonstrated it reduces rates of recidivism and its operational costs are comparable to or lower than those of other providers. The model has been implemented across France and the United Kingdom. A study of 757 young people who attended a Diagrama centre in 2011 found that by December 2017 (six years later), only 13.6% had been placed back in custody.²⁹²

Diagrama Foundation visited Australia in 2019 and produced a comprehensive report exploring the feasibility of adopting this model in the Northern Territory (NT).²⁹³ This report outlines the way in which Diagrama's evidence-based centres differ to youth detention centres in the NT and across our country, which are built on a punitive, carceral system.

Diagrama's centres offer a home-like, stable, safe, and supportive environment for young people - wrapping supports around them to prepare them to succeed post-intervention.

The staffing model places emphasis on highly qualified workers who are trained to support young people in a trauma-informed and therapeutic way. This includes:

- degree-qualified social educators who support young people throughout the day through warm and parenting relationships; and
- a multi-disciplinary professional technical team (including psychologists, psychiatrists, speech therapists, occupational therapists, social workers, reintegration workers and healthcare staff) who plan and deliver individual assessments, integrated case planning, interventions, and reintegration programs.

The centres employ only a small number of security staff who play a passive role and only intervene as a last resort in incident management. The culture and infrastructure of these centres is completely different to that of youth detention centres and prisons in Australia. In Spain, young people are guided by role models and professionals who help them to develop the skills needed to engage in positive behaviour and provide opportunities for them to be held accountable in ways that work. Young people are held accountable for their behaviour through guidance and support that enables them to earn increasing autonomy and responsibility both within and outside of the centre. This includes opportunities to be involved in work, study, recreational and social activities in the community. As highlighted in Kate Bjur's Winston Churchill Fellowship Report²⁹⁴, leave of absences are standard practice:

'In Spain, approximately 30 to 50 percent of young people go off centre daily, and in the lower-risk open centres, every young person is in the community every day, with or without a staff member. In one centre in the Murcia region, 4000 instances of young people leaving the centre occurred in 2022. From those, four young people came back to the centre after curfew and none re-offended while on leave.'

As further explained in this report, young people are given space and supported to fail while residing at these centres. The model of care recognises that young people need time to practice new skills and heal with the support of trusted adults. Rather than pressing further charges or punishing young people when they make mistakes (like what happens in other custodial settings), young people are guided in ways that help them learn and keep working at getting better. The genuinely therapeutic and trauma-informed model of care enables young people to feel safe and build trusted relationships with staff, resulting in very low levels of incidents and use of restraints within these centres.²⁹⁵ In 2022, the 65 bed Diagrama centre in Ciudad Real Spain had no incidents where staff restrained young people.²⁹⁶

In Queensland, the majority of children in prison are on remand (86% in 2022-23)²⁹⁷. The average length of time these children who are unsentenced spend in custody in Queensland is 46 days.²⁹⁸ For the small number of children who are sentenced in Queensland, recent data shows the median duration of completed sentenced detention was around 32 days (over a six month period in 2021), with an average of 40 days.²⁹⁹ This is because a large proportion of children (45% in 2021-22) who are eventually sentenced to detention have already served their time in detention on remand.³⁰⁰ In comparison, around 80% of young people in Spain are sentenced and the Diagrama centres typically work with young people for an average of nine months (and at least six months at a minimum).³⁰¹ In their analysis and observations of the NT context, Diagrama commented that young people are being "set up to fail" in contexts where remand numbers are very high and where there is repeated use of short sentences. Another observation was that the Spain centres were predominately used for young people who have committed serious violent offending, while the NT had more young people detained for breaches of bail and less serious offences.

Central to this report was the recommendation that legislative and policy measures be put in place to allow for not-for-profit NGOs with relevant expertise to run youth justice facilities. The Diagrama model “recognises that preventing offending is achieved through a focus on the child and their best interests and not just on their antisocial behaviour – allowing for individualised justice and the opportunity for change.”

THE MISSOURI MODEL, UNITED STATES (INTERNATIONAL)

The Missouri Model in the United States also adopts a trauma-informed and therapeutic approach to youth justice.³⁰² Missouri has undergone major systems reform over the past 50 years to address youth offending, with a key feature being the implementation of small place-based and home-like facilities (around 10-30 beds) where children can access individual support (delivered in a group-based therapeutic setting and involving family).³⁰³ There are a range of different options available as part of this model depending on the strengths and needs of children and their families such as diversion programs, community-based supervision, day treatment and family resource centres, group homes (10-12 bed community-based residential homes), open facilities, moderately secure facilities, and secure care facilities³⁰⁴. Residential support is provided over a longer period – typically 4-6 months for group homes, 6-9 months for moderately secure facilities and 9-12+ months for secure care.³⁰⁵

The Missouri model moves away from the traditional punitive and carceral aspects of the criminal justice system, and instead focuses on creating a safe environment where young people are supported through trusted relationships and guidance to address the drivers of their offending behaviours. The model has been shown to be effective at reducing reoffending – of the 640 young people who left these facilities in 2016, 85.4% did not reoffend after one year, 77.6% did not reoffend after two years, and 73.1% did not reoffend after three years.³⁰⁶ There are; however, some questions around the universal applicability of the Missouri Model³⁰⁷, demonstrating the importance of program fidelity when adapting programs to local contexts.

ALTERNATIVE CARE MODELS (AUSTRALIA & INTERNATIONAL)

Internationally, multi-dimensional treatment foster care is an effective alternative residential model for children with antisocial behaviour and chronic offending behaviours. As part of this model, children live with specially trained foster parents for 6 to 9 months while their birth family receives family therapy, parent training and support. A treatment team (including a family therapist, individual therapist, child skills trainer, and engagement officer) provide intensive support for the child (through an individualised treatment plan) and to the foster parents and birth family. Evaluations have found multi-dimensional treatment foster care contributed to reduced criminal referral rates, criminal behaviours and days spent in custody for boys, and significant reductions in delinquency for girls.³⁰⁸

In Australia, kinship care has been practiced by First Nations peoples for many thousands of years.³⁰⁹ Research suggests children who are placed in kinship care have better health and social and emotional wellbeing outcomes compared to those in foster care.³¹⁰ Elders and First Nations communities across Queensland have called for formalised kinship caring models that support children who are at risk of, or already engaged with, the youth justice system. In many cases, kin are already informally supporting these children without resourcing or financial support. There is an opportunity for the state government to work with First Nations Elders and communities to formalise a First-Nations-led kinship youth justice caring model that provides a similar level of support to that which is provided through multi-dimensional treatment foster care in other jurisdictions.

WHAT DOESN'T WORK?

Previous youth justice reform reviews in Queensland have highlighted responses that do not work to prevent youth crime or make the community safer. Bob Atkinson's March 2022 review highlighted evidence around the failures of **detention, curfews, bootcamps, and control oriented interventions** to address the root causes of offending behaviour.³¹¹ These ineffective responses share a key similarity – they are punitive in nature and (unlike the many case studies and programs outlined in this submission) they do not wrap supports around children and their families to address the social determinants of incarceration.

In addition to these ineffective responses, there have been other policy and legislative proposals put forward in Queensland that are not grounded in evidence about what works. In particular, there is substantial evidence from overseas pointing to the **failures of minimum mandatory sentencing**³¹² and **'zero tolerance'**³¹³ policies in terms of preventing crime and enhancing community safety.

In the United States, studies have shown minimum mandatory sentencing legislation has not reduced crime rates or enhanced community safety³¹⁴, and instead has only worsened mass incarceration and racial disparities within the criminal justice system.³¹⁵ Rather than acting as a deterrent, minimum mandatory sentencing changes have resulted in increased over-incarceration, which increases the likelihood of recidivism.³¹⁶ Studies have also shown that minimum mandatory sentencing provisions change the way magistrates make decisions as they remove the flexibility and discretion that judges usually have to consider individual circumstances on a case-by-case basis during sentencing.³¹⁷ This then leads to circumstances where individuals receive harsher penalties and are prevented from participating in proven alternatives to incarceration that work to address the drivers of offending. This is especially significant for children who have contact for the law, noting mandatory minimum sentences do not consider the brain development of children and the impact of neurodevelopment on behaviours.³¹⁸

Zero tolerance policies have similarly been shown to remove flexibility and discretion in individual cases, contribute to unnecessarily harsher punishments, and increase contact with the criminal justice system.³¹⁹ Studies have particularly shown that zero tolerance policies in schools directly contribute to the school-to-prison pipeline. In other words, there is no evidence to suggest that zero tolerance policies are effective at preventing or addressing problematic behaviours. Multi-integrated systems approaches that address the root causes of behaviours are more effective at generating outcomes for the individual, their family, and the community.³²⁰ Children must be held responsible for their behaviours in ways that work.

REDUCING THE NUMBER OF CHILDREN ON REMAND

INCREASING ALTERNATIVES TO REMAND

Remanding children (and adults) in custodial settings should only be used as a last resort.

When a child is charged with a criminal offence, a decision must be made as to whether that child is held in custody on remand to wait their hearing or trial, or released into the community on bail. There are serious concerns in Queensland about the number of children who are held in adult watch houses on remand while awaiting transfer to custody in prison.³²¹ In 2022–23, Queensland Police Service held 8,119 children in adult watch houses and stations, with many children spending extended periods in these facilities without access to exercise, family visits, programs and other supports. Queensland Police Service held almost 1000 children in a watch house for a period more than five days and 146 children for a period of 15 days or more.³²²

Adding to this, many children who are then remanded into a prison are spending extended periods in isolation as a result of staffing levels in prisons (particularly the Cleveland facility). For example, the most recent Children’s Court annual report provides an example of a 13 year old child with foetal alcohol syndrome and attention deficit hyperactivity disorder who was confined in their cell for 20 hours or more on 78 days and for 24 hours a day over 10 days (across an 87 day period in custody).³²³ As demonstrated throughout this submission, any period of incarceration (short or long) is likely to have a criminogenic effect and increase the likelihood of future offending and incarceration (which is only exacerbated by holding children in such inhumane conditions). The Government itself has assessed that the majority of children being remanded in custody (51%) in Queensland prisons have not committed serious repeat offences.³²⁴ It is clear that the answer to the high number of children on remand in Queensland is not building new prisons, it is sending less children to prison in the first place.

There is a particular opportunity in Queensland to increase investment in, and use of, community-based alternatives to remand (especially First Nations led alternatives), at both the point of police and court interaction, to support children to comply with their bail conditions. Two-thirds of children that the Queensland Police Service charges with breach of bail offences in Queensland are First Nations.³²⁵ A recent Queensland Family and Child Commission report found many children who were remanded into watch houses for lengthy periods did not have stable accommodation or family support that assisted them to comply with their bail conditions.³²⁶ Police cited denying bail for reasons such as a child’s parent being intoxicated, family or community fighting, family criminal history, and lack of parental supervision. Incarcerating children does not address these circumstances of systemic disadvantage and intergenerational trauma. Providing bail support to children and families (including properly resourced accommodation and kinship caring supports) serves to enhance both community safety and the interests of the children who have had contact with the law. The Justice Reform Initiative understands some people in the community hold concerns about children reoffending while on bail. We agree that there is a need to protect the community from the risk of offences being committed on bail. This is best achieved through community-based alternatives to remand that work to support children to comply with their bail obligations and address the root causes of their offending. Incarceration, on the other hand, creates worse outcomes in terms of community safety and mitigating risks of further offending.

REFORMING BAIL LEGISLATION

Bail legislation must be informed by an evidence-based approach that genuinely centres community safety. In addition to increasing investment in community-based alternatives to remand, the Justice Reform Initiative recommends that bail legislation is reformed to follow

evidence-based practices that work to keep the community safe. The presumption in favour of bail for all offences should be reinstated in Queensland (and across all jurisdictions), with the onus on the prosecution to demonstrate that bail should not be granted due to there being a specific and immediate risk to the physical safety of another person.

Bail legislation reform in Queensland should also repeal breach of bail as an offence as well as ensure bail conditions are not excessively onerous. Bail reforms should instead encourage police and courts to use expanded alternative measures in place of breach of bail punitive responses (that actually seek to understand and address why children are breaching their bail in the first place). For example, a common bail condition imposed on children in out-of-home care is the condition to obey the directions of the carer. If this condition is placed on a child with a cognitive disability or mental health issue, the child may be reported to the police for breaching bail by carers and subsequently arrested for demonstrating the type of behaviour that, if they were living in a functioning family environment, may have been dealt with without police intervention.³²⁷ Similarly, one of the most likely reasons for breaching bail is failing to reside at a particular place of residence.³²⁸ Such breaches can occur in circumstances where a child's prescribed address is an inappropriate place for them to be residing (due to unsafe relationships or home environments). A shift in the way bail decisions are made and in ensuring children (and their families) have access to essential support services and accommodation options will not only decrease the number of children on remand but promote community safety.

RAISING THE MINIMUM AGE OF CRIMINAL RESPONSIBILITY

There is expert consensus on the need to raise the minimum age of criminal responsibility to at least 14 years old in Queensland. Other jurisdictions are already moving on this, with the Northern Territory recently raising the minimum the age to 12 years old, the ACT committed to raising the age to 14 years old and Tasmania committing to raising the minimum age of criminal responsibility to 14 years old and the minimum age of detention to 16 years old.³²⁹ The evidence is clear that 14 years old is the minimum age developmentally and neurologically that children could or should be held criminally responsible.³³⁰ There are in fact compelling developmental arguments to suggest this age should be higher.³³¹

THE CASE FOR A BREAKING THE CYCLE & SAFER COMMUNITIES FUND

One suggestion for breaking down siloed, short-term and piecemeal funding approaches is establishing a whole-of-government Breaking the Cycle and Safer Communities fund. Similar funds are being piloted in countries like New Zealand (which has the 'Justice Cluster Fund'), with the aim of increasing collaboration across public servant departments, improving value for money, guaranteeing long-term funding (and service delivery), and strengthening government's ability to achieve long-term reductions in incarceration and recidivism. In Queensland, costing work could be undertaken to understand the current need across the state in terms of the level of funding that is required to expand and establish evidence-based community-led alternatives that will significantly reduce incarceration and recidivism in Queensland.

As a starting point, the Queensland Government could pilot a Breaking the Cycle and Safer Communities fund by making an initial commitment of \$500 million over four years (scaling up from year one). The allocations from this fund could be used to expand alternatives across the life-course and at critical touch points of the criminal justice system. For example, funds could be prioritised to expand early intervention, primary prevention, diversion, First Nations placed based, alternative community-based sentencing, and post-release support options for children (and adults) across the state. Breaking the cycle of justice system involvement and keeping the community safe is a whole of government responsibility and delivers whole-of-government outcomes including in health, housing, and economic engagement. Such a fund could be administered within Queensland Treasury.

If a Breaking the Cycle and Safer Communities fund is established, it should allow flexibility and the capacity to ensure that programs and projects for children (or adults) at risk of justice system involvement are genuinely responsive to the specific geographic and demographic needs of the populations for whom they are intended. This includes Aboriginal and Torres Strait Islander led programs that focus on outcomes for Aboriginal and Torres Strait Islander populations. It also means ensuring that programs for children are developmentally and culturally meaningful. The Breaking the Cycle and Safer Communities Fund must be set up in a way that enables provision of long-term, relational, flexible, holistic, intensive, and therapeutic support for children and adults at risk of or currently experience involvement with the criminal justice system.

Under this fund, experienced organisations may expand their operations, but there should also be the opportunity to provide support and guidance to other organisations who are less experienced in the delivery of specific breaking the cycle services. This mentoring and capacity building work should be resourced from the Fund. Evaluation and continuous monitoring/improvement work should also be resourced through the Fund to measure success. Community-based service providers should receive resourcing support to fund independent evaluations that generate additional efficacy data of high quality, that is, randomised controlled-trial designs, or matched-groups designs equivalent at 'baseline' (in terms of level of risk) before intervention to determine whether programs work to reduce offending – as well as culturally modelled evaluations centring Indigenous research methodologies for First Nations led programs.

Instead of committing to additional expensive prison beds, there is an opportunity for the Queensland government to focus attention and resources on evidence-based programs that

work to reduce incarceration and decrease recidivism. A Queensland 'Breaking the Cycle and Safer Communities' fund has the potential to make a concrete difference across the state in preventing offending, diverting children from the justice system, and ensuring the provision of systemic support for people who are leaving custody *outside* of the justice system. Such a whole-of-government state-wide fund would have value in itself and change things dramatically on the ground in terms of improving access to programs.

CONCLUSION

There is no single youth justice 'reform fix' to reduce the number of children incarcerated in Queensland. However, there are multiple proven, cost-effective reforms that can work together to build pathways away from the justice system. Many of these reforms are already catalogued in government and non-government reports and reviews.³³² In addition, this submission has outlined clear examples and case studies from Australia and overseas that demonstrate the value of approaches led by the community and health sectors in disrupting entrenched criminal justice system trajectories.³³³ There is also a growing body of more formal research exploring the impact of various models of support.³³⁴

In Queensland, community-led services and First Nations-led place-based responses need to be funded in ways that genuinely build sustainable long-term service delivery capacity. This includes the capacity to adequately pay staff (on long contracts) and develop a professionalised workforce. Short-term and pilot projects, and inadequate funding for staff, alongside overly onerous reporting requirements, make the core business of quality service delivery, together with staff retention, more difficult than it needs to be. The Justice Reform Initiative acknowledges that there have been investments made in the community-led sector in Queensland; however, these investments are minimal compared to the investment in a failing prison system – and many of the community-based grant opportunities are short term with no recurrent funding.³³⁵

To significantly reduce over-incarceration and keep the community safe, Queensland needs a funding environment where community-led approaches can sustainably thrive. A lack of resourcing for robust evaluation also makes measuring success extraordinarily difficult. Lack of transparency in terms of evaluation compounds this issue. While there has been improvements in the transparency over government in the youth justice space more recently, there is still limited publicly available evaluation data, which limits knowledge sharing between providers and across sectors on what works.

There is also a necessity for services to be adequately resourced to improve their capacity to be accessible and available to all children at every point in the life course and across the justice system. Too often, children are not able to access services because there are explicit and implicit exclusion criteria. For instance, many children on remand for short periods cannot access services in prison. Programs and services are often not available for children in both remote and regional areas. Some services are only funded to work with children within a specific age range – presenting limitations when younger or older children present to the service to receive support.

Additionally, children can be excluded from services because they have multiple and co-existing support needs; for instance, alcohol and other drug dependence and a mental health condition. Services and programs are frequently not supported or resourced to provide the

long-term, intensive, holistic, wrap-around support that the research makes clear is extraordinarily effective at reducing justice system involvement.

Multiple specialist services are needed throughout Queensland that can cross geographic boundaries, given that many children incarcerated in the state's prisons are not imprisoned anywhere near their intended place of residence in the community. Services must be able to incorporate the critical element of pre-release engagement and in-reach into the prisons. Workers must be able to visit clients and begin the process of engagement prior to release to sustain connection during the often chaotic post-release period.

Queensland imprisons the highest number of children in Australia and the adult prison population has grown by 64% in the last 10 years. The state has an opportunity to mobilise a state-wide, best-practice approach to investment in community-led services that can get children (and adults) out of prison and support them to live productively in the community.

Queensland already has innovative and impactful place-based and community-led initiatives that are achieving incredible outcomes with minimal resourcing. There is an opportunity to build on what works in the state to drive long-term and sustainable systemic change.

Investing in evidence-based services instead of incarceration will break entrenched cycles of engagement with the criminal justice system and reduce recidivism. In addition to creating substantial cost-savings to the government, this approach will have enormous benefits for children (and adults) who have too often been 'managed' in justice systems, rather than being supported in the community.

'Tough on crime' rhetoric and policies do not make the community safer, nor does the current overuse of imprisonment. To genuinely build a safer, more cohesive community, Queensland must invest in community-led programs that address the drivers of crime and incarceration.

Queenslanders would be far better served through government investment in programs that provide opportunities for children (and adults) who are trapped in the cycle of incarceration to rebuild their lives in the community. There is an opportunity for Queensland to embrace a criminal justice model that genuinely relegates prisons to a position of last resort, and instead centres community-led interventions that really work to break cycles of disadvantage, reduce reoffending, and build safer communities.

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