

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

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## **Youth Justice Submission 2024**

IFYS welcomes this opportunity to make a submission to the inquiry and will do so by referencing our experience in supporting young people through a range of frontline services and interventions through over 40 years of experience, first-hand observations and insights.

It is our position that the points we will raise sit within the context of, and in accordance with the terms of reference for the inquiry, set out below.

### **Terms of reference:**

In undertaking the inquiry, the Committee consider:

1. the prevention of entry and diversion of youth offenders from the justice system with specific consideration of risk and protective factors that reduce crime;
2. effective ways to stop recidivism and protect the community from offending and the opportunity for community-controlled organisations with specific reference to the role of First Nations peoples to provide support solutions and services;
3. the efficacy of:
  - i. justice programs including on-country programs, education, health and housing services;
  - ii. reducing people carrying weapons;
  - iii. evidence-based early intervention and prevention programs;
  - iv. reducing the numbers in custody on remand;

### **Background**

IFYS traces its roots back over 40 years to its beginnings as a youth shelter on the Sunshine Coast. Since then, the organisation has expanded its services to cover a vast geographic area, stretching from the Gold Coast in the south to Far North Queensland. IFYS is not only a local service provider but also actively participates in national initiatives aimed at addressing child sexual abuse and exploitation. The organisation's growth and evolution have enabled it to deliver a comprehensive range of specialist support and intervention programs tailored to the needs of children, young people, and families.

At the core of IFYS's programs for young people is a commitment to addressing individual needs, reducing risk factors, and eliminating criminogenic influences. This approach is reflected in the organisation's diverse range of services, which are designed to support young people facing various challenges, including disconnection from community, education and family. The IFYS Youth Transition Services (YTS) programs on the Sunshine Coast, for example, offer case management support across four (4) key areas. These programs are crucial in addressing prevalent issues among young people, such as mental health challenges, substance misuse, and barriers to education and employment.

Despite the commendable efforts of IFYS and its sector partners, there has been a noticeable increase in both the number of young people seeking support and the complexity of their needs. In 2023 alone, despite IFYS youth programs not receiving any funding increases in over 10 years the IFYS YTS team, provided brief intervention and/or case management support to over 600 young people. This trend underscores the ongoing importance of IFYS's work and the critical need for continued support and investment in services for young people in our communities.

## **Youth Crime response**

IFYS appreciates the Queensland government's receptiveness to direct input from our organisation. We support the development of a community-oriented systems response that deviates from reactionary measures, such as the suspension of the Queensland Human Rights Act to detain young people in watch houses. This approach aligns with our commitment to advocating for policies and practices that prioritise the rights and well-being of young people.

While prioritising community safety is crucial, the current use of watch houses raises concerns regarding the violation of young people's human rights and the potential for negative long-term consequences. It is essential to move beyond punitive measures and adopt contemporary and proven approaches to address youth crime effectively. Arresting and detaining young people provides the perception of an immediate response, however it is not a meaningful, effective, or sustainable solution. A humane and holistic approach is essential to avoid further trauma and institutionalisation, especially for vulnerable and traumatised youth. Such an approach focuses on long-term impact and seeks to address the underlying issues that contribute to offending behaviour.

IFYS emphasises the importance of a comprehensive and collaborative response to address the complex and widespread nature of youth crime in Queensland. There is no single reform that can effectively address this issue. However, a targeted and multi-faceted approach is required, taking into account the diverse social, emotional and cultural needs of young people, crime victims, and communities. IFYS advocates for changing of the current 'get tough on crime' narrative being conveyed through the media and some political circles. IFYS support 'getting smarter on crime'. It is not a physically or economically viable option to arrest or detain our way out of this issue. This necessitates placing humane frameworks at the core of our response, ensuring that all due respect and consideration are given to avoid inflicting additional unnecessary trauma or creating a path for institutionalisation for already vulnerable and traumatised children and young people.

In formulating a response to youth crime, IFYS highlights several key considerations that are crucial to addressing this issue effectively. These include:

- Implementing evidence-based interventions that focus on prevention and early intervention.
- Strengthening community-based support services and diversionary programs.
- Enhancing education and employment opportunities for at-risk youth.
- Providing culturally appropriate support for First Nations young people.
- Improving coordination and collaboration between government agencies, community organisations and other stakeholders.
- Ensuring that responses are tailored to the specific needs of different regions and communities, recognising that a one-size-fits-all approach is not effective in addressing youth crime.

## **Early Intervention – Young people**

According to the Justice Reform Initiatives - Alternatives to Incarceration report findings

*"Early intervention and prevention programs reduce crime at a population level by between 5-31%, reduce offending among at risk populations by 50%, significantly improve other health and well-being outcomes in children and families and result in significant cost saving including those resulting from reduced criminal justice system contact over time."*(1)

The recently released report to the Criminology Research Advisory Council "Children aged 10 to 13 in the justice system: Characteristics, alleged offending and legal outcomes" highlighted the current deficiencies in relation to *"limited targeted services*



for children with early offending behaviour.”(2) It is imperative that support options to address criminogenic needs and divert offending behaviour are implemented to children and young people as early as possible in order to provide best opportunity for these behaviours to not become entrenched or escalate rapidly to the point of engagement with courts and Youth Justice.

Timely intervention which can address mental health needs, provide disability assessment, engage with family and carers and ensure ongoing connection to appropriate age based and pro-social engagement such as education, sport and other peer based activities, can greatly increase outcomes for young people.

In the Sunshine Coast region, IFYS has observed an inadequate funding situation to meet the growing demand for services, exacerbated by population growth and the cost of living and housing crisis. Many services are operating waitlists or reducing service delivery due to high demand. For example, the Youth Transition Services programs, which historically provided street-based outreach to engage with at-risk youth, have seen reduced capacity for this type of service due to high referral numbers.

Many of the young people at high risk of offending are already marginalised and disconnected from support networks. Community-based street outreach is crucial for engaging with this group, yet there are currently no youth services providing regular outreach as a core part of their service model. Adequate funding would allow services like IFYS to provide more positive engagement and support to at-risk young people across the region.

The current funding structures within IFYS's YTS Programs present challenges, with some programs not receiving funding increases in over 10 years and others requiring funding to be re-tendered every 12 months. This situation impacts not only direct service delivery but also staff retention and recruitment, leading to uncertainty for both staff and stakeholders. Increased funding in the early intervention and youth support space would enable immediate responses to referrals, targeted community responses, evidence-based group programs, staff retention and recruitment, and greater opportunities for inter-agency collaboration.

An increase in funding available within the Early Intervention and Youth Support space would lead to

- An immediate ability to provide increased responses to received referrals
- An ability to provide more targeted and creative community responses, including assertive outreach models, to identified issues such as anti-social behavior in particular locales.
- Delivery of evidence based group programs to address issues such as domestic violence and healthy relationships
- An ability to retain and recruit staff to the community sector
- Greater opportunity for Inter-agency collaborative models of practice

### **Early intervention – Family Support**

Early intervention and prevention programs have been proven to significantly reduce crime at a population level and among at-risk populations. They not only reduce offending but also improve health and well-being outcomes in children and families, leading to significant cost savings in the long run. However, there are currently limited targeted services for children with early offending behaviour, highlighting the need for timely intervention to address criminogenic needs and divert offending behaviour as early as possible.

Whole-of-family approaches can identify and target symptoms, historical factors, dynamics, behaviours and experiences of trauma as the problem to be addressed and not addressing the young person as the problem. Identifying the individualised needs in whole of family approaches enable education, counselling and development of new coping skills for family members unique to the family's specific needs.

The whole-of-family approaches in early intervention can break intergenerational cycles of crime and disadvantage. By

addressing the root causes of issues within the family dynamic, these approaches have the potential to create lasting change and prevent future involvement in the criminal justice system. Investing in early intervention programs that focus on family support is not only beneficial for individual families but also for the community as a whole, as it can lead to reduced crime rates and improved social outcomes.

### **Connection with pro-social activity**

Creating opportunities for young people to engage in pro-social activities and connect with positive adults and peers is essential for early intervention. These connections can help young people develop a sense of safety and belonging within their community, which is crucial for preventing offending behaviour. Disengagement is a significant risk factor for youth crime, making programs that increase these opportunities highly valuable. By providing regular opportunities for positive social interactions, such as through sports, arts or community service activities, young people can develop important life skills, build positive relationships, and reduce the likelihood of engaging in criminal behaviour.

Investing in programs that promote pro-social activities and connections is not only beneficial for young people but also for the broader community. These programs can help create a sense of community cohesion and reduce feelings of isolation among young people, leading to a safer and more supportive environment for all. By focusing on early intervention and providing young people with the support and opportunities they need to thrive, we can work towards reducing youth crime and creating a more positive future for our communities.

### **Connection to Education**

Disengagement from education at an early age can significantly increase the risk of engaging in offending behaviour among children and young people. It often indicates underlying issues, such as undiagnosed disabilities or disrupted home life, which require attention and support. IFYS supports the recent announcement of additional Education Queensland Court and Transition Officers to identify and implement support strategies as soon as concerning behaviours or poor attendance is noted. The organisation believes that these roles are crucial in addressing the root causes of disengagement and supporting young people towards positive outcomes. IFYS is committed to working closely with colleagues within the education system to ensure that these strategies are effectively implemented and that young people are provided with the necessary support to re-engage with education.

Furthermore, connecting young people with education is not only important for their individual development but also for preventing future offending and promoting community safety. Education provides young people with the skills, knowledge, and opportunities they need to succeed in life. By focusing on early intervention and providing targeted support to address issues related to education, we can help young people overcome barriers, improve their life chances, and reduce the likelihood of future involvement in the criminal justice system. IFYS is dedicated to working collaboratively with education partners to ensure that all young people have access to quality education and the support they need to thrive.

### **Raising Minimum age of Responsibility**

IFYS advocates for raising the minimum age of responsibility in Queensland from 10 to 14 years, aligning the state with UN standards on the Rights of the Child 2019. Children under 14 are often involved in offending behaviours due to factors beyond their control, such as disrupted family homes and trauma-based experiences. Detainment and detention at such a young age can compound these existing traumas and increase the likelihood of further engagement in the court and youth justice system. The Queensland Child Rights Report 2023 emphasises the importance of diverting children under 14 from the youth justice system, as early involvement increases the likelihood of entrenched criminal behaviour. Moreover, it is notable that within the age group of children under 14, those aged 10-13 years are more frequently Aboriginal and/or Torres Strait Islander, highlighting the need for culturally appropriate approaches to address causational factors and break potential intergenerational criminalisation.

By focusing on early intervention programs and adequately funding them, the emphasis should be on keeping young people



out of court and custody for as long as possible, in line with the Youth Justice Four Pillars model. This approach not only aligns with international standards but also reflects a commitment to ensuring that young people are provided with the support and opportunities they need to thrive and avoid further involvement in the criminal justice system. Raising the minimum age of responsibility to 14 years is a crucial step towards achieving these goals and promoting the rights and well-being of children in Queensland.

### **Increasing opportunity for Restorative Justice**

Restorative Justice Conferencing (RJC) is a valuable diversionary option for young people, particularly those with limited engagement with offending. It provides a positive and evidence-based approach that emphasises accountability for young people while also giving space for the victim's voice and perspectives to be heard. Unlike other police or court responses, RJC focuses on repairing harm and restoring relationships, which can have a significant impact on reducing reoffending and promoting rehabilitation. However, IFYS is aware of lengthy timeframes existing from the point of referral to RJC and the time of the conference taking place, which can hinder its effectiveness.

IFYS fully supports and values the RJC process but believes that it needs further support to ensure timely interventions. Timely access to RJC is crucial for meeting the needs of all participants and maximising its impact. By addressing the delays in the RJC process, we can ensure that young people receive the support they need in a timely manner, which is essential for promoting positive outcomes and reducing the likelihood of further involvement in the criminal justice system.

### **Change the Narrative**

Negative media attention can have a significant impact on the community's perception of youth crime, often leading to stereotypes and stigmatisation of young people. When the media focuses disproportionately on sensationalised stories of youth crime, it can create a distorted narrative that portrays all young people as criminals or troublemakers. This can lead to fear and distrust of young people in the community, perpetuating negative stereotypes and hindering efforts to address the underlying issues that contribute to youth crime.

To change this narrative, it is crucial for the media to provide a more balanced and nuanced portrayal of youth crime. This includes highlighting positive stories of young people who have overcome adversity or engaged in positive activities, as well as providing context and analysis that help the public understand the complex factors that contribute to youth crime. By shifting the focus from sensationalism to solutions, the media can play a constructive role in promoting understanding and empathy towards young people, ultimately leading to more effective strategies for preventing and addressing youth crime.

Additionally, community members have a role to play in challenging negative stereotypes and promoting a more positive narrative about young people. By engaging with young people in their communities, listening to their perspectives, and supporting initiatives that provide positive opportunities for young people, community members can help change the narrative around youth crime. It is important for community members to recognise the strengths and potential of young people, and to advocate for policies and programs that support their development and well-being. By working together, the media and the community can help create a more positive and inclusive narrative that empowers young people and promotes community safety.

### **Conclusion**

In conclusion, addressing youth crime requires a comprehensive and collaborative response from both government and non-governmental sectors working with young people. This necessitates increased collaboration and communication across departments and organisations to meet the specific needs of young people effectively. IFYS believes that many current interventions provided to young people are responsive given the resources available, often resulting in life-changing diversionary interventions.

There are numerous success stories that highlight the impact of these interventions, such as a young person from a family with a history of incarceration successfully completing Grade 12, a young man overcoming chronic substance misuse to engage in counselling and secure employment, and a young woman at risk of Child Sexual Exploitation feeling safe enough to share her trauma history after interacting with an outreach worker. These examples, common in IFYS and across the sector, demonstrate that addressing criminogenic needs can lead to positive, pro-social outcomes for young people.

To effectively reduce youth crime, interventions must target high-risk offenders, and there is a pressing need for sustained and significant funding increases for early intervention and youth support programs. IFYS is committed to working with the Queensland Government to achieve these goals, ensuring community safety, and providing opportunities for young people to become strong and positive community members.

## **References**

- (1) A paper from the Youth Justice Reform Initiative, *Alternatives to Incarceration in Queensland*, May 2023
- (2) Report to the Criminology Research Advisory Council, *Children aged 10 to 13 in the justice system: Characteristics, alleged offending and legal outcomes*, January 2024
- (3) Queensland Family and Child Commission, *Queensland Child Rights Report 2023*
- (4) Report to the Criminology Research Advisory Council, *Children aged 10 to 13 in the justice system: Characteristics, alleged offending and legal outcomes*, January 2024