



School within a youth detention centre, Missouri USA. Image credit: Kate Bjur

Reconnecting young people with community

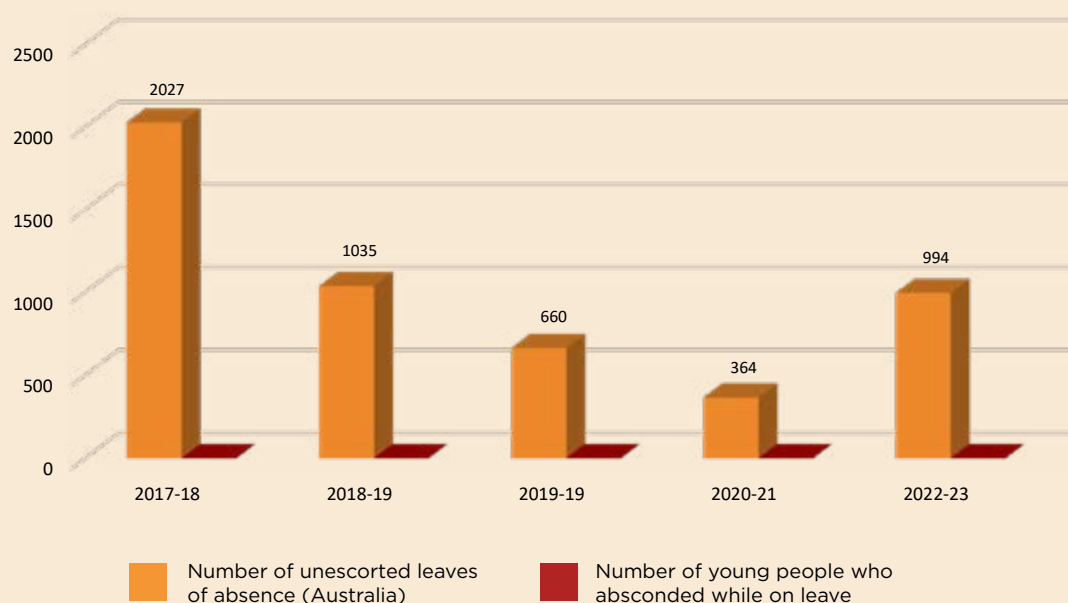
Evidence to reduce reoffending after release from youth detention

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The current model of youth detention in Australia does not reduce the risk of offending after release for the majority of young people. Successful models in other parts of the world include allowing young people to leave detention centres on short ‘leaves of absence’ to reintegrate into their communities before release. Currently, leaves of absence are usually only provided to the small percentage of young people in Australia who are sentenced for their offences. Having a multidisciplinary group of stakeholders consider applications for leaves of absence will allow unsentenced young people to prepare for successful re-entry back into their communities, reducing their risk of reoffending.

Allowing young people in youth detention to reconnect with community by engaging in education, employment and time with their families increases the chances of their successful reintegration, with less offending when released. Opportunities to reconnect are provided to young people in a youth detention centre who have been sentenced by a court. The problem is, more than three in four young people (76%) in detention on an average day have not been sentenced by a court but are on remand in custody, awaiting the finalisation of their criminal charges¹. When finally sentenced, they are often released immediately because the time served accounts for any appropriate sentence and usually without sufficient preparation for a crime-free life outside.

Figure 1. Unescorted leaves of absence and absconding 2018-23

In Queensland, half of the children sentenced in 2022-23 were not required to serve further time in custody.²

A common community perception that young people who have offended should not be allowed in the community constitutes a formidable barrier to young people's reintegration activities, including leaves of absence. There is a fear amounting to an expectation that young people may reoffend or not comply with the conditions of their leave. In fact, evidence shows that the risk of young people reoffending or absconding while on leave is very low; however, mechanisms for shared decision-making about leaves of absence that involve the detention centre and community stakeholders can reduce the risk even further by including more perspectives in the decision-making process.

Australia can learn from the shared decision-making models around the world, in which groups of stakeholders consider whether unsentenced young people are given the opportunity to engage in reintegration leaves of absence. In these models, the detention centre executive risk assesses and approves each instance the young person leaves the centre.

Consideration of the issues

Leaves of absence – sharing the low and manageable risks

The risk of young people running away or not returning to the detention centre when allowed to go out without staff is extremely low. In fact, of the 5,080 instances of young people leaving Australian detention centres unescorted by staff between 2018 and 2023, every young person returned to the detention centre. That is, none ran away (**Figure 1**).³

Long-term benefits can be gained using regular leaves of absence for unsentenced young people, but this will require long-term bipartisan support. Media narratives and broader community perception about the appropriate response to youth offending are important contributors to political willingness to engage in approaches that carry perceived risk. The problem with sensationalised media narratives on complex social issues, such as youth offending, is that they invariably lead to short-term problem solving.⁴

Why reintegration leaves of absence contribute to reduced offending

Research shows that the days immediately following release from youth detention are critical for young people to re-engage

with pro-social activities that connect them with their communities, such as education, employment and leisure.⁵

No matter how much internal work is done to support young people to think differently about crime and take responsibility for their actions, young people often reoffend when suddenly re-immersed into their old 'relational contexts' after being immersed in prison culture.⁶ Even when plans have been put into place for the young person to commence education, employment or other pro-social activities after release, there may be feelings of shame, anxiety or mistrust of the people supporting them to engage in these activities following a long period of time in custody.⁷

Allowing young people in detention the opportunity to engage in education, employment and family reunification while they are supported by trusted adults in a familiar environment can significantly reduce the likelihood of reoffending (see [case study](#)).^{8,9}

The promise of leaves of absence can have other benefits. During my international Churchill Fellowship travels, staff in detention centres where young people regularly worked towards leaves of absence told me young people were highly motivated to engage in therapeutic programs and 'earn' the right to leave the centre by displaying positive behaviour in the centre.

Policy context

Leaves of absence for the purpose of reintegration are already provided for in legislation and policy in Queensland and other Australian jurisdictions, although unsentenced young people are generally not eligible. Detention centres do not

usually allow young people to be in the community after a court has determined the risk is too high and has refused bail. Further, there is currently no policy supporting up-to-date information for the court or other stakeholders to revisit reintegration release while the young person is unsentenced. Almost 90% of young people in Queensland's youth detention centres are not yet sentenced for their offences¹⁰ with the country's average being 76%.¹¹ This is therefore a significant cohort of young people unable to test their capacity to rejoin their communities for pro-social activities via the leave of absence regime.

The use of reintegration leaves of absence in other countries

The Productivity Commission's Report on Government Services (2023)¹² found over 50% of youth offenders in Australia aged 10 to 16 at the time of their release from sentenced supervision in 2019–20 returned to youth detention within a year. In Queensland, approximately 90% of young people leaving youth detention in 2020–21 were alleged to have committed another offence within 12 months.¹³

Overseas models of youth detention with comparatively low recidivism rates include leaves of absence for the purpose of reintegration as part of their operating models ([Table 1](#)). While these models relate to sentenced young offenders, these examples do demonstrate the effectiveness of leaves of absence as part of an overall operating model.

Studies within the Australian context, comparing the reoffending of young people who were granted access to leaves of absence with those who were not, would contribute to the research in this area.

Case Study 1: Spain

A young man remanded in a youth detention centre in Spain spent three months demonstrating good behaviour, attending all therapeutic programs, engaging in family therapy and finishing his high school education. The youth detention centre provided a progress report to the court and together they decided the young man could start working at a business in the community two days per week, playing football with a local club one afternoon a week and spending weekends with his family, preparing to be home. When he went to court, he was sentenced to time served and was released from youth detention that day. He stayed in the job and football team and easily transitioned into living at home. He did not reoffend.

Table 1. Overseas models of youth detention

COUNTRY	MODEL	USE OF LEAVE OF ABSENCE	RECIDIVISM
Spain	Diagrama Model	Between 30 to 50% of young people leave Spanish youth detention centres every day for reintegration leaves of absence and in the lower-risk open centres, every young person spends time in the community every day, with or without a staff member	13.6% of young people had been placed back in custody within six years following release ¹⁴
United Kingdom	Young Offender Institutes	Day release for young people in young offender institutes is considered for all young people after half of the custodial period has been served, or 24 months before the young person's release date	24.4% of offenders who were released from custody in England and Wales went on to reoffend within 12 months ^{15,16}
USA	Missouri Model	Most young people return home prior to their release for short-term stays to prepare for re-entry and identify and work through any potential problems	32.5% of young people reoffended within 12 months after release ¹⁷
Denmark	Youth Custody	Leaves of absence are an expected part of a young person's time in custody and are part of a gradual progression towards autonomy, from closed to open facilities	32.3% of young people released from youth custody in Denmark in 2021 reoffended within 12 months following release ¹⁸

A shared decision-making model

Currently, youth detention centres make the decision about leaves of absence on their own. A multidisciplinary team of stakeholders is better equipped than an individual youth detention centre to decide when a young person's individual risk level is lower than the potential reintegrative benefits of leaves of absence.

Figure 2. Potential stakeholders of a decision-making panel

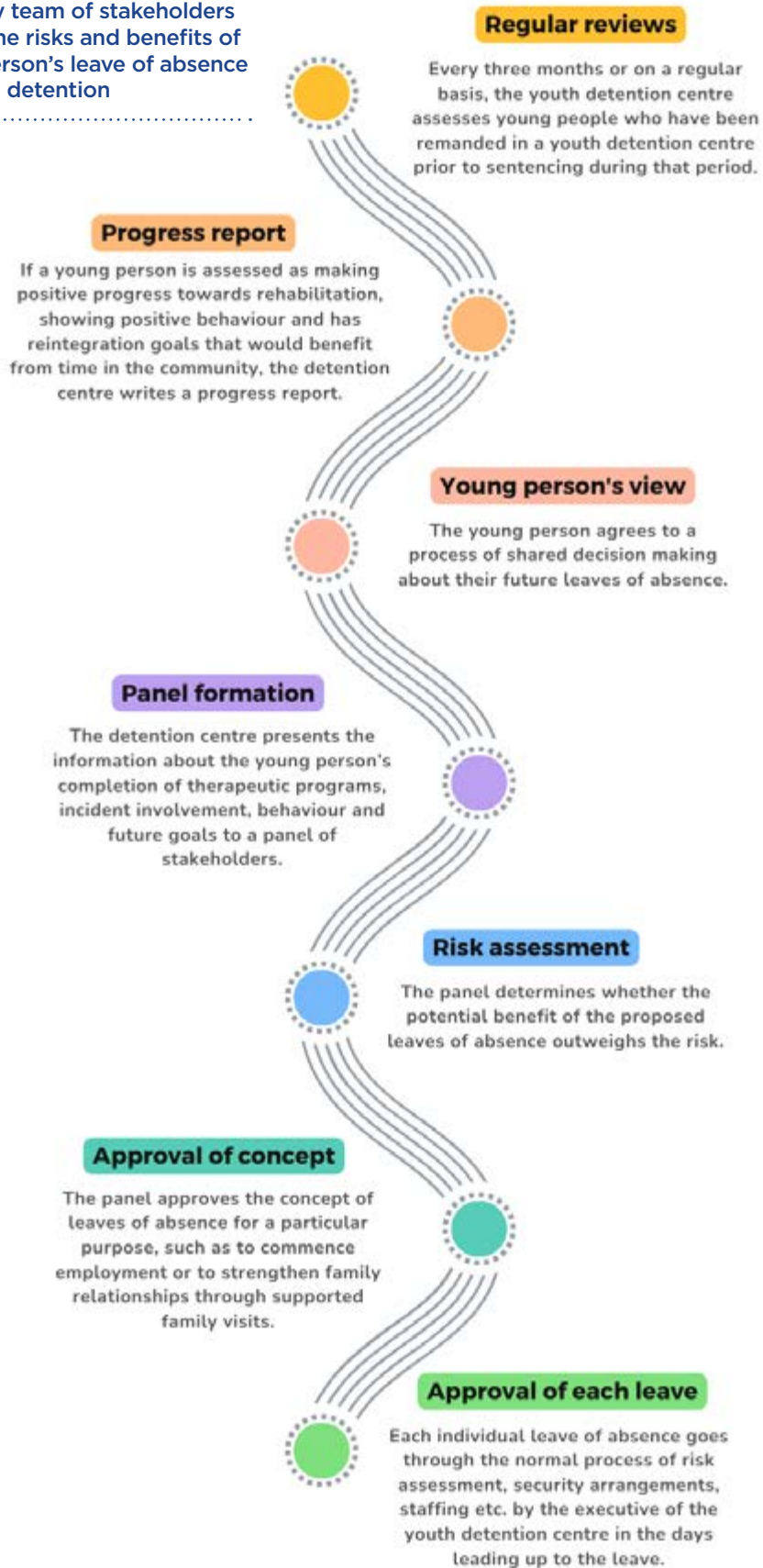


There are several common elements within the models observed during my Churchill Fellowship that are working well in other parts of the world. Each state or territory should consult with parties such as those listed in the stakeholder consultation section of this document to determine the frequency, stakeholders and other details. A realisable shared decision-making model would include the steps in **Figure 3**.

Stakeholders that may form the decision-making panel could include (**Figure 2**):

- magistrates
- victims of crime or victim representatives
- police
- Aboriginal and/or Torres Strait Islander or other cultural community leaders as relevant
- the young person and their family members
- organisations involved in the proposed reintegration activities, e.g. employers, local non-government organisations, schools
- the relevant Youth Justice Service Centre, which is responsible for the case management of young people in the youth justice system while they are in the community.

Figure 2. Shared decision making model consisting of a multi-disciplinary team of stakeholders to assess the risks and benefits of a young person's leave of absence from youth detention





While the stakeholders and processes may vary in different states and territories, the model should demonstrate shared decision-making about reintegration leaves of absence by networks of stakeholders with an interest in the outcomes for young people and the safety of the community. The resource implications are not insignificant but the longer term benefits, both economically and socially, including reduced crime, increased community safety, and meaningful participation as productive members of society, are calculatable and compelling.

Stakeholder consultation

Consultation about the shared decision-making model should include the following people and organisations, though this is not an exhaustive list:

- Australian Human Rights Commission
- Australasian Youth Justice Administrators
- Coalition of Peaks
- PeakCare Queensland
- Queensland Police Service
- Victims of Crime
- Youth Advocacy Centre.

Policy recommendations

1. That the Australian Government develops a national framework for shared decision making about leaves of absence from detention that incorporates elements of best practice from around the world, giving states and territories options for implementation at the local level.
2. That the Australian Institute of Health and Welfare and the Productivity Commission compare recidivism outcomes for young people who have been granted leaves of absence with those who have not, within the context of the overall operating model.
3. That the Australasian Youth Justice Administrators (AYJA) include reintegration leaves of absence, including day and weekend leave, work release and other forms of pro-social community involvement in the AYJA National Standards for Youth Justice in Australia 2023, if the results of the research in recommendation 1 demonstrate that leaves of absence support reduced reoffending.
4. That Australian state and territory government departments responsible for youth detention develop a local model that allows unsentenced young people to access leaves of absence for the purpose of reintegration by sharing the decision with stakeholders external to the youth detention centre.



Left: Young people in a Division of Youth Services Facility, Missouri USA. Right: Young person and his teacher at a Close to Home education facility, New York City USA. Image credits: Kate Bjur.

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Kate Bjur has over 25 years' experience working with and on behalf of children and young people in Japan, Canada, England and Australia. Her experience includes youth detention senior leadership, restorative justice, youth justice strategy and legislation, youth advocacy and family work. Kate's 2022 Churchill Fellowship travels took her to 20 youth detention centres in six countries, investigating best practice in youth crime prevention, gang exit strategies and therapeutic models of youth detention.

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