

# POLICY FUTURES

## *A Reform Agenda*



### Reconnecting young people with their communities to reduce reoffending after release from youth detention.

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 young people leaving 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.

**By Kate Bjur**

Churchill Fellow 2022

*The Donald Mackay Churchill Fellowship to investigate effective responses to youth gangs for use in youth detention centres – Canada, Denmark, Spain, UK, USA.*

### Key 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.

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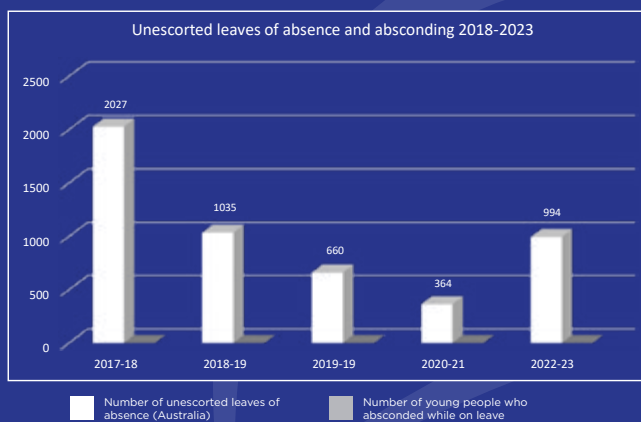
# Policy Snapshot



## Evidence base

### LEAVES OF ABSENCE ARE LOW RISK

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 (Productivity Commission, 2024).



## Case study

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.



## Cost of inaction

### LEAVES OF ABSENCE ARE NOT OFTEN AVAILABLE TO YOUNG PEOPLE ON REMAND

Almost **90%** of young people in Queensland's youth detention centres are not yet sentenced for their offences (Childrens Court of Queensland *Annual Report 2022-23*) with the country's average being **76%** (AIHW, 2023).

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.



## Successful models

### LEAVES OF ABSENCE ARE PART OF SUCCESSFUL OPERATING MODELS

The Productivity Commission's *Report on Government Services* (2023) found over 50 per cent 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 (Queensland Parliament, 2022).

International youth detention models where leaves of absence are regularly used:

Spanish Diagrama Model	United Kingdom	USA's Missouri Model	Denmark
13.6%	24.4%	32.5%	Fewer than 33%
of young people were back in custody within six years following release	of offenders released from custody in England and Wales went on to reoffend within 12 months	of young people reoffended within 12 months after release	of young people released from youth custody reoffended within 12 months following release