



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

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Submission Cover Sheet

Inquiry into Justice (Age of Criminal Responsibility) Legislation Amendment Bill 2023

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**SUBMISSION TO: STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY
ACT LEGISLATIVE ASSEMBLY**

**SUBMISSION ON: INQUIRY INTO JUSTICE (AGE OF CRIMINAL RESPONSIBILITY)
LEGISLATION AMENDMENT BILL 2023**

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The Ted Noffs Foundation (Noffs) strongly supports the bill to raise the criminal age of responsibility for young people to 14.

A 2023 report on Youth Justice in Australia by the Australian Institute of Health and Welfare identified similar policy directions across all states and territories. These included:

- Offering alternatives to detention
- Providing effective evidence-based intervention/rehabilitation programs to address the offending behaviour of young people under supervision
- Improving the pre- and post-release support provided to young people leaving custody
- Providing bail assistance to reduce unnecessary remand
- Improving outcomes for Aboriginal and Torres Strait Islander young people
- Improving infrastructure in detention facilities.

There are better and more cost-effective ways to work with young offenders than by incarcerating them. Raising the age of criminal responsibility is a sensible first measure, provided that the young people aged under 14 who do commit offences are provided with well-funded and resourced alternatives to detention.

Early intervention, diversion and treatment options are smarter, cheaper, and safer strategies. We propose a structured diversionary pathway within the youth justice system to provide opportunities for support and treatment for young people who are struggling with addiction issues, family violence, or the early stages of criminality.

Noffs is able to offer evidence-based interventions programs for young people under supervision at our Street University in Civic. This service is also supported by internationally peer-reviewed evidence demonstrating a reduction in both problematic drug use and psychological distress over a period of time (<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0286025>)

Street Universities are early intervention treatment services for at-risk young people whose involvement in crime and/or problematic drug use may have negative impacts on their well-being and often result in adverse physical health outcomes, psychological distress and disconnection from family and community. They specialise in high engagement levels with disadvantaged young people and have an impressive capacity to create positive therapeutic impact.

They provide inclusive, culturally diverse spaces, offering gender-affirming care, LGBTQI+ services, and individualised case plans that address clients' unique needs. Partnerships with other specialist services ensure comprehensive care.

The Street University model acknowledges that engagement activities and treatment practices must work together to provide safe spaces, social supports, and therapeutic interventions to enable young people to positively manage their substance use and mental health in an environment that feels secure and encourages self-realisation and empowerment. The comprehensive engagement program attracts and retains young people in the service over the long term and enables the delivery of effective counselling.

Street Universities are interactive in that they are shaped and driven by the needs and interests of young people. However, Street Universities are not drop-in centres – all participants need to be actively involved in some of the programs, workshops, courses, mentoring, and/or counselling and case management

They are spaces that embrace young people's culture and leverage this to engage them in such a way that the help and support they need can be easily accessed. The engagement process may involve participation in music workshops or cultural programs or cooking classes. The activity itself is secondary; it is the high quality, sustained engagement that prolongs the opportunity for therapeutic intervention to work in positive ways.

One of the salient characteristics of the target group of the Street Universities is that they have, almost without exception, had previous contact with formal

services provided by government agencies such as health, community services, police, and justice. Often, they will have attended numerous agencies for a range of issues and commonly exhibit symptoms of 'service fatigue'. They tend to be distrustful of traditional health and welfare services and disengage from them at the earliest opportunity. Street Universities actively seek to reverse this process and facilitate high quality therapeutic interventions.

The aforementioned recent UNSW study investigated engagement and outcomes for young people that attended Street Universities. Its findings, published in the international journal Plos One, revealed that for those who received therapeutic services for more than 30 days, indicators of substance dependence, psychological distress, involvement in crime and quality of life all significantly improved. It further found that they had an over 60% retention rate for four or more treatment sessions, indicating the strong relevance of the engagement program to young people.

The research article is available on this link:

<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.028602>

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Overall, these findings demonstrate that a low-threshold, strengths-based engagement program can be successful in retaining a considerable proportion of disadvantaged young people over the long term, and that person-centred therapeutic components can be integrated into such programs to produce substantial improvements in AOD use, distress levels and well-being for the sub-group of young clients that are most in need.

Treatment activities at The Street University encompass two primary service elements: engagement and therapeutic counselling.

Engagement activities aim to cultivate enduring relationships with participants up to 25 years old. This strategy ensures a constant stream of supportive resources,

facilitating easy access to necessary therapeutic interventions. The frequency of participation or involvement in programs and activities has no restrictions, bolstering the effectiveness of engagement endeavours.

The counselling element provides targeted therapy for young people who need it. Counselling is available for up to six months or longer if a supervision order so requires. Individuals who have completed an episode may re-enter treatment at any time. Counselling can be delivered both in person at the Street University and/or through virtual care depending on the needs and preferences of the individual, enabling a more flexible and accessible approach.

Currently, The Street University ACT is only funded to provide Alcohol and Other Drugs counselling as an outreach service between 12pm and 5pm on weekdays, for young people aged 12-25. All engagement activities are self-funded and can be restricted due to financial constraints

This limited service type and operational hours (only operating for 2.5 hours outside of school hours) are impediments to the provision of independently evaluated, highly effective early intervention programs.

To engage this high-risk population more effectively, we need to extend the after-hours capacity of the service and potentially look at having a 7 day a week model as we are about to open in Townsville (QLD). At present, young people in the ACT cannot access our services or seek support after-hours, often when they are at their most vulnerable.

To maximise the current Street University capabilities, the Noffs Foundation requires an input of funds to increase available resources to enhance our engagement with the young people aged 10 to 14 who are most likely to be affected by the new legislation.

Raising the age of criminal responsibility is an important first step to help shift the approach of how we deal with youth crime. However, adequately funded early intervention services are crucial to any long-term solutions.