

# **Review of the Street Legal Program**

**April 2001**

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*National Motor Vehicle Theft Reduction Council*

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**ISBN 1 876704 09 8**



## REPORT OUTLINE

- Date:** April 2001
- ISBN:** 1 876704 09 8
- TITLE:** Review of the Street Legal Program
- ADDRESS:** National Motor Vehicle Theft Reduction Council  
Level 2/464 St Kilda Road  
MELBOURNE Vic 3004  
E-mail: info@carsafe.com.au
- Type of report:** Evaluation
- Objectives:** Reducing opportunistic theft through increased target hardening and diversion of young offenders from criminal activity.  
Identifying/addressing factors that lead young people into offending lifestyles.
- TRC Program:** Juvenile Motor Vehicle Theft Prevention Initiatives
- Key Milestones:**
- Abstract:** Street Legal is an Adelaide based program and is one of the few programs targeted specifically towards the needs of young car theft offenders. Young people are responsible for a large proportion of opportunistic motor vehicle theft but only a small number develop entrenched offending patterns.  
Street Legal has to date operated under tenuous funding arrangements and this has impacted on the ability of the program to plan effectively.  
While it is difficult to measure the success of a program like Street Legal, interviews and the criminal histories of program participants indicate the program's potential to impact significantly on the behaviour patterns of young recidivist offenders.
- Purpose:** To evaluate Street Legal's outcomes in respect to reducing motor vehicle theft offending by young people, and examine how the program's methodology and structure impact upon these outcomes.
- Key words:** Street Legal, young offenders, detention alternative, and rehabilitation program.

## FOREWORD

All of us who feel pride at our personal achievements wish to share the experience with those who have a meaningful place in our world, be they family, friends or others who have influence over the course of our lives. The graduation ceremony at Street Legal is considered a very important aspect of the program as for many of the course participants it is the first time in their lives that they are to be publicly recognised for a positive achievement.

One Street Legal course graduated on Friday the 8th of December 2000. A comprehensive guest list was prepared for the ceremony that not only included family members of the course participants, but significantly for this group included some 30 case workers, counsellors and social workers who feature largely in providing support and managing the future of the participants. This core guest list was bolstered by friends and supporters of the program and included a strong contingent of police and local business people.

On the day of the graduation the disappointment was palpable as the course participants were presented their certificates and personal toolboxes in front of an audience of mostly strangers. Of all invited guests only the police, some local traders, and one lone parent attended the ceremony.

At the completion of the proceedings, in the absence of any organised function, the course participants decided to hold their own celebration and left to party at one of their houses. This activity may have been innocent enough for a group of high school graduates but these young people have extensive criminal histories and most are subject to a court ordered 6.00pm curfew.

It would have perhaps been more convenient to steal a car to get home, and it is understandable that the police patrol was suspicious of three young people walking along the street at 10.00pm, all with extensive criminal histories and carrying tool boxes. In any event, they were in breach of their curfew orders and procedure dictated that they be taken into custody until they could appear before the children's court on Monday morning.

It is well recognised that young people are responsible for the largest proportion of motor vehicle theft. Most of this is for opportunistic reasons involving joyriding, commission of another crime or simply to fill a transport need. Up to 70 per cent of young people apprehended for car theft only appear before the courts on one occasion and studies have demonstrated that relatively small numbers of entrenched young vehicle thieves steal large numbers of cars. While many young car thieves will steal items from a vehicle during an opportunistic theft episode, a small proportion will graduate to stealing vehicles for profit and become involved in the professional market. Continuous involvement in vehicle crime inevitably leads to frequent contact with the criminal justice system and makes the identification of high rate recidivist offenders relatively straight forward.

From the National Motor Vehicle Theft Reduction Council's (NMVTRC) strategic viewpoint it is an imperative that significant attention is focused on addressing juvenile involvement in vehicle crime. To this end the Council has adopted a policy of identifying effective practice in vehicle theft related youth programs in order to provide evidence to policy makers that resource allocation to this area can yield positive results.

Addressing juvenile offending is a complex issue. Young recidivist vehicle thieves most often come from disadvantaged backgrounds that can involve family breakdown, physical or sexual abuse, drug abuse, psychological and behavioural issues, homelessness, learning difficulties, and long-term unemployment. While very large commitments are made by governments to juvenile justice and welfare systems, relatively few resources are directed at programs that target specific crime issues such as motor vehicle theft. There is now a good deal of debate in academic literature regarding the relative merits of crime specific programs for young people versus a more holistic approach to the causes of juvenile crime. The latter approach has gained favour in recent times under the banner of “early childhood intervention.”

Effective practice in juvenile crime prevention is not an “either or” proposition. Rather, program resources should be allocated to support a range of methodologies provided they can objectively demonstrate positive outcomes.

Measuring outcomes in offender programs is of course problematic in many respects. At their simplest level, outcomes can be viewed in terms of changes in offending patterns pre and post program. However, offending patterns can only be ascertained from self-reporting, which is often subject to exaggeration or minimisation, or police charges that only record offences for which the subject has been detected.

Perhaps an even more difficult issue is determining the level of behavioural change that constitutes a successful outcome. Programs that focus on high rate recidivist offenders are dealing with young people who have been subjected to a lifetime of influences that have contributed to their mindsets and behavioural patterns. With traditional criminal justice responses to entrenched offending behaviour acknowledged as offering little to the rehabilitative process it may simply be unrealistic to expect a single program intervention to deliver a high percentage of offence free participants.

Street Legal is one of two non-government programs in Australia that focus on recidivist vehicle offenders. Although operating in South Australia since 1989 there has been neither comprehensive evaluation of the program methodologies nor any objective assessment of its outcomes. This lack of performance measurement has made it difficult for the program to “sell its successes” leading to uncertainty of funding from relevant government departments and diminishing its ability to attract private sector sponsorship.

This evaluation has confirmed that while working with a very difficult client base the program has had to contend with issues such as uncertainty of funding, minimal resources and inadequate staffing levels. Despite these obstacles the analysis of participant offending histories and client interviews indicates that in a significant number of cases the program does have a positive impact on offending patterns. This impact is most pronounced in respect to offenders who have a less entrenched offending pattern and tends to become less so as the frequency of prior offences increases.

Nonetheless, four of the thirteen recidivist offenders studied as part of this evaluation have not been detected for a vehicle theft since completing a Street Legal program. There is also strong evidence that the program methodology is able to engage the interest of participants and sustains a reasonably high level of commitment from them. Considering the difficulty of working with this particular client base, these outcomes should be regarded as major successes.

To capitalise on its strengths the program needs to operate as part of a series of interventions. For example, some of the significant factors impacting on participants' attendance levels were access to transport, lack of stable accommodation and income for living expenses, and intervening court cases. These are issues that should be addressed prior to the client entering the program and they highlight the fact that referrals to Street Legal need to be supported by adequate pre-course case management and monitoring of external issues during the program. Similarly, there needs to be careful post-course case management to ensure that any positive attitudinal changes are not immediately lost. It is not reasonable to expect Street Legal to take responsibility for pre and post course case management tasks that clearly fall outside the program's parameters.

Perhaps the most significant contributor to the program's success is the skill level of the program staff and their dedication to working with young offenders. While the evaluation identifies a number of administrative and procedural deficiencies in the operation of the program, there is very strong support for the program's core work and the interaction between staff and course participants is seen as the key to successful program delivery.

The fact that Street Legal is a stand-alone entity compounds its operational difficulties. The program does not have a parent body to provide the broader communications, marketing and administrative support which is crucial to developing avenues for additional funding and in-kind contributions. While the board of management is made up of dedicated volunteers, the organisational representation originally envisaged by the constitution no longer exists which effectively diminishes opportunities for broader organisational support from government agencies and the private sector.

Identifying the most effective strategies for diverting young people from involvement in motor vehicle theft was rated among the top three priorities of major stakeholder groups during Council's strategic planning consultations. This evaluation demonstrates that the Street Legal methodology has the ability to deliver on this priority and with improvements to its underlying infrastructure and administrative procedures has the potential to become an example of best practice in this area.





## SUMMARY

### Background

The principle task of this evaluation was:

- to examine the effectiveness of the Street Legal program in reducing recidivism among juvenile motor vehicle offenders; and
- to examine how the program's methodology and structure influence these outcomes.

### Conclusions

- The Street Legal program is producing very positive outcomes in influencing the offending patterns of young recidivist car theft offenders.
- The Street Legal program has been developed primarily for young recidivist car theft offenders but has also been adapted to other settings and client groups in the 'at risk' category.
- Participants and referring stakeholders reported a high level of satisfaction with the program's intervention mechanisms, which are described as providing:
  - Mechanical training work skills that capitalise on participants who have an interest in motor vehicles;
  - Case management to address the lifestyle issues that lead many young participants to re-offend; and
  - Recreational intervention that allows young people to realise their need for risk taking behaviour, in a controlled and safe environment.
- Many Street Legal participants come from a background of disadvantage that may involve issues such as family breakdown, substance abuse and unemployment.
- Prior to commencing Street Legal, the thirteen recidivist car theft offenders included in this study had been charged with a total of 57 car thefts, 84 additional car-related offences and 360 other offences. Between them they had appeared in court or family conference 308 times and at least five of them had experienced short periods of detention.
- Four out of the thirteen recidivist offenders had not been charged with a car theft offence since completing the Street Legal program.
- Of the eight participants who had recorded a single car theft offence before the program, only one recorded a car theft offence after completing the Street Legal program.
- The Street Legal program is a preferable option to detention and offers potentially more positive outcomes for the offender and the community.
- Stakeholders expressed concern that places allocated to those 'at risk' were at the expense of serious repeat offenders.

- Month to month funding and the absence of a formal service agreement has had a negative impact on Street Legal's planning, administration, staffing and marketing abilities.
- While the case management approach of Street Legal is essential in influencing entrenched offending patterns, the inadequacies of surrounding support mechanisms are detrimental to the positive benefits accrued by participants through their time at Street Legal.

## **Recommendations**

During the course of this research a number of observations were made by staff and other stakeholders with respect to improving management and program outcomes. It is recognised that most of the following recommendations are conditional on adequate funding being made available for resources on an ongoing basis.

1. Consultation be undertaken with the Department of Human Services to negotiate a binding funding agreement specifying agreed duration, level of funding, objectives and performance measures.
2. Appropriate program documentation be developed including: new constitution, refined program objectives and performance measures, short and long term strategic plans.
3. Program staff be employed on a contract basis with specified position descriptions, terms of employment and performance measures for defined periods consistent with funding agreement.
4. An additional youth worker / social worker be employed to allow the Street Legal staff team to co-ordinate more structured pre, concurrent and post course casework support to participants.
5. Mechanical staff be employed on a full time basis to allow the program to operate five days per week.
6. An administrator be engaged on a part-time basis to re-develop the program's administration and record keeping requirements. Staff should be trained in the maintenance of these systems.
7. Appropriate computer hardware, software and training in its use be acquired to enable ongoing data collection and the proper maintenance of records.
8. The entry requirements of the program be refined to focus exclusively on recidivist juvenile car theft offenders.

9. Street Legal program information and waiting list details be provided to the Youth Court to enable the Court to include participation in the program as a sentencing option.
10. A range of demographic information, attendance and achievement data to be routinely recorded in addition to tracking participants' progress through the juvenile and adult criminal justice system for a period of at least twelve months from completion of the course, for evaluation purposes.
11. Revised protocols with the South Australia Police Service for access to criminal history records be developed.
12. Consideration be given to tailoring individual courses for the motivation factors of particular groups of offenders. Eg joy riding and theft for profit.
13. Strategies be developed for increasing attendance rates, such as:
  - Increasing the number of program hours available to participants per week
  - Increasing the hours of the workshop component of the course
  - Allocating funding to provide participants with public transport tickets (or) negotiate concession passes for use on public transport
  - Allowing recidivist offenders to attend more than one course
14. The current Family and Youth Services mentor program be utilised to support participants both during and after their participation in the Street Legal program.
15. A marketing strategy targeted at government, government agencies and the corporate sector be developed which aims to promote the program's successes and encourage in-kind and financial support.
16. A communications strategy be developed to ensure all referring agencies are aware of the program's selection criteria, placement availability and outcomes.

## **ACKNOWLEDGEMENTS**

The researchers wish to acknowledge the following groups and individuals for their co-operation and participation in the evaluation process:

- The Street Legal Staff
- The Street Legal Management Committee
- The Street Legal Stakeholders
- The young people who participated in the case studies and individual interviews

# CONTENTS

<b>1 METHODOLOGY</b> .....	<b>1</b>
<b>2 LITERATURE</b> .....	<b>5</b>
2.1 Young Offenders and Offending Behaviour.....	5
2.2 Young Aboriginal Offenders .....	6
2.3 Cost Benefit Analyses and Juvenile Justice .....	7
2.4 Programs for Young Offenders.....	7
2.5 Car Theft Prevention .....	8
2.6 Summary.....	9
<b>3 PROGRAM HISTORY, RESOURCES AND MANAGEMENT</b> .....	<b>10</b>
3.1 History of Street Legal .....	10
3.2 Resources .....	11
3.3 Funding.....	12
3.4 Management Structure .....	13
3.5 Community and Industry Links .....	14
3.6 Administrative Activities.....	14
<b>4 PROGRAM DELIVERY AND CONTENT</b> .....	<b>16</b>
4.1 Program Intervention Mechanisms .....	16
4.1.1 Mechanical Training .....	16
4.1.2 Case Management .....	18
4.1.3 Recreational Activities.....	19
4.2 Summary.....	20
<b>5 STREET LEGAL PARTICIPANTS</b> .....	<b>21</b>
5.1 Referral to Street Legal .....	21
5.2 Waiting List.....	21
5.3 Participant Profiles .....	22
5.3.1 Demographics.....	22
5.3.2 Socio-Economic Status .....	22
5.3.3 Other Participant Issues .....	23
5.4 Completion Rates .....	23
5.4.1 TAFE Modules .....	24
5.5 Case Studies .....	25
5.5.1 'Fred'.....	25
5.5.2 Adam .....	26
5.6 Summary.....	28
<b>6 PROGRAM IMPACT ON OFFENDING BEHAVIOUR</b> .....	<b>29</b>
6.1 Recidivist Offenders .....	29
6.2 Single Car Theft Offenders.....	31
6.3 Non Car Theft Offenders .....	32
6.4 Stakeholder Comment on Program Outcomes .....	33

6.5 Cost Benefit Analysis .....	34
6.6 Summary .....	37
<b>7 CONCLUSIONS.....</b>	<b>38</b>
<b>8 REFERENCES.....</b>	<b>40</b>
<b>APPENDIX A.....</b>	

## **LIST OF TABLES**

Table 1: Street Legal Course Dates Included in the Study .....	2
Table 2: Offence Categories .....	3
Table 3: Abbreviations Used in the Report.....	3
Table 4: Management Committee Requirements as Specified by the 1991 Constitution.....	13
Table 5: Legal Status of Participants, July 1998 - July 2000 .....	22
Table 6: Recidivist Offenders – History of Offences Heard.....	30
Table 7: First Recorded Offence by Recidivist Offenders After Program Completion.....	31
Table 8: Single Car Theft Offender - Offence Histories .....	32
Table 9: Non Car Theft Offenders - Offence Histories .....	33
Table 10: At a Glance Program Statistics.....	36



## 1 METHODOLOGY

This review has used qualitative and quantitative data including:

- Interviews with program stakeholders and participants;
- Participant case histories;
- Surveys of referring agencies; and
- Offence histories of 41 Street Legal participants.

### Stakeholder Interviews

Structured interviews were conducted with stakeholders, including:

- four members of the Street Legal Management Committee;
- the Department of Human Services, the program funding body;
- key individuals within the motor vehicle industry and government departments;
- the referring stakeholders;
- South Australia Police (SAPOL);
- the National Comprehensive Auto Theft Research System (NCARS) program;
- the Director and staff of the Crime Prevention Unit, South Australian Attorney General's Department;
- Magill Training Centre;
- the Royal Automobile Association (RAA); and
- the parent of a past participant

### Survey of Referring Agency Representatives

A brief self-completion survey was sent via e-mail to nine referring stakeholder agencies (seven Family and Youth Services (FAYS) District Officers and two Youth Agencies) in August 2000. Five completed surveys were returned representing a 55 per cent response rate. Between them, the responding agencies had referred approximately twenty young people to the Street Legal program.

### Participant Interviews

Structured in-depth interviews were also conducted with twelve of the young people who have participated or are currently involved in the Street Legal program. These interviews were used to determine the relative merits of the program, and to ask participants about their offending behaviour before, during and after the program. The sample was determined by the availability of young people to participate in the evaluation.

### Case Studies

Basic background information was prepared by Street Legal on the participants of the last eight courses. From this group of fifty-eight young men and four young women, two were selected for inclusion in the case studies. It is assumed that

these young people represent a cross section of young people who would participate in programs offered by Street Legal. A decision was made to make the sample representative rather than random due to the difficulty in gaining access to young people who tend to be transient and may choose not to cooperate with a review of this nature. Interviews with the young people took place in late August and early September both at Street Legal and during recreational activities at the go-kart track.

#### Staff Interviews

Individual interviews were conducted with staff from Street Legal including the Manager, Youth Worker, Mechanic and Panel-beater. The object of this was to elicit staff opinions about the positive and negative aspects of the program and ideas for its improvement.

#### Offence Histories

The offence histories of all sixty-two Street Legal participants over a two year period were sought from South Australia Police. A total of forty-two participants were identified on the police criminal history database and details of offences before, during and after participation in the Street Legal program were provided to the NMVTRC for integration into this study. Each record details dates and types of offences, dates of court and family conference appearances and the outcome of each hearing. Due to privacy provisions, the offence histories received for this study omitted the name and personal details of the offenders. It is impossible to identify which record relates to which individual, hence several limitations have arisen from using the data.

It has been assumed that all forty-two offenders, for whom records were received, completed the Street Legal program. Completion rate data suggests otherwise. In addition, in order to protect the identity of participants the records note attendance at only the last Street Legal program that each offender has attended. Interviews revealed that some offenders had completed several courses and had the details of course dates been available for these participants, a more accurate assessment of offending patterns in relation to Street Legal courses would be possible.

It is necessary to keep in mind that the police records only detail the offences that have come to the attention of South Australia Police. They do not take into account crimes for which offenders have not been detected, not being charged or ones that have occurred outside the state. Interview data suggests that the offending rate for car theft is significantly higher than the offence records indicate. In collating the offence history data, each offender was given a code which identifies the Street Legal course location (Kilkenny or Meningie) and date of the course they participated in. These are as follows:

**Table 1: Street Legal Course Dates Included in the Study**

<b>Code</b>	<b>Location</b>	<b>Start Date</b>	<b>End Date</b>
KA	Kilkenny	05/08/1998	25/09/1998
KB	Kilkenny	28/10/1998	18/12/1998

KC	Kilkenny	20/01/1999	12/03/1999
KD	Kilkenny	19/04/1999	09/07/1999
KE	Kilkenny	20/07/1999	10/09/1999
KF	Kilkenny	12/10/1999	17/12/1999
KG	Kilkenny	01/02/2000	12/05/2000
KH	Kilkenny	25/07/2000	15/09/2000
MA	Meningie	28/09/1998	21/11/1998
MB	Meningie	22/02/1999	27/04/1999
MC	Meningie	10/05/1999	14/07/1999

It should be noted that all charges listed as *Drive or Use Motor Vehicle Without Consent* have been included as a car theft offence in this study. While it is possible that a charge of *Larceny* may apply to motor vehicle theft (*Larceny* implies theft with intention to permanently deprive the vehicle's owner of the vehicle) South Australia Police advise that *Larceny* is difficult to prove and is not often applied to young motor vehicle theft offenders. Many of the offender records list charges of *Larceny* however as it is unclear whether individual charges relate to theft of a motor vehicle or other property, these charges have not been categorised as car theft in this study. Offences have been categorised as follows:

**Table 2: Offence Categories**

Car Theft	Drive or Use a Motor Vehicle Without Consent
Car Other	No Licence No insurance Unregistered vehicle, Excess speed limit Drive with Excess Blood Alcohol Disobey Provisional Licence Condition Fail to comply with request to stop vehicle Fail to stop after accident Drive Vehicle with Altered Registration Label Interfere with Motor Vehicle without consent Drive at Dangerous Speed Drive Vehicle Contrary to Defect Notice Disobey Stop Sign Drive under Disqualification
Other	All other charges, including larceny

**Table 3: Abbreviations Used in the Report**

AIC	Australian Institute of Criminology
DEETYA	Department of Employment Education Training and Youth Affairs
DHS	Department of Human Services

FACS	Family & Community Services
FAYS	Family and Youth Services
MTA	Motor Trades Association
NCARS	National Comprehensive Auto Theft Research System
NMVTRC	National Motor Vehicle Theft Reduction Council
NMVTT	National Motor Vehicle Theft Taskforce
OARS	Offenders Aid and Rehabilitation Services
RAA	Royal Automobile Association
SAPOL	South Australia Police
SYC	Services to Youth Council

## LITERATURE

This literature review explores juvenile recidivism and the costs and benefits of programs to address juvenile criminal behaviour. It also investigates motor vehicle theft prevention and prevention programs for juveniles who are involved in recidivist motor vehicle theft.

During the late 1980's and early 1990's there was growing recognition among criminal justice and welfare agencies of the negative impact of incarceration on young offenders. In 1993 a Select Committee into the South Australian Juvenile Justice system called for a broader range of sentencing options for the Youth Court and the establishment of alternatives to custodial detention. This led to the introduction of a range of Detention Alternatives.

### **2.1 Young Offenders and Offending Behaviour**

When young people become involved in criminal behaviour their focus is generally on property crime. Buttrum (1997) states that

*The majority of offences committed by juveniles are property crimes, such as break and enters, motor vehicle theft and stealing. The effect of property crime, while it may not result in physical injury can be extremely damaging and personal. The shock of having one's property stolen and the feeling of violation often make the actual cost of replacing stolen property a secondary concern for many victims.*<sup>1</sup>

Juvenile crime is a significant issue in society and property crime contributes significantly to the fear of crime in the community. While some politicians and the media highlight juvenile crime and the experiences of crime victims to build support for increasingly severe penalties, the majority of researchers and youth practitioners suggest such penalties to be an inappropriate response to most young offenders.

Buttrum (1997) debunks some of the myths that often form the basis of society's solutions to youth offending:

*The myth of punishment/deterrence: Deterrence, of course, only works when a person feels they have something to lose. Many of the more hardened young offenders have already lost everything, or feel that society has denied them everything.*

*The myth of labelling/shaming: Labelling only works when a person is ashamed of the label 'criminal' or 'social misfit'. Chronic young offenders readily accept these labels, and may even aspire to them. Their accepted social clique is to be 'outside' mainstream society. Shaming best works on a person with a developed social conscience. The Brady Bunch kids are a good example of when 'shaming'*

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<sup>1</sup> Buttrum K., "Juvenile Justice: What Works and What Doesn't" AIC Conference, Juvenile Crime and Juvenile Justice: Towards 2000 and Beyond, Adelaide, June 1997, p1.

would work!

*The myth of reparation: Given that many young offenders offend because they feel society owes them something (because they have been ill-treated or neglected; abandoned by the educational system; have no job prospects; etc), fines, compensation orders and community reparation work may be construed by some young people as further abuse by a system that has already failed them. In their eyes the social ledger may be far from balanced by requiring them to perform community service.<sup>2</sup>*

The New South Wales Bureau of Crime Statistics and Research (1995) suggested that a small group of offenders were responsible for a large proportion of serious crimes committed:

*The majority of young offenders have been found to be non-recidivist.... 70% of first time offenders do not in fact re-offend. A further NSW Department of Juvenile Justice study has shown that of the remaining offenders, a further 15% go on to commit one further crime and the remaining 15 per cent become recidivist.<sup>3</sup>*

The Bureau (1995) further suggested that more cost-effective ways of dealing with the offending behaviour of this small group of offenders be explored.

The 1993 restructure of the South Australian Juvenile Justice System saw SA Police take on a major role in cautioning young offenders and managing the family conference approach to restorative justice. In 1996, Wundersitz believed it was too early to assess recidivism, post restructure, however

*Preliminary figures indicate that about 66% of youths dealt with [through cautioning, Family Conferencing or Youth Court] by the juvenile justice system from 1 January 1994 to 30 June 1995 were the subject of one apprehension report only, while less than 8% were reported five or more times. Moreover, almost 70% of those reported only once during this period had "survived" at least six months without being brought back into the system.<sup>4</sup>*

Joy Wundersitz stated (to the researchers of this report) that another thorough assessment of the SA juvenile justice system has not been undertaken since 1996.

## **2.2 Young Aboriginal Offenders**

Young Aboriginal offenders are vastly over-represented in the criminal justice system, particularly in secure care. Wundersitz (1996) found that the position of Aboriginal youths had not improved under the new juvenile justice system. It follows then that diversionary programs designed to reduce juvenile offending behaviour should take into account issues of relevance to the Aboriginal

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<sup>2</sup> Buttrum K., Ibid, p4.

<sup>3</sup> Keogh T. 'The Psychology of Cost-Effectiveness in Juvenile Justice', AIC Conference, Juvenile Crime and Justice: Toward 2000 and Beyond, Adelaide June 97 p4.

<sup>4</sup> Wundersitz, J , Ibid, pxvii

community.

### **2.3 Cost Benefit Analyses and Juvenile Justice**

Drummond, Stoddart and Torrance (1994) advise that an economic evaluation of a program would involve one of four types of analysis, being cost, cost-effectiveness, cost-utility or cost-benefit.

*Costs associated with incarcerating serious offenders have become a major consideration when considering the options available when addressing serious offenders. It has, for example been estimated that it can cost up to \$1,000 per week to incarcerate a young offender. Some authors (eg Marshall, 1995) have estimated the costs to all agencies involved combined for one offence can be as much as \$180,000 [per year]. These figures are especially sobering given the current pressures on administrators to reduce costs.<sup>5</sup>*

Incarceration costs have become a major consideration in determining the options available for addressing serious offenders. Keogh (1997) suggests that there are significant cost benefits to be had if rehabilitative programs achieve results and proposes that there is a case to be made for the treatment of young offenders,

*...within a justice model on both a moral basis and also on the basis of cost-effectiveness.<sup>6</sup>*

### **2.4 Programs for Young Offenders**

In her discussion of the benefits of FACS programs and other programs in use in the South Australia Juvenile Justice System, Wundersitz (1996) recommended the adoption of a more coordinated and comprehensive approach to program development, including:

- on-going evaluation to determine the effectiveness of all programs;
- maintenance of a comprehensive list and description of all FACS programs for the Youth Court; and
- development of feedback strategies by Family and Community Services (FACS) and the Youth Court to monitor the progress or outcomes for each young person required to attend programs or receive supervision.<sup>7</sup>

Linking programs to obligations from the Youth Court and ensuring that a feedback loop was maintained would allow the monitoring of a young person's progress through this detention alternative and other programs. This information would be invaluable for program evaluation, allowing conclusions of the impact of specific programs on individuals with particular sets of issues to be addressed.

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<sup>5</sup> Keogh T. Ibid, p4.

<sup>6</sup> Keogh T. Ibid, p3.

<sup>7</sup> Wundersitz et al p175.

## 2.5 Car Theft Prevention

In 1998, the National Motor Vehicle Theft Taskforce (NMVTT) found that:

*Around 75% of car theft is opportunistic (motivated by a desire to use the vehicle, not sell it) and will not necessarily be addressed by initiatives which focus on preventing organised motor vehicle theft.... an exclusive focus on vehicle security may simple cause a displacement to more vulnerable cars and victims, without producing any net reduction in opportunistic car theft.<sup>8</sup>*

Car theft prevention programs can use the attraction of motor sport to involve young offenders in addressing their behaviour, while sometimes supporting their transition into education and or vocational training. The NMVTT (1998) stated that:

*Car theft offending behaviour is also addressed by a range of programs that focus on addressing anti-social behaviour generally, and on diverting young people towards a more positive lifestyle. Put simply the major challenges in preventing car theft in young people are mostly the same as for preventing crime in young people generally.<sup>9</sup>*

An examination of current programs for young motor vehicle theft offenders by the NMVTT (1998) found that:

- *motor vehicle theft offending in early adolescents is a key indicator of serious escalation in offending through adolescence;*
- *the absence of cohesive nationally coordinated strategy ensures that juvenile crime prevention programs remain short term, reliant on grant funding, and often ineffective;*
- *implementing a high profile juvenile motor vehicle theft strategy provides an opportunity to obtain significant private sector support for preventing juvenile crime more generally.<sup>10</sup>*

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Hill P. , Ibid, p4.

Hill P. , Ibid, p4.

<sup>10</sup> Hill P. , Ibid, p4.



## **2.6 Summary**

**Juvenile crime is a significant issue in society and property crime, including car theft, contributes significantly to the community's fear of crime.**

**Detention alternatives and rehabilitative programs offer significant cost savings to the state and the community.**

**Motor vehicle theft in young people is an indicator of a potentially serious escalation in offending behaviour.**

**Successful youth programs require coordinated and comprehensive program development.**

### 3 PROGRAM HISTORY, RESOURCES AND MANAGEMENT

The Street Legal program aims to address the high rate of motor vehicle theft offending through offender rehabilitation and crime prevention techniques. The program provides an alternative to incarceration for high rate young offenders and operates on the premise that involvement in car theft is indicative of involvement or potential involvement in other criminal activities. Street Legal operates from a house and workshop in Kilkeny, in the western suburbs of Adelaide.

#### **3.1 History of Street Legal**

The Street Legal program was established in 1989 and incorporated in 1991 prior to the 1993 restructure of the South Australian juvenile justice system. Other programs established during this period included the Youth in Motor Sport program in Adelaide's south and the Classic Holden program in the northern metropolitan area. These programs emerged:

*in a period when significant concern was felt by government and the community about the level of motor vehicle offences committed by young people. In addition to illegal use offences, 'joy riding', high-speed chases and ram raids seemed to increase in frequency.*<sup>11</sup>

In 1993, the Socio-Legal Studies Department of La Trobe and Flinders University reported Street Legal to be a reputable criminal justice project that recognised the principles of social justice. The assessment found that Street Legal enjoyed community support and observed a marked increase in education and employment involvement amongst the program's young participants.<sup>12</sup>

During the mid to late 1990's FACS worked towards the amalgamation of Street Legal with the Classic Holden program (which was established in 1993 in Northern Metropolitan Adelaide). Such negotiations stalled until mid 2000 when agreement was reached and the two programs entered into an amalgamation process in early 2001. (As of the publishing date of this report, the amalgamation process had stalled again).

In 1998 Street Legal began negotiations with the Offenders Aid and Rehabilitation Services of SA (OARS) who were to provide:

*full case management and post-program transition service for participants with Street Legal .. providing the motor vehicle program activity which was their strength.*<sup>13</sup>

However difficulties ensued and the tender for the Youth in Motor Sports program (an amalgamation of Street Legal and Classic Holden programs) was not filled. Monthly funding continued under the proviso that a review be conducted prior to

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<sup>11</sup> Hedges, M., Review of Youth in Motor Sports Program, Department of Human Services, Family and Youth Services, May 1999, p2.

<sup>12</sup> Welsh R., *Ibid*, p371.

<sup>13</sup> Hedges, M., *Ibid*, p3.

the renewal of the tender process. The fact that Street Legal was prepared to enter into such an agreement with OARS demonstrates an understanding of the importance of case management and post program transition for participants. The need for such services for participants was further supported in the Hedges Report 1999, which made the following statement:

*Any future program must have as its essential strategy and capacity; the ability to challenge the offending behaviours and activities of young people who offend, and the ability to provide positive, functional and non-offending lifestyles effectively to them. To do this, the program could utilise the opportunities for learning about, working with and constructively enjoying motor vehicles as a tool of engaging the young people. It continues to be true that many young people are interested in cars. The Review has therefore concluded that there is good reason to continue to fund a motor vehicle program for young people in South Australia, but that it must be more unified in its service delivery, broader in its focus, and needs to address (a range of issues outlined in the report).<sup>14</sup>*

This statement demonstrates that at the time the Hedges report was produced, the Street Legal program although supported in principle was not operating in an acceptable manner in the view of FAYS and Department of Human Services personnel.

*Street Legal was operated for a period as a FACS program.... Because funding has been administered as a grant, there has never been a formal contractual arrangement and there are no service agreements between FAYS and the service providers.<sup>15</sup>*

### **3.2 Resources**

Street Legal's human resources comprise of two full-time staff (Manager and Youth Worker) and two part time staff (Mechanic and Panel Beater). Physical resources available to the Street Legal program include:

- access to a house in Goodall Street, Kilkenny, to accommodate program administration, food preparation (participants are provided with lunch each day they attend the course) and course components which do not require workshop access;
- a large but limited workshop (for example, inadequate ventilation limits vehicle spray painting activity);
- a van donated by the Variety Club;
- a go-kart and trailer;
- access to a government fleet vehicle.

Street Legal staff stressed the need for additional staff and material resources for the workshop with the most pressing need being for full time workshop staff. One

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<sup>14</sup> Hedges, M., Ibid, p13.

<sup>15</sup> Hedges, M., Review of Youth in Motor Sports Program, Department of Human Services, Family and Youth Services, May 1999, p2.

staff member commented that the young people were less disruptive when engrossed in mechanical work, and attendance levels were also higher on days when the mechanic and panel beater were present. Additional resources were also necessary to ensure that occupational health and safety standards were maintained in the workshop.

### **3.3 Funding**

The Department of Human Services provides Street Legal with annual funding of \$130,000. Eighty percent of Department funding is allocated to salaries and the remaining twenty percent is used to run the program and related services.

The Department of Human Services funding to Street Legal has remained at the same level for the past six years and funding is applied for and allocated to the program on a monthly basis. Up to the present time no formal funding agreement or service agreement exists between the Department and Street Legal.

The Street Legal premises are provided as an 'in-kind' contribution by FAYS who own the Goodall Street house and rent the adjacent workshop area from a private landlord.

Over the period of the project, Street Legal has received ad hoc contributions from a range of sources, including:

- approximately \$4000 received annually from January 1998 to July 2000 from the Department of Employment, Education, Training and Youth Affairs (DEETYA) for the purchase of boots, safety glasses and overalls for participants (funding ceased without warning in October 2000);
- \$27,500 received in 1998 from the Morialta Trust, a benevolent fund with a focus on youth;
- \$2,500 for driver training provided by Benefit SA
- funding and vehicles supplied for 2 years by RAA for a Variety Bash car project.

Up to 1994, the South Australian Attorney General's Department (under the Crime Prevention Program) provided \$60,000 in funding to Street Legal via FACS. A call for increased accountability for public funds and cost effectiveness of programs by the Attorney General's Crime Prevention Unit led to the discontinuance of this funding.

There has been a long held view that the Street Legal program could, with quality marketing and administration, become self-funding. However a key SA Government stakeholder stated that in working towards this, the program was operating on the wrong premise.

*There is a belief that the program will become self-funding, however this is unlikely to be achieved. There is no capacity within the SA corporate sector to provide on-going funding for programs of this nature. Street Legal requires government funding for human resources including high quality youth work, technical expertise*

*and administration. In addition it requires a solid funding base for program costs. Funding could then be sought from a range of corporate sources for additional non-essential costs.*

### **3.4 Management Structure**

Street Legal Incorporated is governed by a Constitution and Rules which detail objects, membership, management and general operating requirements of the association. The incorporated body employs staff and a manager who reports to the Street Legal Management Committee.

The role and function of the Management Committee is outlined in the Constitution and Rules. The Constitution, established in 1991, no longer accurately reflects the operation of the Street Legal program or the structure of the Management Committee. The current management committee was formed in November 1999 after many of the previous management committee resigned. Current committee members view their role as overseeing the operation of Street Legal, contributing to the administration and direction of the program and monitoring the performance of employees and the program generally.

The committee meets regularly (at least monthly) and at present there are three sub-committees which address marketing, finance and the proposed merger between Street Legal with the Classic Holden program.

The new management committee is motivated to improve and support the program however the uncertainty of ongoing funding does not allow them to focus on planning and the future development of the program.

**Table 4: Management Committee Requirements as Specified by the 1991 Constitution**

<b>No. of Reps</b>	<b>Representing</b>	<b>Current situation</b>
2	Dept of Family & Community Services (Dept of Human Services)	Unrepresented. Involvement ceased in mid 1990's
1	Royal Automobile Association	Unrepresented
1	SA Council of Community Legal Centres Inc	Unrepresented, however Committee Chairperson is an independent barrister
2	Local Business	Unrepresented
up to 2	Past program participants	Unrepresented, however two relatives of previous participants are on committee
1	Police	Unrepresented
up to 2	Sporting bodies associated with program	Manager of the Australian Institute of Driving on Committee
up to 3	Members of the public	Committee meets this criterion

Committee must comprise at least 6 and no more than 14 members	Committee meets this criterion
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### ***3.5 Community and Industry Links***

Street Legal has developed links with a range of organisations over its years of operation and many have provided funding or in-kind support for the program. Organisational links have included:

- Motor vehicle related organisations including the Royal Automobile Association (RAA) and the Motor Traders Association (MTA);
- Philanthropic and charitable organisations including the Variety Club, Morialta Foundation and Benefit SA;
- State and Commonwealth departments including SAPOL, Transport SA, Passenger Transport Board, SA Housing Trust, TAFE SA, Human Services, Centrelink, Attorney General's Department Crime Prevention Unit;
- FAYS including the Magill and Cavan Training Centres, and District Offices at Enfield, Modbury, Murray Bridge, Noarlunga, Woodville, and Cavan;
- Youth related organisations and services including Street Level West, Hindmarsh Centre, Parks Community Health Service, Second Storey Youth Health Service, Parks Youth Service, Services to Youth Council (SYC), Trace a place;
- Legal organisations including Children's and Youth Legal Service;
- Health and fitness organisations including J & A Fitness Academy; and
- Local government authorities including Port Adelaide, Enfield, Tea Tree Gully, Adelaide, Norwood, Payneham and St Peters.

Uncertain funding and inadequate resources have hampered the development and extension of community and industry links. It is suggested that a marketing strategy be developed, as part of an overall planning process, to build the program's links.

### ***3.6 Administrative Activities***

Under the Incorporations Act Street Legal is required to complete an Annual Report. The Annual Reports made available to the researchers comprise of the minutes of the program's Annual General Meetings and although the minutes provide a financial statement, they only meet minimum standards of incorporation requirements.

The current financial accounting system is very basic and utilises a cashbook and manual payroll system using Taxation Department forms. The manager of Street Legal has, at her own expense, allowed the use of her personal laptop computer and software to bring the accounting system up to date.

Month by month funding has had a detrimental effect on the program's operation and on Street Legal's ability to plan effectively. The program has difficulty in recruiting staff as the lack of funding certainty only allows for staff to be employed on a casual basis. In addition, it has been suggested by various stakeholders that

the previous Management Committee (pre November 1999) although committed to Street Legal became weary of the uncertainty of ongoing funding and allowed the program to become run down.

There is a need for an administrator to assess the current operation of the program. There are significant deficiencies evident in the administration area that could be addressed with the establishment of routine systems and training of staff to maintain these systems. It is also necessary to address the human resource issues once a stable funding contract has been negotiated.

### **3.7 Summary**

**Street Legal has two full-time staff, a manager and youth worker, and two part time staff, a mechanic and panel beater. The program is supported by volunteer staff but there is a pressing need for full time workshop staff.**

**Annual funding of \$130,000 is provided by the Department of Human Services on a month by month basis and without a formal contractual arrangement or service agreement. In kind contributions from Family and Youth Services (FAYS) and ad hoc contributions from philanthropic and other government sources are also received.**

**The Street Legal Management Committee is limited in their ability to provide program planning and development, due to funding uncertainty.**

**Street Legal has enjoyed strong links to different sectors of the community, however more work is required to strengthen existing links and build new ones.**

**Significant deficiencies exist in the program administration area, requiring the establishment of systems, adequate resources and staff training.**

## **PROGRAM DELIVERY AND CONTENT**

From July 1998 to July 2000, Street Legal provided sixty-two young people with program places in eight, ten-week courses. Thirty-eight of these young people participated in one of five courses at the Kilkenny location, while twenty-four attended one of three Meningie based courses.

The Kilkenny and Meningie programs are essentially the same course structure offered in two different settings and targeting two distinctly different groups of young people. The Meningie program was instigated by members of the Meningie community who approached Street Legal and requested a program for local youths deemed 'at risk' by their school. Street Legal obtained funding from the Morialta Trust allowing the course to be offered during 1998/9 in Meningie. Young people in the Meningie course were not necessarily recidivist offenders or FAY's clients (the criteria for entry to the Street Legal Kilkenny based program). The Kilkenny program targeted young recidivist offenders.

In addition to the Kilkenny and Meningie courses, approximately four holiday programs were provided throughout 1998/9 to twenty-three young people in secure care at the Magill Training Centre. The Magill program teaches basic automotive principles and provides experience in a workshop environment so participants feel comfortable to attend Street Legal as a post release program.

### ***4.1 Program Intervention Mechanisms***

Staff create a supportive environment and develop a close rapport with the participants. Three intervention mechanisms, being mechanical training, case management and recreational activity, are employed by the Street Legal program to achieve the program objectives. The stated objectives of Street Legal are to:

- Reduce the incidence of juvenile crime in South Australia;
- Break the vicious cycle of 'risk taking' behaviour and self abuse by offering participants a therapeutic environment to make positive life changes;
- Redirect the 'thrill seeking' associated with offending behaviour into positive, legal, safe and fun motor sport activities;
- Reduce boredom in the lives of young people;
- Provide participants with job related skills and to direct them into further education, employment and training;
- Build on participants self esteem and confidence;
- Develop participants social skills and to reintroduce and support them within the mainstream community;
- Provide young people with emotional support, advocacy and referral via a case management approach; and
- Address, change and modify behaviours and attitudes.

#### ***4.1.1 Mechanical Training***



The mechanical training aspect of Street Legal initially attracts participants and keeps them attending. The workshop activity provides an important learning opportunity for young offenders in an area that many of them have a strong interest in and natural aptitude for. It also provides a chance for the young people to set goals and achieve tasks within the timeframe of the 10-week course and provides the option to complete accredited TAFE modules. Staff noted that an important aspect of attending the workshop for participants was wearing the 'trainee' uniform of boots and overalls, reinforcing an identity other than that of offender or juvenile delinquent.

Staff and participants were very positive about the value of the workshop, with a member of the Management Committee stating that:

*the motor vehicle mechanical training in a team environment engages the interest of the recidivist offender in a constructive manner which has a future direction (employment related).*

Participants interviewed reported that they had acquired a significant and useful amount of knowledge about motor mechanics, with many describing detailed skills such as stripping engines, filling and sanding bodywork, compression tests and checking brakes. The participants also demonstrated a good grasp of occupational health and safety issues, giving several examples of safety rules that applied in the workshop and justification for them.

A very important aspect of the workshop is relief from boredom. Many participants stated that Street Legal kept them from offending behaviour by providing them with a place to go and something to do. One past participant said:

*...it made me get up and do something...I felt like I was employed...*

Other past participants stated that the workshop taught them to "occupy ourselves instead of sitting around smoking bongos". Another said that "It (Street Legal) keeps me out of trouble, stops me breaking the law". Others linked the workshop rules to a reduced need for drugs and alcohol:

*"Being straight during the day and the rules of the workshop helped" and "Before the course I drank every day, now only on weekends.....you can't come to Street Legal drunk".*

The workshop provides many young people with interpersonal skills. Many experience their first relationship with adults in a work environment, with staff believing this to be a significant experience for young offenders who often do not have a positive role model in their lives. A number of participants noted that being in the mechanical workshop had assisted them to 'get on better' with others in a group situation. Staff gave several examples of participants who were withdrawn or displaying anti-social behaviour on commencing the course but most of whom changed noticeably during the first couple of weeks to eventually join the group at lunchtime and interact during recreational activities.

While most of the young people interviewed listed skills in motor mechanics as the most important thing they learnt while at Street Legal, two participants acknowledged that the most important thing they learnt was 'how to get along with other people'.

#### **4.1.2 Case Management**

A key element in the success of Street Legal is the provision of casework support to participants, recognising that the ability of the young people to change their attitude to offending will be affected by their personal circumstances. Case management is offered to all participants and the courses are conducted in a highly supportive environment where positive interaction between participants is role modelled by staff and volunteers.

Street Legal staff use all possible opportunities to raise the awareness of participants about behaviour and attitudes that can be detrimental to their health. For example, a previous participant who is currently confined to a wheelchair after a motor vehicle accident visits the program regularly. Participants are generally quite stunned by seeing someone similar to themselves physically impaired due to a car accident. Street Legal staff use this opportunity to address attitudes to driving at high speed and taking risks while driving.

Participants are offered opportunities to address literacy and numeracy problems, health, substance abuse, financial, accommodation and other issues while at Street Legal. For example, the desire of most of the participants to obtain their learner driver's permit is used as an incentive to encourage the development of literacy skills. The nearby Street Level West Youth Centre has a computer aided learning site which simulates the licence test, allowing participants to increase their confidence with the test while becoming comfortable with using a computer and aiding their literacy and numeracy skills.

Part of the case management approach includes the provision of social and personal support, assisting participants to deal with everyday bureaucracies and their agencies. Many participants do not possess a legal identity in the form of birth certificate, tax file number or bank account, and find it difficult dealing with bureaucracies to obtain these. Some young people present at Street Legal with fines for travelling on public transport, the evidence of which is documented in their criminal records, thus exacerbating an already disadvantaged financial situation. Street Legal Staff accompany participants to agencies such as Centrelink and FAYS, assisting them to obtain living allowances or concession cards for health and public transport. Staff have often assisted course participants to obtain a tax file number at short notice, to enable them to accept employment.

The value of Street Legal's case management approach has been acknowledged by both participants and referring stakeholders. Participants confirmed the support received from staff to deal with a range of problem areas. One stakeholder stated that Street Legal staff had:

*... Demonstrated great skill in being able to service their clients and follow through in terms of case management service provision.*

Another stakeholder praised Street Legal staff for:

*Their ability to respond to specific needs of a client... the program (staff) were able to incorporate sessions to respond to this.*

Street Legal is a member of the Volunteer SA Association and the services of volunteers and social work students are utilised by Street Legal to do much of the 'running around' for participants, as current staffing levels do not allow for intensive case work. Unfortunately there is a high turnover of volunteers as many use the Street Legal experience to obtain employment or to fulfil a requirement of university or TAFE studies. In many cases significant time and effort is put into training volunteers who are only able to support the program for a limited time.

#### **4.1.3 Recreational Activities**

One of the recognised motivating factors for young people who steal motor vehicles is the thrill of stealing or the adrenalin rush obtained from driving stolen vehicles. These offenders frequently drive at high speeds and are a danger to other road users. One of the key objectives of Street Legal is to *redirect the 'thrill seeking' associated with offending behaviour into positive, legal, safe and fun motor sport activities*. In line with this objective, Street Legal has a go-kart program which allows young people to work on the vehicle during workshop activities and be rewarded with driving it later on the track.

As an incentive for involvement in the program all participants are offered the opportunity to get involved in go-karting twice a week. Participation in go-karting is conditional on attendance at the week's instructional training sessions. Participants are encouraged to compete against their own best lap times on the track, thereby demonstrating success without trying to be 'the fastest'. The participants are trained to drive the go-karts safely and this improves their overall driving skills. Staff from Street Legal emphasised the need for some participants to have a substitute for their previous thrill seeking behaviour. The enjoyment of this aspect of the program was evident with all participants interviewed. Some likened the experience to using drugs (for the 'high').

Participants were very enthusiastic about the go-karting aspect of the program. The track work was seen as a reward for working hard and was evidence of their success in the workshop. Two participants mentioned that they would like to work on the drag strip car at Street Legal, with a view to racing this later.

Participants are also given the opportunity to work on Variety Club 'Bush Bash' vehicles and to attend a kick boxing gym on a regular basis. This provides the young people with the opportunity to improve their fitness and strength while increasing their self-esteem in a setting that their peer group would approve.

## **4.2 Summary**

**The Street Legal course is run in Kilkenny for recidivist offenders and the program has successfully been adapted to other settings and client groups.**

**The intervention mechanisms employed by Street Legal consist of mechanical training, case management and recreational activity.**

**Mechanical training provides participants with experience in an adult work environment, and mechanical skills, diversion from substance abuse and offending behaviour, improved interpersonal skills and relief from boredom.**

**Case management provides the social and personal support crucial to addressing the circumstances that lead many young participants to re-offend. The use of volunteers to support the case management approach is resource consuming but necessary due to the program's current resource level.**

**Recreational intervention allows young people to realise their need for risk taking behaviour, in a controlled and safe environment.**

**Participants and referring stakeholders reported a high level of satisfaction with the intervention mechanisms employed by the program.**

## **STREET LEGAL PARTICIPANTS**

### ***5.1 Referral to Street Legal***

Street Legal documentation states that all selected program participants should meet the following criteria:

- Be referred by a FAYS worker;
- Be aged 14 to 18 years;
- Reside in the Adelaide metropolitan area;
- Have an interest in mechanical training;
- Be able to operate machinery; and
- Be able to follow Street Legal's 'Code of Behaviour'.

Priority is given to young people aged with several motor vehicle theft offences and court appearances, who may be considered an 'Alternative Detention' client.

The Street Legal referral process has not been consistently applied. Past participants have been sourced by direct approach by the program manager to FAYS District Offices, Magill Training Centre or Cavan Training Centre. Over the years a greater number of 'at risk' (ie. not yet offended) young people have been accepted into the program and word of mouth has become a source of referral. On a number of occasions young offenders have encouraged their co-offenders or siblings to apply for entry and while these young people may have valid reasons for completing such a course, usually they do not meet the stated entry criteria.

### ***5.2 Waiting List***

Potential course participants, usually accompanied by their social worker, visit Street Legal for an interview, an overview of the course and participant responsibilities, and a tour of the premises. The applicant is then placed on a waiting list. Those on the current list may have waited for up to a year before commencing the Street Legal program and despite the program not being marketed, the waiting list serviced the entire program for 2000. Street Legal is currently unable to respond to the immediate needs of young recidivist offenders on short-term obligations as the waiting list precludes most of this group from attendance.

Stakeholders have expressed concern over the referral process and waiting list. One stakeholder claimed that limited places in the program meant that not only was Street Legal unable to meet their client's needs but that no other program existed to "fill the gap". Another stakeholder stated that:

*Often it has proven difficult to refer clients to the program as they have been inundated with referrals though they have not received adequate funds to operate to that scale.*

### 5.3 Participant Profiles

#### 5.3.1 Demographics

Participants in the Street Legal program are predominantly male (92% of Kilkenny participants and 95.8% of Meningie participants), reflecting the proposition that juvenile motor vehicle related offenders are more likely to be male. The majority of program participants are classified juvenile (aged 17 or under) by the justice system, with most aged 15 or 16.

Street Legal participants are in the main Anglo-Australian (84% of Kilkenny participants and 83.3% of Meningie participants). Aboriginal Australians are under-represented in the program compared to their over representation in the juvenile justice system. Various stakeholders considered the lack of appropriate cultural support (no Aboriginal staff member) to be the reason for non-participation of Aboriginal Australians in Street Legal.

#### 5.3.2 Socio-Economic Status

Program staff report that many of the program participants are transient, with no permanent accommodation. Many come from single parent households or step-parent families. The male parent is often absent and there may be a history of offending activity in the family. Families of the participant are often long-term welfare recipients, living in areas of low socio-economic status and it is common for participants to enter the program with no legal income. The majority of participants are FAY's clients, with approximately one third living in FAY's community units.

#### 5.3.3 Legal Status and Criminal Histories

The legal status of participants of the Street Legal programs from July 1998 to July 2000 is outlined in the table below:

**Table 5: Legal Status of Participants, July 1998 - July 2000**

Legal Status	Participants & Location
Obligations	16 Kilkenny 5 Meningie
Under guardianship of the Minister	5 Kilkenny
Suspended detention orders	5 Kilkenny
Day release from detention	5 Kilkenny
Family conference	2 Kilkenny
Bail	1 Kilkenny
Post Release	1 Kilkenny
Caution	1 Kilkenny 5 Meningie
Considered 'At Risk' of Offending	16 Meningie
Unknown	2 Meningie

Many of the program participants were subject to court orders or obligations at the time of program participation and some had court matters pending. Meningie

participants were mostly deemed 'at risk' while their Kilkenny counterparts were more likely to have already offended or be recidivist offenders.

While in the main, Street Legal (Kilkenny) participants had been charged with car theft or other motor vehicle related offences, their criminal records also featured property, assault, theft and drug related charges. One offender had been charged with fourteen car thefts and twenty-three motor vehicle related offences, while another's record showed eleven car thefts and twenty-eight car related offences. Others had more modest records with single car thefts or car related offences, while most had extensive behavioural offences or single offences related to theft or assault.

The balance of places allocated in the program between serious repeat offenders and at risk youth has varied over the course of the program. While stakeholders generally supported the notion of offering programs to both groups, several expressed concern over the lack of funded places available for serious offenders, believing that places allocated to those at risk should not be at the expense of the recidivist offenders.

### **5.3.3 Other Participant Issues**

Program staff members and ex-staff report that the life experience of participants entering Street Legal has been overwhelmingly negative. Many of participants had a history of childhood abuse, lacked interpersonal skills and self-esteem, experienced anger management difficulties and had a range of health issues ranging from infestation with head lice to mental health problems. Most had dropped out of the formal education and social system. Staff and participants reported the regular use of drugs and alcohol amongst participants, with a high incidence of social dependence on marijuana. One management committee member stated that program participants generally use drugs or inhalants from time to time and that some were heavy users.

### **5.4 Completion Rates**

Eighty places were made available in the Street Legal program over the evaluation period. Of these, sixty-two places were taken up, with eighteen young people opting to not attend for a range of reasons. While no records have been kept on the reasons for non-attendance, one stakeholder indicated that two young people were taken into secure care whilst waiting to enter the course and another was in temporary accommodation which precluded travel to the course. Anecdotal evidence suggests that other reasons may be transportation costs and distances and potential participants not ready to commit to changing their offending behaviour. The length of the waiting list is also likely to be an impediment to accepted participants attending the course.

The numbers who withdraw after the commencement of a program are reported to be relatively low, with referring agencies suggesting that 70 per cent of their clients complete the program. Only twenty-five participants of the sixty-two received their completion certificate (certifying attendance for at least half of the program), suggesting that while some participants attend the course for ten

weeks, their absences during the course have exceeded 50 per cent. Anecdotal evidence suggests that the main reasons for absence are likely to be associated with accommodation, health and travel.

The pattern of average participant completion of the program was repeated in the most recent course. The program was offered to nine (rather than the usual ten) young people and of these only seven commenced the program. The two that did not commence gave no reason for doing so. One of the participants left the program after securing a work experience opportunity (he was still involved in this work experience 3 months later) and six of the original nine completed the program.

An increase in attendance rates is desirable to ensure that participants get the most out of the course. Staff reported that attendance rates are higher on the days of workshop activity and believe that it may be appropriate to introduce a reward for attendance, such as attendance at a motor event.

#### **5.4.1 TAFE Modules**

Street Legal participants can use their workshop training towards gaining accredited TAFE modules. For the review period, from July 1998 to July 2000, very few of the Kilkenny participants opted to work towards the TAFE modules. One Kilkenny participant completed an automotive principles and systems module while six completed their forklift certificates. While not completing an accredited qualification, other participants benefited from the experience of a workplace environment and participated in the learning process.

Meningie participants were more likely than their Kilkenny counterparts to be still at school and therefore received credit towards their school qualifications by completing the TAFE modules. Of the Meningie participants, seven completed the hand and power tools module, fifteen completed the automotive principles and systems module and twelve completed the occupational health and safety module.

One stakeholder believed that there was a need for the program to build on the program's link to the TAFE system:

*There is a need to improve the structure so that there is a clear definition of the beginning, middle and end point of the process. There is a need to include more TAFE accredited modules...[and to] link the program with employers, work experience opportunities, private industry groups and education. There is a need for an exit strategy to support the young person and the employer...*

The implications of this stakeholder recommendation is a clear need for greater resources to facilitate extensive case management for participants to address the issues that may cause their absence from the program, and the marketing of the program to potential program partners.



## 5.5 Case Studies

The following case studies of Street Legal participants are indicative of participant backgrounds in general.

### 5.5.1 'Fred'

Family Background: Fred is nineteen years old and has a long history of offending behaviour. He has undertaken three separate courses at Street Legal, and is now assisting part-time with volunteer work there. Fred's mother, a heroin addict, was seventeen when he was born. She left him at the age of three months to be raised by his father. Fred has strong memories of his father punishing him violently for any wrongdoings as a child and he was subject to beatings with his father's belt on many occasions. His father's girlfriend also appeared to 'have it in for' Fred, and made problems for him with his father. Fred ran away from home at age thirteen and was made a Ward of the State at fourteen.

Schooling: Fred was bullied and picked on in primary school. He was expelled in Year 9 for fighting and he thinks the school also suspected him of using drugs.

Offending History: Fred's first contact with the criminal justice system was at the age of fourteen when police caught him graffitiing a bus with a group of friends. While this was the first time he had been caught by police, Fred was 'doing heaps of other stuff' at the time, including breaking into pubs, doing drugs and stealing cars.

Drug Use: Fred's drug taking started when he moved out of home and went to live with his cousin who was heavily into drugs including marijuana and LSD. Fred's first experiences with motor vehicle offences involved breaking into cars to steal valuables. He first stole a car when, in the company of friends who were under the influence of drugs, he broke into a Commodore to steal a mobile phone and found a spare key in the glovebox. When asked if he worried about driving under the influence of drugs, Fred stated no, because they had been smoking marijuana which 'just makes you really focussed and more careful'.

Incarceration: Fred admitted to committing an immeasurable number of offences during his teenage years and has been incarcerated for various periods in Magill and Cavan Training Centres, and most recently in Yatala Labour Prison. His offending history includes drug offences, assaults, building breaks (principally factories and business premises), theft and motor vehicle offences. His last period of detention was four and a half months on remand in Yatala Labour Prison for ten building and larceny breaks. He received a three year suspended sentence for that offence.

Motor Vehicle Offences and Street Legal: Fred claims to have stolen or broken into over sixty cars during his offending period. He didn't offend while on Street Legal courses because he was too busy doing the modules during the day and too tired at night. Between the courses he had been involved in a reduced level of offending behaviour. However, when he was released from Yatala he was

penniless and undertook a number of factory breaks to set him up with furniture and clothes. Fred did not associate stealing cars with drug taking or with a need to earn money, instead stealing them to get home, go to a party, get food or just to go for a ride. He says that they would steal for stupid reasons such as “to get to the service station to buy a lollypop”.

Fred claims that the experience of being in adult prison has put him off offending and he doesn't intend offending again, especially since he is now doing volunteer work. Fred hopes to get his driver's licence back (lost recently due to speeding offences) and eventually to go to university to become a youth worker.

Interviewer's Note: 'Fred' is typical of young offenders whose motives for offending may start as 'thrill seeking', but who find the economic gain from theft encourages them to continue. Difficulties with obtaining Centrelink payments on leaving detention was the principal reason given for numerous break and enter offences committed by Fred in the past year. He was adamant that he would not offend in the future, but staff at Street Legal thought that if placed in financial hardship, Fred would once again resort to theft to support himself. They stated that it was important for Fred to gain skills to enable him to obtain employment in the future.

### **5.5.2 Adam**

Family Background: Adam was born in Mount Gambier, and moved to Adelaide in High School. His parents divorced when he was sixteen and he lives with his mother, two brothers and a sister. His father lives in Canberra and visits occasionally. Both his parents are employed; his father in a clerical position, and his mother in caring for the elderly.

Schooling: Adam said that his family moved to Adelaide when he was in high school to help him succeed in basketball, at which he was very good. Adam attended high school to Year 10 but did not attend enough lessons to complete the year, leaving to work as a metal cutter (process worker). He then went back to a different high school to try Year 10 again. This time he felt that he failed because he was playing too much basketball at District level to concentrate on school.

Offending History: Adam reported becoming involved with graffiti and vandalism at around Year 9, but was never caught. When he was seventeen he stole a car and got locked up for it. Adam said that this was when he first experienced a 'manic episode' that precipitated a period of several months of very heavy offending. He claims to never have had a high-speed chase, nor stolen more than one car, but still admitted to other (not stated) offences while in his manic periods. When he was locked up he underwent a psychiatric assessment and was diagnosed with a bipolar disorder (manic-depressive disorder).

Drug Use: Adam felt that his first manic episode could have been drug induced as he was smoking dope and taking trips at the time. He started smoking dope at around thirteen and taking trips at around fifteen years old. He said that he had now stopped taking trips as he realised that they seemed to precipitate manic

episodes, and he was currently on lithium and anti-mood swing drugs. Adam's offending behaviour did not appear to be directly related to his need to buy drugs, but was definitely associated with his psychiatric illness.

Incarceration: After his initial incarceration for stealing a car, Adam said he was usually hospitalised rather than locked up for his manic episodes and offending behaviour.

Motor Vehicle Offences and Street Legal: Adam was referred to Street Legal by his social worker. He didn't remember having learned much there because the mechanic at that time wasn't very good and he had suffered a manic episode and was hospitalised before he finished the course. He said the best thing about Street Legal would have been the snow trip, which he had missed at the end of the course. That was what kept the kids going – the threat of being left off the trip. He said he loved go-karting, and had enjoyed the company of the other kids.

After Adam came out of hospital he returned to Street Legal as a volunteer youth worker, and still visits there regularly for social contact. Adam thought that those kids who came back to Street Legal for more than one course were usually pretty straightened out by the experience. He also claimed that a high percentage of young people who went through Street Legal stopped their offending behaviour.

Interviewer's Note: Adam is still smoking marijuana daily although claims to have stopped taking trips as he understands the effect it can have on his mental state. He would like to start some study but finds it hard to get motivated. Adam's case is not uncommon in juvenile offending. It is perhaps unusual that he was diagnosed early in his offending behaviour, but this underscores the importance of case management. Drug and alcohol issues play a significant role in precipitating offending behaviour and in the lives of most recidivist offenders. It must be addressed if offending is to reduce or cease.

## **5.6 Summary**

**Street Legal is unable to respond to the immediate needs of young offenders on short-term obligations and the waiting list precludes their participation in the program.**

**Stakeholders expressed concern that places allocated to those at risk were at the expense of serious repeat offenders.**

**Street Legal participants are most likely to be male, Anglo-Australian, aged 15 or 16 years, and to have come to the attention of the justice system several times.**

**Many Street Legal participants had a history of childhood abuse, lacked interpersonal skills, were prone to substance abuse and experienced a range of anger management and health issues.**

**Out of the sixty-two young people who participated in Street Legal during this review, only twenty-five received completion certificates. Issues relating to accommodation, health, transportation costs and distance, incarceration, and the length of the waiting list preclude many participants from attending or completing the program.**

**Meningie participants classified as 'at risk' were more likely than their Kilkenny counterparts to complete the optional TAFE modules.**

## **6. PROGRAM IMPACT ON OFFENDING BEHAVIOUR**

The offence histories of sixty-two Street Legal participants were sought from South Australia Police. A total of forty-two were identified on the police criminal history database and details of offences before, during and after participation in the Street Legal program were provided. Based on the forty-two records provided, thirteen of these participants can be deemed as 'recidivist' (repeat offenders) in that each were detected for more than one car theft prior to undertaking the Street Legal program. Eleven of the thirteen recidivist offenders were participants in the Kilkenny based program. In addition, eight other participants were each detected for one car theft before commencing the program.

It has been assumed, for the purpose of this study, that all forty-two offenders completed the Street Legal program. Completion rates suggest that this may not be the case and offender histories show that at least one offender was taken into detention whilst undertaking the program. The assumption of completion has been necessary due to the limitations of working with offender records (refer to Chapter 1 for data limitations).

Structured interviews were undertaken with six current Street Legal participants, five of whom claimed to have been involved in car theft before participating in the Street Legal program. The sixth participant had a history of alcohol-related violence and property offences. All the interviewees stated that they had been involved in other offences ranging from burglaries and assaults to driving offences. It is not known if the six interviewees are included in the offence history data provided by South Australia Police.

It is necessary to keep in mind that the offence histories record only thefts that have come to the attention of South Australian Police and do not take into account thefts for which offenders have not been charged. Interview data supports the suggestion that the level of theft amongst the program participants is likely to be higher than the recorded criminal histories suggest.

Of the six interviewees, two stated that they had stolen less than ten vehicles, two admitted to stealing between twenty and forty cars and a fifth claimed he had stolen in excess of sixty cars at a rate of five a day at one stage. If these admissions are correct and even in the event of participants exaggerating their theft records, it would appear that recorded offences for car theft provide a drastic underestimate of actual offence rates. This would be consistent with the low levels of police clearance for car theft.

### **6.1 Recidivist Offenders**

Prior to commencing Street Legal, the thirteen recidivist car theft offenders had been charged with a total of fifty-seven car thefts, eighty-four car-related offences and three hundred and sixty other offences. Their combined offending activities have resulted in three hundred and eight court or family conference appearances and prior to the program at least five had experienced periods of detention.

The records of the recidivist offenders show that all were involved in a range of offending behaviours, from assault to property offences and theft. Interestingly, drug related offences were not a dominant feature of the recidivist offenders' records and where drug offences did appear, they tended to be outweighed heavily by property and theft offences.

During the interviews, one participant admitted to stealing mobile phones, stereos and mag wheels from cars to sell for 'pocket money'. The dominance of property and theft offences shown through offenders records and reported in participant interviews provides support to the claim of Street Legal staff and referring stakeholders that the offending behaviour of many of their participants is often undertaken to provide for social and economic needs.

**Table 6: Recidivist Offenders – History of Offences Heard**

	Pre Program			During Program			After Program		
	Car Theft	Car Other	Other Offence	Car Theft	Car Other	Other Offence	Car Theft	Car Other	Other Offence
KG2	17	27	36	0	0	0	2	1	2
KG1*	11	26	47	1	8	9	0	0	0
KG5	7	1	78	0	0	0	1	2	8
KB1	3	0	34	0	0	0	1	0	15
KE3	3	7	10	0	0	0	0	0	2
MB2	2	0	15	0	0	0	8	6	24
KB2	2	1	22	0	0	1	2	0	12
KD6	2	5	16	0	0	0	1	1	5
KG7	2	0	4	2	0	13	1	0	5
KD8	2	0	3	0	0	3	0	2	0
KE2	2	1	7	0	0	0	0	0	0
KG3*	2	2	35	1	1	3	0	0	1
MC3	2	14	53	0	0	0	0	5	18

(\*Currently in detention)

Of the thirteen recidivist offenders, three were charged with car theft offences while attending the Street Legal program. Only one of these offenders appears to have continued stealing cars and has been charged with a car theft offence after completing the program.

Offender's histories show that six of the recidivist offenders had not been charged with a car theft offence since the completion date of their course. Two of the offenders have been serving periods of detention since completion (one for a car theft committed during the period of the program) and it is reasonable to assume that their opportunity to offend has therefore been restricted. On this basis, four of the thirteen recidivist offenders appear to have ceased their car theft offending since completion of the program.

Interestingly, all six interviewees claimed that they had not stolen a car since completing the program. One interviewee admitted to stealing a car while on a previous Street Legal program and was grateful for the opportunity to now complete his course, stating that he wouldn't re-offend. Another interviewee said

the go-kart aspect of the program had provided him enough fun to not offend while undertaking the program. Another stated that he *...was too busy getting up in the mornings and drunk on the weekends to steal cars...* while on the program.

In general, car theft was not the first offence the recidivist offenders were detected for, post program completion. Only two of the thirteen offenders recorded car theft as their first post program offence. One participant has recorded no offences since finishing the Street Legal program.

**Table 7: First Recorded Offence by Recidivist Offenders After Program Completion**

KG2	107 days after program, car theft
KG1	No offences. Subject is currently in detention.
KG5	107 days after completion (not car theft)
KB1	52 days after program, car theft
KE3	34 days after program (not car theft)
MB2	31 days after program (not car theft)
KB2	78 days after program (not car theft)
KD6	119 days after program (not car theft)
KG7	114 days after program (not car theft)
KD8	38 days after program (not car theft)
KE2	No offences since completion of program on 10/9/99
KG3	2 days after program (not car theft). Subject is currently in detention.
MC3	7 days after program (not car theft)

It is interesting to note that recidivist offender KG2 remained offence free for over three months after completing the Street Legal program. In the three years leading up to the program, participant KG2 had been a regular offender, recording several offences monthly including a total of seventeen car theft offences and numerous car related and other offences.

Similarly, participant KG5 who had recorded seven car theft offences prior to the Street Legal program, also remained offence free for over three months after completing the program.

## **6.2 Single Car Theft Offenders**

Eight Street Legal participants, from the sample of forty-two offence histories obtained, had been detected for one car theft offence before commencing the program. These histories were likely to include drug, property and assault offences. Before the program two offenders had been subject to short periods of detention and one was sentenced to detention during the course of the program.

Only one of the eight single car theft offenders recorded car theft offences after completion of the Street Legal program. None of this group recorded car theft offences while undertaking the program.

The post program offence histories of these single car theft offenders possibly highlight the success of the program in dealing with offenders who have not yet developed an entrenched pattern of offence. One of the interviewees stated that meeting kids who had been in detention had acted as a strong deterrent to him,

perhaps offering one reason why single theft offenders had remained, in the main, single theft offenders. In addition, several of the interviewees expressed the desire to avoid going to an adult prison, stating that turning 18 had been an influential factor in curbing their offending behaviour.

**Table 8: Single Car Theft Offender - Offence Histories**

	Pre Program			During Program			After Program		
	Car Theft	Car Other	Other Offence	Car Theft	Car Other	Other Offence	Car Theft	Car Other	Other Offence
KG4	1	1	57	0	0	0	1	2	5
KC2	1	0	57	0	0	3	0	0	8
KD9	1	0	7	0	0	2	0	0	1
KF1	1	0	27	0	0	0	0	0	0
KF3	1	1	6	0	0	0	0	0	0
KH1	1	1	6	0	0	0	0	0	0
KH2	1	0	3	0	0	0	0	0	0
MA3	1	0	1	0	0	0	0	0	0

### **6.3 Non Car Theft Offenders**

Twenty-one of the Street Legal participants included in the sample had not been charged with a car theft offence prior to undertaking the program. Several of these participants had been involved with car related offences but in the main their offences related to property, drugs, theft and assault. Four of the twenty-one, all Meningie participants, had no offence history before completing the program.

Part of the group of twenty one non car theft offenders may represent young people who were either participating in car theft but had not been charged, or were referred to Street Legal as 'at risk' of becoming car theft offenders. The Meningie participants are over represented in this group as the Meningie program was run mainly for the benefit of 'at risk' secondary school students who used the program to complete TAFE qualifications.

The proportion of the participants who entered the Kilkenny based program without being charged with a car theft offence is almost half of the sample. This lends weight to the warnings of referring stakeholders that places in the program are being allocated to young people at risk while those on short-term obligations are unable to access the course.

Of the twenty-one who had not been charged with a car theft before undertaking Street Legal, five recorded car theft offences after completion of the program. One of these offenders was a Meningie participant who, prior to the program, had no criminal record. This offender went on to record 3 car thefts, the first of which was recorded one day after the completion of the program. The Meningie participants who did not have offences recorded prior to the program all recorded offences after completion of Street Legal. Six of the twenty-one participants included in the non-car theft group ('at risk' group) did not record any offences after completion of Street Legal.



**Table 9: Non Car Theft Offenders - Offence Histories**

	Car Theft	Car Other	Other Offence	Car Theft	Car Other	Other Offence	Car Theft	Car Other	Other Offence
MC2	0	0	0	0	0	0	3	0	7
KC1	0	0	9	0	0	0	2	5	3
KB3	0	0	21	0	0	2	1	0	15
KD3	0	0	10	0	0	2	1	0	3
KD4	0	1	44	1	0	9	1	0	9
KA1	0	0	12	0	0	0	0	0	0
KC3	0	0	31	0	0	2	0	0	3
KD1	0	0	1	0	0	0	0	0	0
KD2	0	0	2	0	0	0	0	0	0
KD5	0	0	1	0	0	0	0	3	0
KD7	0	0	9	0	0	0	0	0	10
KE1	0	0	3	0	0	0	0	0	0
KE4	0	6	29	0	0	0	0	0	1
KF2	0	0	13	0	0	0	0	0	1
KG6	0	0	38	0	0	0	0	0	3
MA1	0	0	0	0	0	0	0	0	2
MA2	0	0	0	0	0	0	0	8	9
MB1	0	0	0	0	0	0	0	0	3
MB3	0	0	4	0	0	0	0	2	0
MC1	0	11	6	0	0	0	0	0	0
MC4	0	0	1	0	0	0	0	0	0

#### **6.4 Stakeholder Comment on Program Outcomes**

A parent of a past Street Legal participant commented that the program had helped her son stop offending and start thinking about his life and the choices he could make:

*Street Legal provided him with something positive to do with his time; it supported his decision to stop offending and gave him a supportive environment in which to consider his future. Someone offered him a positive challenge and he took it. It was a lot of work for a young person but he can be proud of himself....*

The program was considered to be a starting point in the attitudinal change required of participants to redress their offending behaviour. Program participants were given the opportunity to succeed at something worthwhile thus raising their self-esteem and were provided evidence that hard work is rewarded. Conversely, the repairs provided to the needy assisted the broader community to understand the potential of the young participants.

One Management Committee member stated:

*...The young person starts to achieve results in the workshop environment; they are told that they are doing well. The opportunity for the young person to experience being told that they are good at something is very important as a starting point for change...*

Change of attitude was also discussed by a key stakeholder who was concerned:

*...that for repeat offenders who have developed a series of bad habits and practices, is a single course of 10 weeks long enough to break those habits? Maybe it needs to run a bit longer...*

Stakeholders in general were supportive of the program and the outcomes provided to young offenders. One referring stakeholder stated that Street Legal was:

*...a great program for those participants who are really interested in attending, staff do everything they can for these young people...*

## **6.5 Cost Benefit Analysis**

Although outside the scope of this review, it is worth noting the potential cost benefits of the Street Legal program, as highlighted by Alistair Buckley, a former Chairman of the Street Legal Management Committee. He stated that:

*With each successful participant, Street Legal saves the community hundreds of thousands of dollars in police time, court time, expenses incurred in locking up offenders, property damaged by offenders, insurance costs and most importantly emotional trauma caused to both the victim and offender.*

According to the NCARS database, in 1999 the average estimated value of a stolen vehicle in South Australia was \$5,662<sup>16</sup>. The average outgoing costs to insurers per insurance claim in that year was \$6,503. This included payment to policyholders, fees and charges related to towing, hire cars, assessing, and investigation. For the purposes of a simple cost benefit analysis we will take the lower of the estimated costs of car theft, and assume that the value of each car stolen would be at least \$5,662.

### Street Legal Program Costs

It currently costs \$3,250 for a participant to complete the 10-week Street Legal course (\$130,000 annual program budget divided by 40 participants per year). Salaries make up the bulk of this cost structure and it does not include costs associated with the initial set up of the program which was funded primarily by sponsorship grants and donations.

### Cost of Secure Care

Annual costs per annum for a person in secure care is approximately \$140,000 including diversionary activities and court liaison. Secure care alone costs approximately \$130,000 per annum, per person. It is worth noting that the cost for a person in secure care for ten weeks (comparable to the length of the Street Legal program) equates to approximately \$25,000.

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<sup>16</sup> 'estimated value' is based on information supplied by the owner at the time of reporting the theft.

### Cost Benefit Ratio

Program participants report a far higher incidence of car theft offending than detailed by their offence histories (note that offender histories only include thefts for which offenders are detected and charged). It is therefore difficult to estimate the number of motor vehicles that participants may steal within a ten-week period. What is clear however is that the vast majority of program participants do not offend while attending a Street Legal course and those that do re-offend take a considerable period of time to do so. It is therefore worth noting, despite the arbitrary nature of the estimate, the potential cost benefit of this period of reduced offending behaviour.

If we assume that each Street Legal participant steals one car per week (conservative estimate based on offender histories and self reporting) and that on average participants do not steal a vehicle during the ten week program or for nine weeks after program completion (average based on recidivist offender data). Using these estimates we can assume that participation in the program has prevented the theft of nineteen cars per recidivist offender.

If it is assumed that the program effects could prevent the theft of a minimum of nineteen cars per person, and the value of each preventable car theft was \$5662, this equates to a benefit value of \$107,578 per offender. At a program cost of \$3,250 per person, the cost benefit ratio is 1: 33. Based on these estimates, for each dollar spent on the program there are potential savings of \$33.00 to the community, reduced car theft and the immeasurable benefits of contributing to the turnaround in the offending patterns of young recidivist offenders.

It is worth noting in addition to the cost savings that the comparable cost of keeping a young person in secure care for nineteen weeks (duration of the Street Legal program, plus nine weeks of non-offending) is \$47,500.

It should be re-emphasised that these cost benefits are crude estimates only. They assume that participants do not offend while on the program, and do not include any other potential benefits from reduced levels of offending post-program. The estimates also do not take into account large cost savings to the criminal justice system, including police, courts and corrections, which can be attributed to rehabilitating recidivist offenders.

**Table 10: At a Glance Program Statistics**

	Kilkenny		Meningie		Total	
	No.	%	No.	%	No.	%
Total participants included in the sample.	32	100%	10	100%	42	100%
Participants with no offences recorded prior to undertaking the course.	0	0	4	40%	4	9.5%
Number of these participants with offences recorded, post program completion.	0	0	4	-	4	9.5%
Participants with no offences recorded after undertaking the program.	10	32.0%	3	30%	13	31.0%
Number of these participants currently in detention.	1	3.2%	0	-	1	2.4%
Participants who recorded one or more offence while undertaking the program.	12	37.5%	0	-	12	28.6%
Number of participants who recorded one or more car theft offence while undertaking the program.	4	12.5%	0	-	4	9.5%
Participants whose first recorded offence, after completing the course, was car theft.	4	12.5%	1	10%	5	11.9%
Participants with no recorded car theft offence before the program, but with a car theft offence recorded after completing the program.	4	12.5%	1	10%	5	11.9%
Participants who did not offend during Street Legal program.	21	65.6%	10	100%	31	73.8%
Average number of days after the program taken to record an offence, for those that did not offend during the program.	76	-	55	-	66	
Maximum number of days after the program taken to record an offence, for those that did not offend during the program.	252	-	179	-	252	
Minimum number of days after the program taken to record an offence, for those that did not offend during the program.	0	-	1	-	0	
Median number of days after the program taken to record an offence, for those that did not offend during the program.	68		18		56	

## 6.6 Summary

Four of the thirteen recidivist offenders had not been charged with a car theft offence since completing the Street Legal program.

A recidivist offender who had recorded 17 car theft offences prior to the program did not re-offend for over three months after completing the Street Legal program.

Only one of the eight participants who recorded single car theft offences before the program, recorded car theft offences after program completion.

Referring stakeholders expressed concern about the proportion of non- car theft offenders included in the program (approximately half of program participants) potentially at the expense of recidivist offenders.

The cost of putting offenders through the Street Legal program is favourable to the cost of detaining an offender.

## 7. CONCLUSIONS

The Street Legal program is producing very positive outcomes considering the uncertain environment within which it operates. Street Legal is regarded by a range of stakeholders as a unique program offering excellent opportunities for young offenders to move away from their offending lifestyles and make positive choices with their lives. Since 1989, the program has provided a cost effective alternative to detention while arming young recidivist offenders with potential workplace skills in an industry of interest to them.

A commitment to change their offending behaviour was demonstrated by participants interviewed for this research. It has been shown through the offence histories of Street Legal participants that even youths with multiple car theft offences, up to seventeen in one case, can remain offence free for over three months after completing the program (chapter 6). Other participants have remained offence free to date. However, changing the behaviour of recidivist offenders is a very complex process requiring more than commitment.

To divert from an established offending lifestyle can mean breaking away from a peer group, family or community. The backgrounds of Street Legal participants (chapter 5) demonstrate the range of issues that contribute to the propensity to offend. Often it is easier to re-offend than to address issues such as substance abuse, homelessness, lack of income and absence of social support. While Street Legal can foster the participants' commitment to an offence free lifestyle and fuel their desire to learn, addressing the issues of recidivist offenders is almost certainly involves issues beyond the scope and ability of a ten-week program. In order to respond to the complexities of changing offending behaviour, the Street Legal program needs to form part of a comprehensive network of support. Participants often arrive at the program unable to negotiate their way through the bureaucracies and agencies that can provide appropriate assistance. While Street Legal has shown strength in providing case management for the term of the program, participants are often left with minimal support when the program has ended. This is when support is most valuable, to capitalise on the enthusiasm created by the program and to assist participants to establish an inroad through training or employment into legitimate activities.

The major obstacle to Street Legal's ability to produce more comprehensive results is its uncertain funding arrangements (chapter 3). Funded month by month and without the certainty of a service agreement, the arrangements have resulted in high workshop staff turnover and the inability to retain and build important links to the community. Many of the Street Legal participants have significant life issues. It is important that program staff are adequately trained to assist participants to address these issues and that there are adequate numbers of staff with certainty of tenure to reach the programs full potential.

There is room for improvement in program delivery, management and evaluation. Currently, the program does not monitor the progress of participants, making it impossible for Street Legal to demonstrate its successes, identify its weaknesses and perhaps most importantly, demonstrate the benefits it produces for the community. Long term planning, potential funding partnerships and program links to further education, training and employment have all been disadvantaged by the tenuous environment and structures within which the program operates.

The establishment of general administrative processes is required to achieve efficiencies in operation and the structure of the management committee needs to be addressed to achieve better stakeholder and community representation. The purpose of the program as a behaviour changing mechanism for young recidivist offenders needs to be re-affirmed in well-marketed entry criteria. While the program appears to be of value for diverting 'at risk' participants from offending lifestyles, there is a very real need for the program to be exclusively available to high risk recidivist offenders.

## 8 REFERENCES

Buttrum K., "Juvenile Justice: What Works and What Doesn't" AIC Conference, Juvenile Crime and Juvenile Justice: Towards 2000 and Beyond, Adelaide, June 1997.

Care and Communication concern, Hand Brake Turn Evaluation, Dandenong, Victoria  
[www.ayf.org.au/projects/1998/p98-914.htm](http://www.ayf.org.au/projects/1998/p98-914.htm)

Chisholm, J. Benefit-Cost Analysis and Crime Prevention, Trends and Issues, No.147, Australian Institute of Criminology, February, 2000.

Gale, F., Baily-Harris, R. & Wundersitz, J. Aboriginal Youth and the Criminal Justice System, University of Cambridge Press, Melbourne, 1990.

Hedges, M. Review of Youth in Motor Sports Program, Department of Human Services, Family and Youth Services, May 1999.

Henry, L., Key Research Centre for Social Applications of GIS, University of Adelaide, at the AIC, Crime Mapping Conference, Adelaide, September, 2000.

Hill, P. 'Preventing Car Theft in Australia: Golden Opportunities for Partnerships, Australian Institute of Criminology, Trends and Issues, No 86, April 1998.

Keogh T. 'The Psychology of Cost-Effectiveness in Juvenile Justice', AIC Conference, Juvenile Crime and Justice: Toward 2000 and Beyond, Adelaide June 97.

National Motor Vehicle Theft Task Force Motor Vehicle Theft Reduction Plan, Discussion Paper, May 1997.

McMahon, C. Implementation of the Young Offenders Act 1993 in the South Australia Police, Planning and Evaluation Services, Strategic Development Branch, SA Police, February 1995

Walker, J. Estimates of the Cost of Crime in Australia in 1996. Trends and Issues. Australian Institute of Criminology. August 1997.

Welsh R., Street Legal, AIC Conference, p 367



## **APPENDIX A**

### **Offence Summaries for Street Legal Participants**

**Source: South Australia Police Department Offender History Reports**



	Pre-Course Offences				During Course Offences				Post Course Offences						
Subject	Car Theft	Car Other	Other	Detained	Car Theft	Car Other	Other	Detained	Car Theft	Car Other	Other	Detained	Court Appearances	Family Conference	Comments
<b>Kilkenny Participants</b>															
KA1	0	0	12	N	0	0	0	N	0	0	0	N	7	2	Mainly assault charges
KB1	3	0	34	Y	0	0	0	N	1	0	15	Y	31	2	Mainly assault, property & theft charges
KB2	2	1	22	Y	0	0	1	Y	2	0	12	Y	20	0	Mainly property and theft charges with car theft before & after course
KB3	0	0	21	N	0	0	2	Y	1	0	15	Y	30	2	Mainly property, theft & assault charges
KC1	0	0	9	N	0	0	0	N	2	5	3	N	12	2	Mainly drug charges prior to course with car offences after course completion.
KC2	1	0	57	Y	0	0	3	Y	0	0	8	Y	47	2	Extensive history of regular offending including theft, property, assault, drug and other charges over three years prior to course.
KC3	0	0	31	Y	0	0	2	N	0	0	3	N	17	4	Extensive pre-course history of mainly assault and property charges. Charge relating to court compliance issue during course and sharp curtailing of offences post course.
KD1	0	0	1	N	0	0	0	N	0	0	0	N	1	0	Cessation of offences after one court appearance.
KD2	0	0	2	N	0	0	0	N	0	0	0	N	1	0	Cessation of offences after one court appearance.
KD3	0	0	10	N	0	0	2	N	1	0	3	Y	12	1	Mainly property and theft charges.
KD4	0	1	44	Y	1	0	9	Y	1	0	9	N	34	0	Mainly assault, drug and property charges recorded frequently for two years prior to course, with marked change in number and frequency of court compliance charges after the course.
	Pre-Course Offences				During Course Offences				Post Course Offences						
Subject	Car Theft	Car Other	Other	Detention Received	Car Theft	Car Other	Other	Detention Received	Car Theft	Car Other	Other	Detention Received	Court Appearances	Family Conference	Comments
KD5	0	0	1	N	0	0	0	N	0	3	0	N	1	1	Post course charges relate to one incident date, interfering with vehicles.

KD6	2	5	16	Y	0	0	0	N	1	1	4	N	15	0	Mainly car theft, other car charges, property and theft charges.
KD7	0	0	9	N	0	0	0	N	0	0	10	N	6	3	Mainly assault and property charges.
KD8	2	0	3	N	0	0	3	N	0	2	0	N	4	2	Mainly theft and car related charges.
KD9	1	0	7	N	0	0	2	N	0	0	1	N	8	2	Mainly property charges with one car theft before course and none after.
KE1	0	0	3	N	0	0	0	N	0	0	0	N	1	0	Cessation of offences after one court appearance.
KE2	2	1	6	Y	0	0	0	N	0	0	0	N	6	0	Mainly car theft and property charges before course.
KE3	3	7	10	Y	0	0	0	N	0	0	2	N	9	0	Mainly car theft, car other, property and theft charges.
KE4	0	6	29	N	0	0	0	N	0	0	1	N	12	2	Extensive history dating three years prior to the course, mainly car related offences, property and theft. Record severely curtailed post course.
KF1	1	0	27	Y	0	0	0	N	0	0	0	N	15	2	Mainly assault, property, and theft charges, with no offences after course.
KF2	0	0	13	N	0	0	0	N	0	0	1	N	5	2	Mainly assault charges.
KF3	1	1	6	N	0	0	0	N	0	0	0	N	2	1	Range of single offence types.
KG1	11	26	47	Y	1	8	10	Y	0	0	0	N	41	2	Extensive record over 2 years including mainly car theft, car related, property, theft and some drug and assault charges.
KG2	17	27	36	Y	0	0	0	N	2	1	2	N	28	0	Extensive car theft, car related and property offences with marked reduction post course.
<b>Pre-Course Offences</b>				<b>During Course Offences</b>				<b>Post Course Offences</b>							
<b>Subject</b>	<b>Car Theft</b>	<b>Car Other</b>	<b>Other</b>	<b>Detention Received</b>	<b>Car Theft</b>	<b>Car Other</b>	<b>Other</b>	<b>Detention Received</b>	<b>Car Theft</b>	<b>Car Other</b>	<b>Other</b>	<b>Detention Received</b>	<b>Court Appearances</b>	<b>Family Conference</b>	<b>Comments</b>
KG3	2	2	35	Y	1	1	3	Y	0	0	1	Y	29	2	Range of offences including drugs, assault, car theft, compliance and theft.
KG4	1	1	50	Y	0	0	0	N	1	2	5	Y	31	3	Extensive property and theft, also some drug, assault and car offences.
KG5	7	1	78	Y	0	0	0	N	1	2	8	N	41	4	Very extensive assault, car theft, theft and property charges with marked change since course.
KG6	0	0	38	Y	0	0	0	N	0	0	3	N	27	0	Mainly assault and property charges.
KG7	2	0	4	N	2	0	13	Y	1	0	5	N	12	2	Mainly car theft and compliance issues.
KH1	1	1	6	N	0	0	0	N	0	0	0	N	5	0	Property, assault, theft and car theft offences, all prior to course.
KH2	1	0	3	N	0	0	0	N	0	0	0	N	2	1	Minor record of mainly property offences.
<b>Meningie Participants</b>															
MA1	0	0	0	N	0	0	0	N	0	0	2	N	1	0	
MA2	0	0	0	N	0	0	0	N	0	8	9	N	6	2	
MA3	1	0	1	N	0	0	0	N	0	0	0	N	1	1	

<b>MB1</b>	0	0	0	N	0	0	0	N	0	0	3	N	2	0		
<b>MB2</b>	2	0	15	N	0	0	0	N	8	6	24	N	23	1		
<b>MB3</b>	0	0	4	N	0	0	0	N	0	2	0	N	1	2		
<b>MC1</b>	0	11	6	Y	0	0	0	N	0	0	0	N	6	0		
	<b>Pre-Course Offences</b>				<b>During Course Offences</b>					<b>Post Course Offences</b>						
<b>Subject</b>	<b>Car Theft</b>	<b>Car Other</b>	<b>Other</b>	<b>Detention Received</b>	<b>Car Theft</b>	<b>Car Other</b>	<b>Other</b>	<b>Detention Received</b>	<b>Car Theft</b>	<b>Car Other</b>	<b>Other</b>	<b>Detention Received</b>	<b>Court Appearances</b>	<b>Family Conference</b>	<b>Comments</b>	
<b>MC2</b>	0	0	0	N	0	0	0	N	3	0	7	N	1	1		
<b>MC3</b>	2	14	86	Y	0	0	0	N	0	5	18	Y	39	0		
<b>MC4</b>	0	0	1	N	0	0	0	N	0	0	0	N	0	1		

Note: Each offence counted in above table represents an offence being listed on the Offender History Report. An offence may be listed more than once if it is the subject of more than one court or family court hearing (in most cases, offences on these records are heard once but usually no more than twice). More than one offence may be heard during a hearing.



## REPORT FEEDBACK SHEET

To assist the Council to continue to improve its processes and products, it would be appreciated if you could complete and return this feedback sheet. You may fax or mail it to the number or address set out on the front inside cover of the report.

### Report: Review of Street Legal

Please circle for each answer

	Poor	→	Good	→	Excellent
1. How well did the report meet your needs and expectations?	1	2	3	4	5
2. How adequately were the report's objectives met?	1	2	3	4	5
3. How easy was the report to read and understand?	1	2	3	4	5
4. How well did the tables or figures enhance the report?	1	2	3	4	5
5. Please give your overall rating of the report	1	2	3	4	5

6. What was your objective in reading the report?

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7. What aspects of the report did you value most and why?

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8. What aspects of the report would you have changed and why?

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9. Have you any further comments that you would like to make on the report?

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10. Were you the suitable representative for your company, business or department to receive a copy of the report? **YES NO**

11. If not, whom would you nominate next time? \_\_\_\_\_

Your name: \_\_\_\_\_ Organisation: \_\_\_\_\_

Date: \_\_\_\_\_

If you wish to be added to, or removed from, the Council's mailing list please indicate below and attach business card or provide contact details. Please add/remove my name.

Name: \_\_\_\_\_ Position: \_\_\_\_\_

Organisation: \_\_\_\_\_

Mailing address: \_\_\_\_\_

E-mail address (if any): \_\_\_\_\_

Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_