

Queensland Community Safety Bill 2024

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Queensland Community Safety Bill 2024

Submission to the Community Safety and Legal Affairs Committee

16 May 2024

This submission may be quoted in public documents.

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Acknowledgement

Anglicare Southern Queensland acknowledges Aboriginal and Torres Strait Islander peoples as the first Australians and recognises their culture, history, diversity and deep connection to the land. We acknowledge the Traditional Owners and Custodians of the land on which our service was founded and on which our sites are operating today.

We pay our respects to the Aboriginal and Torres Strait Islander elders both past and present, who have influenced and supported Anglicare Southern Queensland on its journey thus far. We also extend that respect to our Aboriginal and Torres Strait Islander staff, clients and partners (past, present and future) and we hope we can work together to build a service that values and respects our First Nations people.

We acknowledge the past and present injustices that First Nations people have endured and seek to understand and reconcile these histories as foundational to moving forward together in unity.

Anglicare is committed to being more culturally responsive and inclusive of Aboriginal and Torres Strait Islander people and we are committed to embedding cultural capabilities across all facets of the organisation.

About Anglicare Southern Queensland

Anglicare SQ's experience in identifying and responding to the needs of vulnerable members of our many and varied communities is underpinned by 150 years of delivering innovative, quality care services.

More than 3,000 staff and volunteers operate across southern Queensland and in Longreach and Townsville.

We offer a comprehensive, integrated range of community services that comprises community aged care, residential aged care and community support programs, including youth justice, child safety, disability support, counselling and education, mental health, homelessness and chronic conditions. Our services are designed to 'wrap around' clients in a comprehensive way, recognising their health needs but also addressing the social needs which contribute to wellness.

Anglicare's experience working with young people at risk

Our comments in this submission reflect the direct expertise and experience of Anglicare SQ over decades of service delivery, working directly with many thousands of children, young people, and their families.

In the financial year 2022–23, Anglicare supported 1,695 carers to provide 383,863 nights of foster and kinship care for children and young people, and 46,511 hours of support and accommodation for women and young people experiencing homelessness. We operated 29 residential homes for children and young people in need.

In addition to the Intensive Bail Initiative discussed in this submission, we have experience of running Supervised Community Accommodation (SCA) Services in partnership with the then Department of Child Safety, Youth and Women for young people who had been granted bail by a court, and did not have a safe home to go to. Independent evaluation of the SCA program noted the high quality of service delivery, including the effectiveness of the wrap-around framework, strong case management and positive feedback from young people in the program.

We also draw on experience that includes operating child and family programs and services across a geographic footprint double the size of the United Kingdom. This includes programs such as: foster and kinship care, residential care, Family Intervention Services (FIS), Intensive Family Support (IFS); Secondary Family Support (SFS), Supported Independent Living Services (SILS) and Assessment Support Connect (ASC). In Gympie, we also operate the Next Steps Plus and extended care program for young people transitioning out of care.

Table of Contents

1.0	Introduction	1
2.0	Telling the full story	1
2.1	IBI (Southport): a case study of misinformation	3
3.0	Media guidelines for reporting on youth offending.....	4
4.0	Youth offending and community perceptions	6
5.0	A final word.....	7
	References.....	9

1.0 Introduction

Anglicare Southern Queensland (Anglicare SQ) welcomes the invitation to make a submission to the Community Safety and Legal Affairs Committee regarding the *Queensland Community Safety Bill 2024* (the Bill).

In this document, we specifically address the proposal to “enable certain persons and the media to be present at some Childrens Court criminal proceedings”, described in the Explanatory Notes in the following terms:

The Bill amends the CC Act to enable Childrens Court criminal proceedings to be more open to victims, the family of deceased victims, victims’ representatives, people with a proper interest in the proceedings, and the media.

Anglicare does not support this proposal.

We outline below the reasons for our position. We are concerned that allowing Childrens Court criminal proceedings to be more open, particularly to media and unspecified ‘people with a proper interest in the proceedings’, may provide opportunities for further media negativity and sensationalism, even beyond that evident in current reporting and headlines.

Such reporting encourages stereotyping of young people and influences community perceptions, as well as action such as ‘Facebook vigilantism’ that alienates young people from their communities. This in turn undermines the possibility of community ties and support acting as key protective factors for young people in steering them away from potential offending behaviours.

2.0 Telling the full story

We acknowledge the deep anxiety that many community members are facing about youth offending, and in no way underestimate the pain and fear generated by becoming a victim of crime.

However, some of the recent media reporting on ‘shock data’¹ about an apparent surge of youth crime² in Queensland, and the subsequent political and community commentary, tells only part of the story and is in itself likely to be a contributor to community concern.

The Queensland Government Statistician’s Office, in its most recent report, noted a 5.2% increase in unique child offenders, compared to a 4.1% increase in unique adult offenders — a mere 1.1% difference in overall figures. The largest volume increase was for offenders aged 40–44 years (+796) and the largest proportional increase (+14.3%) for those aged 50–54 years.³

Both adult and child rates were lower in 2022–23 than a decade previously, in 2013–14 (-23.7% and -26.8% respectively), and the number of young offenders, relative to the population, actually fell 26.7 per cent over nine years.⁴

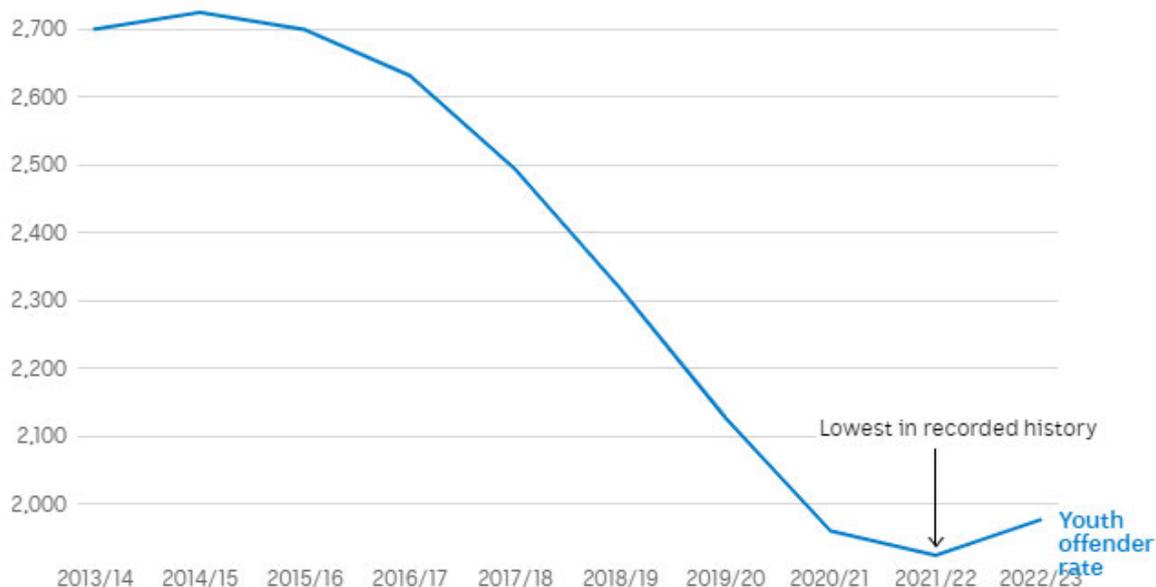


Figure 1: Queensland's unique youth offender rate per 100,000 population (Kenji Sato, www.abc.net.au/news/2024-04-22/queensland-violence-on-rise-report-shows-not-just-youth-crime/103751192)

The most violent cohort of Queenslanders was those in the 30–39 age bracket, who committed nearly a quarter of all assaults.⁵ In 2022–23, more than half of the offences among children aged 10–14 years were trespassing and vagrancy offences.⁶

Despite these figures, news outlets not uncommonly frame their reporting about youth crime in sensational terms.⁷ Young people have been described as a ‘burgeoning criminal generation’ who are ‘running wild’ and ‘fuelling Queensland’s youth violence explosion’;⁸ and disease metaphors such as ‘epidemic’, ‘scourge’ and ‘plague’ are commonly used — unsurprisingly being echoed in political and social commentary:

... [J]uvenile crime has now become a plague with more and more youths becoming involved and it is well past time to send a strong message about the consequences for such actions.⁹

Youth crime continues to be the scourge of Queensland.¹⁰

University of Queensland researcher Associate Professor Renee Zahnow also highlights the impact of ‘Facebook vigilantism’, where young people are named and shamed, often with CCTV footage, for supposed crimes. In some cases, young people are incorrectly blamed for crimes they did not commit. In others, the young person’s photo is uploaded to Facebook for the ‘crime’ of looking suspicious: wearing a hoodie or black backpack, riding a skateboard or gathering in a park. Because few young people are members of such Facebook groups, the groups become ‘echo chambers’ of toxic comments about young people who are not present to defend themselves or put the record straight. Further, such video footage is often picked up by major media channels and redistributed via a continual retelling and reselling of the same narrative, with a token blurring of the young person’s facial features.¹¹

2.1 IBI (Southport): a case study of misinformation

Anglicare has recent experience of the toxic community narrative that can spread based on misinformation and fear.

Our Intensive Bail Initiative (IBI) includes a range of programs that provide early intervention and diversionary support to young people. Participants are predominantly first-time offenders who have actively chosen to participate in the program as they have a keen desire to change their behaviors and improve their life outcomes. We work with both the individual and their family and provide practical support such as mentoring, parenting programs, counselling and assistance in finding employment and secure housing.

The Gold Coast IBI operated from premises in Southport, with only 5–10 of our young clients visiting the site at any one time. It was very rare that 10 clients would be at the site together. Over the past year, we have worked with about 65 young people through the IBI, and few have come into contact with police again. The Queensland Police Service also said it had seen a decrease in youth offending in the Southport area in recent months.¹²

Due to an Anglicare administrative error, operations in Southport over the past two years had been unintentionally running without formal Council approval.¹³ As part of remedying this oversight, we applied for a Material Change of Use application through the Gold Coast City Council. The public notification of the application sparked significant negative feedback and misinformation generated and disseminated through social media and media outlets, to the extent that Anglicare reluctantly decided to withdraw our application and cease operating the service at this location.

While we remain committed to and stand firmly behind the program, the outcomes for young people and the benefits to the community, we were concerned about the impact of such stigma on our young people and the staff who work with them, and the possibility that further damaging commentary could negate the positive outcomes we were seeing from the program. We shifted to an outreach model to continue to support these young people while we searched for a location that safely met the requirements of our clients and enabled us to sustain the program long-term. However, we recognised that this was not the optimum model for our young people, particularly over the Christmas period. As service manager Tahnee Ledgerwood told the ABC:

Other programs die off and don't keep working, and we have increased pressures within the family home.

We are finding that we're taking this safety net away from them as well....

There's a real sense of sadness. We know that we create a safe place for our young people.¹⁴



Figure 2: The Southport Hub was a safe place for the basic needs of young people to be met, such as food, showers, clothing, and someone to 'have a yarn with' (photo from ABC News online at www.abc.net.au/news/2023-11-29/youth-crime-bail-program-closes-community-backlash-anglicare/103159284)

3.0 Media guidelines for reporting on youth offending

In order to help address some of the above issues around media reporting, Anglicare staff recently worked with University of Queensland criminology researcher Associate Professor Renee Zahnow and Barbara Haines from BBS Communications Group to develop media guidelines for reporting on youth offending.

The guidelines (see figure 2) were also informed by discussions with young people in the IBI program described above. We asked the young people:

If you were in charge of a media outlet (TV, online news sites etc) what rules would you put in place for the way young people involved in alleged offending behaviour are described?

The young people's comments reflected their views of media reporting as often telling only one part of the story; repeating negative stories and commentary over and over; and pointed out the sometimes perfunctory attempts to protect the privacy of young people.

- *For the media to report the whole facts/story.*
- *Make sure that they don't keep saying "this happened again". Focus on fixing not blaming.*
- *Well the media aren't allowed to show our faces or use our names. But if I was the boss I would make sure they don't expose someone's privacy too.*

Media guidelines for reporting on youth offending

- 1** Persistently negative stories about young people stereotype everyone's children, and shape a public discourse that diminishes all young people. Positive stories are needed to provide essential balance
- 2** Journalists aim to be objective in their reporting. This is especially important when reporting about alleged youth offences. Negative and sensational language (including headlines) relating to alleged youth offending damages the young people involved, their families, and our communities
- 3** Stories and images that are sourced from social media must be checked for accuracy.
- 4** Updated stories should be clearly identified as such. Stories that are constantly repeated with minor changes imply that young people are committing more crime than they are.
- 5** Statistics are powerful. Ethical use of statistics tells the complete story, and does not seek to manipulate or mislead.
- 6** Children and young people should not be identifiable in the text or images when reporting alleged offending. This includes their names, faces, families, clothes or other recognisable features.
- 7** Publications and media organisations should be held accountable when they consistently breach these guidelines.

Figure 2: Proposed media guidelines for reporting on youth offending

4.0 Youth offending and community perceptions

Despite Anglicare's recent experience with the IBI program, described above in section 2.1, we know that community perceptions of a 'youth crime crisis' are not unique to our current social and political climate. A recent ABC article, for example, notes that Queensland media has been blaming young people for 'crime waves' since at least the mid 1900s, with 'Faulty upbringing in childhood and lack of guidance and supervision in adolescence' considered in 1945 the major factors responsible for the then wave of 'juvenile delinquency'.¹⁵

Nor are such perceptions limited to Queensland, or even to Australia. A New Zealand article by McArdle et al. is worth quoting at some length because it contextualises the issues currently facing the Queensland Government:

Similar to other liberal democracies, youth crime has been and still is an area of great concern to New Zealanders. Given the visibility of youth crime on television and the recurrent presence of high profile cases in media discourse, many members of the public have developed strong opinions on youth crime and how youth offenders should be dealt with by the judicial system.

*International studies have shown attitudes held by the public can be influenced by psychosocial factors such as fear, especially when it comes to attitudes towards crime and punishment ... [T]hese attitudes and opinions have the potential to influence political policy, as governments make policies that aim to reflect public sentiments ... This area of investigation is important, as **fear of crime may influence the endorsement of punishment-oriented government policies, which have been shown to be largely ineffective at reducing youth crime** [our emphasis].¹⁶*

This last point is important. The more unsafe people feel, the more likely they are to advocate for punitive responses to youth crime. In the McArdle et al survey, people who were categorised as feeling 'unsafe' or 'very unsafe' supported punitive options much more commonly, compared with those who felt 'very safe' (28.6% and 14.6% respectively).

However, the authors point out that to take this in isolation ignores more nuanced findings and implications. Both 'safe' and 'unsafe' community members also almost equally supported a desire for rehabilitative responses, a greater use of restorative justice and firm support for other progressive options. This highlights the complexity of public attitudes, and suggests that the public "may be much less punitive than politicians and media assume".¹⁷

While this is a New Zealand study, there are clearly many parallels with the Queensland situation. The research is consistent with polling by The Australia Institute in 2020 that showed that nearly 6 in 10 Queenslanders agreed that public money currently spent on locking up children would be better spent instead on social services like family support, trauma and mental health support and public housing. Nearly 7 in 10 Labor voters (68%) Australia-wide agreed that directing funds into social services was a better use of public money, as above, than detaining children.¹⁸

The issue facing the Queensland Government continues therefore to be twofold: to address both youth offending, and the community's perception of it.

We suggest that one important strategy for helping community members feel safer, against a backdrop of media and pockets of community fear-mongering, is to share more stories about what is working. There are few positive stories to tell about young people who breached bail and re-entered the justice system, had their life trajectory changed by a GPS tracker, or spent ten years in detention instead of seven.

On the other hand, there are many good stories emerging about programs that support young people and families when they need it, and contribute to the desired goal of a safer community. QCOSS highlights for example the Horse Whispering Youth Program on the Raise the Age campaign page^{19:20} and Anglicare programs, current and past, have had significant success helping young people and their families to address the underlying causes of their offending.

Good news stories also address an important related issue. As discussed above, the constant refrain of negative language describing alleged youth offenders acts to stigmatise and exclude young people from their communities. The constant flow of negative commentary directed at young people impacts how community members think about youth, their views of alleged youth offending, and their willingness to support and engage with young people who have a life history of doing it tough.

As young people from our IBI program commented:

- *The way they talk about us young people makes us seem like bad people. We're not bad people...*
- *I hate when the media talks about young people being hopeless and helpless. I saw them on the news calling young people hopeless and it made me so angry. We are trying.*
- *Media depicts us as 'malicious', 'evil' and label us negatively. They drag it out, turn it into a story and think that's all the young people will ever be.*
- *How the media makes out the young people committing so much more crime than they are.*

The practice highlighted by researcher Renee Zahnow, in which major media outlets redistribute video captured by neighbourhood Facebook members with minimal blurring of young people's features, similarly operates to position young people as outsiders in their own community.

There is extensive literature on the harmful impacts of social exclusion on adolescents — particularly where that rejection is based on bias and discrimination. The experience of being an outsider, particularly for a teenager, is deeply harmful, and research shows that young people often respond with substance use/abuse, risky behaviors, mental health concerns, such as depression; and disengagement from school. They search out a peer group where they can feel they belong.²¹

5.0 A final word

A recent editorial in the *Gold Coast Bulletin* observes that many Queenslanders no longer feel safe in their own homes.²² This is tragic, and unnecessary. As a government and a community, we need to stop labelling and 'othering' our young people, so that they feel part of a community they no longer want to damage.

Allowing media and others increased access to criminal proceedings in the Childrens Court is likely to provide further opportunities for further media negativity and sensationalism about youth

offending, greater propensity for Queenslanders to malign young people with only token knowledge of the circumstances, and further alienation of our young people from their communities.

We urge the Queensland Government to consider supporting the media guidelines for reporting on youth offending presented in this submission. While negative perceptions of young people and their offending are not solely driven by the media, there is a great deal of evidence that the media has an influential role to play in shaping public opinion. These guidelines, informed by the young people who are most affected, will go a long way toward restoring balance and fairness in reporting about young people and their alleged offending.

To give one of our young people from the IBI program the last word: *Stop all the hating and try and spread positivity.*

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