

Queensland Community Safety Bill 2024

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Dear Committee Secretary

My name is Richard Brooking, and I am a crime and justice system lived experience lawyer working in the public service. I must state that I write this in a personal capacity, and it does not reflect the opinion or intention of any of my employers, whether paid or otherwise.

Background

I was involved in crime from the age of sixteen till around the age of thirty. Just before my thirtieth birthday, I was incarcerated for a period of six months with an eighteen-month parole period for four charges relating to the possession and production of dangerous drugs. I have spent the last ten years reintegrating myself back into society from a life of crime. I now have a Bachelor of Business, Master of Business (Philanthropy and Nonprofits), Bachelor of Laws (Honours), and I am now an admitted lawyer.

I have reviewed the Queensland Community Safety Bill 2024 (the "**Bill**") and state the obvious: it is primarily about locking up more young people. I will not comment on that, as many others will. However, I strongly believe there should be a balance where at least a few provisions (preferably at least half) promote rehabilitation or systemic improvement. It is one thing to say early prevention and positive change for these children, but without legislative changes, will this really happen?

No policy, no change

One way to improve systems is to elevate the voices of the people impacted by it. This principle is widely known, but adherence is hit and miss; this is particularly true with people the justice system has impacted. Furthermore, these people are more likely to interact with multiple systems, feel like they do not have a voice, and have less control over their lives. Elevating the voices of these people should be a priority when addressing social problems. However, if there is no policy on this, it is unlikely anything will change. I can explain this by telling you about an employer panel I was on recently.

I was part of a panel of three in the public service, and we were hiring for a position that operated between the courts and detention centres. We went through the process, and the final form came for me to complete. One of the questions was, "Do you have any relevant lived experience?" I said, "Yes, crime and justice system." The chair responded, "Sorry, this would be for something like cultural, disability, or being female. We have no policy on crime and justice system." I am not having a go at that lady or those types of lived experience; it just highlights that if there is no policy, it does not happen or exist.

To me, this sounded quite odd that my experience of crime, prison, and rehabilitation was not relevant in a service where criminal rehabilitation is the goal. You would think that this experience would be cultivated, especially in that department. Not long after the panel, a survey was conducted amongst public service employees about improvements to the public service. I explained what happened in the above scenario but received no response.

Based on my experience, there is no change if there is no policy; this is particularly important in matters with negative perceptions. However, the opportunity is here for you to even slightly balance the punitive legislation by empowering the voices of the people the system impacts.

My recommendation

I am no legislation lawyer, and there is probably someone who can draft this better, but my recommendation is simple. It proposes adding to the Bill changes to the *Youth Justice Act 1992* (Qld), being the addition of:

Schedule 1 Charter of youth justice principles

22. The youth justice system should reasonably use the lived experience of justice-impacted children and persons for decision-making and programming.

The idea is to get the executive thinking about "how can we elevate the voices of these youth for programming and decision making?" Or, "how can we use other persons with valuable experience to stop reoffending?" This [LINK](#) is a post on LinkedIn by Youth Justice (NSW) commending Joe Kwon (a rehabilitated offender) from [Confit Pathways](#) for his awards and work in their detention centres. I have not met Joe or seen the program, but I can confidently say that these kids are much more likely to desist with someone who has been down that road mentoring them.

This Bill is an opportunity for you to direct the ship even slightly in the direction of a more informed and effective Youth Justice system.

Thank you for your time.

Kind regards



Richard Brooking