



30 November 2021

Committee Secretary  
Community Support and Services Committee  
Parliament House  
George Street  
Brisbane Qld 4000  
Email: [CSSC@parliament.qld.gov.au](mailto:CSSC@parliament.qld.gov.au)

Dear Committee Secretary,

The Australian Football League Queensland (AFLQ) welcomes the opportunity to provide a submission on the Criminal Law (Raising the Age of Responsibility) Amendment Bill 2021.

#### INTRODUCTION

The Australian Football League deliver programs across the country that engage all ages and all communities. We believe our game is for everyone and understand that impact sport can have on a young person. Children under 14 years old are still developing mentally and physically and do not deserve to be incarcerated. This submission will outline the positive opportunities AFL Cape York provide in Cape York, Gulf Savannah, and Torres Strait Islands in addition to sharing de-identified case studies and experiences of young people that have been involved in our programs that relate to this issue.

Many children that enjoy our game come from unfortunate backgrounds and don't have stable homes or the best access to opportunities such as education and mental health care. Sport has the capability to give children an outlet to exercise, be healthy and develop social skills, a prison cell doesn't allow that.

#### SUPPORT FOR THE PROPOSED AMENDMENT BILL 2021

AFLQ supports the Amendment Bill 2021 – Criminal Law (raising the Age of Responsibility) introduced on 14 September 2021 by Mr Michael Berkman MP Member for Maiwar.

AFLQ also supports the recommendations by the United Nations which will bring Australia in line with international consensus. <sup>i</sup>

#### AFL CAPE YORKS WORK WITH YOUNG PEOPLE

AFL Queensland oversees the delivery of Australian Rules Football across the state. There are 20,966 Auskick participants across QLD aged between 5-12 years for 2021. A high number of Aboriginal & Torres Strait Islander peoples across QLD, particularly in Cape York, Gulf Savannah, and Torres Strait Islands, participate in our AFL run programs.

#### **AFL Queensland**

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AFL Cape York provides several positive opportunities for young people living in remote Indigenous Communities across Cape York peninsula, Torres Strait Islands and Gulf Savannah regions for both boys and girls. Through the engagement outlined below, AFL Cape York.

Our first contact point with young people comes in the way of our Game Development Program which operates in schools throughout remote FNQ region.

Staff travel to over 40 Aboriginal and Torres Strait Island communities, an area of well over 400,000 square kms of land and sea, to deliver active participation and wellbeing programs. In 2021 AFL Cape York staff has connected with over 5000 participants, registered 800 Auskick participants and coordinated representative opportunities through community and regional events. These activities act as diversionary and support activities for our young people in addition to encouraging school attendance and positive behaviours.

Further support to remote communities is offered through our School Holiday Programs where staff travel and stay in communities while conducting active recreation programs for students. These types of opportunities are critical to isolated communities like Aurukun, Lockhart River and Coen Aboriginal communities.

The second point of contact is through our AFL Cape York Boarding Program where we can care for up to one hundred (100) Aboriginal and Torres Strait Islander youth. Students live in one of our residential Houses (Boys House or Girls House) while attending secondary education in Cairns. We have a three-pillar approach in the support of our young people being, Education, Wellbeing and Transition/Careers. A key focus area is our wellbeing pillar. We have seen firsthand the issues effecting young people that have inter-generational and personal trauma, disconnect from family and country, family history of domestic and family violence. If a person's wellbeing is in poor state, learning, building relationships, school attendance and personal health can be affected.

Outreach programs such as Kids Living Safer Lives, On the Move with Deadly Foods and Speak Up Be Strong Be Heard, have been developed in partnership with Queensland Police. These programs actively engage with students living in remote Indigenous communities. While participating in these programs children are exposed to a broad range of lifestyle messaging, mentoring and positive behaviours. Although these programs are reliant on Government funding, they are extremely valuable and aim to guide and support young people.

From our experience, younger people engaged in anti-social behaviours are due to coercion from others like cousins and older siblings, a need to fit in, unsatisfactory school attendance, immaturity, and inadequate supervision. It is also very important that a young person's exposure to past, current, and generational trauma be noted.

## AFL Queensland

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How can a 10-year-old child be responsible for their actions when their brains are not wired to consider consequences for behaviour. How can we expect people as young as 10 years of age to make positive choices that adults struggle to make and then expect them to take responsibility for those poor choices?

When considering applications from young people to attend one of our Secondary Boarding Houses, our experience has shown that having established strong relationships, a sense of trust, caring and being heard, help to contribute to positive outcomes for young people.

Through the AFL Cape York House Boarding Program, we interview many potential students that are considering moving to Cairns for secondary schooling. Through experience, we have found the key to a successful transition is having strong family engagement in a young person's education and transition. When family see positive benefits in education, then young people seem to have clearer boundaries and greater overall support.

#### CASE STUDIES (De-identified)

1. Ben, aged 13, entered AFLCY House due to disengagement from school. By the time he came to AFLCY House he had already had several interactions with police and youth justice regarding property damage and theft in his home community. He was engaged with AFLCY for only 12 months. Shortly after leaving the boarding house, he entered juvenile detention for 6 months. Ben came from a family that had complex family issues including a mum and dad who both having alcohol addiction. It was noted that Ben was 4 years behind his age cohort in education when he entered AFLCY House for Boys.
2. Adam (now 18 years) came to AFLCY House for Boys at aged 15yrs and boarded for 10 months. His family of origin experienced intergenerational family violence and drug use so by the time he engaged with AFLCY he had already been in detention for stealing, break and enter and car theft. His intermittent schooling and stints in detention made it difficult to adjust to boarding routines and school attendance despite additional supports and intensive case management. Adams's behaviours have stalled his progressing his education and he continues to participate in high-risk anti-social behaviours.
3. David was an active participant in AFLCY Game development programs in his remote home community from the age of 7 years old. Periodically, both parents cared for David which was interrupted several times due to them spending time in detention. He participated in several AFLCY programs and competitions including the trip to Melbourne to do the Long Walk. When he was 12 years old, David came to boarding but struggled to make the transition and unfortunately returned to community. He attempted to return to boarding again 6 months later but again transition was unsuccessful. He began hanging around with other youth who were also disengaged school students and participated in break and enters in the community until caught at the age of 13 and sentenced 20 days in detention.

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CONCLUSION

In all these cases the young people mentioned have been exposed to family disconnect, personal/family related substance abuse, addictions, and family support issues, with two of the three boys mentioned spending time in the Child Safety space.

With a high percentage of Aboriginal and/or Torres Strait Islander young people going to prison, stronger considerations need to be given to the welfare of young ones and not expose them to this life at such a young age. We urge you to Raise the Age.

Your Sincerely,

A handwritten signature in black ink, appearing to read 'Trisha Squires'.

Trisha Squires  
Head of AFL Queensland

Email: [REDACTED]

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<sup>i</sup> United Nations (2019). Convention on the Rights of the Child: General comment No. 24 (2019) on children's rights in the child justice system.