

## STRENGTHENING COMMUNITY SAFETY BILL 2023

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**Re: Strengthening Community Safety Bill 2023**

23<sup>rd</sup> February 2023

Dear Sir Madam,

I am writing on behalf of Youth Affairs Network of Queensland (YANQ) and with authority from the management committee of the organisation. YANQ is the peak body for the youth sector and youth issues in Queensland and for the past 30 + years have represented the interests of children and young people at policy and advocacy level. YANQ has a membership of over 700 individuals and organisations from across Queensland. Collectively, YANQ's membership knowledge and experience runs into thousands of years. When it comes to dealing with young people and in particular vulnerable and marginalised young people we know what works.

As we reviewed the proposed Strengthening Community Safety Bill 2023 (The Bill) a famous quote from Mahatma Gandhi springs to mind: *"the true measure of any society can be found in how it treats its most vulnerable members"*.

The raft of new measures outlined in the Bill indicates that Queensland for all intents and purposes has forsaken its most vulnerable members, the neglected children and young people. The abuse of children and young people by the two major political parties in a political point scoring frenzy is grotesque. Particularly when evidence to support policies that can actually bring about real change is on hand but due to political expediency, it is conveniently dismissed and ignored.

I have lived and worked as a youth worker in Townsville a place that has become the key driver of public policy in recent years. Unfortunately, racism has become deeply ingrained in the psyche of Townsville and knowingly or unknowingly many politicians and media outlets are amplifying and giving credence to what is simply bigotry.

Let me be very clear that YANQ does not condone violence or other unsociable acts committed by anyone in society, including children and young people. Everyone has the right to feel safe and respected. However, the current debate around youth crime has failed to highlight that the children and young people who have been packaged as a “small group of repeat offenders” are the most neglected in our society and have grown up without the necessary love, care and safety that they have a right to. This group of young people are not aliens and have not suddenly arrived from out of space with us having no knowledge of what kind of culture produced them. These children are the product of our own society and their behaviour reflects what they have experienced from their families, communities and society in general.

As the African proverb goes: *“A child that is not embraced by the village will burn it down to feel its warmth”.*

YANQ’s membership is made up predominantly of youth workers. Youth workers we have specific skill sets which allow us to build trusting relationships with young people who have lost trust with the community more broadly. These trusting relationships are earned by individual youth workers and should be acknowledged and valued in policy and decision-making processes if we are to find and implement genuine strategies that not only increase our community safety, but also foster a nurturing environment for all young people to become productive members of our society.

Young people are an honest reflection of our society. If we don’t like what we see in young people’s behaviour, it is up to us adults to change the environment and approaches which nurture such behaviour in our young people. Every young person needs at least one significant adult to help them navigate the turbulent teenage years, to provide them with genuine care and to guide them towards becoming a productive member of our society.

We write this submission as a plea to your humanity, we exit from the convention of repeating what our colleagues will be saying in many other submissions. We have no doubt that there will be many submissions lodged which will highlight issues such as developmental brain capacity and the negative impact the criminal legal system has on young people. We also know that the Queensland Parliament would be aware of the views and recommendations of key bodies such as the United Nations, the Australian Medical Association, the Royal Australasian College of Physicians and the Law Council of Australia. Broadly we support these arguments, our aim in this submission is to speak more from the heart and we hope that it would be received by your heart.

We ask you to think about your own child, brother/sister, nephew/niece or someone who you have known since birth. We ask you to picture them when they were young and focus on that picture each time we mention children and/or young people in our submission. We ask you to base your decisions as if you were deciding for the child that you know. We urge you to be honest in answering a simple question: If your own child did something wrong, how would you respond? Would you seek to find out why they behaved in such manner and what support is needed to bring the necessary change to their life, or would you want the “criminal legal system” to deal with them?

As you would be aware, the “youth justice” system in its current form is one of the most unjust systems possible. Unjust because it is mostly comprised of young people who have histories of neglect and abuse. Many young people with such histories resort to drug and alcohol to mask their pain. Many end up homeless and the only adults in their lives become older people who live in the shadows of our society, and through them get introduced to various criminal behaviours. The system is unjust because despite the knowledge and evidence that the earlier a child comes in contact with the “youth justice system”, there is more likelihood of that child reoffending and eventually ending up in the adult “criminal legal system”, the criminalisation of children continues. We know this vicious cycle and we, so cruelly, perpetuate it.

Contrary to this, we also know that the majority of children dealt with outside the formal “criminal legal system” do not reoffend. Further, we know that if young people have meaningful lives, are loved and cared for in a genuine way by significant adults in their lives, the vast majority of them never display anti-social behavior.

In Queensland, fewer than one percent of all 10-17 year olds are prosecuted in court for offending behaviour each year and this percentage continues to fall. Clearly there is no youth offending crisis. Unfortunately, irresponsible politicians aided by some media outlets push the “fear of youth crime” on our community and then present themselves as protectors of the community and tough on crime.

Young people in the youth justice system are characterised by disproportionate levels of economic disadvantage and face steep challenges including low education, disability and poor health. In addition to these challenges, criminalisation facilitates the removal of these young people from their family, community and country.

We would like to highlight that the youth justice system is a systemically racist system. Aboriginal and Torres Strait Islander people have been suffering from racism and discrimination since the invasion of Australia. This racism and discrimination continues and is evidenced by our acceptance of various disadvantages faced by the Aboriginal and Torres Strait Islanders including inequality at all levels education, health, housing, employment etc. Over-policing and criminalisation of Aboriginal and Torres Strait Islander young people, which has led to vast over representation in the criminal legal system, is accepted as the norm.

We strongly believe that diverting the resources to supporting Aboriginal and Torres Strait Islander young people, their families and communities is a necessary step towards reconciliation in Australia. We have a responsibility to provide hope and a positive outlook on life for all Australian children.

In recent years the Queensland Government has sought the advice of the police force to guide its approach to youth justice. Clearly this is for political reasons and mainly to neutralise the opposition’s portrayal of the Government as ‘soft on crime’. This approach by the Queensland Government has been nothing short of disastrous for children and young people whose rights and needs have been forsaken for political expediency.

The Queensland Police Force have been a proponent of criminalisation of children and their understanding of the needs and rights of children, young people and the community is limited. Police response is based on the proven failed efficacy of the criminal legal system.

In recent times we have also seen a growing number of groups advocating for children in the youth justice system. The majority of individuals and organisations involved in this advocacy process have very limited hands-on experience of working with children, young people and their communities. As a result, the alternative solutions which they are advocating for, similar to the [Atkinson's recommendations](#), demonstrate a gross lack of knowledge on what is actually needed in a community setting.

Similar to the "Four Pillars" that underpin Atkinson's supposed reform of the youth justice system, the solutions put forward by many legal and advocacy groups, as well as political parties advocating for young people, miss a crucial point about the need to focus on primary prevention. Atkinson did not even include the concept of primary prevention in his Four Pillars.

Atkinson and other proponents of interventions in children and their communities' lives follow the same philosophy that informed the Northern Territory Intervention by the Army. The multidisciplinary panels and case managers all lay down the blame on children, young people, their families and communities. They all are highly patronising to people who fall victim to and are forced into these programs. Class ignorance is at the root of this problem with advocates of such approaches having never experienced the disadvantages faced by low socio-economic communities.

It is inconceivable that in this day and age, in a country as wealthy as Australia is, that the only place some children could experience having three meals a day, medical check ups, dental care, and supportive education tailored to their needs is in a prison. This is a sad indictment on our society.

If we are to gain broad support from the community for bringing an end to the shameful approach of incarcerating disadvantaged people, we need to demonstrate what can really reduce engagement in criminal activity in the first place. This requires a total shift in policy and program design, development and implementation of a genuine whole of government children and youth strategy, significant redirection of investment into the primary prevention area, and support for the Queensland youth sector to undertake the necessary work.

For the past 10 years YANQ has lodged a pre-budget submission to Queensland Treasury and other relevant government departments highlighting the need for investment in the youth sector. Every year we have been ignored and every year we have seen the youth sector's capacity reduced. This has meant less opportunity to engage with a cohort of young people that no one else can effectively engage with. Funding of the youth sector is neglectfully low and the government's strategy of funding youth justice services and expansion of prisons has failed abysmally.

We have been repeatedly told that the government has very little resources and that there are competing priorities, and as such the government cannot make the necessary investment in youth work and primary crime prevention. Then we hear about an extra \$1 billion to build two new youth prisons and more money for the police and range of other reactive measures.

The irony is that the proposed Bill and the strategy of expanding youth prisons is not only highly costly and takes resources away from where they should be focused, but they are also going to make the community less safe. If more prisons made a community safer the United States should by now be one of the safest places in the world.

If we were to put aside the politics and purely look at evidence, we will need a paradigm shift in our approach. We need a new vision, a social health response focused on supporting young people, their families and strengthening connection with their community and country.

A well designed and resourced Primary Crime Prevention Program which adopts a Community Development Model is the best way to facilitate this process. There is ample evidence available about the efficacy of Primary Crime Prevention and Community Development Programs. In the 90's Queensland had a brief period of exploring this approach and funded a pilot program; Youth and Community Combined Action (YACCA). I have first-hand knowledge of this initiatives as I worked in a low socio-economic community that at the time had the highest rate of youth crime in Queensland. With the seed funding that the YACCA program was provided with, we were able to establish a youth service, undertake comprehensive community planning, engagement and attract resources from all three levels of government. Within five years, the rate of youth crime in that community dropped to one of the lowest in the state and many young people previously destined for a life in the criminal legal system have gone to live positive and meaningful lives.

Unfortunately, the YACCA program was not evaluated properly and never rolled out after the pilot stage and current government departments in charge of policy and program development do not have corporate knowledge of such initiatives and learnings from the implementations of such initiatives have been lost.

As the peak body for the youth sector, we do have the knowledge of the pilot YACCA program and many other similar initiatives. We know how programs need to be designed, what skillset the workers need, what flexibility organisations require in order to have a successful program that can turn the lives of young people around and enhance community safety. That is our role as the peak body and governments in all other Australian states work in partnership with their youth sector peak bodies.

We are now in our 11<sup>th</sup> year of not receiving core funding from the state government. Queensland is the only state not to fund the youth sector peak body. All other community sectors in Queensland have peak bodies that are funded by government. The role of peak bodies are fundamental in governments making informed decisions.

This submission is brief and did not include consultation with our members due to the fact that we only had two days to lodge our submission response. However, if you need any further information and/or clarification, please do not hesitate to contact me.

With consideration of the issues outlined above, we urge the Economics and Governance Committee to recommend to the Queensland Parliament to reject the proposed Bill.

Yours sincerely  
Siyavash Doostkhah



Director  
Youth Affairs Network of Queensland



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