

## STRENGTHENING COMMUNITY SAFETY BILL 2023

**Submission No:** 57  
**Submitted by:** Redcliffe Area Youth Space  
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**Submitter Comments:**



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Economics and Governance Committee  
Parliament House  
George Street Brisbane 4000  
QLD

**Re: Strengthening Community Safety Bill 2023**

Dear Committee Secretary,

The Redcliffe Area Youth Space (RAYS) would like to thank the Economics and Governance Committee for the opportunity to respond to the **Strengthening Community Safety Bill 2023**.

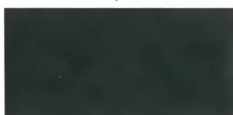
RAYS has been an integral part of the Moreton Bay Region for 21 years as a bipartisan community organisation and has continuously worked with local and state governments during this time to advocate for the care of young people. During this time, RAYS has developed strong programs that focus on crime prevention, complex mental health and trauma, education, training, and community participation. RAYS operates through both a clinical and a psychosocial model of support. As an organisation, RAYS advocates for person-centred care and restorative and recovery-oriented practices to address systemic issues that influence offending behaviour.

Community safety and the welfare of young people in Queensland is at the forefront of RAYS's strategic intent. It is for this reason that the Redcliffe Area Youth Space must oppose the objectives of the proposed Strengthening Community Safety Bill 2023 and urge the Queensland Government to explore frameworks for change that are both grounded in evidence and move to improve the lives of current and future generations of Queenslanders.

In the attached submission, RAYS has outlined what we as an organisation identify as the key issues in regard to the proposed Strengthening Community Safety Bill 2023 and provide further evidence that underpin recommendations for proposed changes to the Bill.

We look forward to future opportunities to work with the Queensland Government and create a future that is both safe and positive for all Queenslanders.

Kind regards,



Amy Mayes  
Executive Manager



## Background

The Redcliffe Area Youth Space has recognised an increase of media coverage for the last five years wherein young people are represented as something to be feared based on the anti-social behaviour of a minority of repeat offenders. The consequence of this has led to the rise of far-right conservative ideologies that increase punitive and reactive behaviours of both the public and political class of our country. Misinformation, selective reporting, and vigilante actions of the public have led to numerous clients of our service indiscriminately targeted and harmed, none of which have offended or broken the law. Consequently, RAYS has seen a distinct community division that discriminates against vulnerable children who require protection.

Our community sadly has witnessed the repercussions stemming from the recent death of a young person who was a victim of a devastating crime at the hands of young offenders who themselves were victims of childhood abuse, neglect, and historic systemic failure by the child safety system. As a service, we provided over 200 notifications to child protection which were ignored and at any point could have mitigated a fatal outcome. This story is becoming far too common in this state. We as a service tirelessly seek to address the antecedents of youth crime with the view that early intervention, restorative rehabilitation, and community leadership are the only way to make lasting change.

## Redcliffe Area Youth Space Response to the Community Safety Bill 2023

In review of the Community Safety Bill, RAYS would like to address the following:

1. RAYS wishes to seek an understanding and further clarification of the frameworks and research that has been implemented to design the proposed outcomes of the Community Safety Bill 2023
2. The absence of the Human Rights Act 2019 in the proposed Community Safety Bill 2023
3. The extension of a 14-year sentence to youth offenders in Clause 8 Amendment of s 408A (Unlawful use or possession of motor vehicles, aircraft or vessels) -1C (iv) the offender is liable to imprisonment for 14 years.

## Summary of recommendations

- State Government undertake further research regarding the effectiveness of detention centres and extended incarceration periods for juvenile offenders. RAYS also suggests that the State Government also undertake an extensive consultation with key stakeholders in order to determine the best actions.
- Redistribution of proposed funding to early intervention programs to address complex trauma and pro-social community programs including Indigenous Driver Safety programs that have previously been defunded.
- Redistribution of proposed funding to early intervention programs to address complex trauma and pro-social community programs.
- The State government consider investigating reforms for the Child Safety System
- Consider further community access and mental health equity measures. We also request the State Government consider proportionate funding to address complex trauma, poverty and additional support for youth offenders who are also victims of crime.
- Consider funding of multivariate/targeted measures to address social determinants of harm.
- Greater focus on Domestic violence support and offending victims of crime



## 1. Further clarification of the frameworks and research that has been implemented to design the proposed outcomes of the Community Safety Bill 2023

### Our response:

The Redcliffe Area Youth Space will support Youth Justice Reforms only if the response is constructed on evidence provided by State, Territory, and Federal Governments in alignment with relevant research and youth crime related literature. We humbly request an explanation for the proposal of the Bill as we understand that Youth Crime has steadily decreased based on current Youth Justice reports and community-based crime intervention programs.

Last year in April 2022, The Honourable Mark Ryan Minister for Police and Corrective Services released a statement asserting there was a “5.8% decrease in the number of unique youth offenders in Queensland in 2020-2021 (lowest number in a decade) compared to the previous year and since 2011-2012, the number of unique child offenders has decreased by 26.8%.”<sup>1</sup>

Based on current evidence released by the Australian Bureau of Statistics, Youth crime is on the decline. Queensland government reports state that “of all crimes committed in Queensland, young people contribute to a small percentile of overall crime, “comprising 13% of total offenders prosecuted in Queensland”.<sup>2</sup> Furthermore, after accounting for population change in the last 24 months, “the youth offender rate decreased from 1,910 to 1,863 offenders per 100,000 persons aged between 10 and 17 years.”<sup>3</sup> During this same period, “youth offenders proceeding against illicit drug offenses decreased from 1,736 offenders in the previous year to 1,465 offenders aged between 10 and 17 years. Note: This was the lowest number since 2008–09 and the seventh consecutive annual decrease.”<sup>4</sup> Knife crime by young people since 2021 is also on the decrease, while adult populations surge higher.<sup>5</sup>

These statistics were all retrieved from Queensland government reports, therefore RAYS is seeking an understanding where the data suggests that youth crime is on the rise overall.

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<sup>1</sup> Queensland Government (2022) QGSO Annual Statistical Report for 2020-2021 [Media Release] <https://statements.qld.gov.au/statements/94916>

<sup>2</sup> Australian Bureau of Statistics. (2021-22). *Recorded Crime - Offenders*. ABS. <https://www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-offenders/latest-release>.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

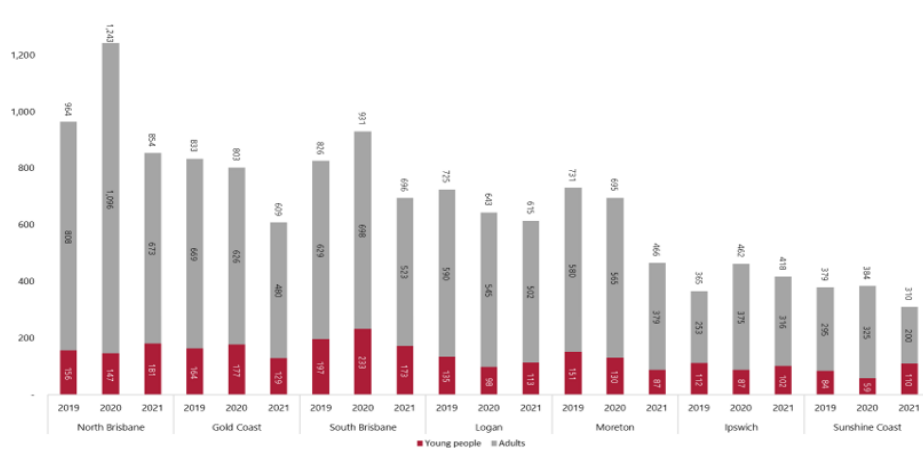


Figure 18: Number of knife offences by South East Queensland Police District for young people and adults, 1 May to 31 October 2019 to 2021

Source: Research and Analytics, Organisational Capability Command, Queensland Police Service

1. This data is preliminary and may be subject to change. 2. Knife crime is defined as an occurrence where the most serious weapon used was 'knife' or where the general report contains the word 'knife' or 'knives'. As such, data should be treated as an estimate only. 3. Only offences with a cleared type of crime: solved and where the offender was aged 10 and over at the time of the offence has been included. 4. Location (District) refers to where the offence occurred. 5. Counts represent the number of offences by an offender and may differ from standard counting rules to take into account offences by each individual offender. Counts do not represent an offender count. 6. All offences on an occurrence will be considered to be knife-related, as it is not possible to differentiate the offences that are specifically knife-related.

Figure 1. Number of knife offences by South East Queensland Police District for young people <sup>6</sup>

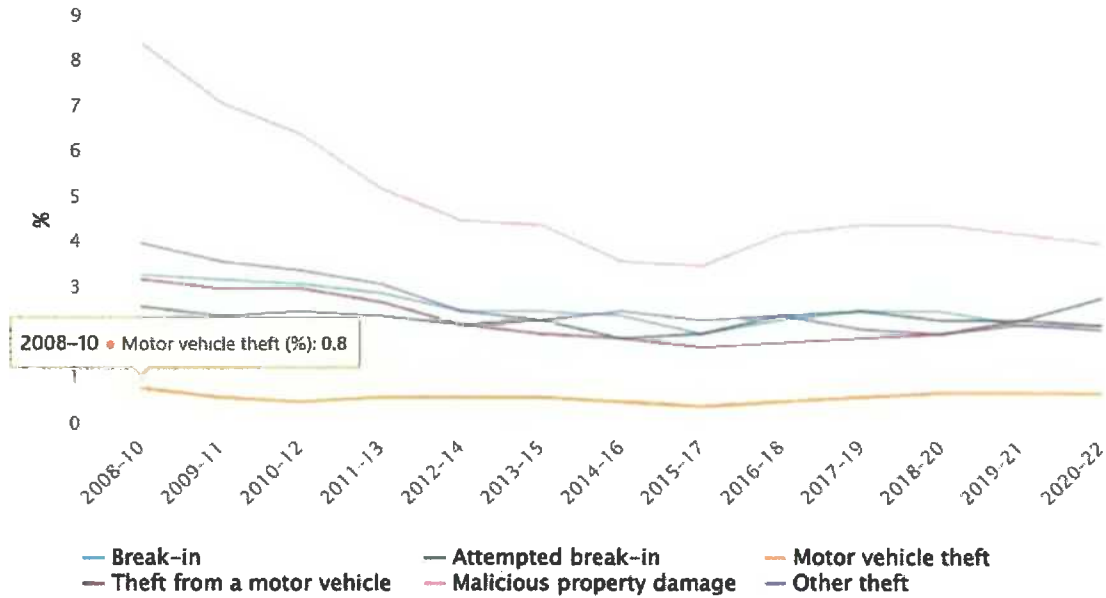
As indicated in Figure 1, knife crime is considerably higher in the adult population coloured grey compared to youth coloured red. The year 2021, is the lowest on record across regions. The Redcliffe Youth has noticed a marked decrease in young people presenting at court for possession of a weapon for the last six months. Although motor vehicle theft fluctuates, the 2008-2010 reporting period was the highest on record. This includes youth and adult populations. 2020-2022 has decreased longitudinally. Please see Figure 2 for further details.

It is worth noting that RAYS has noticed a steady climb in vehicle theft since the Indigenous driver safety programs in our area stopped operating in 2017. We would consider the closure of this program to be something that may contribute to increased car theft by young offenders.<sup>7</sup>

<sup>6</sup> N.a., (2022) Youth Justice Reforms Review – Final Report <https://www.cyjma.qld.gov.au/resources/dcsyw/about-us/reviews-inquiries/youth-justice-reforms-review-march-2022.pdf>

<sup>7</sup> Australian Bureau of Statistics. (2021-22). *Crime Victimization, Australia*. ABS. <https://www.abs.gov.au/statistics/people/crime-and-justice/crime-victimisation-australia/latest-release>.

Victimisation rates(a), Selected household crimes, Queensland, Two-year pooled data: 2008-10 to 2020-22(b)(c)



a. Victimization rate refers to the total number of households that experienced a crime type, expressed as a percentage of all households.  
 b. Estimates have been obtained by pooling data from two successive CVS reference periods.  
 c. Survey error should be considered when analysing changes over time.

**Recommendations:**

- State Government undertake further research regarding the effectiveness of detention centres and extended incarceration periods for juvenile offenders. RAYS also suggests that the State Government also undertake an extensive consultation with key stakeholders in order to determine the best actions.
- Redistribution of proposed funding to early intervention programs to address complex trauma and pro-social community programs including Indigenous Driver Safety programs that have previously been defunded

- 2. Section 29— insert— (3) For the purposes of the Human Rights Act 2019, section 43(1), it is declared that this section has effect in relation to a defendant who is a child— (a) despite being incompatible with human rights; and (b) despite anything else in the Human Rights Act 2019.**

### **Our Response:**

The Redcliffe Area Youth Space is recognised for its reputation in youth engagement, crime prevention, and trauma-informed care as reflected by humanistic values of community development, social justice, and anti-oppressive practices. The absence of the human rights act is counter to our values base that advocate for prosocial community interventions to promote the health and emotional wellbeing of young people. The absence of human rights for youth as cited in this bill reinforces a sentiment of dehumanisation. In our experience as a service, RAYS has seen no evidence that depriving a child of human rights has led to any positive impacts on that child or the community. There is also a lack of equity of consequences for wider offending adult populations, and this Bill provides no clear rationale for this omission. Therefore, we cannot support this bill based on this absence alone. Moreover, research reveals the negative effects of incarcerating youth offenders, in particular within adult facilities. There is an extensive and growing body of literature that demonstrates the harmful impact of incarceration on young offenders, making supporting this Bill unconscionable for RAYS. The resounding evidence in the literature can be summarised by one study that stated that “incarceration fails to meet the developmental and criminogenic needs of youth offenders and is limited in its ability to provide appropriate rehabilitation.”<sup>8</sup>

#### **Recommendations:**

- Redistribution of proposed funding to early intervention programs to address complex trauma and pro-social community programs

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<sup>8</sup> Lambie, I. & Randell, I. (2013). The impact of incarceration on juvenile offenders. *Clinical Psychology Review*, 33(3), 448–459. <https://doi.org/10.1016/j.cpr.2013.01.007>



### 3. The extension of a 14-year sentence to youth offenders Clause 8 Amendment of s 408A (Unlawful use or possession of motor vehicles, aircraft or vessels) -1C (iv) the offender is liable to imprisonment for 14 years

#### Our Response:

As a youth service we recognise that developmental and interpersonal trauma, failure of the state to provide adequate child safety early interventions, and exposure to criminogenic family environments contribute to antisocial youth offending behaviours. A 14-year imprisonment term is something RAYS will never condone as this would create further complexity to vulnerable youth with complex trauma.

Young people who offend or experience criminal victimisation, particularly before adolescence, are at risk of a wide range of adverse social (e.g., unemployment) and health (e.g., mental illness and physical injury) outcomes that increase the risk of repeated criminal offending and victimisation (Caspi et al., 1998; Piquero et al., 2007; Turner et al., 2010).<sup>91011</sup>

Based on exhaustive research, young people who are recognised as perpetrators of crime; are also disproportionately the victims of crime.<sup>12</sup> If a young person enters juvenile detention with unprocessed trauma the risk of traumatisation is significantly high.<sup>13</sup> In specific, exposure to sexual and physical violence in transition into adult prison increases in risk. This correlates with state data based on recent ABS report from 30 June 2020 to 30 June 2021, in which adult sentencing increased by 5% (1,910) to 42,970 with the two largest reasons for incarceration being acts intended to cause injury, up 14% and Sexual assault and related offences, up 7%.<sup>14</sup>

According to the ABS 2019 Recorded Crime Victims, there were around 13,900 sexual assault, kidnapping/abduction, robbery and blackmail/extortion offences against young people aged 15–24 (ABS 2020a).” As of 2020, “Sexual assault accounted for the majority of these (69% or around 9,600 cases).” Nationally. There were around 28,800 other assault offences (which included grievous bodily harm, torture and use of a weapon perpetrated against young people aged 15–24) (ABS 2020a).

<sup>9</sup> Caspi A., Entner-Wright B. R., Moffitt T. E., Silva P. A. (1998). Early failure in the labor market: Childhood and adolescent predictors of unemployment in the transition to adulthood. *American Sociological Review*, 6, 424–451.

<sup>10</sup> Piquero A. R., Daigle L. E., Gibson C., Leeper-Piquero N., Tibbetts S. G. (2007). Are life-course-persistent offenders at risk for adverse health outcomes? *Journal of Research in Crime and Delinquency*, 44, 185–207.

<sup>11</sup> Turner H. A., Finkelhor D., Ormrod R. (2010). Poly-victimization in a national sample of children and youth. *American Journal of Preventive Medicine*, 38(3), 323–330.

<sup>12</sup> Athanassiou, U., Whitten, T., Tzoumakis, S., Hindmarsh, G., Laurens, K. R., Harris, F., Carr, V. J., Green, M. J., & Dean, K. (2021). Examining the overlap of young people’s early contact with the police as a person of interest and victim or witness. *Journal of Criminology*, 54(4), 501–520. <https://doi.org/10.1177/26338076211014594>

<sup>13</sup> Ibid.

<sup>14</sup> Australian Bureau of Statistics. (2021). *Prisoners in Australia*. ABS. <https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia/latest-release>.

As indicated in the Figure 3, between 2022-2023 domestic violence orders were the highest in 5 years at 52,111 cases. As a service many of our clients who engage in offending behaviour report that home is unsafe due to domestic and family violence. In our region we have no case management programs that work directly with Domestic Violence Offenders and have limited supports for aggrieved. We feel these correlate to the increase of youth crime as identity is formed with other children bonding over trauma.

Order Type	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23 YTD (to 31 Jan 2023)	# change 2021-22 YTD to 2022-23 YTD	% change 2021-22 YTD to 2022-23 YTD
Protection	24,868	25,002	20,975	25,371	24,332	14,909	1,297	9.5%
Temporary Protection	13,896	14,420	14,487	14,569	14,801	9,674	1,403	17.0%
Vary Protection	9,943	9,759	8,726	11,760	12,978	8,785	1,529	21.1%
Total	48,707	49,181	44,188	51,700	52,111	33,368	4,229	14.5%

Figure 3. Applications for DVOs Made 2017 - 2023<sup>15</sup>

The repercussions of an extended sentence we fear will only cement a criminal class. As a nation we have learnt prisons are sites of intergenerational trauma and are places that generate traumatic experience. As evidenced by media scrutiny in Don Dale Youth Detention Centre, Banksia Hill in Western Australia, Frank Baxter in New South Wales and Parkville in Victoria.

RAYS also views the function of long-term incarceration for crimes such as car theft to be an ineffective response as informed by the Australian Human Rights Commissioner who asserts that “It is clear the current approach of tougher sentencing and bail laws, punitive conditions, building more children’s prisons for increasing numbers, and incarcerating children as young as 10 years old, is not working to keep the community safe.”<sup>16</sup>

<sup>15</sup> N.a, (n.d.), Queensland Courts’ Domestic Violence Statistics <https://www.courts.qld.gov.au/court-users/researchers-and-public/stats>

<sup>16</sup> Oscar, J., Hollonds, A., Finlay, L. Tan, C. (2022). Governments must urgently address youth justice crisis – Joint Statement. Australian Human Rights Commission <https://humanrights.gov.au/about/news/governments-must-urgently-address-youth-justice-crisis>

**Recommendations:**

- The State government consider investigating reforms for the Child Safety System
- **Consider further community access and mental health equity measures. We also request the State Government consider proportionate funding to address complex trauma, poverty and additional support for youth offenders who are also victims of crime.**
- **consider funding of multivariate/targeted measures to address social determinants of harm**
- Greater focus on Domestic violence support and offending victims of crime