

STRENGTHENING COMMUNITY SAFETY BILL 2023

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Committee Secretary
Economics and Governance Committee
Parliament House
George Street
BRISBANE QLD 4000

Via email: egc@parliament.qld.gov.au

Dear Committee Secretary,

Thank you for the invitation to provide a submission to the Economics and Governance Committee's examination of the *Strengthening Community Safety Bill 2023* (the Bill).

I acknowledge the Queensland Government's eagerness to address growing community concerns around youth crime. However, as an agency with a core function of promoting and protecting the rights and interests of children at visitable sites under the *Public Guardian Act 2014*, which includes detainees in youth detention centres and police watchhouses, I am alarmed and disappointed by reforms that expressly infringe the human rights of children.

In carrying out this core function, OPG's community visitors and child advocates must apply the following legislated general principles in relation to children detained in youth detention centres and police watch houses:

- the child is a valued member of society
- the child is—
 - to be treated in a way that respects the child's dignity and privacy, and
 - to be cared for in a way that protects the child from harm, promotes the child's wellbeing and allows the child to reach his or her full potential
- the child's emotional, moral, social and intellectual development is important and must be taken into account
- the child is entitled to be heard, even if others may not agree with the views expressed by the child
- the child should be able to exercise his or her rights and participate in decisions that affect his or her life
- the child should be able to access available services necessary to meet his or her needs
- an ongoing relationship between the child and the child's family is important for the child's welfare and wellbeing and must be taken into account, and
- an ongoing connection with the child's culture, traditions, language and community is important for the child's welfare and wellbeing and must be taken into account.

The operational consequences of the Bill will likely contravene all the principles outlined above. Furthermore, without an accompanying strategy to immediately address the current detention

centre capacity issues and the consequential prolonged stays in police watch houses, the very foreseeable impact on the children detained will be a system that does not meet the child's needs and will cause psychological and physical harm. The building of two new detention centres is likely to be years from completion. I strongly urge the Committee to consider the impact of the Bill on the children in the detention centres that are already at capacity and are in frequent lockdown due to staff shortages, and the impact on the children in police watchhouses that now experience frequent overcrowding to the point where children have reported that they have to sleep in common areas, are unable to shower daily, and must attempt to sleep with lights that never turn off. These foreseeable impacts have also been raised in recent media by the Queensland Human Rights Commissioner and the Australia Workers Union (Queensland).

OPG Community Visitors will continue to visit children detained in youth detention centres and police watchhouses to promote and protect their rights and interests. Although this is a difficult task when it is acknowledged that the proposals in the Bill aim to infringe on those same rights and interests. Despite this conundrum, OPG will also continue to raise the voices of these children and advocate on their behalf, as their views and experiences are critical to shaping a better youth justice response for the future.

Should you require further information, please contact Ms Kelly Unsworth, A/Manager, Strategic Services, OPG, at [REDACTED].

Yours sincerely



Shayna Smith
Public Guardian