

## STRENGTHENING COMMUNITY SAFETY BILL 2023

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**Submitted by:** Queensland Aboriginal and Islander Health  
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27 February 2023

Committee Secretary  
Economics and Governance Committee  
Parliament House  
George Street  
Brisbane Qld 4000

By email: [EGC@parliament.qld.gov.au](mailto:EGC@parliament.qld.gov.au)

Dear Secretary,

**RE: QATSIC Response to the Government's *Stronger Laws* youth justice reforms**

The Queensland Aboriginal and Torres Strait Islander Coalition (QATSIC) welcomes the opportunity to provide a response to the *Strengthening Community Safety Bill 2023* (the Bill).

**Who we are**

QATSIC is Queensland's coalition on Closing the Gap, consisting of four equal members, the Queensland Aboriginal and Islander Health Council (QAIHC), Queensland Indigenous Family Violence Legal Service (QIFVLS), Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP) and the Aboriginal and Torres Strait Islander Legal Service (ATSILS)

**The effectiveness of the government's response**

As Aboriginal and Torres Strait Islander leaders, we want our communities to be safe and all children and young people to have healthy social and emotional wellbeing to ensure that they can thrive. However, we also know that many of our children and young people experience significant impacts of poverty, social disadvantage and intergenerational trauma and that the failure to address these issues across our state effectively is the underlying causation to some of our young people's problem behaviours resulting in many coming to the attention of justice authorities

We are one of many Aboriginal and Torres Strait Islander representative groups that are ready and willing to co create transformational change that empowers us to address the complex issues facing our families and that have potential impacts on the wellbeing and the safety of the broader community

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This means government and Aboriginal and Torres Strait Islander leadership coming together to reform Queensland's youth justice system. The Queensland Government has already made commitments, through the Close the Gap agreement (Priority Reform One: Formal partnerships and shared decision making) to transform their relationships with Aboriginal and Torres Strait Islander communities.

As a member of the Coalition of Peaks (national representative body of over 80 Aboriginal and Torres Strait Islander peak and member organisations), QATSIC is dedicated to achieving the priority reforms and socio-economic targets outlined in the [National Agreement on Closing the Gap](#). QATSIC is dedicated to working with the government to reach Target 11 (Reduce the rate of Aboriginal and Torres Strait Islander young people - 10 to 17 years - in detention by at least 30 per cent by 2031)

It is our view, that the proposed reforms will not resolve youth crime and serious repeat youth offending and will adversely impact on Aboriginal and Torres Strait Islander children and young people, increasing their contact with detention.

Previous changes to the *Bail Act 1980 (Qld)* and youth justice reforms have already had an adverse effect on Aboriginal and Torres Strait Islander young people - increasing the number of young children being placed in custody. This is evidenced in the Productivity Commission's 2023 *Report on Government Services* which highlighted that in 2021-2022, Queensland incarcerated a daily average of 267 children, accounting for 38% of children and young people under 18 in custody in Australia (697 in total). With many youth detention centres now at capacity, children are now being held in adult watch houses as an overflow solution.

The increasing rates of youth detention are occurring amidst a backdrop of overall youth offending decreasing as noted by former Police Commissioner, Mr Bob Atkinson, in the recent Youth Justice Reforms Review as commissioned by the Queensland Government. The government's proposed reforms will have the effect of increasing the likelihood of young offenders returning to custody, thus entrenching them in the criminal justice system, structurally removing them from their families and communities and creating disconnection from their culture and identity.

Our collective experiences, supported by research and evidence, demonstrate that higher imprisonment rates only serve to reinforce dysfunction and disempowerment, perpetuating the cycle of offending and imprisonment. The longer high incarceration rates persist, the further entrenched the norms that cause offending become and the more difficult and expensive they will be to address.

Our Aboriginal and Torres Strait Islander organisations see these impacts every day through the entrenched disadvantage and marginalisation our communities face and work tirelessly to address, often with inadequate resourcing. These intergenerational impacts are seen in the negative outcomes and issues that face our communities including: the intervention of child protection and removal of children from families, culture and kin; transition from youth offending to adult crime, exposure to family violence; inequities in housing, the prevalence of homelessness, poorer health outcomes, including mental health and cognitive impairment challenges, poorer educational outcomes, low economic participation and the despair which leads to drug and alcohol abuse.

#### A better approach

There is another way that, as a community, we can collectively work to reduce youth offending. We call on parliamentarians to work with us as Aboriginal and Torres Strait Islander leaders to address the underlying issues driving this behaviour using a trauma informed approach and drawing on the social fabric of Aboriginal and Torres Strait Islander families to support us in our efforts to create community safety.

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Our members, the Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP), the Aboriginal and Torres Strait Islander Legal Services (ATSILS) and the Queensland Indigenous Family Violence Legal Service (QIFVLS) are lodging their own comprehensive submissions and we support their calls for investment in alternative approaches. This involves enabling the Aboriginal and Torres Strait Islander community to lead youth justice interventions and create solutions as an alternative to supervision and incarceration.

This includes a need to invest in what the national and international evidence demonstrates to reduce young people's interaction with the criminal justice system including:

- grounding responses in culture.
- investing in restorative and rehabilitative approaches to youth justice.
- investing in Aboriginal and Torres Strait Islander organisations to develop place-based responses and adding resources to the network of community-controlled organisations that already support vulnerable young people in the community.
- investing in healing intergenerational trauma and enabling our children to have culturally safe healing programs.
- listening to children and young people about how to respond to their offending behaviour, noting that the latest QFCC report on our children's voices provides significant insight to our what will assist children and young people on pathways to safety.
- changing models of youth justice and developing therapeutic secure healing places that will enable young people to be rehabilitated.
- raising the age of criminal responsibility to 14 to ensure children do not enter the criminal justice system earlier than their cognitive ability and responses have matured

We, as Aboriginal and Torres Strait Islander leaders, call on the Queensland Government to have a greater focus on healing and prevention. We ask you to work in partnership with Aboriginal and Torres Strait leaders and communities, with a genuine commitment to share decision-making and empower local communities to drive solutions, not the introduction of measures that risk further disconnection, grief and loss resulting in re-traumatisation.

If you would like to further discuss this matter, please don't hesitate to contact Mr Shane Duffy, Aboriginal and Torres Strait Islander Legal Service CEO on [REDACTED] or Mr Garth Morgan, Queensland Aboriginal and Torres Strait Islander Child Protection Peak CEO on [REDACTED].

Kind regards,



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CEO, QATSICPP – Member of QATSIC



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