

Making Queensland Safer Bill 2024

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Inquiry into the Making Queensland Safer Bill 2024 Submission

Please find below our submission to the *Inquiry into the Making Queensland Safer Bill 2024* (the Bill).

The Inspector of Detention Services was established under the *Inspector of Detention Services Act 2022* to provide independent oversight of detention services and places of detention in Queensland.

The purpose of the *Inspector of Detention Services Act 2022* is to promote the improvement of detention services and places of detention, with a focus on humane treatment of detainees and on preventing them from being subject to harm.

The Bill's Statement of Compatibility acknowledges that its changes to the laws about the sentencing of children will:

- result in more children who are found guilty of these serious crimes being sentenced to, and spending more time in, detention (p.4)
- it is likely at least in the short term that the increase in custodial sentences will further strain capacity in youth detention centres in Queensland, and may result in children being held in watch houses for extended periods of time (p.4)

In September 2024 I published the *Cairns and Murgon watch-houses inspection report: Focus on detention of children* (include link). The report identified that watch-houses are not suitable for detaining children, especially for longer periods of time, and create a risk of harm for children who are detained in them.

The report's findings were not controversial. The Queensland Police Service Operational Procedures Manual provides that children should only be held in custody in a watch-house as a last resort and for the least time that is justified in the circumstances. Queensland Health, in its submission to the report, noted that prolonged detention in watch-houses can have a negative impact on young people's mental health and wellbeing.

We are concerned that the new sentencing laws in the Bill will increase the risk of prolonged detention of children in watch-houses and in doing so will increase the risk of harm to them.

To mitigate this risk, we submit that the Queensland Government should delay the commencement of the Bill until the Wacol Youth Remand Centre is operational. The new centre will significantly reduce the reliance on watch-houses to detain children for long periods while they await a place to become available in a youth detention centre. It will provide health and other services to children that are not available in watch-houses, and so reduce the risk of harm.

SUBMISSION

If the Queensland Government does not wish to delay commencement, we submit that it support the Queensland Police Service to urgently improve the availability of health services available for children in watch-houses.

Regards



Anthony Reilly
Queensland Ombudsman and
Inspector of Detention Services