

Making Queensland Safer Bill 2024

Submission No: 60
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Publication: Making the submission and your name public
Attachments: No attachment

Submitter Comments:

I am writing to express my concerns regarding the Making Queensland Safer Bill 2024. While community safety is incredibly important, this legislation poses significant risks to the rights and welfare of young people in Queensland, and I urge the Committee to reconsider several aspects of the bill.

- 1. Violation of International Obligations**The removal of the principle that detention should only be used as a last resort for children is inconsistent with Australia's obligations under the United Nations Convention on the Rights of the Child (CRC), particularly Article 37(b), which mandates that detention be a measure of last resort and for the shortest appropriate period. This shift in policy could result in higher incarceration rates for minors, undermining international human rights standards.
- 2. Transfer of Youth to Adult Correctional Facilities**The provision allowing young offenders who turn 18 to be transferred to adult correctional facilities raises serious concerns about their safety and well-being. Exposure to adult prison environments increases the risk of violence, psychological harm, and recidivism, contrary to the principle in Article 3 of the CRC, which requires that the best interests of the child be a primary consideration.
- 3. Impact on Rehabilitation and Recidivism**The emphasis on punitive measures over rehabilitative and restorative justice is likely to increase recidivism rates. Research consistently shows that rehabilitation-focused approaches are more effective in reducing youth crime and fostering reintegration into society. By prioritizing punishment over rehabilitation, the bill may have long-term negative consequences for community safety.
- 4. Disproportionate Impact on Indigenous Youth**Queensland currently has the highest rate of Indigenous youth incarceration in Australia. This bill is likely to exacerbate these disparities, further marginalizing Indigenous communities and perpetuating systemic inequities. I urge the Committee to consider the disproportionate impact on vulnerable populations and adopt measures that address the root causes of youth offending.
- 5. Conflict with the Human Rights Act 2019 (Qld) and Privacy Concerns**The bill overrides several protections in the Human Rights Act 2019, including the prohibition of cruel, inhuman, or degrading treatment. This override sets a concerning precedent for the erosion of fundamental rights under the guise of public safety. Additionally, the expanded media access to youth court proceedings compromises the privacy of young offenders, potentially stigmatizing them and hindering their rehabilitation.

RecommendationsI respectfully request that the Committee:

1. Retain the principle of detention as a last resort for youth offenders.
2. Ensure that young people remain in age-appropriate facilities, even after they turn 18.
3. Prioritize rehabilitation and restorative justice over punitive measures.
4. Address the underlying causes of youth offending, particularly for Indigenous youth, through community-based interventions.
5. Uphold the protections enshrined in the Human Rights Act 2019 and safeguard the privacy of young offenders.

In aiming to keep our community safer, we don't want to undermine the safety of children by violating their human rights. This is counterproductive and creates bigger systemic issues rather than solving the problem at hand. Thank you for considering this submission. I urge the Committee to take these concerns into account to ensure that Queensland's youth justice system is fair, humane, and effective in promoting community safety.