

Making Queensland Safer Bill 2024

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Submitted by: Ending Violence Against Women QLD
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3 December 2024

Committee Secretary
Justice, Integrity and Community Safety Committee
Parliament House
George Street
Brisbane QLD 4001

Via email to: JICSC@parliament.qld.gov.au

To whom it may concern,

RE: Making Queensland Safer Bill 2024

Thank you for your invitation to provide a submission on the Making Queensland Safer Bill 2024.

EVAWQ provides a representative and united voice for Queensland women and children affected by gender-based violence, and the individuals and service agencies that provide specialist support. Our organisation shares the depth and diversity of knowledge from specialist services within women's health, women's refuge and housing, women's legal, and domestic, family and sexual violence to a broad range of government and non-government stakeholders in relation to all aspects of gender- based violence. EVAWQ regularly engages with governments on behalf of a diversity of specialist sector organisations to provide advice in relation to emerging trends, service demands and funding equity.

EVAWQ supports the intent of the Bill to increase community safety and to reduce the harm being experienced in our community, to increase the safety of all Queensland citizens and families and the Queensland community.

EVAWQ acknowledges the committee's commitment to engaging with stakeholders on the proposed Making Queensland Safer Bill 2024 (the Bill). Whilst acknowledging that commitment, the sector is concerned that the timeline for providing a submission was very small, which has prevented many organisations and community members from making a submission to the committee on the Bill and to consider the full implications. We ask for a delay in implementation of the legislation once finalised- to ensure time to properly consider and plan implementation.

EVAWQ is very alarmed that the Bill is in direct conflict with The Human Rights Act 2019 (Qld) ('the Human Rights Act'), which outlines a child's right to treatment that is appropriate to the child's age when they are convicted of an offence (see Section 33, Subsection 3). The Bill is



also in conflict with the United Nations Convention on the Rights of the Child, to which Australia is a signatory.

We are greatly concerned that the enlarged penalties for children in Queensland will apply to children young as 10 years old, meaning children in primary school could be in youth detention and then adult prisons during the years in which they should be in school.

Measures to address the drivers of child and youth offending

International research has consistently found associations between child maltreatment and criminal offending, in childhood and adolescence (Braga et al. 2017; Kazemian, Widom & Farrington 2011; King et al. 2011; Widom & Maxfield 2001). Further, domestic, family and sexual violence being the majority of the types of child maltreatment experienced by children and young people who offend there are 'strong associations for those who have chronic victimisation extending into adolescence or during the transition between primary and secondary school' (Hurren, Stewart & Dennison 2017; Malvaso, Delfabbro & Day 2017; Stewart, Livingston & Dennison 2008).

It is imperative that more is done to address the trauma and harm caused by child maltreatment, particularly domestic, family and sexual violence to increase safety for all of our community, including children and families. Contemporary research has found that early intervention (prior to mid-teenage years most strongly associated with offending) is crucial to effectively address the causes of youth violence and crime, including trauma. Research findings further indicate that family and school engagement are key protective factors in preventing domestic and family violence, and crime perpetrated by children and young people. (Boxall H, Pooley K & Lawler S. (2021). Do violent teens become violent adults? Links between juvenile and adult domestic and family violence. *Trends & issues in crime and criminal justice* no. 641. Canberra: Australian Institute of Criminology.)

We urge the committee to recommend that evidence-based interventions that reduce crime are funded to address the drivers of youth offending, should the Bill be passed. We know that interventions such as programs that work with children who experience trauma including domestic and family violence will lead to safer families and safer communities.

Young offenders in Queensland have many needs that can be addressed and should be addressed as part of their rehabilitation. Aboriginal and Torres Strait Islander children are over-represented in our criminal system, being 46% [need quote] of our incarcerated youth population. Culturally safe programs that provide for the unique needs of Aboriginal or Torres Strait Islander young offenders should be provided as part of a young persons' sentence, particularly for those who are incarcerated and therefore missing out on their community cultural connections.

We urge the consideration of restorative justice sentencing being available for young offenders within the Bill. Whilst we understand this may not be appropriate in some situations, it is a proven and effective approach to reduce future reoffending.

The 2021 report from the Queensland Family and Child Commission 'Changing the Sentence

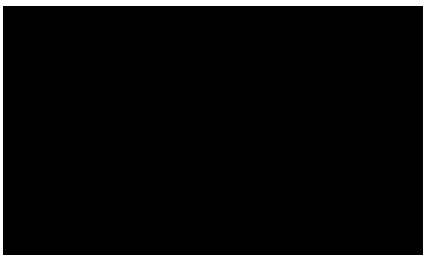


Overseeing Queensland Youth Justice Reforms' found that 63 per cent of children in youth detention have experienced or been affected by domestic and family violence, fifty-six per cent have a mental health and/or behavioural disorder (diagnosed or suspected) and 53 per cent are disengaged from education, training or employment [p33]. Children require appropriately funded specialist supports to prevent reoffending.

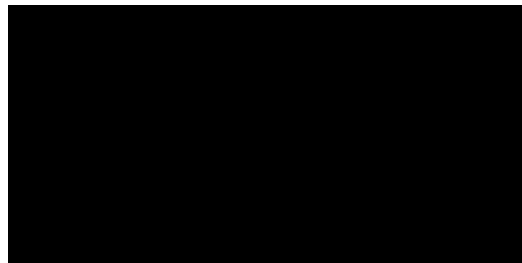
Placed based, community led solutions should be funded by the \$100 million in funds promised by the Liberal National Party that will focus on reducing crime and boosting education and training. These programs should be provided to children early, to divert them away from crime, and also whilst in detention and post-release. These programs should be evidence based and evaluated, to measure what works and what reduces the harm to individuals, families and our community. These programs should be provided in detention and in community to address the drivers of youth offending, to ensure a safer Queensland community for all its citizens.

We would welcome further conversations and planning for programs that will assist us to build a safer Queensland for all of our community and reduce further harm we can be contacted at info@evawq.org

Sincerely,



Lucy Gregory
EVAWQ Co-Chair



Amie Carrington
EVAWQ Co-Chair