

## **Making Queensland Safer Bill 2024**

**Submission No:** 73  
**Submitted by:** Jo and Alison Grant  
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**Submitter Comments:**

## Submission to the Queensland Parliament Inquiry into the Making Queensland Safer Bill 2024

We strongly oppose the Making Queensland Safer Bill 2024 and all of the proposed amendments to the *Youth Justice Act* 1992 and the *Childrens Court Act* 1992. The punitive nature of these proposed amendments run counter to the pro-rehabilitation positions of several authoritative Queensland Government bodies, namely the Human Rights Commission and the Family and Child Commission.<sup>1</sup> Many studies on youth crime have demonstrated that such measures will not reduce the rate of crime, nor reduce recidivism.<sup>2</sup> Any government that claims to genuinely care about the wellbeing of victims and community safety would instead implement evidence-based and community-led programs to better prevent crime.

Furthermore, data shows that rates of crime, including youth crime, have been falling across Australia.<sup>3</sup> This data thus demonstrates that harsher penalties for youth offenders are not necessary. It appears that this proposed Bill creates an unnecessary solution to a problem that has been substantially misrepresented by the Government and some media outlets.

We also believe that this Bill will contribute to the intergenerational burdens and inequity that the youth of Queensland are already facing on a number of fronts, such as affordable housing and climate change. While Government may claim an electoral mandate to justify the passing of this Bill, only adults are able to vote. Youth are not enfranchised and were thus unable to vote on a matter that will directly impact upon them. In addition, these amendments will disproportionately affect Aboriginal and Indigenous youth, which will further entrench the historical injustices that these communities have faced since colonisation.

We are deeply concerned about the human rights implications of the amendments proposed in the Making Queensland Safer Bill. We are troubled that politicians and the Government are choosing to pursue legislation with full knowledge that it is discriminatory.<sup>4</sup> Without remorse or apology, many of our elected representatives believe that we should enshrine the devaluing of children's rights into our state law. This Bill is contrary to the values of modern Australia, which is a signatory to the United Nations Declaration of Human Rights, as well as the Convention on the Rights of the Child. It is even contrary to Queensland's own *Human Rights Act* 2019. As Queenslanders, we wish to live in a state that respects the basic rights and dignity of all

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<sup>1</sup> Andrew Messenger, "Still have their baby teeth": Queensland children as young as 10 to face life sentences for murder under new laws,' *The Guardian* 28 November 2024 <<https://www.theguardian.com/australia-news/2024/nov/28/queensland-youth-crime-laws-david-crisafulli-lnp-changes-children-life-sentences-murder>>; The State of Queensland (Queensland Family and Child Commission), *Designing a Better Response to Youth Offending in Queensland: Raising the Age of Criminal Responsibility: Issues Paper*, 2022 <<https://www.qfcc.qld.gov.au/sector/monitoring-and-reviewing-systems/young-people-in-youth-justice/raising-the-age-of-criminal-responsibility>>

<sup>2</sup> Chris Cunneen, Fiona Allison and James C. Beaufils, 'Locking up young people might make you feel safer but it doesn't work, now or in the long term,' *The Conversation* 3 September 2024 <<https://theconversation.com/locking-up-young-people-might-make-you-feel-safer-but-it-doesnt-work-now-or-in-the-long-term-237742>>; Andrew Messenger, *op.cit.*

<sup>3</sup> The State of Queensland (Queensland Family and Child Commission), *op.cit.*, p.13; Kenji Sato, 'Criminologists debunk claims of "youth crime crisis" as data shows dramatic declines,' *ABC News* 13 October 2024 <<https://www.abc.net.au/news/2024-10-13/criminologists-debunk-youth-crime-crisis-claims/104445432>>

<sup>4</sup> Andrew Messenger, 'Children will get sentences "more punitive than necessary" under new crime law, Queensland LNP admits,' *The Guardian* 29 November 2024 <<https://www.theguardian.com/australia-news/2024/nov/29/children-will-get-sentences-more-punitive-than-necessary-under-new-law-queensland-lnp-admits>>

people, regardless of age. We do not believe that ignoring human rights will make Queensland safer. Instead, it seems very likely that community cohesion and trust will be undermined if we treat an entire group of people in our society with less respect than others.

Finally, we are also concerned by the haste of Parliament in passing this bill, which suggests a lack of due process. We urge the Committee to allow a longer public consultation before any vote by Parliament. Given the significant social implications of this Bill, there ought to be thorough consultation with all concerned stakeholders, including youth representatives, as well as careful consideration by all parliamentarians.

### **Recommendations**

- Do not pass the Making Queensland Safer Bill 2024 into law.
- Heed expert advice and evidence when formulating policy and legislation.