

Making Queensland Safer Bill 2024

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Submitted by: Dr Michael Rubenach
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From: [REDACTED]
To: [Justice, Integrity and Community Safety Committee](#)
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Committee Secretariat
Justice, Integrity and Community Safety Committee
Via email: JICSC@parliament.qld.gov.au

Subject: Submission Against the "Making Queensland Safer Bill 2024"

Dear Justice, Integrity and Community Safety Committee,

I am writing to express my strong opposition to the proposed changes in the "Making Queensland Safer Bill 2024," particularly the implementation of the "adult crime, adult time" policy for juveniles. I am a retired scientist and member of Amnesty International I have several concerns regarding this policy and its implications for youth justice in Queensland.

Concerns:

1. Developmental differences between juveniles and adults: The proposed changes fail to acknowledge the developmental differences between juveniles and adults. Children are different from adults in terms of their emotional and mental capacity, and deserve and require different treatment. In particular, the specific regions of a child's brain responsible for higher functions such as planning, reasoning, judgement and impulse control will not yet be fully developed. Imposing adult sentences on young offenders disregards the critical stage of development that adolescents are in, and it does not account for their capacity for rehabilitation and change.

2. Increased Reoffending Rates: Evidence from Australia and many other countries suggests that harsher punishments, such as adult sentences for juveniles, do not effectively reduce reoffending rates. Queensland currently locks up more children than anywhere else in Australia. More than half of youth offenders released from supervision in Queensland are re-sentenced for new offences within 12 months of their release and locking up kids is expensive (more than \$1,800 per child per day – Productivity Commission Report). The rushed introduction of this bill also ignores evidence that suggests for children and young people who offend, early contact with the justice system can lead to life-long offending (A Just System? How Punitive Youth Justice Systems Increase the Risk of Crime Published online by Cambridge University Press: 30 October 2017, Author Julie Edwards).

3. Better alternatives: There are better alternatives than imprisonment for young offenders, including early intervention programs like the Johnathon Thurston Academy 'You Got This' initiative in Cairns. 90 per cent of young people with a prior offending history who participated in this program did not reoffend within nine

months. Jailing children is failing both them and our communities. It is time to properly fund and resource evidence-based diversionary programs so we can have safer communities.

4. Prioritise caring for children and addressing disadvantage: We need a new approach that focuses on providing care and support for children who are at risk of becoming young offenders. A 2018 study at Banksia Hill Detention Centre in WA found that 89% of the 10–17-year-olds detained there had at least one form of severe neurological impairment (C Bower et al, "[Fetal alcohol spectrum disorder and youth justice: a prevalence study among young people sentenced to detention in Western Australia](#)", published in 2018) and a study of detainees in Youth Detention Centres in Queensland would likely reveal similarly high levels of FASD and other forms of neuro-disability. Rather than introducing harsher punishments for young offenders the Queensland government should be tackling the issues that put children at risk of falling into a life of crime; like disengagement from education, poverty, childhood abuse, neurocognitive impairment, exposure to domestic and family violence, drug and alcohol abuse and housing instability while also investing in programs that divert children away from the criminal justice system.

5. Disproportionate Impact on Vulnerable Communities: The proposed changes are likely to disproportionately affect vulnerable communities, including First Nations youth, who are already overrepresented in the criminal justice system. These communities require targeted support and intervention, not harsher penalties. Disadvantaged communities need far more help from people such as social workers, psychologists, community specialists, and employment and sporting organizations who in the long term can help in alleviating problems that lead to youth crime.

6. Disregard for children's rights: The Bill breaches several of Australia's human rights obligations, including Queensland's own Human Rights Act. The Chair of the UN Committee on the Rights of the Child has expressed concern at the proposed changes to the law for child offenders, saying the bill shows a flagrant disregard for children's rights and is in violation of the Convention on the Rights of the Child.

7. The short consultation timeframe for the Bill: Such serious changes require a longer consultation period.

Conclusion: I urge the Committee to reconsider the proposed changes and rather than introducing harsher punishments for children, focus on introducing evidence-based measures to create a safer and more just Queensland for all.

Thank you for considering my submission.

Dr Michael Rubenach

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