

## **Making Queensland Safer Bill 2024**

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Parliament House  
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**Submission from the Australian Workers' Union of  
Employees, Queensland to the Justice, Integrity and  
Community Safety Committee of the 58<sup>th</sup>  
Queensland Parliament**



**Making Queensland Safer Bill 2024**

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## **Our Coverage:**

The Australian Workers' Union of Employees, Queensland (AWU) have coverage of operational workers (including Detention Youth Workers) who work in Queensland's three major youth detention centres.

The vast majority of Detention Youth Workers in Queensland are active members of the AWU.

## **Introduction:**

By virtue of our industrial coverage, the AWU's major stake in this inquiry into the Making Queensland Safer Bill 2024 (the Bill) relates to the functioning of Queensland's youth detention system.

The Bill proposes changes to the way that adult offenders are transferred to adult corrections from youth detention centres (YDCs).

The Bill also removes detention as a last resort and lifts the maximum periods of probation and detention orders that can be imposed on youth offenders for a range of serious offences in order to align these sentences with adult penalties.

This will mean more young people serving longer sentences in youth detention, which has the potential to significantly impact the youth detention system.

This submission will focus on these areas.

### **1. Moving adults out of youth detention**

The AWU is unapologetic in the view that adults have no place residing in youth detention centres.

It is the experience of our members that adult offenders tend to be physically larger and stronger than younger detainees, meaning that the effect of their violence towards others within YDCs tends to be more severe.

They can often be the architect of violence undertaken by younger offenders by issuing directions for assaults on staff and other detainees.

By moving to automatic transferal of 18-year-olds out of detention and streamlining the considerations that the Chief Executive must make when determining if an adult offender should stay in youth detention, more adults will be moved out of youth detention to adult correctional facilities.

The AWU believes that the changes proposed by this Bill, insofar as they relate to the transfer of adult detainees out of the system, are appropriate and proportionate to the risk that adult detainees pose to the good order of these centres.

## **2. Influx of young people entering the youth detention system**

The AWU recognises the significant personal cost faced by victims of crime in Queensland, and as Queenslanders we are concerned with reducing the incidence and impact of youth crime in our community.

That is why AWU members in our youth detention system get out of bed every morning, put on their uniform and work with the young people in these often-violent workplaces.

Among other measures, this Bill will remove detention as a last resort and lift the maximum periods of probation and detention orders that can be imposed on youth offenders for a range of serious offences in order to align these sentences with adult penalties.

These measures are being enacted with the intention to deter young people from committing serious crimes, provide justice to victims of crime and to physically remove violent offenders from our local communities.

The AWU agree with these intentions in-principle, but our union is concerned that these changes may shift violent crime off our streets and into our members' workplaces without the staffing or infrastructure to accommodate it.

Queensland's three YDCs are running at constant capacity, and our members still do not have the staff we need to safely operate these centres on a day-to-day basis – let alone guarantee access to schooling or meaningful rehabilitation programs.

FTE figures do not reflect the staff on the floor on any given day, due to fluctuating numbers of staff on WorkCover, absenteeism and staff away sick.

The intention of this Bill is to place more youth offenders in youth detention with longer sentences. The inevitable outcome of that will be an influx of offenders entering a youth detention system that is at capacity.

That poses a range of issues for the Queensland Government, and our members are concerned about the future policy settings that may be put in place to absorb this influx.

While it is true that moving adults out of youth detention into adult corrections will free up some capacity in the system, a sample taken by our membership in November last year found that 10% of the beds in the system were being taken up by adult offenders.

This figure is not insignificant, which is why our union has argued voraciously for stronger action on transferring these offenders.

However, this will not be enough to absorb the inevitable influx of young people entering the youth detention system as a result of this Bill.

This may lead the Government to considering double and triple bunking in YDCs. This would be a disaster for staff and the rehabilitation outcomes of youth offenders.

AWU members are firmly opposed to the use of double or triple bunking in our YDCs, as they lead to a higher incidence of physical and sexual assault among young people that is obviously counterproductive to their physical safety and ongoing rehabilitation.

Having multiple young people to a room also increases the likelihood of violence against staff, as young people can coordinate attacks, riots and other behaviour that may subvert the good order of the centre.

Any attempt to cram youth offenders into rooms in YDCs will lead to a further erosion of staff morale and order on centre. This will lead to more absenteeism and poor retention of staff, compounding the issues in the system and undermining the safety of our members and the rehabilitation outcomes of the young people.

This issue will not be solved by outsourcing the work of Detention Youth Workers to the private sector.

This Bill is a clear policy shift toward a detention order being a punitive measure imposed as a remedy for the pain suffered by victims of crime, as opposed to purely being a vehicle for rehabilitation of the youth offender.

Our union believes that victims of crime deserve justice. However, rehabilitation does not need to run contrary to the delivery of that justice. Effective rehabilitation reduces recidivism and the number of victims of crime in our community – a key metric of success in this policy area identified by the Queensland Government.

The only way to provide quality rehabilitation to these young people is through the work of directly hired, professional Detention Youth Workers. Our members are more than guards – they are on the frontline of rehabilitation delivery in the system.

Detention Youth Workers who work for the Department of Youth Justice and Victim Support have a working knowledge of the *Youth Justice Act 1992* and the complex legal and regulatory framework that surrounds the detention of children.

Their work cannot be effectively outsourced to private providers of adult correctional services, and our members are concerned about the poor health and safety outcomes for staff in these workplaces who may have to rely on undertrained contractors working on casual contracts for a fraction of the remuneration.

Outsourcing this work for new or existing services will lead to a further reduction in rehabilitation quality in these centres, leading to higher recidivism rates and more Queenslanders becoming victims of crime in our community.

The Queensland Government must carefully consider the future policy direction on how they will house this influx of young people entering YDCs in a manner that does not harm our hardworking public servants or the rehabilitation of youth offenders.

The AWU and our membership are prepared to engage with the Queensland Government in good faith to find common ground on these issues. The safety of our members and the broader Queensland community relies on it.

## **Conclusion**

The safety of AWU members is the paramount concern of our union, and we believe it should also be the paramount concern of Government when they are making decisions relating to the youth detention system.

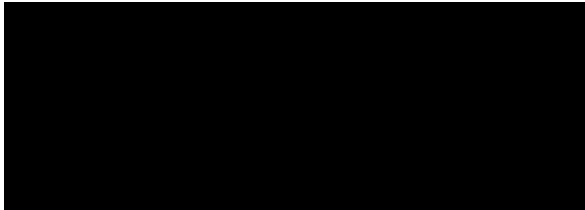
This Bill will streamline the removal of adult offenders from the youth detention system, which is a step in the right direction for staff safety and the rehabilitation outcomes of youth offenders.

It will also lead to an influx of youth offenders entering a youth detention system that is already incredibly unsafe and at capacity.

Resorting to double or triple bunking or outsourcing the work of Detention Youth Workers will be counterproductive to the Queensland Government's aim of reducing the number of victims of crime in our community.

Our members are prepared to engage with the Queensland Government in good faith to discuss these issues and find solutions that are beneficial to staff, the Government, young people in the system and the Queensland public at-large.

Regards,



**Stacey Schinnerl**

Secretary

The Australian Workers' Union of Employees, Queensland

3<sup>rd</sup> December 2024