

Making Queensland Safer Bill 2024

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Open Doors Submission **Making Queensland Safer Bill 2024**

Introduction

Open Doors Youth Service (ODYS) supports LGBTIQ+SB young people aged 12 to 24 and is the only service of its kind in Queensland. ODYS is dedicated to:

- Empowering LGBTIQ+SB young people to live with pride as valued, celebrated, and authentic members of community;
- Engaging a workforce with lived experience and professional expertise;
- Providing safe spaces for young people to connect with peers and community to foster a sense of belonging;
- Advocating for the rights and needs of our young people to improve their access to resources, and to end discrimination and violence;

We do this through the provision of case management, counselling, psychosocial groups, capacity building and advocacy.

Our mission is that all LGBTIQ+SB young people have access to appropriate and safe supports, that builds their resilience, strengthens their identity, and provides them with community. Our framework is built on the pillars of safety, connection, and pride.

Our vision is a world where all young people live authentically and unapologetically, free from the fear of violence, discrimination, and isolation.

ODYS currently supports more than 540 queer and gender diverse young people a year through more than 2,800 points of contact. ODYS offers a stepped care model that allows LGBTIQ+SB young people to access one or more supports at any one time depending on level of need and intensity of support required.

We welcome the opportunity to provide views on the *Making Queensland Safer Bill 2024* (the Bill) introduced to the Queensland Parliament by the Premier and Minister for Veterans David Crisafulli on 28 November 2024. We support the importance of community safety however; we are strongly of the view that amendments can be made to secure better outcomes for all Queensland young people and children and in particular those that are significantly marginalised and vulnerable.

Statistics Impacting the Bill

Open Doors Youth Service

- In the previous 12-month period Open Doors Youth Service have provided 179 occasions of service for young queer and trans people regarding legal and police support

- Open Doors Youth Service currently supports 547 young queer and trans people 43 percent of who have experienced violence against them
- 82% percent of the young people that engage in our service are trans and gender diverse
- 49% identify as neurodiverse

Broader Community

The "Trans Pathways 2017" study, which is the largest survey examining the lives of trans and gender diverse young people in Australia, and Writing Themselves in 4, 2020 – 2021, reports that trans and gender diverse young people aged 14-25 years:

- Are fifteen times more likely to attempt suicide than their cis-gendered counterparts;
- 79.7% reported having self-harmed in their lifetime;
- 90.2% reported experiencing high or very high levels of psychological distress;
- 23.5% had reported non-medical drug use;
- 22.8% had experienced sexual harassment or assault based on their gender identity;
- 42.7% were not supported by family upon disclosure of their gender identity resulting in 1 in 5 experiencing homelessness.

Despite the higher prevalence of poor mental health and suicidality, experiences of DFSV and homelessness, TGD young people experience

- sub-optimal mental health assessment, treatment and support;
- extensive barriers to accessing crisis accommodation;
- exclusion from DFSV services and support.

The above data and corresponding lack of supports means that TGD young people have a higher propensity to come into contact with the youth justice system. Despite this propensity the current youth justice system struggles to support our young people in safe and affirming ways given the constraints in which it operates. This lack of care has long term impact on TGD young people adding to their psychological distress and distrust of mainstream systems and services which further increases the rates of recidivism amongst the TGD community.

We note the significance of youth crime that earlier a young person encounters the criminal legal system the more severe and prolonged their engagement is. Given the complexities of many TGD young people's lives we fear that early interaction with the youth justice system will have lifelong impacts for our community.

Making Queensland Safer Bill 2024

The bill on 28 November 2024 proposes to amend the *Youth Justice Act 1992* (Youth Justice Act), *Children's Court Act 1992* (Children's Court Act) and other listed acts. The Bill aims to hold young people to account who commit offences by ensuring the courts have primary regard to the impact of youth offending on victims and can impose penalties that align with community expectations.

Whilst we acknowledge the need to keep communities safe we also ask the Government to consider the long term and often negative impacts of criminalising young people and in particular highly vulnerable and at-risk TGD young people. Given this we are asking the Government to reconsider the following:

Removing the principal of detention as a last resort

We know that TGD young people are highly vulnerable within community and are therefore more likely to come into contact with police and the youth justice system. This is a direct result of

- a lack of access to appropriate and affirming medical health care,
- isolation from family, friends and community due to high levels of discrimination, harassment and violence,
- Increased rate of homelessness due to family rejection,
- Increased rates of AOD use due to high levels of trauma and psychological distress.

We know when TGD young people have access to community, peer support systems and affirming care we improve their outcomes significantly. It is our belief that funding redirected into community led organisations would provide early intervention prevention for TGD young people and divert them away from the criminal legal system.

Adult crime, adult time.

When TGD young people are incarcerated, they often face a unique set of challenges that exacerbate their vulnerability and compromise their safety and well-being these challenges include:

- Higher levels of physical, sexual and emotional violence while in custody
- Being kept in isolation cells due to a lack of appropriate facilities resulting in severe psychological distress
- A lack of access to gender affirming medical care contributing to the heightened rates of suicidality and self-harm amongst our community.

Placing trans young people in prison increases their vulnerability, exposing them to heightened risks and challenges that can significantly impact their well-being. This environment often exacerbates their marginalisation, making them more likely to face re-criminalisation rather than receiving the support they need to thrive.

Consultation

We note the Government's commitment to enact the Bill by the end of 2024 and the time limitations available for consultation. We encourage the opportunity to present evidence at any further parliamentary hearings for the Bill.

Final Note

We commend the Government's commitment to keeping all Queenslanders safe and share the same objective here at Open Doors Youth Service. We look forward to collaborating with the Government to ensure the safety of all TGD young people in Queensland.

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