

## Making Queensland Safer Bill 2024

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POWERING kids helpline

# **Inquiry into the Making Queensland Safer Bill 2024**

A submission to the Justice, Integrity and  
Community Safety Committee

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Authorised by Benjamin Pook, Advocacy and  
Government Relations Manager, **yourtown**

**email:** [advocacy@yourtown.com.au](mailto:advocacy@yourtown.com.au) **tel:** [REDACTED]

**yourtown** welcomes the opportunity to respond to the Inquiry into the Making Queensland Safer Bill 2024.

**yourtown** has been supporting children and young people across Australia since 1961. We support children, young people and families with mental health and wellbeing, parenting and early childhood development, long-term unemployment, prevention of youth suicide, children protection, and support for those experiencing domestic and family violence.

**yourtown** has been one of the many voices for more than a decade advocating for reform to the youth justice system, including: trauma responsive systems that focus on prevention and early intervention; the adoption of Aboriginal and Torres Strait Islander led solutions; and raising the age of criminal responsibility.

**yourtown** strongly advocates for the government to reconsider overriding the Human Rights Act when delivering the Making Queensland Safer Bill 2024. The government should move to a child rights approach and uphold the United Nations Convention on the Rights of the Child (CRC), which Australia ratified in 1990.<sup>1</sup> Our society rightly places significant protections on children and provides them with rights that are distinct from adults. This includes: the right to non-discrimination; to have their best interest made a primary consideration; the right to life, survival and development; the right to be heard; the right to be protected from violence and abuse; the right to education; the right to adequate standards of living and the highest standard of health; and protection from torture, cruel or degrading treatment. Australia is legally obliged to meet these standards, including within the youth justice systems, and every jurisdiction in Australia is equally responsible to upholding the CRC.

### Impact of incarceration

The earlier a child is exposed to the justice system the more likely they are to reoffend.<sup>2</sup> A detention order should still be imposed only as a last resort (if no other penalties are appropriate) and for the shortest amount of time. Courts are still able to consider all of the information in front of them and make a decision that balances the requirement around community safety, the child and long-term outcomes. Research also clearly demonstrates that early contact with the youth legal system increases the likelihood of:

- **Poor future justice outcomes:** the younger they are at their first point of contact with the youth justice system, the longer their involvement in the system is likely to be
- **Interruption to education:** children in contact with the youth justice system are less likely to complete their education, and less likely to thrive into the future, and
- **Trauma and mental illness:** incarceration and criminalisation cause documented long-term impacts on mental health and often compounds pre-existing trauma.<sup>3</sup>

### Improved early intervention support

Early intervention programs can support children and make communities safer.<sup>4</sup> Children and young people at risk of contact with the youth justice system are well known to be a vulnerable cohort, often with complex and intersecting social needs that are out of their

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<sup>1</sup> Convention on the Rights of the Child, opened for signature 20 November 1989, 1577 UNTS 171 (entered into force 2 September 1990) <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

<sup>2</sup> Sentencing Advisory Council (2016). Reoffending by children and young people in Victoria (p. xiii).

[https://www.sentencingcouncil.vic.gov.au/sites/default/files/2019-08/Reoffending\\_by\\_Children\\_and\\_Young\\_People\\_in\\_Victoria.pdf](https://www.sentencingcouncil.vic.gov.au/sites/default/files/2019-08/Reoffending_by_Children_and_Young_People_in_Victoria.pdf)

<sup>3</sup> Save the Children 54 Reasons, dandolopartners, & McDougall, J. (2023). *Putting children first: A rights respecting approach to youth justice in Australia*. [https://www.savethechildren.org.au/getmedia/4befc9d7-c9de-4088-b591-547714fc8673/Putting-children-first-A-rights-respecting-approach-to-youth-justice-in-Australia\\_April-23.pdf.aspx](https://www.savethechildren.org.au/getmedia/4befc9d7-c9de-4088-b591-547714fc8673/Putting-children-first-A-rights-respecting-approach-to-youth-justice-in-Australia_April-23.pdf.aspx)

<sup>4</sup> Justice Reform Initiative. (2023). Alternatives to Incarceration in Queensland. (pp.18 – 27).

[https://assets.nationbuilder.com/justicereforminitiative/pages/337/attachments/original/1685393777/JRI\\_Alternatives\\_QLD\\_FULL\\_REPORT.pdf?1685393777](https://assets.nationbuilder.com/justicereforminitiative/pages/337/attachments/original/1685393777/JRI_Alternatives_QLD_FULL_REPORT.pdf?1685393777)

control during their development, including: poverty, neglect, abuse, educational disengagement, mental health challenges and disabilities.

To prevent or address potential offending, the root causes of offending need to be addressed. The only way to change the trajectory of young people at risk of contact with the youth justice system, is by ensuring that the right support is provided to them, at the right time. Most importantly, the 'best time' is long before potential contact with police or the youth justice system. **yourtown** supports the government's \$100 million investment into community-led initiatives focusing on reducing crime, boosting education, training and/or employment. This funding should focus on:

- **Tailoring solutions to specific vulnerable groups**  
Children and young people at risk of offending are not a homogenous group, particularly Aboriginal and/or Torres Strait Islander children and young people from Culturally and Linguistically Diverse backgrounds. There should be targeted programs and culturally appropriate early intervention programs for those deemed at high risk of contact with the system.
- **Prioritising Aboriginal and Torres Strait Islander led solutions**  
Effective strategies for working with Aboriginal and/or Torres Strait Islander young people need to be: evidence-based; strengths-based; led by Aboriginal and Torres Strait Islander communities; and addressing the underlying social and economic issues and intergenerational trauma impacting Aboriginal and Torres Strait Islander young people. This is essential if Queensland is to successfully address the overrepresentation of Aboriginal and/or Torres Strait Islander young people in contact with the criminal justice system.
- **Providing support to reduce disengagement from the Education system**  
Young people who disengage from education, training and/or employment have a significantly higher risk of participating in offending behaviours.<sup>5</sup> Maintaining engagement and participation in education through to further training or employment provides young people with opportunities and a greater sense of self-worth and social capital, decreasing the factors that can lead to offending behaviours.
- **Developing a trauma responsive system**  
The needs of children and young people and the root causes of problematic behaviour are not adequately addressed within our youth justice system. Funding should be directed towards delivery of holistic, community-based supports and services to address disadvantage. This includes providing programs/approaches for: families to build parenting capabilities; engaging and supporting children to stay in school; linking young people with training and employment pathways; addressing family violence and housing instability; and identifying and responding to at-risk children and young people and their health, mental health, disability, and behavioural and developmental needs.
- **Delivering therapeutic early intervention programs**  
The system should shift focus from punitive approaches towards delivering and funding therapeutic early intervention programs to negate risk factors and promote protective factors. Not only should support be provided for at risk children, but also for their families to address the root cause of social issues within their home environment that may trigger offending behaviour, and at the same time bolstering protective factors.

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<sup>5</sup> Heerde, J et al. (2018). Prevent crime and save money: Return on investment models in Australia, Trends and Issues in Crime and Criminal Justice No. 545, Australian Institute of Criminology, Canberra.  
[https://www.aic.gov.au/sites/default/files/2020-05/ti\\_545\\_prevent\\_crime\\_and\\_save\\_money\\_131218.pdf](https://www.aic.gov.au/sites/default/files/2020-05/ti_545_prevent_crime_and_save_money_131218.pdf)

- **Delivering transitional employment programs**

Employment is recognised as being a beneficial mechanism to assist young people at risk of offending and young people after their release from supervision or completion of a sentence. Many at risk young people and young offenders have been long-term unemployed, which is a barrier to work in and of itself.<sup>6</sup> Employment provides these cohorts with critical factors that can prevent them from offending including; self-esteem and increased confidence; a sense of responsibility and improved self-control and agency; structure and daily routines in their lives; and perhaps most tangibly a source of income.<sup>7</sup>

There is a lack of longitudinal data on youth offending which means we are limited to describing the extent of the issue. Organisations and government should have the systems in place for longitudinal data collection and sharing. Longitudinal data can provide a more accurate picture of the causes and consequences of youth offending and how situations and policy tools can affect outcomes over time, as well as be used in return on investment analyses. This in turn can inform broad strategic plans, policy decisions, and program design. We need quality evaluations to build the evidence base and determine 'what works' and what doesn't. While many early intervention programs can provide anecdotal evidence of 'what works', they are rarely evaluated or funded to do so. Appropriate funding should be provided, along with the funding to deliver the program, to ensure that an evidence base is developed for what works within community based early intervention and prevention programs and approaches for those in contact and at risk of contact with youth justice.

### **Presence of media during criminal proceedings**

The media often simplifies the complex social narrative surrounding youth offending and tend to focus on negative stories, which can influence community perceptions of safety and young people. Given the way our society is informed by what they view in the media, the media could play an integral role in assisting families to find support.

Developing media guidelines could help guide a more positive involvement of media in addressing the overall problem of youth crime. The media have been receptive to guidelines about responsible reporting of suicide prevention and mental health. The same principles of reporting facts and sources of support could be beneficial for families and community members who are unsure of where to find support for their children and young people who are at risk of offending behaviour. Only when there is a shift towards responsible reporting of youth crime, should the government explore the potential of omitting the ability of a court to make an exclusion order for media to be present during criminal proceedings.

We would welcome the opportunity to explore these ideas with you in further detail. Should you require further information about any issues raised in the submission, please do not hesitate to contact Benjamin Pook, Advocacy and Government Relations Manager of **yourtown** via email at [advocacy@yourtown.com.au](mailto:advocacy@yourtown.com.au).

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<sup>6</sup> **yourtown** (2018) Tackling long-term youth unemployment: position paper: <https://www.yourtown.com.au/sites/default/files/document/yourtown-LTYU-position-paper.pdf>

<sup>7</sup> Verbuggen, J. (2015) *Effects of Unemployment, conviction and incarceration on employment: a longitudinal study on the employment prospects of disadvantaged youths*. Oxford University Press on behalf of the Centre for Crime and Justice Studies.

**yourtown** is a trusted provider of services for young people, with a focus on mental health and wellbeing, parenting and early childhood development, long-term unemployment, prevention of youth suicide, child protection, and support for those experiencing domestic and family violence. **yourtown** has evolved to helping hundreds of thousands of young people each year through a range of service offerings, supporting them through many difficult challenges.

### **Our services**

- Domestic and family violence refuge, accommodation, and therapeutic supports for women and their children, including post-refuge support
- Expressive Therapy interventions for young children and infants who have experienced trauma and abuse, or been exposed to violence
- Accommodation and therapeutic supports for young parents and their children at high risk
- Parentline, a telephone and online counselling and support service for parents and carers in the Northern Territory and Queensland
- Young Parents Program providing parenting support to help with child development, life skills and health and wellbeing activities in safe, supportive environments.
- Kids Helpline, providing professional counselling and support to 5–25-year-olds across Australia since 1991
- Kids Helpline @ School and Kids Helpline @ High School, which delivers early intervention and prevention programs through primary and secondary schools
- My Circle, a confidential, private, online peer support network for 13–25-year-olds to share information and build coping skills
- Mental health service/s for children aged 0-11 years old and their families, with moderate mental health needs, and
- Employment, education, and social enterprise programs to help long term unemployed young people re-engage with education and/or employment.

### **Kids Helpline**

**yourtown's** Kids Helpline is Australia's only free and confidential 24/7 phone and online counselling service for any young person aged 5 to 25. It offers children and young people a range of care options that are right for their needs and circumstances. Our commitment to being there anytime, and for any reason, has meant that we have responded to more than 8.7 million contacts from children and young people nationally in the 33 years since our service was first established, whilst also providing tens of millions of self-help interactions via our website and social channels. In 2023-24, our Kids Helpline counsellors responded to nearly 118,000 contacts from children and young people across Australia, including 4,047 crisis responses for children and young people at imminent risk of harm.

### **Employment Services**

For over 20 years **yourtown** has been delivering specialist youth employment services. Our employment services programs, including ParentsNext, Transition to Work, Skilling Queenslanders for Work, and Get Back in the Game provide young people with training to expand their options and help them find sustainable employment. During 2023-24 there were more than 7,000 commencements in our employment services and programs in South Australia, Queensland, and New South Wales.

### **Social Enterprises**

**yourtown** has worked with young people and employers to break down barriers to sustainable employment for more than 20 years. As a leader in work-based enterprises we provide young people at risk of long-term unemployment paid jobs in the following areas: construction, landscaping, and asset maintenance to help their transition to open employment. In 2023-24, almost 200 young people were employed in our social enterprises across South Australia, Queensland, New South Wales, and Tasmania.

### **Family and Domestic Violence Refuge and Transitional Housing**

**yourtown's** refuge offers supported accommodation for up to 12 weeks. A specialised team provides women and children with a safe and welcoming environment and creates opportunities for mothers to re-build self-concept and experience control and empowerment over their lives. The wrap-around care also

includes linking with transitional housing and community outreach programs for women and children exiting refuges. Transitional housing is a vital steppingstone for women and children moving towards long term, safe and sustainable independent living in the community. **yourtown**'s transitional housing offers a safe and supportive environment for 6 – 12 months, with support for legal and financial matters, accessing pre-employment support, and helping children into school. In 2023-24, we supported 20 mothers and 33 young children in our refuge and 24 families in our transitional housing.

### **Early Childhood Development Programs**

We support vulnerable pre-school aged children to make a successful transition to school by using prevention and early intervention approaches to create health families and strong, child-friendly communities. This includes working with parents to better understand their child's barriers to reaching social development milestones, how to help them thrive at school, collaborative case management and support, and in-home help. In 2023-2024, we supported 70 parents and 65 children from families in Elizabeth, South Australia and Bridgewater, Tasmania.

### **Children and Families**

**yourtown** provides accommodation and intensive individualised support to vulnerable young parents and their children through our San Miguel service. For over 40 years, San Miguel has provided a place to call home for vulnerable and at-risk families. In 2023-24, San Miguel supported 43 parents and 52 infants and young children.

### **Parentline**

Parentline offers free confidential phone and webchat counselling and support for parents and carers of children in Queensland and the Northern Territory. It offers a safety net for families by providing support when it is most needed. This includes after hours and weekends, where families feel isolated and where local services are unavailable. In 2023-24, there were more than 7,000 counselling contacts with parents and carers in Queensland and the Northern Territory.