

Making Queensland Safer Bill 2024

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Committee Secretary
Justice, Integrity and Community Safety Committee
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Response to the Justice, Integrity and Community Safety Committee – *Making Queensland Safer Bill 2024*

Zig Zag Young Women's Resource Centre Inc ('Zig Zag') welcomes the opportunity to provide a brief response to the **Justice, Integrity and Community Safety Committee – *Making Queensland Safer Bill 2024 ('the Bill')***. We express concerns for the manifestly inadequate time provided for appropriate community consultation with notice of only 2.5 business days being provided to specialist services and community groups to respond to this important legislation. As a result of these time constraints, Zig Zag are unable to provide a comprehensive submission as appropriate and we hereby respectfully submit a brief response *as a specialist service for young people aged 12-25 years who have been victims of violent crime in Queensland*.

For over 35 years, Zig Zag has provided specialist sexual violence, domestic and family violence, and youth homelessness services to young people aged 12-25 years including victims of violent crime in Queensland, and it is based on this substantive knowledge and experience that our organisation strongly opposes the introduction of the *Making Queensland Safer Bill 2024*.

"If our efforts continue to be concentrated largely on punishment and containment, rather than building responses to the complex reasons that lead to young people committing crimes, we will not achieve community safety!"

There is overwhelming evidence to indicate that the 'adult time for adult crime' policy will be a failed policy that will only serve to increase rates of youth detention – an approach that has been proven to not only be ineffective but to cause serious long-term harm and trauma to disadvantaged children and young people. The criminalisation and imprisonment of vulnerable children and young people is a failed approach that does not provide the necessary support or 'rehabilitation' to address the drivers of youth offending.



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Whilst nationally we have observed a trend of youth detention declining, in contrast the detention of young people in Queensland is increasing. Queensland now detains more children than any other state and territory in Australia, with more children detained in Queensland than NSW and Victoria combined. The removal of the principle of detention as a last resort as outlined in the Bill is expected to further increase the numbers of children and young people in detention. Principle 18 of the Charter of Youth Justice Principles contained in Queensland's *Youth Justice Act 1992* is critical for safeguarding the rights of the child and outlines that a child should be detained in custody for an offence, whether on arrest, remand, or sentence, only as a last resort and for the least time that is justified in the circumstances. The proposed Bill will be in contravention to Queensland's *Human Rights Act 2019* and international obligations to the *Convention on the Rights of the Child 1992*.

Despite recent political opportunism and populist 'tough on crime' rhetoric that is fanned by media reporting of youth offending, statistics also demonstrate that youth crime in Queensland has been steadily declining over the past decade, with the 2021-2022 being the lowest in recorded history. Overwhelmingly, evidence confirms that youth detention is NOT successful in improving community safety with demonstrably high rates of recidivism being between 84% and 96% of young people who were detained in Queensland reoffending within 12 months following release in 2023ⁱⁱ. The experiences of young people who commit offending in Queensland can be characterised by multiple and complex issues including poverty and severe disadvantage, family breakdown, domestic and family violence, homelessness and housing instability, drug and alcohol use, disability, and multiple adverse childhood experiences (complex trauma), and out of home care.

It is imperative that the Queensland Government consider the evidence base and the critical, urgent need for transforming child and youth justice and wellbeing. We need to build safe communities where ALL children and young people can thrive and have equal opportunities to lead healthy and successful lives. Queensland's children and young people need urgent access to appropriately funded community-led early intervention support services to provide positive impact and build structured pathways to safe housing, strengthening connections to education and/or employment opportunities, and addressing the complex health needs of children and young people who are marginalised as evidenced by the following appalling statistics in Queensland from 2022-2023:

- 72% of Queensland children in youth detention are First Nations – the current rate of detention is 29 times higher than non-Indigenous Queensland children.
- More than a third of children (30%) detained have been living in unstable or unsuitable housing prior to detention.
- More than a third of children (33%) in youth detention have at least one mental health or behavioural disorder or (27%) had a disability, and yet very few children and young people receive independent professional assessment for mental health, Foetal Alcohol Syndrome Disorder (FASD) and other disabilities prior to facing Children's Court.



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- More than half (53%) of children in detention or under supervision had experienced or been impacted by domestic and family violence.
- Almost all children in youth detention came from lower socio-economic backgrounds experiencing significant disadvantage.
- The vast majority (91%) of children and young people in detention were unsentenced – that is they were awaiting the outcome of a Court matter, or were awaiting sentencing.

In August 2024, the National Children’s Commissioner released a comprehensive report that builds on decades of Australian and international evidence titled ‘Help way earlier!’: How Australia can transform child justice to improve safety and wellbeing’– this report provides a suite of recommendations designed to help vulnerable children thrive and keep communities safe. The evidence is clear, Queensland communities will only be safer through appropriate youth justice reform and substantive re-investment in primary prevention and early intervention support services for children and young people in Queensland.

“Our communities will not be safer if we just keep punishing and locking up children who have complex needs caused by poverty, homelessness, disability, health and mental health issues, domestic, family and sexual violence, systemic racism and intergenerational trauma” Anne Hollands (National Children’s Commissioner).

Zig Zag acknowledges that this written submission has been developed within significant time constraints and invites opportunities to provide further comment to any recommendations made herein. For further information or commentary please contact: Stephanie Anne, CEO, Zig Zag Young Women’s Resource Centre Inc on:



Yours sincerely,
Stephanie Anne
CEO
Zig Zag Young Women’s Resource Centre

ⁱ Queensland Family and Child Commission (2024). Exiting youth detention – Preventing crime by improving post release support. Retrieved from <https://www.qfcc.qld.gov.au/sites/default/files/2024-06/Exiting%20youth%20detention%20report%20June%202024.pdf>.

ⁱⁱ Australian Institute of Health and Welfare (2023). Young people returning to sentenced youth justice supervision, 2021-22 supplementary data tables, Table s17. Retrieved from <https://www.aihw.gov.au/reports/youth-justice/young-people-returning-to-sentenced-supervision/data>.