

Making Queensland Safer Bill 2024

Submission No: 145
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Publication: Making the submission and your name public
Attachments: See attachment
Submitter Comments:

Submission to the Inquiry into the Making Queensland Safer Bill 2024

3rd December 2024

We, the undersigned child health specialists, trainees, nurses and paediatric allied health professionals across Australia, are writing to express our deep concern over the recently introduced "Making Queensland Safer" bill. As specialists in child development and mental health, we strongly believe these measures will exacerbate the very issues they purport to address, while causing significant harm to vulnerable children.

This legislation, which includes treating children as young as ten years old as adults in the criminal justice system, violates fundamental principles of child welfare and international human rights. It has been made abundantly clear by experts including the Royal Australasian College of Physicians (1) and the Australian Human Rights Commission (2), that the criminal age of responsibility should be raised to at least 14 years of age, without exception, as research on brain development shows that 10 year olds have not developed the requisite level of maturity to form the necessary intent for full criminal responsibility (3) and children under the age of 12 years lack the capacity to properly engage in the criminal justice system, resulting in a propensity to accept a plea bargain, give false confessions or fail to keep track of court proceedings (4). Furthermore, the removal of "detention as a last resort" provisions and the imposition of life sentences for minors represent a drastic and regressive departure from evidence-based practices.

Decades of research unequivocally show that incarceration at an early age increases the risk of lifelong entrenchment in the criminal justice system. Children who experience detention are more likely to suffer from mental health disorders, developmental delays, and disrupted family and community connections. Such punitive approaches disproportionately affect already marginalized groups, particularly Aboriginal and Torres Strait Islander children, who already face ongoing health inequities, further entrenching cycles of disadvantage and trauma.

The assertion that these measures will enhance public safety is unsupported by evidence. Queensland's own data reveals reoffending rates between 84–96% among young people exiting detention (5), highlighting the ineffectiveness of punitive measures in promoting rehabilitation or reducing crime.

As child health professionals, we strongly urge the Queensland Government to reconsider these damaging laws and instead invest in evidence-based, trauma-informed interventions. Programs that prioritise education, mental health support, community engagement, and early intervention are proven to reduce offending and improve long-term outcomes for children and communities alike.

The wellbeing and rights of children should never be compromised for political expediency. Queensland's children deserve a justice system that nurtures their potential, not one that condemns them to a cycle of punishment and marginalization.

We call upon the Queensland Parliament to withdraw this harmful legislation and work collaboratively with health professionals, First Nations communities, and child advocates to develop strategies that genuinely promote the safety and wellbeing of all children, and the adults they will become.

We thank you for your consideration

References

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2. Australian Human Rights Commission. 2021. The Minimum Age of Criminal Responsibility. https://humanrights.gov.au/sites/default/files/2020-10/australias_minimum_age_of_criminal_responsibility_-_australias_third_upr_2021.pdf
3. Elly Farmer, 'The age of criminal responsibility: developmental science and human rights perspectives' (2011) 6(2) *Journal of Children's Services*, 86, 87.
4. Ibid 86-95.
5. The State of Queensland (Queensland Family and Child Commission) 2024. *Exiting youth detention report*. <https://www.qfcc.qld.gov.au/sector/monitoring-and-reviewing-systems/young-people-in-youth-justice/exiting-youth-detention>

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