

Making Queensland Safer Bill 2024

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The incarceration of children often fails to lead to behavioural reform or societal benefits due to several factors, many of which are supported by academic research and international standards like the UN Convention on the Rights of the Child (CRC). Below are ten reasons with references to research and international charters:

1. **Rehabilitate don't incarcerate** Juvenile detention centres often emphasize punishment over rehabilitation, which does not address the root causes of the child's behaviour. Studies show that punitive approaches can reinforce antisocial tendencies rather than reduce these errant behaviours. Rehabilitation-focused programs are more effective in reducing recidivism [1].
2. **Turning novice offenders into professional criminals** Incarcerated children are often placed alongside more experienced offenders, leading to a higher likelihood of learning criminal behaviours. Research highlights the "criminal contagion" effect, where children exposed to delinquent peers in prison settings adopt negative behaviors [2].
3. **Exacerbating psychological traumas** Detention has severe psychological effects, including trauma, anxiety, and depression. These impacts hinder personal growth and the ability to reintegrate into society effectively. The CRC explicitly states in Article 37 that children should be protected from torture or degrading treatment and that incarceration should only be a last resort [3] [4].
4. **Disruption of Education** Detention disrupts children's education, limiting their opportunities for personal and professional development. The right to education, emphasized in Article 28 of the CRC, is often neglected in detention settings [4] [5].
5. **Family Separation** Incarceration separates children from their families, removing critical support systems that could aid behavioral reform. The CRC underscores the importance of family in Article 9, advocating for children to remain with their families unless separation is necessary [4].
6. **Stigmatisation** Incarceration stigmatises children, leading to social exclusion and diminished self-worth, which can drive them toward further deviance rather than reintegration. Labelled offenders face significant barriers to social acceptance and employment post-incarceration [6].
7. **Recidivism Rates** Juvenile incarceration is associated with high recidivism rates, indicating a failure to prevent future offences. Research demonstrates that community-based interventions are far more effective in reducing repeat offences compared to incarceration [7].
8. **Violation of International Standards** Many forms of juvenile incarceration violate international standards such as the CRC, which advocates for detention as a measure of last resort and for the shortest time possible (Article 37) [4].
9. **Developmental Impacts** Juveniles are still undergoing cognitive and emotional development. Harsh conditions of incarceration can interrupt this process, leading to long-term behavioural and emotional issues. Neuroscience research confirms that punitive environments harm young people's brain development, particularly in areas responsible for decision-making and impulse control [8].
10. **Cost to Society** Incarcerating children is more expensive than community-based or rehabilitative programs and does not yield better outcomes in terms of societal safety or crime reduction. Reports from organizations like UNICEF emphasize the cost-effectiveness of alternative measures like education and community supervision programs [9].

References: Gatti, U., Tremblay, R. E., & Vitaro, F. (2009). Iatrogenic effect of juvenile justice. *Journal of Child Psychology and Psychiatry*. Dishion, T. J., McCord, J., & Poulin, F. (1999). When interventions harm: Peer groups and problem behaviour. *American Psychologist*. United Nations. (1989). Convention on the Rights of the Child. Article 37. UN OHCHR. General Comment No. 10 (2007): Children's Rights in Juvenile Justice. UNICEF. The Role of Education in Preventing Juvenile Delinquency. Labeling theory literature, e.g., Becker, H. S. (1963). *Outsiders: Studies in the Sociology of Deviance*. Lipsey, M. W. (2009). The primary factors that characterize effective interventions with juvenile offenders. *Journal of Experimental Criminology*. Steinberg, L. (2009). Adolescent development and juvenile justice. *Annual Review of Clinical Psychology*. UNICEF. (2019). Alternatives to Detention. These points highlight why juvenile incarceration is often counterproductive and how alternative approaches aligned with the CRC's principles can yield better outcomes for children and society