

Making Queensland Safer Bill 2024

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[INQUIRY INTO MAKING QUEENSLAND SAFER BILL 2024](#)
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INTRODUCTION

This submission is presented by Seroptimist International (SI) Brisbane, a volunteer-based community advocacy organisation committed to promoting gender equality and the well-being of women and girls. SI Brisbane is part of Seroptimist International (SI), a global network of approximately 66,000 members across 118 countries. SI operates at local, national, and international levels to educate, empower, and enable opportunities for women and girls, in alignment with **Sustainable Development Goal 5 (Gender Equality)**.

SI Brisbane seeks to address the potential impacts of the **Making Queensland Safer Bill 2024** on women and girls, emphasising the need for gender-sensitive legislative frameworks that consider the unique needs of women and girls, particularly within the criminal justice system. While the Bill's objectives to enhance community safety are commendable, **it is critical that its provisions do not disproportionately affect vulnerable groups such as women, girls, and young people, especially those in conflict with the law (both victims and perpetrators)**. Gender-sensitive and responsive policies are not only essential for justice but also for societal well-being, ensuring inclusive and fair policy outcomes.

KEY ISSUES AND THEIR IMPACT

1. Victim Impact Consideration

The Bill highlights the importance of considering the impact of youth offending on victims during sentencing, which is particularly significant for women and girls who are victims of violent crimes. Ensuring their experiences are prioritized within the justice system is crucial. However, it is equally important to guarantee that these victims receive comprehensive support services, including psychological counselling, legal assistance, and access to safe housing, to aid their recovery and empower them to fully participate in the legal process.

The **United Nations Declaration on the Elimination of Violence Against Women** (1993) calls for the provision of adequate services and protections for women who are victims of violence. The need for victim-centric policies is also reflected in **SDG 16 on peace, justice, and strong institutions**, which emphasizes accessible justice systems for all, particularly victims of gender-based violence.

The **Queensland Domestic and Family Violence Protection Act 2012** is a cornerstone of legislation aimed at protecting women and girls from domestic violence. It establishes a framework for protecting victims, with a focus on providing practical support and safety for those affected by violence. Similarly, the **Queensland Women's Strategy 2022-2027** emphasizes the need for accessible support services for women, particularly those facing gender-based violence.

2. Detention and Sentencing

The Bill proposes removing the principle that detention should be a last resort and replacing it with an **'adult crime, adult time'** approach for young offenders. While this may seem effective in the short term, this measure could disproportionately affect young women and girls, potentially leading to harsher penalties and extended detention periods. The long-term impacts may include increased reoffending, mental health deterioration, and social exclusion.

The **UN Convention on the Rights of the Child 1989 (CRC)**, which Australia has ratified, stipulates that detention should only be used as a measure of last resort for children and young people. Furthermore, gender-sensitive policies are essential to support the rehabilitation and reintegration of female youth offenders, as outlined under **SDG 5 (Gender Equality)** and **SDG 16 (Peace, Justice, and Strong Institutions)**.

3. Transfer to Adult Correctional Centres

The Bill also proposes the transfer of 18-year-olds from youth detention centres to adult correctional facilities. This could be particularly harmful for young women and girls, who may face an increased risk of gender-based violence, abuse, and neglect in adult facilities. Adult prisons often lack gender-responsive programming, which exacerbates the vulnerability of young women.

The **UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders** (Bangkok Rules, 2010) emphasize the need for female offenders to be housed in gender-sensitive environments that cater to their specific needs. This principle should be upheld to ensure the safety, dignity, and rehabilitation of young women in the criminal justice system.

The **Queensland Corrective Services Act 2006** outlines the treatment of prisoners, including provisions for the specific needs of women in detention. There is also a recognized need for gender-sensitive programming in Queensland Correctional Centres, which should be further supported by the implementation of policies addressing the unique challenges faced by young female offenders.

4. Victim Information Register

The Bill introduces an 'opt-out' mechanism for victims to receive information regarding the custody movements of offenders. While this aims to support victims, it is essential that this system is both accessible and does not inadvertently re-traumatize women and girls who are victims of violent or sexual crimes. Awareness campaigns should be launched to ensure victims are fully informed about their rights and options, empowering them to make informed decisions.

The **Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence** (Istanbul Convention, 2011) mandates the provision of adequate information and support services to victims of violence, ensuring their protection, safety, and participation in the justice process.

5. Open Court Proceedings

The proposed amendments to the **Children's Court Act** would allow victims, their relatives, and accredited media to attend criminal proceedings. While this aims to promote transparency, it could negatively impact the privacy and emotional well-being of young female offenders and victims. Measures should be implemented to balance transparency with the protection of privacy, ensuring the dignity of young women and girls.

Both the CRC and the UDHR emphasize the right to privacy and protection from exposure in legal proceedings, particularly for minors. These provisions should be upheld to protect the emotional well-being of young offenders and victims involved in the judicial process.

OUR RECOMMENDATIONS

1. Victim Impact Consideration

- **Enhanced Support Services:** Ensure that women and girls who are victims of crimes receive a comprehensive range of services, including psychological counselling, legal aid, and safe housing.
- **Training for Legal Professionals:** Provide specialized training for judges, lawyers, and law enforcement officers to better understand the impacts of crimes on women and girls, ensuring their experiences are prioritized in judicial processes.

2. Detention and Sentencing

- **Gender-Sensitive Sentencing Guidelines:** Implement sentencing guidelines that account for the unique needs and circumstances of young women and girls, considering the potential long-term impacts on their well-being.
- **Alternative Rehabilitation Programs:** Promote rehabilitation programs focused on education, vocational training, and mental health support for young female offenders to reduce recidivism and facilitate reintegration into society.

3. Transfer to Adult Correctional Centres

- **Age-Appropriate Facilities:** Ensure young women and girls are not transferred to adult detention facilities unless necessary. They should be housed in age-appropriate facilities that address their specific needs.
- **Support Programs:** Implement mentorship, counselling, and educational opportunities in adult correctional centres to ensure smooth transitions and reduce the risk of harm for young female detainees.

4. Victim Information Register

- **Privacy Protection:** Ensure the 'opt-out' mechanism for custody information includes robust privacy protections for women and girls.
- **Awareness Campaigns:** Launch campaigns to educate victims about their rights and available options, ensuring they are fully informed about the mechanisms for staying informed about offenders.

5. Open Court Proceedings

- **Privacy Safeguards:** Implement strong privacy safeguards, such as anonymizing identities, to protect young female offenders and victims during open court proceedings.
- **Support Services:** Provide psychological support for young female offenders and victims involved in court proceedings, helping them cope with the stresses of the legal system and ensuring their emotional well-being.

CONCLUSION

The **Making Queensland Safer Bill 2024** pledges to improve community safety, however, gender equality must be central to its implementation. By prioritising the well-being of women and girls and addressing their unique needs, we can create a more equitable and inclusive justice system. This will not only enhance the safety of women and girls but also contribute to a more just, compassionate, and sustainable society in Queensland.

Soroptimist International Brisbane Inc



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