

Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025

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**SUBMISSION REGARDING THE MAKING QUEENSLAND SAFER (ADULT CRIME, ADULT TIME)
AMENDMENT BILL 2025**

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**The University of Queensland, School of Law
UQ Pro Bono Centre, Law Reform Team (Youth Justice)**

Dear Committee,

Thank you for the opportunity to make a submission to this Inquiry.

We are law students at the University of Queensland. We volunteer at the UQ Pro Bono Centre in the Law Reform Team (Youth Justice). This is a student-driven project, undertaken with the support of the UQ Pro Bono Centre.

The UQ Pro Bono Centre is a nationally recognised leader in the development, promotion, and provision of student pro bono legal work. The Centre inspires students to understand the value and importance of access to justice. The Centre's aim is that students graduate from law school with a lifelong professional commitment to pro bono legal service.

We have prepared this submission for your consideration. Please do not hesitate to contact the Centre should you have any queries in relation to it.

The Centre can be contacted at: probono@law.uq.edu.au.

Yours sincerely,

The UQ Pro Bono Centre's Law Reform Team (Youth Justice)

Background

The Crisafulli Government's Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025 aims to prioritise victims by sending a strong message to young people who may offend in the community.

In Queensland, Aboriginal and Torres Strait Islander youth are 26 times more likely to be incarcerated than non-Indigenous youth – a trend that continues to worsen each year.¹ While community safety is important, there is no evidence to suggest that 'tough on crime' rhetoric reduces youth offending. Instead, it effectively re-traumatises vulnerable young people by exposing them to the violence that they will witness or encounter in detention.²

We are concerned that the Bill will further perpetuate the already dominant view that the imprisonment of children is an appropriate solution. This ignores the reality that mass incarceration among Aboriginal and Torres Strait Islander youth is deeply rooted in colonial violence and racism, and disguises the criminalisation of vulnerable children as law and order.

1. Family support and Preventative Measures

Family violence is the cornerstone that links an Aboriginal and Torres Strait Islander person's connection to the youth justice system.³ The Australian Institute of Health and Welfare identified that family violence was the primary driver of children being placed into the child protection system, with 88% of First Nations children in care having experience family violence.⁴

Staff at Queensland Indigenous Family Violence Legal Service have observed an interconnected system whereby children are often removed from their parents' (predominantly mothers') care due to family violence concerns experienced by the parent.⁵ When these children are placed in residential care, they often find themselves charged with criminal offenses shortly after, despite having no previous criminal history or engagement.⁶ This is further exacerbated for those living in regional, rural and remote Australia as there is a lack of access to on-the-ground services that assist victims escaping a violent relationship.⁷

Adverse childhood experiences (ACEs) include family violence as well as exposure to neglect, any form of abuse, parental drug or alcohol abuse, family mental health issues, divorce or imprisonment of a family member.⁸ Contemporary literature shows that ACEs are a predictor of criminal behaviour and detention of young Aboriginal and Torres Strait Islander peoples.⁹ To mitigate the risk of ACEs in children, there must also be a consideration of the parents' ACEs.¹⁰ One study indicated that parents were more responsive when they were educated on the influence of childhood experiences on parenting.¹¹

¹ Aboriginal and Torres Strait Islander Legal Service (ATSILS), "Yesterday, the Queensland Government introduced the Making Queensland Safer Bill which includes the deeply concerning 'Adult Crime Adult Times' laws," 29 November 2024, <https://atsils.org.au/yesterday-the-queensland-government-introduced-the-making-queensland-safer-bill-which-includes-the-deeply-concerning-adult-crime-adult-time-laws/>.

² Justice Reform Initiative, "Why locking up youth offenders fails to reduce crime – and what we should be doing instead," 21 February 2023, https://www.justicereforminitiative.org.au/why_locking_up_youth_offenders_fails_to_reduce_crime_and_what_we_should_be_doing_instead.

³ Queensland Indigenous Family Violence Legal Service, *Submission to the Senate Standing Committee on Legal and Constitutional Affairs Inquiry into Australia's youth justice and incarceration system* (2024), 4.

⁴ Australian Institute of Health and Welfare, *Family, domestic and sexual violence in Australia: continuing the national story* (2019), 44.

⁵ Queensland Indigenous Family Violence Legal Service, *Submission to the Senate Standing Committee*, 11.

⁶ Queensland Indigenous Family Violence Legal Service, *Submission to the Senate Standing Committee*, 11.

⁷ Queensland Indigenous Family Violence Legal Service, *Submission to the Senate Standing Committee*, 4.

⁸ Institute for Urban Indigenous Health (IUIH), *Submission to the Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024), 12.

⁹ IUIH, *Submission to the Queensland Parliament*, 14.

¹⁰ IUIH, *Submission to the Queensland Parliament*, 14.

¹¹ IUIH, *Submission to the Queensland Parliament*, 15.

We believe that the consideration of the parents' own ACEs should be incorporated into prevention and early intervention programs led by community-controlled organisations to reduce offending rates among Aboriginal and Torres Strait Islander youth. These programs can take place as early as preconception and pre-birth.¹² This will strengthen family connections, resolve risk factors associated with parents' lifestyle and provide support for parents that is culturally appropriated.¹³

For example, additional funding should be provided for the **Birthing in Our Community (BiOC) service**. BiOC is a multi-agency partnership program between large inner-city Mater Mothers' Hospital and two local Aboriginal and Torres Strait Islander community-controlled health services: the Institute for Urban Indigenous Health (IUIH) and the Aboriginal and Torres Strait Islander Community Health Service Brisbane Limited (ATSICHS).¹⁴ The service was launched in 2013 and currently operates in Strathpine, Salisbury, Logan Central and Redland Bay.¹⁵ The family support component of the program has positively impacted child development, successful parenting and prevented the removal of Aboriginal and Torres Strait Islander children from families.¹⁶ BiOC is especially expert at providing intensive support for vulnerable families with complex needs, particularly young parents under the age of 17 who have had contact with the Youth Justice System.¹⁷ Unfortunately, BiOC funding does not cover this intensive support.¹⁸ Additional program funding would enable BiOC to better respond to the high demand of intensive support which can greatly aid young parents.

The Queensland Government should provide sustained investment in prevention and early intervention programs led by community-controlled organisations which not only address ACE risks in children, but support and educate parents with their own ACEs in a manner that is culturally appropriate.

2. Indigenous Youth with Disabilities

Many community-led organisations have highlighted the role that disability plays for youth within the justice system.¹⁹ We believe that in order to tackle the problem of youth crime, mental disabilities and disorders need to be acknowledged and addressed.

The First Peoples Disability Network ('FPDN') highlights statistics which indicate that Indigenous and disabled youth are both heavily overrepresented in detention centres across Australia.²⁰ Often, youth fall into both categories: there are high rates of Indigenous children living with disabilities compared to non-Indigenous children, so they face a 'double-disadvantage'.²¹

In addition, the FPDN submit that the recorded number of Indigenous youths with disabilities who have contact with the justice system is much lower than the actual amount.²² Many children with disabilities remain undiagnosed. Low diagnosis rates are due to a number of factors, including poor access to services, different understandings of disability between Western and Indigenous cultures, and stereotypes about behaviour of Indigenous children in schools.

¹² SNAICC, *Submission to the Senate Inquiry into Australia's Youth Justice and Incarceration System* (2024), 17.

¹³ IUIH, *Submission to the Queensland Parliament*, 13.

¹⁴ SNAICC, *IUIH, ATSICHS & Mater Mother's Hospital – Birthing in Our Community* (2022), 3.

¹⁵ SNAICC, *Birthing in Our Community*, 3; IUIH, *Submission to the Queensland Parliament*, 13.

¹⁶ SNAICC, *Birthing in Our Community*, 5.

¹⁷ IUIH, *Submission to the Queensland Parliament*, 14.

¹⁸ IUIH, *Submission to the Queensland Parliament*, 14.

¹⁹ First Peoples Disability Network, *Australia's Youth Justice and Incarceration System*, Submission 99 (2024); Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Youth Justice Select Committee Submission*, Submission 116 (2024); Institute for Urban Indigenous Health, *Submission to the Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime*, Submission 137 (Windsor, Australia: 2024); Australians for Native Title And Recognition, *Submission: Australia's youth justice and incarceration system*, Submission 60 (Strawberry Hills, Australia: 2024).

²⁰ First Peoples Disability Network, *Australia's Youth Justice and Incarceration System*, 9.

²¹ First Peoples Disability Network, *Australia's Youth Justice and Incarceration System*, 5, 8.

²² First Peoples Disability Network, *Australia's Youth Justice and Incarceration System*, 22.

Diagnosis and support of Indigenous children with disabilities from a young age is an effective preventative strategy for addressing youth crime.²³ Developmental disabilities, particularly FASD, make traditional methods of schooling difficult for those children who do not have access to suitable support. The consequence is that they experience suspensions and expulsion from school, which increases their chances of becoming involved with the youth justice system.²⁴ Sometimes, these individuals do not possess the cognitive capacity to understand the punitive nature of their incarceration, which further invalidates traditional methods of detention.²⁵

By investing in the early childhood stages, Indigenous people with disabilities can be identified and addressed to give communities the support they require. This will maximise the chances of success for young people within a system that is not currently working for them.²⁶ **The Queensland Government should invest in early-childhood and school health programs for Indigenous Australians, particularly those living in rural and remote communities, and conduct thorough mental health assessments for youth at their first contact with the justice system.** This will aid the effectiveness of rehabilitation measures and sort children who need it into the mental health system rather than the detention system, where appropriate.²⁷

3. Community-led rehabilitation

Prior submissions to Committees by community-led organisations strongly recommend that state governments work with First Nations community-based initiatives and programs based on the principles of justice reinvestment.²⁸ Justice reinvestment requires that investment is redirected from courts and statutory services to community-based interventions, prioritising early intervention and prevention,²⁹ and place-based community initiatives and programs.³⁰ Justice reinvestment must be data-driven, supported by a centralised supporting body, with fiscally sound and targeted measures.³¹

These recommendations are backed by **research which consistently shows that place-based and First Nations community-led approaches to youth justice lead to improved outcomes for First Nations**

²³ Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Youth Justice Select Committee Submission*, 11-12.

²⁴ Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Youth Justice Select Committee Submission*, 12-13.

²⁵ Institute for Urban Indigenous Health, *Submission to the Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime*.

²⁶ Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Youth Justice Select Committee Submission*, 10-11.

²⁷ Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Youth Justice Select Committee Submission*, 11-12.

²⁸ ANTA, *Submission to the Senate Inquiry into Australia's Youth Justice and Incarceration System* (2024), 8; ATSILS (Qld), *Australia's Youth Justice and Incarceration System* (2024), 3; Justice Reinvestment Network Australia, *Australia's Youth Justice and Incarceration System* (2024), 10; Maranguka Community Hub, *Australia's Youth Justice and Incarceration System* (2024), 11; NATSILS, *Australia's Youth Justice and Incarceration System* (2024), 3, 10-11; Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council, *Australia's Youth Justice and Incarceration System* (2024), 2; Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Submission to the Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024), 9., 8, 11; Queensland Indigenous Family Violence Legal Service, *Australia's Youth Justice and Incarceration System* (2024), 11-12; Sisters Inside, *Australia's Youth Justice and Incarceration System* (2024), 8; SNAICC, *Australia's Youth Justice and Incarceration System* (2024), 14-18; TALS, *Australia's Youth Justice and Incarceration System* (2024), 12; Tasmanian Aboriginal Centre, *Australia's Youth Justice and Incarceration System* (2024), 1; Tiraapendi Wodli, *Australia's Youth Justice and Incarceration System* (2024), 1-2, 5; Yuwaya Ngarrali Partnership between the Dharriwaa Elders Group and UNS, *Australia's Youth Justice and Incarceration System* (2024), 1; VALS, *Australia's Youth Justice and Incarceration System* (2024), 12-13; Yabun Panjoo, *Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024), 1.

²⁹ Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024), 6.

³⁰ ANTA, *Australia's Youth Justice and Incarceration System* (2024), 8.

³¹ Bourke (Maranguka) – Just Reinvest NSW: <https://www.justreinvest.org.au/community/bourke-maranguka/>.

children, families and communities.³² This is because they are culturally responsive and holistic,³³ and improve prospects around employment, health and wellbeing, education, housing, and strengthening of families, culture, Country, community and self-determination.³⁴ A prime example is the first operational Australian justice reinvestment model, the Maranguka Justice Reinvestment Project. This project is a collaboration between the Bourke Tribal Council, Just Reinvest NSW, public and community service providers and the community of Bourke.³⁵ It recently won a gold award in the community-led category of the 2023 Australian Crime and Violence Prevention Awards (ACVPAs) for its excellent outcomes.³⁶

Research shows that diversionary programs are better at reducing recidivism than engagement with the courts,³⁷ and are more likely to address the root causes of offending behaviour.³⁸ Diversionary programs seek to divert youth away from the criminal legal system,³⁹ and into rehabilitative programs. Among Queensland's most promising programs are On-Country and Family Led Decision Making.⁴⁰

Research shows that **'On Country' diversionary models** are most successful for First Nations children who are involved or at risk of becoming involved in the criminal legal system because of their highly localised and holistic whole-of-community approach; they take place in cultural and community settings and are responsive to local needs.⁴¹ One such example is the camps that were run by the Yabun Panjoo Aboriginal Corporation. **The Yabun Panjoo youth camp is a 10-week program offered four times per year aimed at guiding at-risk youths towards education, mentorship, and employment.**⁴² This educational journey is designed to lead participants toward a Certificate III in a vocational field of their choice.⁴³ The final component, "The Gugila Way", is a four-day employment readiness program led by Elders, focusing on strength, confidence, resilience, and real job application and interview experiences with community-based businesses.⁴⁴

³² ANTAR, *Australia's Youth Justice and Incarceration System* (2024), 21 referencing Kim Edmunds, Laura Wall, Scott Brown, Andrew Searles, Anthony P. Shakeshaft, and Christopher M. Doran, 'Exploring Community-Based Options for Reducing Youth Crime', *International Journal of Environmental Research and Public Health* 18, no. 10 (2021): 5097. For a comprehensive list of successful First Nations community-led approaches, see also: Sotiri, M; Schetzer, L; Kerr, A, *Children, Youth Justice and Alternatives to Incarceration in Australia*, Justice Reform Initiative (2024).

³³ ANTAR, *Australia's Youth Justice and Incarceration System* (2024), 21.

³⁴ Jumbunna Institute for Indigenous Education and Research, 'National Justice Reinvestment Program Interim Report' (2023): <https://justicereinvestment.net.au/wp-content/uploads/2023/09/njrp-jumbunna-key-findings-report-interim.pdf>; ATSILS (Qld), *Submission to the Senate Inquiry into Australia's Youth Justice and Incarceration System* (2024), 3.

³⁵ Bourke (Maranguka) – Just Reinvest NSW: <https://www.justreinvest.org.au/community/bourke-maranguka/>; ANTAR, *Australia's Youth Justice and Incarceration System* (2024), 24.

³⁶ Australian Institute of Criminology, *Maranguka Youth Support Model is recognised for its community-led approach to tackling the underlying causes of crime in Bourke, NSW*: [https://www.aic.gov.au/media-centre/news/maranguka-youth-support-model#:~:text=The%20Maranguka%20Youth%20Support%20Model,Violence%20Prevention%20Awards%20\(ACVPAs\)](https://www.aic.gov.au/media-centre/news/maranguka-youth-support-model#:~:text=The%20Maranguka%20Youth%20Support%20Model,Violence%20Prevention%20Awards%20(ACVPAs).).

³⁷ ANTAR, *Australia's Youth Justice and Incarceration System* (2024), 22.

³⁸ ANTAR, *Australia's Youth Justice and Incarceration System* (2024), 22 referencing RCPDCNT 2017a: vol 2b, 413.

³⁹ ANTAR, *Australia's Youth Justice and Incarceration System* (2024), 22.

⁴⁰ Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024), 9.

⁴¹ ANTAR, *Australia's Youth Justice and Incarceration System* (2024), 22 referencing Chris Cunneen, Amanda Porter and Larissa Behrendt, 'Discussion Paper: Aboriginal Youth Cautioning', Jumbunna Institute (2018): 57. See also, Lorelle Holland, Claudia Lee, Maree Toombs, Andrew Smirnov and Natasha Reid, 'Resisting the incarceration of Aboriginal and Torres Strait Islander children: A scoping review to determine the cultural responsiveness of diversion program's, *First Nations Health and Wellbeing – The Lowitja Journal* (2024).

⁴² Yabun Panjoo Aboriginal Corporation, *Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024) 1.

⁴³ Yabun Panjoo Aboriginal Corporation, *Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024) 1.

⁴⁴ Yabun Panjoo Aboriginal Corporation, *Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024) 1.

Family-Led Decision Making is designed based on individual and family self-determination principles.⁴⁵ If a Family-Led Decision Making staff member has successfully located and built rapport with a high-risk young person and their family to identify a change strategy, they are best placed to see that strategy through.⁴⁶

Where First Nations children may not feel safe at home, do not have adequate adult supervision, are in trouble or need someone to talk to, **The Lighthouse** provides an important after-hours diversionary service where young people have access to food, showers and beds as well as recreational activities and a safe place to form cultural connections.⁴⁷ Youth are also connected with critical health and accommodation services and are offered outreach services, crisis care and case management, along with long-term follow ups on regular clients.⁴⁸

We strongly recommend that the government provide adequate funding for these valuable services and listen to Aboriginal and Torres Strait Islander community-led, community-controlled and community-based organisations on how they should be run.

4. Funding

The over-incarceration of Aboriginal and Torres Strait Islander youth in Queensland imposes an unsustainable economic burden on the state. According to Queensland Family and Child Commission, the average cost to detain one youth offender is approximately \$2,827 per day, equating to \$1.12 million per year.⁴⁹ In 2023-24, Queensland's youth detention rate (5.1 per 10,000) was almost double the national average (2.7 per 10,000),⁵⁰ significantly straining government resources and taxpayer funds. That same year, the annual net operating costs of youth incarceration surpassed \$1 billion, up from \$908 million in the previous year, and nearly double the \$544 million spent in 2014-15.⁵¹ Queensland's youth detention centres operate at 99.6% capacity, with an annual expenditure of \$251 million, which is the highest in the country.⁵²

In contrast, culturally safe, community-based interventions cost far less, approximately \$1,400 per day, and provide more holistic and long-term benefits.⁵³ Despite its cost-ineffectiveness, government investment continues to disproportionately favour detention over prevention. For example, the Yabun Panjoo youth healing camp, a First Nations-led initiative, requested a minimum funding of \$300,000 to launch effectively in 2024 but was allocated only \$117,165, less than half the required amount.⁵⁴ This mirrors a broader systemic failure; as Child Protection Peak notes, there has been no equitable investment in solutions regarding the longstanding impacts of intergenerational trauma on Aboriginal and Torres Strait Islander communities developed by community-controlled organisations.⁵⁵

⁴⁵ Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024), 9.

⁴⁶ Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited, *Queensland Parliament Youth Justice Select Committee Inquiry to Examine Ongoing Reforms to the Youth Justice System and Support for Victims of Crime* (2024), 9.

⁴⁷ ATSILS, *Australia's Youth Justice and Incarceration System* (2024), 22 referencing Townsville Aboriginal and Islander Health Service, *The Lighthouse: Youth After Hours Diversionary Service*: <https://www.taihs.net.au/taihs-services/youth-services/the-lighthouse-youth-after-hours-diversionary-service/>.

⁴⁸ ATSILS, *Australia's Youth Justice and Incarceration System* (2024), 22 referencing B Atkinson AO, APM, *Report on Youth Justice* (June 2018) 89: <https://www.dcssds.qld.gov.au/resources/dcsyw/youth-justice/reform/youth-justice-report.pdf>.

⁴⁹ Queensland Family and Child Commission, *Exiting youth detention: Preventing crime by improving post-release support* (2024), 13.

⁵⁰ Australian Institute of Health and Welfare, Australian Government, *Youth justice* (2025).

⁵¹ Productivity Commission, *Report on Government Services* (Report, 2025) Part F, Section 17.

⁵² Pia Akerman, Justice reform Initiative, *Australia now spends \$1 billion a year locking up children* (2025).

⁵³ Tiraapendi Wodli, *Australia's Youth Justice and Incarceration System Submission* (2024), 6.

⁵⁴ Yabun Panjoo Aboriginal Corporation, *Youth Injustice Reform Select Committee Submission* (2024), 1.

⁵⁵ Queensland Aboriginal and Torres Strait Islander Child Protection Peak, *Youth Justice Reform Select Committee Submission*, 4.

Meanwhile, the On Country program model, shown to reduce recidivism by 50% in similar programs across Australia, is only available at three sites in Queensland and does not meet current demand.⁵⁶ Expanding On Country programs and increasing current funding would be a strategic and cost-effective investment in both prevention and rehabilitation. Moreover, staffing shortages in youth detention facilities would likely ease over time, as demand for detention decreases through early intervention.⁵⁷

Youth incarceration also causes long-term economic harm. Young people removed from their communities are more likely to leave school early, face unemployment, and rely on government support. It is therefore an economic necessity for Queensland to shift its fiscal priorities toward culturally grounded, community-led services. This shift would not only reduce costs, but also foster safer, healthier, and more resilient communities.

Conclusion

We submit that more can be done to address the causes of youth crime and to rehabilitate young people who commit crimes. Current ‘tough on crime’ approaches are not cost-effective and do not bring about the results the community is asking for: safety and security, and rehabilitation for ‘troubled’ youth.

We support previous submissions from organisations that work with young people every day, and we have drawn on them extensively here. We ask the Queensland Government to listen to them, and to recognise the value of their expertise, when devising new laws and policies directed at addressing youth crime.

⁵⁶ Queensland Aboriginal and Torres Strait Islander Child Protection Peak, *Youth Justice Reform Select Committee Submission* (2024), 12.

⁵⁷ Queensland Aboriginal and Torres Strait Islander Child Protection Peak, *Youth Justice Reform Select Committee Submission* (2024), 4.