

The Research Director  
Legal Affairs and Community Safety Committee  
Parliament House  
Brisbane QLD 4000

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To whom it may concern,

***Youth Justice and Other Legislation Amendment Bill 2015***

UNICEF Australia writes to commend the Queensland Government on the reforms sought to be introduced by the *Youth Justice and Other Legislation Amendment Bill 2015* (the Bill). UNICEF Australia welcomes the Bill, along with the announcement of the Government's intention to end the automatic transfer of 17-year-olds to adult prisons and to introduce other reforms to help respond to underlying factors contributing to children coming into conflict with the law. UNICEF Australia has observed with concern the increasing numbers of children and young people incarcerated in Queensland in recent years. The Bill is a welcome development because it would, if passed by parliament, bring the juvenile justice system into better alignment with the *Convention on the Rights of the Child* and other international standards regarding juvenile justice. It could also contribute to stemming the upward trend of children detained. The reinstatement of the principle that detention should be imposed only as a last resort and for the shortest appropriate period when sentencing a child and the prohibition on publication of identifying information about a child are particularly positive developments.

If the *Youth Justice and Other Legislation Amendment Bill 2015* is passed by parliament however, not all children will in fact benefit from the reforms because under the *Youth Justice Act 1992* (Qld), people who are 17 years old are treated as adults. This is fundamentally inconsistent with the *Convention on the Rights of the Child*, which defines a child as every human being below the age of 18 years, unless majority is attained earlier. The UN Committee on the Rights of the Child has repeatedly expressed concern about this aspect of Queensland law and has recommended in its *Concluding Observations* on Australia issued in 2005 and 2012 that people who are 17 years old be removed from the adult criminal justice system in Queensland. UNICEF Australia encourages the Queensland government instigate further reform to ensure all persons below the age of 18 years (including people who are 17 years of age) are recognised as children in the juvenile justice system.

If you would like to discuss further, feel free to contact myself or Ms Alison Elliott, Legal Advisor, at

[Redacted contact information]

Kind Regards



Adrian Graham | Acting Chief Executive Officer

CC: **Hon Anastacia Palaszczuk**  
Premier of Queensland

**Hon Yvette D'Ath**  
Attorney-General and Minister for Justice