

Youth Justice Reform Select Committee inquiry into youth justice reform in Queensland

Submission No: 60
Submitted by: Ruth Gould
Publication: Making the submission and your name public
Attachments: See attachment
Submitter Comments:

Ruth Gould
Amnesty International Australia Member
Brisbane QLD

Committee Secretary
Youth Justice Reform Select Committee
Parliament House
George Street
Brisbane Qld 4000

30 December 2023

Re: Youth Justice Reform Inquiry

I welcome the opportunity to provide a submission to the Youth Justice Reform Inquiry ('the Inquiry').

As an Amnesty International Australia member supporting human rights, I participate in a local action group and am an elected volunteer leader of the Amnesty QLD & Northern NSW Activism Leadership Committee, a group of nine human rights leaders representing the region including from Townsville, Gold Coast, Ipswich, Toowoomba and Brisbane. Our role is to mentor, coordinate and develop local human rights responses and advocacy.

Across 8 years supporting Amnesty's Community is Everything youth justice campaign, accessing fellow activists' 30+ years' of advocacy experience and hearing the stories of people with lived experience, I have been dismayed to witness regression in the protection of the human rights of young people in the justice system in Queensland, disproportionately affecting Indigenous children with no evidence that measures taken decrease youth crime.

I support the Inquiry's goals to examine ongoing reforms to the youth justice system and support for victims of crime.

Early Intervention

Incarcerating children is not keeping our communities safe. Queensland detains more children each day than any other state and has the worst recidivist rate in Australia.¹ 95 per cent of young people that go to Cleveland Detention Centre allegedly reoffend within the year of their release.²

The earlier a child is exposed to the justice system the more likely they are to reoffend.³ To keep the community safe, the Queensland Government should remove children younger than 14 from the justice system and invest in services and supports.

Early intervention programs in Queensland support children and make communities safer for everyone.⁴ Unfortunately, the Queensland Government is underfunding community led programs focused on prevention and diversion.⁵

¹ Productivity Commission 2023, *Report on Government Services 2023*, Part F, section 17: released 25 January 2023, Table 17A.26.

² Queensland Government. (2022). *Response to Question on Notice, No. 859*.
<https://documents.parliament.qld.gov.au/tableoffice/questionsanswers/2022/859-2022.pdf>

³ Sentencing Advisory Council (2016). *Reoffending by children and young people in Victoria* (p. xiii).
https://www.sentencingcouncil.vic.gov.au/sites/default/files/2019-08/Reoffending_by_Children_and_Young_People_in_Victoria.pdf

⁴ Justice Reform Initiative. (2023). *Alternatives to Incarceration in Queensland*. (pp.18 – 27).
https://assets.nationbuilder.com/justicereforminitiative/pages/337/attachments/original/1685393777/JRI_Alternatives_QLD_FULL_REPORT.pdf?1685393777

⁵ Queensland Council of Social Service. (2023). *QCROSS: Queensland budget analysis 2023-2024, Investing in Queensland's Youth Services*. <https://www.qcross.org.au/publication/state-budget-2023-2024-our-analysis/>

An example of a successful local initiative, the *Youth Development Foundation* in Strathpine is an organisation for at-risk young people that helps address their underlying issues, and to fill the gaps in other services offered to these young people and their families. It offers holistic, culturally appropriate services such as mentoring, education, skills development and vocational training. It also helps participants develop the self-worth and confidence to improve their lives and provides a safe and non-judgemental environment. YDF has helped more than 8000 young Queenslanders since 2014, placing almost 3000 into work and helping 500 return to school or take on further study. It has an impressive 96% engagement rate, with 98% of participants going on to improve their circumstances.

Respond to root causes

Children in the justice system have often experienced trauma, including being victim/survivors of domestic and family violence. There are high rates of disability and neurological conditions among children in the justice system. Many children in the justice system are from communities characterised by poverty and entrenched disadvantage.^{6, 7} Currently, the needs of children and the root causes of problematic behaviour are not adequately addressed.

First Nations led solutions

The Inquiry must explore First Nations designed and led initiatives for Aboriginal and Torres Strait Islander children to reduce overrepresentation in the justice system and to ensure Queensland meets its Closing the Gap justice targets.

Amnesty International Australia's *Raise the Age: Kids Belong in Community* report (2020) draws attention to a significant body of evidence indicating that, for Indigenous people including children, early intervention and diversion programs run by Indigenous-led organisations and leaders work best.⁸

Children out of watch houses

Watch houses are not appropriate for any young person. The Queensland Government must urgently get children out of watch houses, reduce the number of young people in detention and fund an alternative to the justice system for all children younger than 14. The alternative must be evidence based, trauma informed, culturally safe, therapeutic and non-punitive.

Thank you for the opportunity to provide a submission to the Inquiry.

Yours sincerely,

Ruth Gould

Amnesty International Australia Member

⁶ Queensland Government. (2023). *Youth Justice Summary Census 2022*.

https://desbt.qld.gov.au/data/assets/pdf_file/0019/17083/census-summary-custody.pdf

⁷ McArthur, M., Suomi, A., & Kendall, B. (2021). Review of the service system and implementation requirements for raising the minimum age of criminal responsibility in Australian Capital Territory (p. 7). *Australian National University*. https://www.justice.act.gov.au/data/assets/pdf_file/0006/2072364/Raising-the-Age-Final-Report.PDF

Amnesty International Australia. (2020). *Raise the Age: Kids Belong in Community*. (p.23).

<https://www.amnesty.org.au/wp-content/uploads/2020/05/Raise-the-Age-Kids-Belong-in-Community-2020.pdf>