

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

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

Via email: youthjustice@parliament.qld.gov.au

Re: Youth Justice Reform Inquiry

Act for Kids welcomes the opportunity to provide a submission to the Youth Justice Reform Inquiry ('the Inquiry').

By way of background, Act for Kids is a national for-purpose organisation that delivers evidence-led professional therapy and support services to children and families who have experienced or are at risk of harm.

The organisation operates over 30 centres with a team of over 450 staff from Adelaide to the Cape York Peninsula. For more than 35 years, Act for Kids has provided therapy and support services to young people and children who have been involved in the youth justice system themselves or have been affected by a family member's incarceration.

The organisation wishes to add its voice to the Inquiry, having knowledge and experience in working with many children and young people who have some connection to the justice system. We 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 highest recidivist rate in Australia¹. Ninety-five per cent of young people who are detained in Cleveland Detention Centre allegedly reoffend within the year of their release².

The earlier a child is exposed to the justice system the more likely they are to reoffend³. To keep the community safe, we are advocating that the Queensland Government invests in early intervention family supports that reduce the likelihood of youth offending by addressing the antecedents of youth offending behaviour.

Act for Kids advocates for evidence-based interventions that improve parenting and supervision of children, address caregiver and youth behaviours and structural inequities that are correlated with youth offending such as economic disadvantage, homelessness and disengagement from education.

Aligned with this, the age of criminal responsibility should be reduced to 14 years and rehabilitation programs for young offenders include a mandatory family intervention component. Early intervention programs in Queensland support children and young people and make communities safer for everyone⁴. Unfortunately, the Queensland Government is underfunding community-led programs focused on prevention and diversion⁵.



Respond to root causes

Children in the justice system have often experienced trauma, including being victim/survivors of domestic and family violence and child maltreatment. There are high rates of diagnosed and undiagnosed disability and neurological conditions among children in the justice system.

There is a strong correlation between developmental and cognitive delays and offending behaviour. Many children in the justice system are from communities characterised by poverty, entrenched disadvantage and dysfunctional families that lack the resources to support child development. Currently, the needs of children and the structural 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 and child protection targets.

The most recent Australian Institute of Health and Welfare data show that 57,795 Indigenous children received child protection services in 2021-2022. Furthermore, Aboriginal and Torres Strait Islander children are eight times more likely to receive child protection services and 10 times more likely to be removed from their family⁶.

According to the Australian Law Reform Commission: "There is a strong correlation between juvenile participation in crime and rates of reported neglect or abuse. In Victoria, a study of young people sentenced to imprisonment by the children's court over a period of eight months in 2001 found that 88% had been subject to an average of 4.6 notifications to the child protection agency."

Ideally, interventions for First Nations children, young people and families would be delivered by First Nations controlled organisations, within a cultural authority and lore framework.

There is an urgent need for greater resourcing and authorising for First Nations organisations to provide disability and therapeutic support, domestic and family violence interventions, accommodation, cultural support and mental health programs.

Children out of watch houses

Unfortunately, the most recent changes to the community safety legislation have had little impact on community safety and have increased the numbers of children held in adult facilities. Watch houses are not appropriate for any young person.

The Queensland Government must urgently reduce the number of children held for any period of time in watch houses, reduce the number of young people in detention and fund an alternative to the justice system for all children younger than 14 years. 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,

Dr Katrina Lines


CEO, Act for Kids

- 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). *QCOSS: Queensland budget analysis 2023-2024, Investing in Queensland's Youth Services*. <https://www.qcoss.org.au/publication/state-budget-2023-2024-our-analysis/>
- 6 SNAICC – National Voice for our Children. (2023). Family Matters Report. <https://www.snaicc.org.au/wp-content/uploads/2023/11/Family-Matters-Report-2023.pdf>

