

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

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The age of criminal responsibility needs to be raised to a minimum of 14 years for the following reasons: A) Children between 10-14 years experience a range of psychological changes. Independence, individuality, identity and self-esteem play a significant part in the child's overall development. For instance, when a child is 10 they are developing a range of complex feelings and are beginning to develop control over their emotions. However, they may also have difficulty in keeping these emotions under control at times. What is of high importance at this time is developing healthy friendships. They are also vulnerable to peer pressure between the ages of 10-14 years. There is often volatility in peer group relationships at this time. They are becoming body aware and puberty begins during this period. Learning accelerates between 10-14 years however at this point, they may experience learning and social challenges at school. 2. To consider incarcerating a child at this stage in their life is very concerning. To quote a media bi-line 'As Queensland cracks down on young offenders experts fear ill-informed public sentiment is influencing policy.' The child is going through massive physical, learning and psychological changes. The child needs direction, stability, love and support. Placing a child in detention during this developmental stage can clearly have a severe detrimental effect on their whole positive development. Their peer group has such an influence on the child during this critical stage. This period. If you place a child in juvenile detention with peers who have complex behavioural and hence psychological issues then the child has few positive peer role models. The Productivity Commission has found that 56.8% of youth offenders in Queensland aged 10-16 years old at the time of their release from sentenced supervision in 2019-2020 returned to court within a year. This is the highest youth recidivism rate in Australia! In Queensland in 2021-2022 an average of 1347 young people per day were subject to supervision orders- again the highest of any State or territory. NSW is the next highest with 902. What is going on in Queensland? QLD also recorded a daily average number of 287 people in youth detention in 2021-2022 which again is the highest in the country- NSW was second with 190. The lock them up approach is not sustainable. \$162 million is spent every year on youth detention; this equates to around \$1800 per child per day. Imagine what could be done with this money if it was redirected into support options. The whole solution to lowering offending rates and ensuring that 10-14 year olds are not imprisoned is not rocket science: however it requires sincere and ongoing co-ordination of services and families working together with the child at the centre of this process. It won't be easy but it will be worth it. It makes absolutely no sense to place a child in juvenile detention. We are not in the Industrial Age...surely we have moved on from that. There needs to be clear policies and programs of early intervention- starting at birth- to identify and support parents and extended families who may be at risk of having children who will enter the juvenile justice program. It needs to start this early. The recidivism rates for young offenders are not sustainable and make no sense. The old saying re the definition of insanity comes to mind- 'Insanity is doing the same thing over and over again and expecting different results.' To think placing a child in a juvenile detention facility with other young offenders away from their support systems, locked in their cells overnight and interacting with offenders and prison guards for the most part, results in a potentially seriously damaged child on release. This is evident in the recidivism rates. A significant number of these children 10-14 years are the victims of abuse, trauma and neglect. The prison system can not cater adequately for children who have experienced such issues. There must be greater diversionary and rehabilitative facilities- not prisons. Juvenile detention must be an option of absolute last resort for young people. The Australian Institute of Health and Welfare has found 90% of children aged 10-12 years when handed their first supervised sentence received a second one before they reached

adulthood. Between 2017-2021 the ATSI youth prison population increased by 77%. It is costing Queenslanders \$686,127 a year (as previously mentioned \$1800/day) to house a young person in prison- what absolute madness is this? Imagine the early intervention support programs that could be happening in Queensland with this money? There must be worthwhile alternative options in which to direct young people so that juvenile detention is only for those young people who pose a highly serious ongoing threat to the community and who can not , at any point, be managed by community intervention programs. Community intervention and early intervention programs must be the first step. I read on the QLD Government's site re Juvenile Detention ' A Day in the Life of Max' . Max is not real but I note it states, 'When I'm on the outside I don't really go to school. I don't go home much either because it's boring. I've got other things to do. I like hanging out with my friends.' Isn't this a recipe for disaster for poor Max? Isn't it also indicative of the lack of early intervention in Max's life. The lack of transitioning support from detention into meaningful education or work options. This scenario is clearly giving an example of how the system is failing. I love how home is boring- most likely home is dysfunctional, abusive and unsafe. Issues which have not been addressed by services in the past. The scenario also implies that Max is just killing time until he goes back to 'juvey'. Quite a bizarre scenario if you ask me? Imagine if Max's family received early intervention support for themselves and Max. Imagine if there were wrap around services the family and Max could access. Imagine at the school level Max was identified as an at risk young person and supports were put in place for him. Imagine as Max transitions to adolescence these supports continue including educational goals to transition to further education or work. for Max. Imagine all services being involved in Max's welfare and all community and family supports being involved in Max's welfare. Would these services be costing Queenslanders \$680000 a year to support Max? No way...Maybe prison does become a way of life for young people and adults as, in some cases, it is better than the alternative. But we have not offered an alternative to these highly at risk young people. Services and supports are disjointed, poorly co-ordinated and with different goals. There are so many people out there who have a world of experience and would be able to make a contribution to how the system can change- but who's listening. The lock em up mentality prevails. We are dealing with our most vulnerable people in our community- children, yet our answer to their damage is the most extreme of all- incarceration. A damaged incarcerated child becomes a damaged adult. We must consider early intervention and support programs encompassing the family, the community, education and health system etc. with the child at the heart of these. I know from my time in QLD Education that a child coming from a youth justice facility and transitioning into a mainstream school is almost an impossibility. Moreover that child has very little support to ensure any such transition. In a way, once they have been in such a facility, mainstream education can not offer the support they need because of lack of funding. Many of these children have already been brutalised in the juvenile detention system. We as Queenslanders are setting these young people up to fail. Will, perseverance, and love are required to effect positive change. It's a tough but worthwhile and obvious path.