

QUESTION ON NOTICE

No. 155

Asked Tuesday 3, March 2026

MR M BERKMAN ASKED MINISTER FOR YOUTH JUSTICE AND VICTIM SUPPORT AND MINISTER FOR CORRECTIVE SERVICES (HON L GERBER)

QUESTION:

With reference to the government's claim in the Disability Royal Commission Progress Report 2025 that recommendation 8.3 has been completed –

Will the Minister advise:

(a) which legislative provisions -

- (i) prohibit solitary confinement in youth justice settings,
- (ii) provide that isolation (including lockdowns/separation) can only be used as a last resort,
- (iii) require a child's disability needs to be taken into account before any isolation period is authorised,
- (iv) require that children have access to the community equivalent standard of health care during any isolation (or separation) period and

(b) if these protections have not been legislated, will the government amend its progress report?

ANSWER:

The Crisafulli Government has been clear that youth detention centres (YDCs) must operate with strong oversight, transparency and accountability to ensure the safety and wellbeing of young people, staff and the community, as we restore order and accountability to the youth justice system.

The practice of solitary confinement is not authorised in Queensland YDCs under the Youth Justice Act 1992, and as noted in the 2025 response, "Queensland already protects against practices of solitary confinement in accordance with the Youth Justice Regulation 2016 (Qld)". Separation is strictly regulated under sections 16, 21 and 22 of the Youth Justice Regulation and may only be authorised in limited circumstances where necessary. Where this occurs, youth continue to have access to health services in accordance with section 263(3) of the Youth Justice Act. Further, less restrictive options must be considered as part of the approval process, consistent with the Human Rights Act 2019.

These safeguards operate alongside the Crisafulli Government's Detention with Purpose policy, which ensures detention is structured, disciplined and focused on rehabilitation, through education, compulsory schooling and behavioural programs, while reinforcing that there are consequences for offending and a zero-tolerance approach to violence.