

Youth justice reform in Queensland

– yourtown's advocacy submission 2024



What is it about?

Queensland Parliament established the Youth Justice Select Committee to examine ongoing reforms to the youth justice system and support for victims of crime. The Committee is looking at the prevention of entry and diversion of young people from the justice system and effective ways to stop recidivism. They are looking at a range of programs including early intervention and prevention programs, on-country programs, and education, health, and housing services targeted at young people in the justice system.

Why is it important?

The current youth justice system is not working and must change. To achieve such change, it is critical that the Queensland Government listen to what young people and the sector have been saying for many years as to what is wrong, and what could work.

Some of **yourtown's** key messages:

1. Prioritise, recognise and provide access to young people's rights

The system should be designed to uphold, recognise, and ensure a child can access their rights. This includes rights to: their best interests being upheld; non-discrimination; life, survival, and development; and participate, be heard and taken seriously.

2. Aboriginal and Torres Strait Islander led solutions

There needs to be increased funding for proven, strengths-based solutions led by Aboriginal and Torres Strait Islander communities that address the underlying social and economic issues and intergenerational trauma impacting Aboriginal and Torres Strait Islander young people. This is essential if Queensland is to successfully address the overrepresentation of Aboriginal and Torres Strait Islander young people in contact with the criminal justice system.

3. Early intervention and prevention

Children and young people at risk of contact with the youth justice system are well known to be a vulnerable cohort, often with complex and intersecting social needs. To prevent or address potential offending, the root causes of offending need to be addressed. The system should be designed to account for impacts upon the behaviour of children given their individual context and (often multiple) social challenges that they face, whether environmental, domestic violence, health, developmental, disability, employment and/or education, as well as past trauma. A youth justice system fit for a 21st Century Queensland needs a flexible service system that can respond to these complex needs.

4. A trauma responsive system

Children and young people in the justice system have often experienced trauma, are victims/survivors of domestic and family violence, have high rates of disability and neurological conditions, and/or are often from communities characterised by poverty and entrenched disadvantage. Funding should be directed towards delivery of holistic, community-based support and services to address disadvantage.

5. Raise the age

Children under the age of 14 should not be held criminally culpable for offending behaviour, as their behaviours are often the result of developmental immaturity, experiences of trauma, and intergenerational, social, and environmental disadvantage beyond their control. Raising the age of criminal responsibility to 14 would represent a significant step in shifting the focus of the youth justice system from criminalising disadvantage to addressing the causes of disadvantage.

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