

Queensland Watch-house Review

**PeakCare's Submission to the
Queensland Police Service for the
review into watch-house operations
across Queensland.**

9 December 2024

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INTRODUCTION

PeakCare welcomes the opportunity to contribute to the Queensland Police Service's review into the operation of watch-houses across Queensland. This submission draws upon the child and family sectors extensive experience and expertise in working with vulnerable children and young people across Queensland, particularly those impacted by the youth justice system. It highlights critical concerns about the health, safety, and rights of children in watch-house environments and proposes evidence-based solutions that align with best practices in care and rehabilitation.

This submission highlights the urgent need to reduce child incarceration rates, improve the conditions within watch-houses and implement culturally responsive and community led approaches to address systemic issues. PeakCare remains committed to advocating for policies and practices that prioritise the wellbeing of children, uphold human rights, and best promotes pathways toward meaningful rehabilitation and reintegration into society.

By placing the voices of children and young people at the centre of this review, we aim to provide insights that guide the development of more humane and effective responses within the youth justice system. Our recommendations reflect a vision for a youth justice framework that is restorative, equitable and capable of addressing the underlying causes of youth offending.

ABOUT PEAKCARE

PeakCare is a not-for-profit peak body for child and family services in Queensland, providing an independent voice representing and promoting matters of interest to the non-government sector.

Across Queensland, PeakCare has almost 100 member organisations including small, medium and large, local, state-wide and national non-government organisations which provide prevention and early intervention, generic, targeted, and intensive family support to children, young people, families, and communities.

Member organisations also provide child protection services, foster care, kinship care and residential care for children and young people who are at risk of entry to, or who are in the statutory child protection system and youth justice systems.

A large network of associate members and supporters also subscribe to PeakCare. This includes individuals with an interest in child protection, youth justice and related services, and who are supportive of PeakCare's policy platform around the rights and entitlements of children, young people and their families to safety, wellbeing and equitable access to life opportunities.

PEAKCARE'S SUBMISSION

The health and safety of Queensland's children in the youth justice system can only be protected by reducing the rate of child incarceration

Queensland's youth detention system is under immense strain, with detention centres operating beyond capacity and children as young as 10 years old being held in adult watch-houses for extended periods of time. PeakCare remains concerned that punitive measures, including increased penalties for youth offences will exacerbate overcrowding, lead to further breaches of children's human rights, and may result in either significant harm to, or the death of a child while detailed in an adult watch-house.

The detrimental impacts of incarcerating children are well documented. Research highlights how imprisonment disrupts crucial stages of cognitive, social, and emotional development, significantly limiting children's future opportunities.¹ Incarcerated children also face an increased risks of mental health issues, substance dependency, and non-suicidal self-injury.

Aboriginal and Torres Strait Islander children continue to be overrepresented in detention and are 23 times more likely to be detained than their non-Indigenous peers.² This systemic inequity stems from intergenerational trauma, socio-economic disadvantage, systemic racism, and over-policing of First Nations communities. Policies such as breach of bail laws disproportionately target First Nations children, compounding pre-existing inequalities and further entrenching cycles of intergenerational trauma and disadvantage.

Recommendations

1. Reduce child incarceration through community-based alternatives

PeakCare recommends the Queensland Government significantly reduces the number of children incarcerated in Queensland by prioritising investment in community-based and First Nations-led alternatives. Legislative protections must be established to limit the time children spend in watch-houses, alongside a strong focus on rehabilitation and therapeutic interventions that support long term, positive outcomes.

2. Recruit and retain First Nations staff in watch-houses

PeakCare advocates for the recruitment and retention of Aboriginal and Torres Strait Islander staff in watch-houses. These workers play a vital role in building meaningful relationships with children and maintaining connections with families and communities, ensuring culturally safe support.

¹ <https://www.uwa.edu.au/news/Article/2022/November/Locking-up-kids-has-serious-mental-health-impacts-and-contributes-to-further-reoffending>

² Childrens Court of Queensland Annual Report 2022-23 <https://documents.parliament.qld.gov.au/tp/2023/5723T2106-255C.pdf>

3. Ensure consistent access to trusted adults

All children need consistent access to trusted adults, particularly those in watch-house environments. Wherever possible matching of youth workers, case workers, cultural support officers, mental health professionals, allied health professionals and other support workers engaging with young people in watch-houses should prioritise those with existing relationships or those who will provide continuity of care in youth detention or community settings.

A key solution to the watch-house crisis is a significant reduction of pre-sentenced incarceration

Remand rates are a significant issue, with 88 per cent of children in Queensland's detention centres in 2022-23 unsentenced.³ Multiple reviews of youth detention across Australia have demonstrated how these environments entrench children further into disadvantage, particularly for children on remand, who await sentencing.⁴ These children are exposed to the detrimental impacts of detention without staying long enough to access meaningful therapeutic or rehabilitative benefit. Being on remand places children in legal uncertainty, hindering their ability to plan for reintegration into the community and perpetuating cycles of disadvantage.

Recommendations

1. Shift the balance between sentenced and unsentenced children in detention

PeakCare recommends prioritising efforts to address the overrepresentation of unsentenced children in detention. This includes increasing access to evidence-based rehabilitative programs that provide meaningful support to children while incarcerated and help facilitate successful reintegration into their communities.

2. Trial evidence based therapeutic models

PeakCare recommends the Queensland Government commit to doing detention differently through trialling international evidence-based therapeutic youth detention models, such as the Diagrama Model from Spain. Delivered in partnership with community-controlled organisations and adapted to the Australian context, this approach aims to reduce recidivism and alleviate overcrowding in youth detention centres, thereby decreasing the overreliance on adult watch-houses for the extended detention of children when detention centres are at capacity.⁵ Continuing with the current custodial model of youth detention will not lead to improved outcomes for children or communities and it will not make communities safer.

³ <https://www.qfcc.qld.gov.au/sector/monitoring-and-reviewing-systems/young-people-in-youth-justice/changing-the-sentence>

⁴ https://www.aic.gov.au/sites/default/files/2020-09/ti605_youth_justice_in_australia.pdf

⁵ https://peakcare.org.au/wp-content/uploads/2024/08/PeakCare-Election-Commitments-2024_V1.0.pdf

Police watch-house environments are not suitable for incarcerating children

Children held in adult watch-houses are frequently subjected to solitary confinement with limited access to natural light, fresh air, and meaningful activities.⁶ These environments are punitive by design and fail to provide the rehabilitative support children require. These conditions not only impede a child's emotional and developmental wellbeing, and they also breach the United Nations Convention on the Rights of the Child (UNCRC), which calls for facilities and practices that prioritise the needs of children and emphasise rehabilitation over punishment. Holding children in these settings exacerbates trauma and creates barriers to their successful reintegration into the community.

Young people who have spent time in watch-houses told PeakCare:

"The watchhouse... that's one place I don't want to be again. They don't do a good job cleaning it, it was dirty, I don't want to sleep in filth I asked if they would let us boys do the cleaning, we'd do a better job, but they said no. People were always yelling while I was trying to sleep, adults being admitted and they're under the influence. If I could change watchhouses I'd make them cleaner and just more respectful."

– child in a youth detention centre (2024)

"I spent 18 days in a watchhouse. Just in a cell with a bed. The food is disgusting and not enough, breakfast was two Weetbix or cold bread."

– child in a youth detention centre (2024)

Recommendations

1. Improve basic conditions in watch houses

PeakCare recommends the quality of food provided to children, their access to fresh air and exercise, and the cleanliness of watch-house environments be reviewed to ensure it meets basic standards of care.

2. Incorporate young people's voices in decision making

PeakCare recommends that reviews and subsequent decisions about watch-house conditions prioritise and incorporate the perspectives of young people. Young people's lived experiences are essential to ensuring reforms are meaningful, effective and responsive to their needs.

⁶ https://www.ombudsman.gov.au/data/assets/pdf_file/0010/300511/NPM-Network-Joint-Statement-Queensland-law-change-and-youth-justice-FINAL.pdf

CONCLUSION

PeakCare appreciates the opportunity to contribute to the Queensland Police Service's review into the operation of watch-houses across Queensland. This submission highlights the urgent need to address the harmful and inequitable conditions faced by children in adult watch-houses and outlines actionable recommendations to create a youth justice system that is fair, rehabilitative, and supportive of positive outcomes for children and communities.

By prioritising community-based, culturally responsive alternatives, investing in therapeutic interventions, and ensuring young people's voices are at the forefront of reforms, Queensland has the opportunity to shape a youth justice system that keeps communities safe, builds community confidence, and reduces the number of victims of crime.

Yours sincerely,



Mr Tom Allsop

Chief Executive Officer

PeakCare Queensland Incorporated