

Committee Secretary
Community Safety and Legal Affairs Committee
Parliament House
Brisbane Qld 4000

14 May 2024

Dear Committee Secretary

Re: QDN response to Queensland Community Safety Bill 2024

Queenslanders with Disability Network (QDN) welcomes the opportunity to make a brief submission to the Community Safety and Legal Affairs Committee on the Queensland Community Safety Bill 2024.

QDN is an organisation of, for, and with people with disability, with over 2000 members and supporters. QDN operates a state-wide network of members who provide information, feedback and views from the lived experience of people with disability to inform systemic policy. QDN also provides information and referral support to people with disability. QDN's submission is reflective of the views of our members.

QDN notes the purposes of the Bill are to implement measures to optimise and strengthen law enforcement capabilities and improve crime prevention strategies. QDN commends the work of the State Government and welcomes any legislation that furthers the protection of the human rights for vulnerable people however QDN is concerned about the lack of consultation with people with disability¹ to ensure the Queensland Police Service (QPS) formulates systemic approaches to engaging with people with disability.

As noted in the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (DRC) Final Report² people with disability, particularly those with cognitive disabilities, are significantly over-represented at all stages of the criminal justice system. In particular, the over-representation of First Nations people with cognitive disability in custody, particularly youth detention is at crisis point. Children with disability in youth detention have complex needs and are likely to have experienced multiple traumas including violence, abuse, neglect and exploitation while in detention.

QDN commends inclusion of a reference to disability services into the youth justice principles in the Bill to highlight that a child's disability needs must be met while they are in detention however more must be done

¹ As per pp 52-53 of the Community Safety Bill 2024 Explanatory Notes where people with disability are not mentioned in the consultation process.

² Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability Final Report [Final Report | Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#)

to address support needs and reduce the number of children in detention particularly adult watch houses. QDN supports key points in Queensland Council of Social Services (QCOSS)'s submission regarding appropriate, human-rights and evidence-based approaches to responding to youth crime. QDN is concerned about the ongoing use of adult watch houses for children and does not support the amendment of detention as a last resort.

QDN acknowledges the implementation of electronic service of documents will improve efficiencies in the QPS and enable more time for police officers to respond to calls for service. QDN also acknowledges the Amendment Bill allows for other options for serving notices for people with disability given the use of technology can be a significant barrier for people. In these cases, QDN recommends documents and communications be available in all accessible formats including large print, audio, video, Braille, Easy English and access to Auslan interpreting services.

QDN is concerned without appropriate disability awareness training police officers are less likely to be able to screen and assess the capacity and needs of people with cognitive or psychosocial disability when serving documents. In its 2014 report, *Equal before the law: Towards Disability Justice Strategies*³, the Australian Human Rights Commission (AHRC) found 'there was widespread difficulty identifying disability and responding to it appropriately' in the criminal justice system including police services. This indicates a lack of necessary supports and adjustments. Whilst QDN understands that a disability training program has been developed by QPS, we see that it is critical that people with disability need to be part of design and delivery of this training to deliver cultural and behaviour change.

As recommended in Volume 8 of the DRC Final Report staff and officials in criminal justice systems should receive disability awareness training and support to identify disability to reduce abuse, neglect and uphold the human rights of people with disability. QDN also recommends Specialist Disability Liaison Officers be appointed to contribute to the organisational understanding of the diversity of disability, in particular cognitive and psychosocial disability. QPS has taken initial steps however more specific training is needed in this area.

In keeping with this view, QDN recommends the following:

- Greater consultation with people with disability who have been through the criminal justice system, their carers and families and disability advocacy organisations
- Reduction of the number of children in adult watch houses particularly children with cognitive and psychosocial disability
- Legislation amendment to raise the minimum age of criminal responsibility to 14
- Include people with disability in any co-design and consultation processes to design a human-rights, evidence-based approach to youth justice
- Removal of the amendment of detention as a last resort
- Appointment of Specialist Disability Liaison Officers in the QPS
- Investment in initial and ongoing disability awareness training for QPS staff that is co-designed and facilitated by people with disability
- Disability screening and identification tools co-designed by people with disability and the QPS.

³ Australian Human Rights Commission, [Equal Before the law: Towards Disability Justice Strategies | Australian Human Rights Commission](#).

Thank you for the opportunity to provide this brief submission to the Queensland Safety Bill 2024. If you have any further questions, please call QDN on 07 3252 8566.

Yours sincerely

Michelle Moss
Chief Executive Officer