



1 May 2024

## Statement from Queensland Human Rights Commissioner Scott McDougall: Rewording the principle of detention as a last resort will not solve Queensland's watch house crisis or make the community safer

The Convention on the Rights of the Child, to which Australia is a signatory, is the most ratified human rights treaty in the world. The Convention says that children under 18 should be taken care of and protected, and that children should have access to safe homes, education, health care and support.

The Convention requires that detention of children should only happen as a last resort and for the shortest possible time. This foundational principle of international law recognises that detention is inherently harmful for children and, by extension, the community as a whole.

Detention as a last resort does not mean detention is never an option, particularly when offenders are dangerous or have committed serious crimes. It also does not mean there are no available or effective consequences for youth offending. Many countries have adopted diversion and other programs and methods of dealing with youth offending that focus on preventing re-entry into the justice system and reducing the risk of recidivism. There is clear evidence that these alternatives work.

The debate about youth crime often makes it seem like we have to choose between keeping communities safe and protecting children's rights. But that's not true. We need to find solutions that do both.

This false dichotomy feeds a narrative that demonises and dehumanises children. It has led to the normalisation of the mistreatment of children languishing in Queensland's watch houses and overcrowded detention centres.

An immediate plan is required to address the now longstanding and increasingly urgent problem of children being held for extended periods of time in adult watch houses.

We also await a comprehensive plan for properly resourced, statewide, evidence-based early intervention programs.

These two measures are critical to address, in both the short and long term, if we are to truly take the steps we need to keep the community safe into the future.

- **ENDS**

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