



25 November 2025

Committee Secretary  
Senate Legal and Constitutional Affairs Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Via email: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Committee Secretary,

Thank you for your correspondence of 12 November 2025, inviting PeakCare to make a submission addressing some or all of the Terms of Reference of the Committee. PeakCare has previously provided a submission to the inquiry (on 10 October 2024), which we are aware has been shared with the Committee.

We continue to draw the committee's attention to the important intersection of adverse childhood experiences (ACEs) and social determinant factors including disadvantage, poverty, domestic and family violence, substance abuse, and housing insecurity which continues to push children, young people, and families towards tertiary child protection and youth justice systems, an issue of importance to PeakCare's members.

PeakCare has spoken directly to children in Queensland's youth detention centres about the recommendations in this and other submissions as we believe children's voices are critical to guiding any changes to Australia's youth justice and incarceration system. Our report "Young Peoples Voices"<sup>1</sup> captures their voices and we advocate strongly for the committee to ensure the voices of young people with lived experience is captured throughout this important Inquiry.

Youth incarceration across Australia has long-term negative effects on children, their families and the community. Incarceration disrupts the development of cognitive, social, and emotional skills in children, limiting their future opportunities.<sup>2</sup> Children in detention are at increased risk of reoffending, leading to entrenched criminal behaviour that often perpetuates cycles of disadvantage. We know there are also significant corresponding health and psychological consequences including higher rates of mental health issues, substance abuse, and self-harm among incarcerated children.

Queensland has some of the most punitive youth detention conditions in Australia. Despite declining youth crime rates, detention rates continue to rise. In 2021–22, around 470 children, some as young as 10, were held in adult watchhouses for up to 14 days. On 8 October 2024, 29 young people were in watchhouses across Queensland with the longest period being 12 continuous days.<sup>3</sup> These conditions are unsuitable for children, and there is overwhelming evidence that detention increases the likelihood of reoffending. In Queensland, more than 90 per cent of children released from detention reoffend within 12 months.<sup>4</sup>

Children in detention often have disabilities and/or suffer from mental health issues. In Queensland in 2022, it is estimated 12 per cent of children in detention had foetal alcohol spectrum disorder, while 37 per cent had a cognitive, intellectual, or physical disability.<sup>5</sup> Many children in detention have undiagnosed disabilities, and inadequate support services upon release contribute to high reoffending rates.



Children and young people who encounter the criminal justice system often come from backgrounds of significant disadvantage and maltreatment. Findings from the Australian Child Maltreatment Study indicate that Australians who experience childhood maltreatment (physical abuse, sexual abuse, emotional abuse, neglect, and exposure to domestic violence) are significantly more likely to develop mental disorders, engage in high-risk behaviours and require more extensive health services.<sup>6</sup>

We have seen in the past year an increase in governments across Australia, legislating to address community safety through more punitive sentencing regimes. We have highlighted in our submission evidence which demonstrates that without addressing the root cause of the problems faced by families and young people, communities will not be any safer.

Australia's youth justice and incarceration system is in urgent need of reform to address the negative outcomes of youth incarceration, the over-representation of First Nations children, and the ongoing violations of children's human rights in detention. National minimum standards must be introduced to ensure consistent, humane treatment of children across all jurisdictions, and reforms must be aligned with Australia's international obligations to protect the rights of children and prevent their unnecessary incarceration.

PeakCare advocates for a focus on crime prevention through equity and wellbeing, working in partnership with health, housing, education and employment agencies, the non-government sector, and community members to address the drivers of over-representation of First Nations children in the justice system.

To effectively address youth crime, PeakCare stresses the need for prevention, early intervention, better support for families, and comprehensive reintegration programs. Crime prevention efforts should focus on addressing the root causes of criminal behaviour, such as childhood trauma and educational disengagement. Ensuring that children have access to role models, employment, and pro-social activities will contribute to reducing recidivism and building stronger, safer communities.

PeakCare is committed to improving outcomes for children and families and is ready to support the Committee in advancing these reforms. PeakCare is available at your convenience to respond to or expand on any of the details provided within our submission and can be contacted via phone at [REDACTED] or email at [REDACTED].

Your sincerely

Chief Executive Officer