

# Queensland Child Rights Report 2025



## Artwork story

This artwork honours the strength and sovereignty of First Nations children, guided by culture and community like the stars that have led our people for generations. A young child stands beneath a vast sky, their gaze lifted to the constellations—symbols of ancestors, resilience and belonging. The land beneath them is rich with the wisdom of Elders, grounding their identity.

Silhouettes of family and community form a protective circle around them, representing love and strength. This piece reflects the journey of First Nations youth—navigating a world that often tries to silence them but finding power in culture, language and tradition. Like the stars before them, they will shine.



*Under the guiding stars*, Artist: Rachael Sarra

## About the OATSICC and this report

This report has been prepared by the Office of the Aboriginal and Torres Strait Islander Children's Commissioner (OATSICC) (within the Queensland Family and Child Commission, which is a statutory body of the Queensland Government). Guided by our *Strategic Plan 2025*, the OATSICC advocates for the rights, safety and wellbeing of Aboriginal and Torres Strait Islander children and young people across Queensland. It is grounded in the principles of self-determination, cultural authority and the right of every child to be safe, heard and connected to kin, culture and Country. The office works to hold systems accountable and influence reform across child protection and youth justice. We actively engage with children, young people, families, communities and Elders to ensure their experiences and aspirations inform government policy, systemic change and service design.

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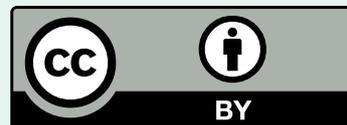
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## Acknowledgement of Country

The OATSICC and the Queensland Family and Child Commission acknowledge Aboriginal peoples and Torres Strait Islander peoples as the Traditional Custodians across the lands, seas and skies on which we walk, live and work.

We recognise Aboriginal people and Torres Strait Islander people as two unique peoples, with their own rich and distinct cultures, strengths and knowledge.

We celebrate the diversity of Aboriginal and Torres Strait Islander cultures across Queensland and pay our respects to their Elders past, present and emerging.

We recognise that self-determination, healing, dignity and respect are all fundamental elements needed to improve outcomes and relationships.

As an agency, we are committed to embedding culturally safe and responsive design practices and delivery in our work.

## Acknowledgement of contributors

The OATSICC acknowledges the rights and special protections for children in the *United Nations Convention on the Rights of the Child* (UNCRC) and the rights of First Nations peoples in the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP).

We acknowledge the invaluable contributions of all children and young people who took the time to share their views and experiences for this report. We recognise the courage and strength it takes to speak up, particularly when the systems designed to protect them have not always done so. We commit to honouring their words by continuing to share what we heard, to help create meaningful change for their futures and for the children and young people who come after them.

We acknowledge the leadership and contributions of the Bandarran Marra'gu Youth Collective, whose participation in the Summit was central to shaping the *Spotlight* chapter. Their voices, lived experience and collective insight informed the direction, depth and integrity of this work. We extend our gratitude to Alkirah, Mayrah, Jarla, Seth, Courtney, Jaymilee, Farani, Takeisha, Maree, Wollie, Joshua, Will, Jyiah, Kobi, Elma, Rhea, Kenneth, Sian, Orepa, Jacinta, Kynesha and Blossom for their time, wisdom and commitment.

The OATSICC thanks the government and non-government agencies and individuals who contributed data and expertise to the report.

# Young person foreword

**As young people, we refuse to accept a Queensland where our rights can be suspended, our cultures sidelined and our futures negotiated according to political convenience. Child rights are not optional and neither is Indigenous sovereignty.**

As young people, we refuse to accept a Queensland where our rights can be suspended, our cultures sidelined and our futures negotiated according to political convenience. Child rights are not optional and neither is Indigenous sovereignty. This year, our foreword issues a clear reminder: the safety and wellbeing of children in this state will never be achieved without confronting the structural roots of harm—colonisation, racism and the ongoing denial of our inherent rights as First Nations peoples.

The Bandarran Marra'gu Youth Collective was formed because we recognised the truth of our political moment. When the *Path to Treaty Act 2023* was repealed and truth-telling was removed from the agenda, it became evident that the young mob could no longer wait for governments to prioritise our voices. We came together in solidarity, not just to react but to lead with a central focus on intergenerational healing. Our Summit became a space where we reclaimed our power, our rights and our responsibility to speak openly about what we see every day: Queensland's systems continue to fail the very children they claim to protect.

Through a sociological lens, it is clear these failures are not accidental; they are the product of systems designed without us. Policies continue to reproduce inequality, racialisation and dispossession. Children in remote communities still struggle for clean water and safe housing. Queer Indigenous youth continue to be erased in services meant to support us. And as young people living in the climate-exposed regions of this state, we witness ecological damage threatening our homelands, our health and the continuity of our cultures. These are not isolated problems; they are interconnected forms of structural violence.

This report reflects our collective truth-telling. We name the injustices we experience: the criminalisation of trauma, the silencing of youth voices in policy spaces, the lack of culturally safe services in schools, the loss of language and the grief of being disconnected from Country. For many of us, learning about the UNCRC and UNDRIP was the first time we saw our rights written down and the first time we realised how consistently those rights have been denied.

Yet our story is not defined by harm, but by resistance. Our power lies in our cultural knowledge systems, and in the ways we learn from Elders, care for Country, protect each other and carry responsibilities that western systems often fail to recognise. Our sovereignty is not symbolic; it is lived every day through our relationships to land, water, community and spirit. Decolonisation is not a metaphor for us; it is a practical necessity for our survival.

We are calling for a Queensland where child rights work begins with truth-telling, honours Indigenous authority and rejects the paternalistic systems that continue to govern our lives. This means embedding the UNCRC and UNDRIP in all education. It means treating clean water, safe housing, health care and cultural continuity as non-negotiable rights. It means shifting from punishment to healing, from consultation to shared decision-making and from tokenism to genuine power-sharing. It means recognising that ecological justice is a child rights issue because our futures depend on the survival of Country.

Our message is direct: We do not want a seat at your table. We are building our own and we call on governments to join us there ready to engage with mutual respect, courage, ethical integrity and accountability.

As young sovereign peoples, we stand on the shoulders of our ancestors and carry the responsibility to protect those who come after us. We speak not only for ourselves, but for every child whose voice has been silenced by systems built to exclude them. We will continue to advocate, organise and lead because a just Queensland is not possible without us.

**Rhea**  
*Bandarran Marra'gu Youth Collective*

# A message from the Commissioner

Every child deserves to grow up safe, loved and free to pursue their aspirations, grounded in culture, community and connection. Yet for too many children in Queensland, especially First Nations children and young people, this universal promise remains unfulfilled.

Aboriginal and Torres Strait Islander children and young people continue to be disproportionately impacted by systemic injustice. Over-representation in child protection and youth justice settings persists as a national and state concern. This reflects entrenched barriers that deny rights to family, culture and opportunity, perpetuating cycles of disadvantage across generations. We must acknowledge this reality honestly, and we must act together to shift the narrative towards one defined by self-determination and equity.

This year's *Child Rights Report* places First Nations self-determination and the voices of First Nations youth at its centre. Young people want agency over their lives and systems that uphold their rights rather than undermine them. Their words remind us that strength is nurtured through belonging, dignity, culture and respect.

Meaningful rights-based oversight is only as strong as the evidence that underpins it, yet we continue to confront significant gaps in the data needed to monitor and evaluate these systems. Foreseeable harm demands action. When government fails to respond, it breaches its duty of care. Oversight must compel change, not just observe or expose failure. Evidence must trigger consequences, deadlines and accountability otherwise it becomes a ledger of preventable harm, not a tool for the protection of children's rights.

Challenges with quality oversight are compounded by the absence of consistent, transparent and culturally appropriate data, which makes it difficult to scrutinise performance, identify where rights are being denied or hold systems accountable. This absence weakens our collective capacity to advocate for change, and it undermines the very accountability that children, young people and families deserve. The type of transparency and accountability that the public reasonably expects.

Throughout this report you will see young people's voices brought directly into the conversation. These lived experiences highlight the difference between abstract principles and the reality of how rights are lived or denied in everyday life. To centre children as rights holders, we must ensure that their insights, their stories and their lived expertise inform policy, practice and reform at every level.

Child rights reporting is not an academic exercise it is an urgent call to action. It is a mirror that reflects where we are meeting our obligations and where we are falling short. It lays bare the gaps in knowledge, the gaps in policy, and, too often, the gaps in political will. Data is not a dry technical matter; it is central to accountability. Without it, commitments to rights become hollow promises rather than measurable progress.

Good governance for children in Queensland requires more than intent; it requires structure. Since the release of our initial *Child Rights Report* in 2023, we have continued to advocate the need for a future focussed whole-of-government plan for Queensland children. We published a *Blueprint for Children* that sets out clear priorities, measurable targets and shared accountability across portfolios. This blueprint should establish dedicated implementation machinery, embed children's rights obligations within Ministerial portfolio responsibilities and performance expectations of agency leadership, and require budget decisions to demonstrate their impact on children's rights. It must include a comprehensive monitoring framework with publicly reported indicators, formal mechanisms for children and young people to shape decisions, and escalation pathways when targets are missed. These reforms would ensure children's rights are not just acknowledged, but systematically planned for, transparently monitored and meaningfully enforced.

This report is a testament to what is possible when children and young people, especially those whose voices have historically been marginalised, are given space to set their own agenda. It is a reminder that rights flourish where children and young people are listened to, respected and supported to thrive in their culture and community. It also stresses that genuine self-determination for First Nations peoples must be realised not as rhetoric, but through systems that are co-designed, resourced and accountable.

I extend my deep appreciation to the many children, young people, civil society partners and government agencies who contributed to this report. Their insights and commitment to justice fuel our work and our shared pursuit of a Queensland where all children's rights are not only recognised but realised.

**Natalie Lewis**  
*Commissioner*

*Office of the Aboriginal and Torres Strait Islander  
Children's Commissioner  
Queensland Family and Child Commission*

# Purpose of this report

This report details the children's rights issues identified by OATSICC in our statutory role of promoting and protecting the rights and wellbeing of children in Queensland. This includes monitoring system performance, undertaking research, engaging with children and communities, and providing independent advice and reporting. The report was prepared in accordance with the *Family and Child Commission Act 2014* (Qld) and builds on the inaugural *Queensland Child Rights Report 2023*, which provided a baseline for measuring children's rights.

In this report, children's rights are measured against Queensland's existing commitments and obligations to uphold children's rights. These include the UNCRRC, which commits jurisdictions in Australia to taking all possible and appropriate measures to realise the rights and aspirations of children. The Queensland Government also has obligations under the *Human Rights Act 2019* (the Human Rights Act)<sup>1</sup> to protect and promote human rights, create a public sector that values these rights, and encourage meaningful discussion about what human rights mean in practice. It obligates the government to take a human rights-based approach to lawmaking, policymaking and decision-making, including prioritising the rights of children. The Human Rights Act explicitly protects the rights of Aboriginal and Torres Strait Islander peoples to maintain and strengthen connection to land, waters, language, kin and culture. These are all critical for Aboriginal and Torres Strait Islander children's identity and development.

This report highlights key challenges to protecting children's rights in Queensland, including the jurisdictional gaps created by a federal system. While the Australian Government is responsible for upholding international human rights treaties like the UNCRRC, states and territories are responsible for managing many relevant functions, such as youth justice, child protection, health and policing. This division can result in a lack of clear accountability, inconsistent standards across jurisdictions and persistent gaps in the realisation of children's rights.<sup>2</sup>

This report also makes recommendations for action to address the factors that place some children and young people at greater risk of exclusion, harm or unequal treatment. For the Queensland Government, this means taking an intersectional approach to children's policy, recognising that children's experiences are shaped by multiple aspects of identity, including Aboriginality, disability, gender, sexuality, geographic location and socioeconomic status. Without this lens, policy responses risk reinforcing existing inequalities and failing to meet the needs of children most affected by systemic disadvantage.

## How to read this report

This report is structured to align with the Child Rights Monitoring Framework for Queensland, developed in 2023,<sup>3</sup> which clusters children's rights to reflect the UNCRRC reporting structure.<sup>a</sup> The report includes dedicated chapters on:

- Voices of First Nations youth – *Gathering strength* spotlight
- Making children's rights real
- Civil rights and freedoms
- Youth justice
- Violence against children
- Alternative care
- Disability, health and welfare
- Education and play.

Each chapter provides practical and timely recommendations for government action to embed a rights-based approach across Queensland systems. These recommendations are oriented towards government as the primary duty bearers. However, they may also prompt actions and responses from secondary duty bearers, such as service providers, community organisations, private institutions, professionals and caregivers.

<sup>a</sup> The Committee's reporting guidelines can be accessed at <https://www.ohchr.org/en/treaty-bodies/crc/reporting-guidelines>



The report presents Queensland-specific data for the three-year period from 2021–22 to 2023–24, providing an overview of progress in upholding children's rights since the last report. We also outline the policy frameworks and commitments introduced by the new Queensland Government during its first year in office, up to the end of 2025. The report measures progress against children's rights indicators, developed by us in consultation with government agencies and the non-government sector. It also reflects on progress against the UN Committee's concluding observations and the *National Agreement on Closing the Gap*, to which all governments have committed. Attention is also drawn to persistent data gaps that impede our ability to monitor the protection and promotion of children's rights.

This report includes first-person references. Throughout the report, 'we' and 'our' refers to OATSICC except for the *Young person foreword* and *Gathering strength* spotlight chapter, which were written from the perspective of our young First Nations collaboration partners, the Bandarran Marra'gu Youth Collective.

## What we mean by 'child'

In line with the UNCRC, this report defines a 'child' as anyone under 18 years of age. Where this report talks about 'young people', it includes anyone up to the age of 25.

“Our rights are important as they support and encourage self-determination and pave a pathway to obtain self-governance sovereignty.

Joshua

# Our approach

## A child rights-based approach

A rights-based approach values and recognises the strengths, lived experiences, expertise and resilience of children and young people as rights holders. It recognises that children and young people's capacities are constantly evolving and they will increasingly possess insight and expertise into matters that affect them. This approach requires genuine engagement with children and young people—actively involving them in decision-making, respecting their views and ensuring their rights are paramount.

Children and young people rely on many government services across their lives for learning, healthcare and safety but also for belonging, identity and cultural connection. These systems shape how they experience community, opportunity and wellbeing. They come from many cultures, communities and life experiences, and some face overlapping barriers that make it harder to speak up or be heard. This is what is meant by intersectionality. UNICEF describes it as the way in which a person holds several social identities (for example, gender, ethnicity, disability, socio-economic status) and how the interaction of these identities creates unique experiences of disadvantage or discrimination.<sup>4</sup>

## Child and youth participation

Our child rights reporting is driven by the need to ensure that the lived experiences of children are not rendered invisible in the national narrative. Throughout this report, the voices of children and young people are central, informing our analysis of children's rights. By highlighting their perspectives, challenges and strengths, we aim to ensure that policy priorities at the state and national levels are informed by an accurate and inclusive understanding of their realities.

In 2025, the OATSICC conducted 30 consultations with children and young people aged 13 to 25 with lived experience in Queensland's child protection and youth justice systems. Young people were identified with the support of Life Without Barriers post-care services. Consultations were conducted in metropolitan and regional areas, as well as in youth detention centres, including the Wacol Youth Remand Centre.

Participation was youth-led, with young people directing the topics of conversation. They were free to speak about the issues most important to them. Consultations explored a wide range of themes, including rights education, cultural connection and continuity, transition from care or detention, stability, access to health and education, complaints, access to remedies, connection to family and experiences navigating systems. Ethical principles, including free, prior and informed consent, guided the process, enabling young people to safely share their experiences. The unfiltered voices of young people we consulted are included as quotes (printed in blue) throughout the relevant chapters.

## Spotlight chapter

The *Gathering strength* spotlight chapter was developed in collaboration with a group of First Nations young people (Bandarran Marra'gu Youth Collective), to capture their perspectives, lived experiences, priorities and policy ideas. The young people explored the concept of self-determination and ways to build young people's confidence to participate in decision-making and influence the systems that affect their lives. Participants negotiated terms of engagement with government and clarified the supports, safeguards and non-negotiables required for meaningful participation in policy processes.

In practical working sessions, participants contributed to the chapter's content, translating insights into accessible forms and practising shared decision-making, authorship and editorial review. The process incorporated intergenerational dialogue, with Elders providing cultural authority and guidance. Their involvement grounded the work in community expectations and cultural knowledge, strengthened young people's confidence, and ensured the chapter reflects both youth perspectives and the continuity of cultural leadership across generations.

The spotlight chapter is written in the first person, representing the views and aspirations of the Bandarran Marra'gu Youth Collective.

“*In the 21st century society, our worries about our culture lie in new problems such as the climate injustices and closing the gap.*

*As society shifts into the digital era, it is important for us young mob to keep advocating for our rights but not forgetting our culture which lies in the Country we live on.*

*As a Gooreng Gooreng man, I worry for the land and waterways that are being killed through agriculture, as the death of Country is the death of culture, but also ensuring that I am not a statistic and finish my studies at high school.*

*Being an Indigenous young person is about fighting these new fights but also calling out and advocating so that the government and the people help us fight this fight.*

Seth



Spotlight

# Gathering strength

## Our many Countries and connections

Ait Koedal Clan	Darug Boorooberongal	Gunggandji (Yarrabah)	Mer Island
Angkamuthi	Darumbal	Gwarmu	Mununjali
Badu-Moa (Mua)	Dunghutti	Jarowair	Nguburinji
Badulgal (Thupmul)	Erub	Kalkadoon	Pitjantjatjara
Biripi	Gamilaraay/Kamilaroi	Kaurareg	Waanyi
Boigu	Gooreng Gooreng	Kooma	Wakka Wakka
Butchulla	Gubbi Gubbi/Kabi Kabi	Koongurrukun	Wiradjuri
Bwgcolman (Palm Island)	Gudang-Yadaikanu	KuKu Nyungkul	Wulgurukaba
Cobble Cobble	Gudjul	KuKu Yalanji	Yidinji
Darnley island (Erub)	Gungalu	Lardil	Yiman



We acknowledge the sovereign peoples of the many lands and waters from which this work has been created.

We pay our deepest respects to their Elders past and present.

We acknowledge all the Aboriginal and Torres Strait Islander young people who have contributed their voices, stories and ideas to this work. Your knowledges, passion and wisdoms have shaped this in powerful ways, reflecting the strength and diversity of your communities.

This work honours the many Countries, languages and cultures that make up the rich diversity of Aboriginal peoples and Torres Strait Islander peoples.

We recognise that each community holds unique ways of knowing, being and doing that continue to guide and inspire our collective journey toward a stronger, more connected future.

## Introduction

We, the Bandarran Marra'gu Youth Collective grew out of a moment of solidarity and cultural resilience. After the Queensland Government repealed the *Path to Treaty Act 2023* and wound up the Truth and Healing Inquiry from its agenda in late 2024, it became urgent that First Nations youth speak out with strength and unity. Worried about being pushed aside or silenced, we gathered in Magandjin for two days in May 2025 at the Bandarran Marra'Gu Summit. Self-determination was high on our agenda. As the basis of our economic, social, cultural and political rights it is central to the dignity and survival of Indigenous peoples.<sup>5, 6</sup> Rather than wait for government to set an agenda for our people, we would.

The summit gave us a chance to come together, build strength, learn about our rights, stand proud in who we are and make it clear: we won't be ignored.

After the summit, the energy to speak up and create change was strong. We were invited to help shape this chapter for the *Queensland Child Rights Report 2025*. Whether we were part of the summit or the Youth Reference Group, or worked directly on this chapter, every voice has mattered.

Our aim is to use this platform to make sure Queensland's First Nations children and young people are seen and heard in decisions that affect our lives.

This is how we make sure our truths aren't overlooked but are placed at the centre of government decision making. This chapter will discuss:

- what we experienced and learned during our engagements with OATSICC
- how our rights are being impacted in Queensland
- obligations that governments and duty-bearers must meet to protect, respect and fulfil our rights.

We envision a future where every decision about our lives is guided by culture, Country and care—when young people grow up speaking their languages, leading their communities and protecting their seas—where governments replace the language of inclusion with the practice of reciprocity and shared responsibility. Our sovereignty (cultural, ecological and generational) is the foundation of that future.

This report is more than just telling you our story. It's about accountability for the promises that were made to us. By focusing on rights, we're calling out where systems have failed us and where the solutions lie.

For us, truth-telling means being real about the rights violations we face, without watering it down. We won't let politics silence or soften our stories. Instead, we're here to share our real, lived experiences as First Nations young people from many different backgrounds. Start by walking with us, even just for a day, and then act based on what you've learned.

## The invitation

We are calling on the Queensland Government to honour its obligations and stop the ongoing violations of our rights. Structural change is not optional; it is essential to ensure that children and young people, including First Nations children and young people, are seen, heard and respected in every decision that shapes our lives and our collective future. Our vision is for a Queensland where policies are built with us, not imposed on us, and where our voices are heard and acted upon as central to truth, justice and self-determination. This is fundamental to the safety and prosperity of all Queenslanders. We invite government, systems and decision-makers to walk alongside us in this work, not as silent observers, but as active partners in creating a future where our communities are safe and flourishing, our rights are upheld and our dignity is never denied.

## Collaborative approach

The Bandarran Marra'gu Youth Collective occurred within a collaborative approach that brought together in relational partnership with OATSICC, Yoora Maltha consultants and Aboriginal and Torres Strait Islander Elders (the knowledge holders). This approach centred respect, reciprocity and trust, ensuring that young people's participation was both culturally grounded and rights focused.

The Bandarran Marra'gu Youth Collective are a group of 25 Aboriginal and Torres Strait Islander young people, aged 16 to 25, from 19 different communities across Queensland. We represent more than 47 different clans and Nations, with most from Queensland and others from the Northern Territory, Victoria, New South Wales and Western Australia. Our power is in our diversity of identity and experience. We included queer mob, young people with disabilities and those with lived or living experience in child protection, and families who have fought for the rights of our Mobs. We came from urban centres, remote islands and inland towns, but we all brought deep connections to place, people and purpose.

Yoora Maltha is a First Nations, youth-led organisation, deeply connected to culture, community and collective action. They facilitated the engagement and participation of young people through a peer-to-peer approach. Their leadership ensured the summit space reflected cultural authority, belonging and intergenerational voice.

OATSICC carried the over-arching project management, safeguarding, funding and administrative responsibilities necessary for the safe delivery of both the summit and the spotlight chapter. Together, these distinct yet complementary roles created the conditions for authentic youth leadership and participation.

Throughout this process, we engaged in a structured exploration of self-determination and participation, drawing on the normative frameworks of the UNCRC and the UNDRIP. This has included power mapping, values-based leadership development and the negotiation of draft terms of engagement with government to embed principles of safety and accountability. Throughout the program, we also engaged in structured dialogues with our Elders, including Aunty Henrietta Marrie, Mick Gooda, Professor Marcia Langton and Mr Les Malezer.

Central to our participation has been a commitment to collective action. Among us are young people who are already leading in their communities and others who are stepping into leadership for the first time. We are amplifying our voices through cultural strength and peer-to-peer engagement to create the mechanisms through which we can challenge systemic inequity and affirm the rights of First Nations children and young people. This collaborative model demonstrated the possibilities of government and community working side-by-side to create change that is both grounded in culture and directed by youth.

## Centring our sovereignty

As First Nations children and young people, our sovereignty is inherited not granted by the state. It lives in our stories, languages, responsibilities to care for Country and kinship systems. Recognising our sovereignty means acknowledging us as agents of law, culture and future-making, not just passive subjects of law and policy. More than attendees, we are rights-holders, storytellers and emerging leaders, each contributing to the strength of the summit and this report—not just through what we said, but through the way we show up with openness, courage and commitment to justice.

Child and youth participation is a right.<sup>7</sup> Under UNCRC Article 12, we have the right to express our views freely in all matters affecting us, and for those views to be given due weight, not just noted in passing. As we learned about our rights, many of us expressed disbelief that rights such as those in the UNCRC and UNDRIP existed because we had never experienced them upheld in our lives. Many of us have never been taught about these human rights treaties in school. At the summit, we were told these rights belong to all children, but our experiences made us question whether they truly apply to Aboriginal and Torres Strait Islander children.

While we speak of UNCRC and UNDRIP as valuable western tools of knowledge, they are written within Euro-centric legal traditions that often fail to reflect our collective, relational and land-based conceptions of rights. For these reasons we must reflect on how



## From little things, big things grow

As we co-created a symbolic Child Rights Tree, we connected our living experience to the UNCRC through roots (values), bark (knowledge), leaves (daily rights) and flowers (why rights matter) (Diagram 1).

**Roots:** The roots of the human rights tree are the values and principles that create the foundation of our rights. We call for systems that finally recognise and respect them as they are: indivisible, interdependent and universal. Protecting one right strengthens them all; denying one weakens the rest. As peoples, we are deeply connected to our communities. Through our Elders, we receive culture, which set down the deep roots of identity that keep us steady, help us grow and ground us no matter how far we reach.

**Bark:** The protective layer of the human rights tree is our knowledge of children's rights. We don't have a textbook understanding of these rights. Our understanding is shaped by living through the absence of what every child should have had. They say knowledge is power and we now know all our young people should be empowered. Like the bark on a tree, the knowledge protects us.

**Leaves:** The leaves represented the everyday expression of our rights, the things we should see, feel and experience in our daily lives. From basic survival needs to deep cultural belonging, the leaves are a visual reminder that children's rights must live in the real world, not just on paper. Education, health, safety, justice, clean water, a voice and a home keep us strong. Without them, we're exposed. Without them our opportunities are stripped bare.

**Flowers:** The flowers on our human rights tree were more than decoration, they were declarations. We remind government that rights are not just legal tools, they are about creating the conditions for children to grow strong, stay connected and thrive as proud Aboriginal and Torres Strait Islander peoples. Love, connection and our futures are the blossoms that appear when our rights are respected. When we are protected, heard and cared for, our lives can flourish like a tree in full bloom.

As the final flowers were placed and the tree stood tall, what had started as a creative activity became something much deeper, a collective truth-telling. The process stirred a mix of powerful emotions. Some of us expressed our anger and frustration, realising for the first time that so many of our rights had been denied or ignored. Others felt let down that these protections existed on paper but not in practice. Many were surprised and even shocked to learn that

these were their rights all along. But alongside our grief comes hope. Hope that these rights can still be relied on. Hope that knowing them, naming them and fighting for them will lead to something better.

We should never lose sight of the reality that in telling these stories, we carry emotional labour, the weight of truth-telling in a world that often refuses to listen. Yet this labour is also spiritual resilience—each story told is a healing act that restores our collective strength and reminds us that we are never alone in our fight for justice.

“*They tried to bury us, but they did not know that we were seeds.*

*Unknown*

### Safe spaces

Throughout our participation, we have been able to share our views freely about the things that matter most to us. Whether OATSICC staff, the Elders we spoke with or Yoora Maltha, everyone took the time to explain the terms of our participation, they listened carefully to what we said and showed us how our ideas would shape the final decisions. The respect and inclusion for everyone no matter our age, background or ability was so important to ensure our meaningful participation. It's not just about being asked questions, but about being part of real conversations where our voices can make a difference. Through this process, we learned more about our rights and how our experiences can help guide what's in our best interests. Being listened to and taken seriously helped us see that children's participation is not a one-time event, but an ongoing partnership built on trust, respect and shared responsibility to co-create a future worthy of our next generations (Diagram 2).

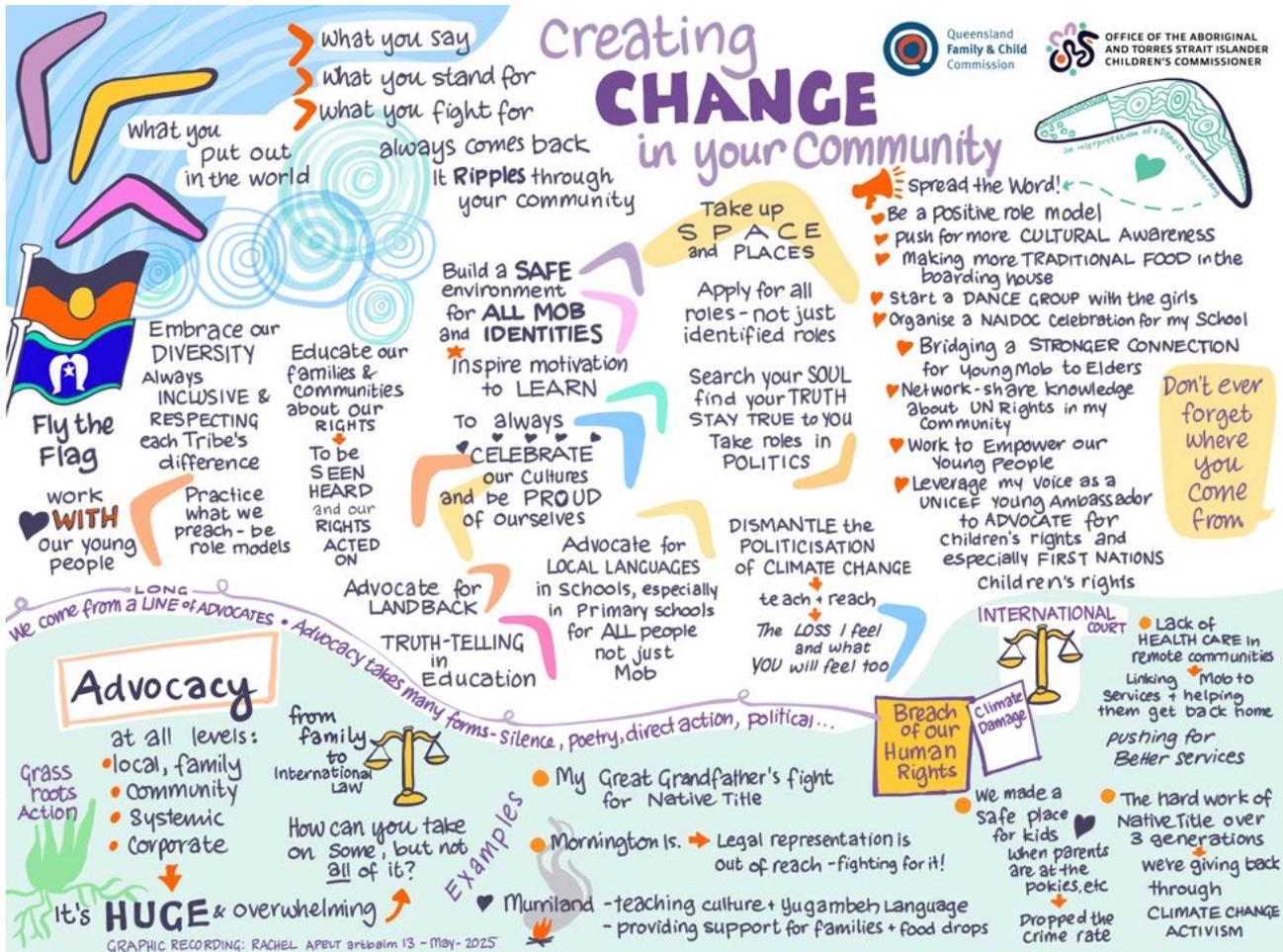


Diagram 2. Creating change in our community

## Intergenerational knowledge transfer

The experience of intergenerational knowledge transfer has been an important aspect of creating safe spaces for this work. Relational accountability is central to our understanding of justice—it means acting in ways that honour our ancestors, protect our descendants and maintain a balance with the living world through breaking and healing intergenerational cycles of trauma. We inherit not only the right to belong but the duty of care for land, for sea, for kin and for each other. Such wisdom teaches us that rights are inseparable from responsibilities.

As Aboriginal and Torres Strait Islander young people, we know that passing down knowledge between generations is not only about culture, but also about our rights to our identity and a sustainable future. Our ways of learning and being in the world are guided by a relational way of knowing. This means we understand ourselves through our interconnections with family, Country, community, ancestors and the spiritual world. We are not separate from these relationships—we exist because of them.

Through these teachings, we learn who we are, where we belong and what responsibilities we carry. This knowledge has always been passed down through story, song, ceremony and daily practice. For thousands of generations, our nations have sustained these forms of education, ensuring that children like us can grow within an environment of reciprocity, responsibility and cultural continuity.

Passing knowledge between generations is our way of keeping culture alive and a recognised human right. Article 30 of the UNCRC protects the right of Indigenous children to enjoy their culture, practise their language and share that identity with their community. Governments have a responsibility to protect and resource spaces where intergenerational learning can thrive through language programs and partnerships between Elders and young people.<sup>8</sup>

## Respecting our knowledge

Indigenous knowledge is real, powerful and sovereign, not symbolic or 'extra.' Treating our knowledge fairly means recognising that western knowledge isn't the only way to understand the world. It means respecting our right to decide what counts as knowledge, evidence and truth for our peoples. Our ways of knowing must be treated with respect, as important and authoritative as any other knowledge system.

Article 31 of the UNDRIP recognises our right to maintain, control, protect and develop our cultural heritage and traditional knowledge. Articles 29 and 30 of the UNCRC affirms every Indigenous child's right to their culture, language and education in ways that respect their identity. The process of cultural education through which we experience these rights is articulated in our ways of knowing, being and doing.

**Our Ways of Knowing** come from the land, waters, skies, animals, plants, spirits and climate. We learn by listening, watching, waiting, sharing and applying what we see. Each person holds part of this knowledge depending on their role, gender and stage of life. Our Elders have always held the responsibility to introduce us to knowledge, but as we grow, we also take this responsibility ourselves in expanding our relations.

**Our Ways of Being** teach us that we are part of the world, just as it is part of us. They guide our rights and responsibilities to Country, family and community. Even though colonisation and forced assimilation tried to disrupt these teachings, we continue to draw strength from culture.

“*Being an indigenous young person in society is to navigate through the changing views as we enter the digital era, whilst carrying 60,000 years of knowledge with us.*”

Seth

Through this, our identities remain strong and we adapt to new contexts without losing the essence of who we are.

**Our Ways of Doing** are expressed through languages, art, ceremony, land management, kinship and community life, so that we live out our knowledge and being in practice. Even this chapter is an act to demonstrate we have never given up our culture, it's just done a different way.

Too often learning spaces do not reflect who we are as peoples. For us, having the chance to learn from our Elders is not optional, it is a right. It gives us strength, belonging and resilience. These are the foundations of our rights to culture, identity and self-determination.

## Power

As Aboriginal and Torres Strait Islander young people, too often our participation and inclusion in the Queensland state is shaped by top-down prescriptive approaches. Our agency is treated as the problem, while charity or development is presented as the solution. Power has been held over us, not shared with us. Decisions are made about our lives without meaningful discussion of the values and motivations that guide such decisions or due consideration for the real and life-long impacts of those decisions on us. These are the well-worn colonial techniques of structural power and governance upon which the rules are set. They predetermine the parameters of our participation and the values upon which we are included.

Yet true power comes when we have a voice in shaping policy, services and the rules that affect our lives. Our participation must not simply be allowed but respected and acted upon. During our conversation with Professor Marcia Langton, she shared what we think is the real essence of power:

The story showed us that real power doesn't come from control or fear, but instead from courage, kindness and belief in others. We know that those who misuse power might rise for a moment, but time washes their names away like footprints in the sand. What stays are the roots they could never see: our voices, our strength and our truth growing through the cracks.

“ I remember writing to Charles Perkins. He had just been in the newspapers for his bus trip with University of Sydney students, which had been called the Freedom Ride. On this trip they challenged racism by desegregating swimming pools and other public places in small rural towns across New South Wales.

He later came to the University of Queensland and met with many of the Aboriginal Elders there in the 1960s. At that time, he was one of the most respected and widely reported Aboriginal advocates in the country.

I was young then and I wrote to him asking what he thought I should do with my life. I had always dreamed of being a scientist, but at school I was told I couldn't continue with science because the teachers assumed that, being Aboriginal, I wasn't capable. That broke my heart.

Charles wrote back a kind and thoughtful letter. He told me I should follow whatever it is I dreamed to do. That simple encouragement stayed with me. It gave me the courage to keep going, even though the path was not easy. I didn't become a scientist but I did become an anthropologist after many struggles climbing the invisible walls of discrimination.

Looking back, I realise that what Charles did was an act of real power. It wasn't loud or forceful; it was power through belief and kindness. Sometimes true power lies in the smallest gestures—writing a letter, giving someone hope or simply affirming that they have the right to be where they are, whether in a classroom, in a profession or even in the world.

Professor Marcia Langton

## Self-determination

The UNDRIP is the fullest conceptualisation of the right to self-determination for Indigenous peoples.<sup>9</sup> During one of our sessions, Uncle Mick Gooda shared with us the framework for self-determination contained within UNDRIP:

- Article 3 – the right to self-determination
- Article 4 – the right to self-government
- Article 18 – the right to participate in decision-making
- Article 19 – the right to free, prior and informed consent
- Article 23 – the right to determine priorities and strategies for development.

While not an exclusive right of Aboriginal and Torres Strait Islander peoples, our histories mean self-determination reflects our aspirations to be in control of our own destinies. Colonisation, dispossession and paternalism here in Queensland have been deployed as historic and contemporary tools to eliminate our identity and exclude us from decision-making. These rights are safeguards to history repeating—to ensure we are on equal terms with others, including the ability to participate fully and effectively in all decisions that affect us and to live free from any form of forced assimilation or destruction of our culture.

To represent our worlds is ultimately something we must do for ourselves using our own processes that express our experiences, realities and understandings. Anything else is an imposed view that excludes the existence of our cultural ways of knowing, being and doing.

“ Self-determination means we have the ability to make decisions and choices about matters that affect us.

Pheonix

“ This [self-determination] is important for maintaining our sense of self. As young people we need self-determination and assistance from adults towards self-determination.

Jaymilee



# Truth and accountability

## Reverberating patterns of structural inequity

Our experiences are not isolated incidents but patterns of structural inequity. Policies, laws and institutions often reproduce hierarchies of race, class and geography that deny us equal participation and outcomes. Recognising these patterns through a human-rights framework shows us that our social and emotional wellbeing is political and not accidental. As we learned about our rights, some of us for the first time, deep concerns raised up in us that the commitments to our wellbeing, culture and self-determination are not being met and that government actions continue to be the source of structural inequity.

The perspectives that follow are about truth-telling. They highlight the urgency of protecting all children's rights, not as abstract principles but as lived realities that shape our safety, identity and opportunities every day.

“*You have a right to be here. A right to be heard. And a right to lead.*”

Summit participant

Being provided this platform for us to gather as young people and build our strength reminds us that we already belong in every room, on every stage and at every table. What emerged from us when given the opportunity was a roadmap that clearly outlined how real safety is about meeting our rights in ways that will set down roots that keep us steady, help us grow and ground us, no matter how far we reach.

## Silencing of youth voice in policy and services

“*Children's voices should be heard and taken seriously.*”

Summit participant

Our experiences sit at the intersection of multiple systems of inequality that include colonisation, racism, ableism, ageism and queerphobia. Our identities are not single stories but overlapping systems of power that must be understood holistically. This reminds us that rights protection

must therefore be holistic, recognising that injustice in one area ripples across all others. One of our strongest messages is the need to stop treating youth voices as a checkbox and political football. Youth voice is not a slogan; it is a right. Under UNCRC Article 12, we have the right to express our views freely in all matters affecting us, and those views must be given due weight, not just noted in passing.

## Systemic failure to implement child rights protections

“*Are these rights for white kids? I'm serious because are these supposed to be our rights?*”

Farani

Many of us expressed disbelief that rights such as those in the UNCRC and UNDRIP existed because we had never experienced them upheld in our lives. Many of us have never been taught about these documents in school, and several questioned whether the rights applied to Indigenous children at all.

“*I haven't seen the UNCRC or UNDRIP before, this is my first time.*”

Summit participant

Human rights education for children is not optional; it's a core obligation. It develops the skills to exercise and defend our rights and the rights of others. As stated in Article 42 of the UNCRC, awareness of rights is the ultimate precondition for our meaningful participation. UNICEF describes human rights education as a three-part process:

- 1. Awareness:** understanding rights
- 2. Capacity:** developing the confidence and knowledge to claim your rights and to respect the rights of others
- 3. Enabling:** creating environments where rights can be realised.<sup>10, 11</sup>

## Lack of culturally safe services, especially in schools

“My school didn’t let us dance on NAIDOC day.”  
Orepa

Our multiple experiences tell of systemic racism in education, including being prevented from celebrating culture during NAIDOC, absence of cultural content in curriculum and teachers silencing our voices.

“There’s no Indigenous culture shown at my school at all.”  
Summit participant

This is inconsistent with Article 29 of the UNCRC, which says that education must develop respect for a child’s cultural identity, language and values, and prepare them to live with dignity, freedom and an understanding of their own and others’ rights.

## Disconnection from culture, language and identity

“This was my first time practicing culture. First time dancing.”  
Kynesha

Some of us are only just beginning to reconnect with our culture—dancing, speaking language or learning our stories for the first time. This shows our resilience and the lasting impacts of settler governments’ assimilative policies and practices that tried to erase our cultures.

“[Aboriginal and or Torres Strait Islander] Language should be taught in all schools, for all kids.”  
Summit participant

While some of us have been able to reconnect, others still grieve the loss of culture because it hasn’t been protected or taught. Keeping culture alive is essential for our identity and wellbeing. Article 30 of the UNCRC, says that Indigenous children have the right to enjoy and express their culture, speak their language and practice their traditions, no matter where they live. As a group, we value the importance of our education. But let us not forget for a moment that education was used as a tool of colonial assimilation aimed at shaping First Nations children to adopt European values and norms while undermining their languages, cultures and traditional knowledge.<sup>12</sup> From this perspective safeguards are necessary and important.

UNESCO’s approach to cultural education for First Nations peoples recognises culture, language and identity as fundamental human rights.<sup>13</sup> It emphasises education as a tool to sustain and revitalise Indigenous knowledge systems, supporting community-led, culturally relevant learning that reflects learners’ culture. Aligned with UNDRIP Articles 13 and 14, this approach promotes Indigenous control over educational systems and intergenerational transmission of knowledge through traditional practices.<sup>14</sup> UNESCO’s frameworks, together with UNICEF’s child-rights perspective, prioritise cultural continuity, dialogue and respect, explicitly countering assimilationist models and fostering dignity, belonging and active participation of Indigenous children.<sup>15</sup>

## Exclusion of LGBTQ+ Indigenous youth

“There’s not a lot of safe spaces for queer Indigenous people, so that’s what I really appreciated here at this summit.”  
Kobi

Our brother boys and sister girls highlighted the lack of safe spaces for queer mob where they can fully be themselves. Systems often erase and harm our identities as queer Indigenous peoples and support must be improved. Article 2 of the UNCRC says that every child has rights without discrimination of any kind, including because of their race, gender identity, sexuality or culture.

## High rates of incarceration and poor access to legal support

“Families can't get their kids back because there are no lawyers who aren't conflicted.”

Jyiah

Some of us have experienced both personal and family involvement in the justice system. Those of us from Cape York note the legal conflicts of interest that often leave us or our families without representation.

“All the men in my family line have been incarcerated.”

Summit participant

Our rights must be upheld even when we have made mistakes or done the wrong thing. UNCRC Article 40 says that even when children come into contact with the law, they still have the right to fair treatment, legal support and a chance to turn things around.

## Barriers to healthcare, housing and basic survival

“If kids have a right to a standard of living, their parents need to be given the tools to provide it.”

Summit participant

Our survival is testament to our strength but we should not have to struggle to thrive. There is so much urgency about the everyday barriers some of us face, not just in policy or theory but in our actual lives. Access to clean water, safe and stable housing, and healthcare, including mental health and culturally safe care, are non-negotiable rights that are too often out of reach. Under Article 4 of the UNCRC, governments have an immediate obligation to take all appropriate measures (legislative, administrative and budgetary) to realise these rights. These are the foundation, or basic conditions, needed for any child to live with dignity, safety and connection. Let us be clear, these are not just individual struggles; they are systemic failures.

“We (in Cape York and Torres Strait) feel like we are on the outskirts of Australia. We are forgotten and don't get attention or resources.”

Elma

Some of our Mob from northern, smaller and remote communities feel forgotten by the systems that are meant to protect us. Our services are underfunded, emergency help arrives slowly (if at all) and our opportunities often require us to leave Country, community and cultural support networks behind. Just to pursue basic education or specialist healthcare, we have to move away from family and culture, often at a young age. The emotional toll of this disconnection, grief and isolation is unimaginable for most. In addition, many of us experience a lack of culturally appropriate services, made worse by the constant turnover of staff and the gaps in things like disability support, youth housing and trauma-informed care. These are not just service gaps, but rights violations. Our right to survive and thrive cannot depend on our postcode (UNCRC Article 6). Article 24 gives us the right to the highest standard of health, including mental health and culturally safe care. Article 27 says all children have the right to a standard of living that supports their health, development and wellbeing.

## Climate change

For those of us from the Zenadth Kes Peoples (Torres Strait Islanders), our rights are not just connected to land but to the seas, reefs and winds that sustain us. Our futures depend on the survival of our islands and the recognition of ecological sovereignty across the Straits. For our communities, the impact of rising sea levels threatens our homes and way of life (*International Covenant on Civil and Political Rights* Article 17)<sup>16</sup> as well as our ancestral burial grounds and sacred sites (Article 27). These are not only environmental causes of social issues but human rights violations against our right to culture, identity and self-determination. The UN Human Rights Committee has highlighted the obligations of state parties to respect and ensure the right to life by protecting the environment and cooperating on environmental matters in line with international environmental law.<sup>17, 18</sup>

## ***Uphold our rights: Recommendations***

**If the Queensland Government is truly committed to safer communities, then they must not only listen to us but act upon our most pressing issues. The following section outlines the actions we think adults must take to fully realise the rights of children and young people in Queensland.**

**Call to action:** *We do not want a seat at your table. We are building our own and we call on governments to join us there, ready to engage with mutual respect, courage, ethical integrity and accountability.*

### **Justice reform and legal support**

- Expand our access to high quality legal representation in remote communities.
- Stop criminalising children for trauma-based behaviours. Support and enable culturally safe and trauma-informed support and healing.
- Stop criminalising vulnerability and punishing disadvantage that is perpetuated by a failure to ensure equitable access to universal supports and equal protection of human rights.
- Uphold the UN Standard Minimum Rules for the Administration of Juvenile Justice<sup>19</sup> and the UN Guidelines for the Prevention of Juvenile Delinquency,<sup>20</sup> which encourage restorative justice principles, promoting reintegration and diversion from punitive systems.
- Support and enable self-determination through funding and prioritising community-led kinship care models and culturally safe family support over child removal and punitive approaches (UNCRC Article 5).
- Enable and ensure safe and child friendly complaints processes (UNCRC Article 37 – Right to appeal unfair treatment).

### **Education and awareness**

- Embed the UNCRC and UNDRIP into school curricula across all year levels.
- Introduce truth-telling, cultural knowledge and First Nations languages in mainstream education.
- Train school staff in anti-racism and cultural safety.
- Guarantee consistent and high-quality education to all, especially those in remote communities.

### **Health and housing**

- Guarantee access to clean water, housing and food security in all communities.
- Expand NDIS support, culturally safe mental health services and youth-specific clinics.
- Support and enable culturally grounded birthing, parenting and community care initiatives.
- Create LGBTQ+ inclusive, culturally safe youth centres, advocacy hubs and healing spaces.
- Empower and support culturally grounded healing centres that revitalise and preserve our cultural continuity.

### **Representation and voice**

- Establish an Accord to require the direct participation of children and young people across all levels of government and by organisations funded by government.
- Include the participation of young people in government procurement and as representatives on government boards.
- Invest in peer-to-peer advocacy training, mentoring and facilitation.



# Making children's rights real

## UNCRC overview

Article 4 states that governments need to do everything in their power to ensure the rights of children and young people are realised in practice. Governments are responsible for ensuring that children and young people know their rights and that adults understand how to respect these rights (Article 42). These rights apply to all children equally. No child should face discrimination for any reason, including race, gender, language, religion, disability, background or family situation (Article 2). When adults make decisions that affect children, they must think carefully about how those decisions will impact children's lives (Article 3). Together, these articles are the foundation for measuring government accountability for the realisation of children's rights.

### Data snapshot

**Table 1.** Percentage of Australian youth (15–19 years) who say they experienced discrimination

Experienced unfair treatment or discrimination	2021	2022	2023	2024
<b>Total</b>	<b>35.4</b>	<b>28.4</b>	<b>24.2</b>	<b>29.4</b>
- Due to race/cultural background	<b>22.7</b>	<b>29.4</b>	<b>36.5</b>	<b>36.2</b>
- Due to disability	<b>7.7</b>	<b>9.0</b>	<b>9.3</b>	<b>11.2</b>
- Due to gender	<b>35.1</b>	<b>34.8</b>	<b>26.4</b>	<b>23.8</b>

Source: Mission Australia Youth Surveys 2021 to 2024

Over the past four years, the proportion of young Australians reporting discrimination has remained high, with race/cultural background now the leading cause of unfair treatment. Based on this data, experiences of disability-based discrimination are rising, while gender-based discrimination has declined but remains substantial. These trends point to ongoing inequities in young people's experiences of inclusion and fairness. The persistence and, in some cases, growth of discrimination underscore the need for sustained, system-level measures that address bias, strengthen accountability, and promote equitable treatment.

## Human rights legislation

Queensland continues to be one of the few Australian jurisdictions with standalone human rights legislation. The Human Rights Act protects 23 civil, political and select economic rights, many of which align with the UNCRC. These include explicit protections for children, such as the right to special protection in their best interests (section 26(2)) and broader safeguards around family life, education, privacy and equality before the law. Despite this foundation, recent developments in Queensland's legislative and policy framework raise concerns about the strength and fragility of human rights protections for children and young people. This especially the case for those most at risk of harm, exclusion, or discrimination and First Nations peoples.

In early 2024, an independent statutory review of the Human Rights Act made 70 recommendations. These included expanding the scope of protected rights to include housing and environmental rights, removing override provisions that permit legislation that breaches human rights, and enhancing enforcement mechanisms. In its formal response tabled in Parliament on 26 March 2025, the Queensland Government affirmed its decision not to implement the Report's recommendations. It stated that the recommendations 'do not have regard to the government's positive agenda on victims' rights,' and noted that 'significant enhancements to victims' rights have already been legislated in the *Making Queensland Safer Act 2024*.' According to the former Human Rights Commissioner, the government's decision undermines the potential of the Human Rights Act to evolve with contemporary needs and contradicts the Human Rights Act's stated objective to foster a culture of human rights.<sup>21</sup>

The Office of the High Commissioner of Human Rights (OHCHR) and the Committee on the Rights of the Child (CRC) affirm that victims' rights are part of, not separate from, universal human rights protections. Both bodies emphasise that governments must uphold the indivisibility and universality of rights, meaning that advancing justice for victims cannot come at the expense of others' rights, including those of children. By treating victims' rights as an alternative to broader human rights obligations, Queensland risks contravening the non-retrogression principle<sup>b</sup> that once a government has extended rights or protections, it cannot reduce those rights.

This tension is evident in the continued use of override clauses within the Human Rights Act, which allow the government to enact laws that expressly displace human rights obligations. These have been used to pass youth justice laws that disproportionately impact children and young people, including the expansion of powers to detain children and young people in adult watch-houses and criminalise breach of bail conditions.<sup>22</sup> Such measures violate Queensland's obligations under both domestic and international law. The use of override provisions not only affects the immediate rights of children and young people but also sets a precedent for erosion of broader human rights protections.<sup>23</sup>

In 2022, following a review of the *Anti-Discrimination Act 1991* (Qld), the Queensland Human Rights Commission (QHRC) released the *Building Belonging* report, which recommended modernising the law to prioritise equality and prevent discrimination more effectively.<sup>24</sup> The Queensland Government at the time committed in principle to all 122 recommendations, including the creation of a new anti-discrimination Act with stronger protections against sexual harassment and discrimination.<sup>25</sup> Implementation has since been delayed with no new timeline announced.<sup>26, 27</sup>

A significant backwards step in Queensland human rights was the repeal of the *Path to Treaty Act 2023* and the disbandment of the Truth-telling and Healing Inquiry.<sup>28</sup> These initiatives had marked a historic step toward examining the impacts of colonial practices and systems on First Nations peoples through formal processes of truth-telling and shared decision-making. Their repeal in late 2024 represents a significant regression in Queensland's commitment to the rights, wellbeing and cultural safety of Aboriginal and Torres Strait Islander children and young people.

Truth-telling is not simply about the past, it is essential for creating the cultural safety, healing and institutional accountability needed for Aboriginal and Torres Strait Islander children and young people to develop a strong identity free from systemic harm. The OATSICC continues to urge the Queensland Government to reinstate the Path to Treaty Act and Truth Telling Inquiry, and a renewed focus on healing and partnership as a foundation for the realisation of children's rights.

<sup>b</sup> The principle of non-retrogression is a core concept in international human rights law, used by the OHCHR, UN treaty bodies and the Committee on the Rights of the Child.

The Australian Parliament is currently considering the introduction of a federal Human Rights Act, following an inquiry by the Parliamentary Joint Committee on Human Rights.<sup>29</sup> The lack of a national framework has been consistently highlighted by UN Treaty bodies, including concerns about Australia's failure to adequately incorporate international treaties such as the UNCRC into domestic law. A federal Human Rights Act would operationalise Australia's obligations under Articles 4 and 41 of the UNCRC and General

Comment No. 5, requiring legislative incorporation and accessible remedies for children whose rights are breached. It would also address the current inequity where children's protections vary across jurisdictions, ensuring consistent and enforceable minimum standards nationally.



## Awareness of child rights

Ensuring that both rights holders (children and young people) and primary duty bearers (governments) understand children's rights is fundamental to realising those rights in practice.<sup>30</sup> The CRC has recommended that governments strengthen their activities to raise awareness of the UNCRC, including by engaging the media and involving children in public outreach activities. The committee also recommended mandatory modules on human rights and the UNCRC in school curriculum and training programs for all professionals working with (or for) children. This includes law enforcement officials, teachers, health workers, social workers and people working in childcare, as well as state and local government officials.<sup>31</sup> General Comment No.5 explains that awareness raising is not optional, but a core measure of implementation under Article 4.

In Queensland, efforts to promote child rights awareness remain fragmented without a coordinated, funded framework. Strengthening awareness could help government view children's rights as a critical element of good governance that supports better policy for all Queenslanders. The *Blueprint: A Children's Plan for Queensland*, developed by the OATSICC, calls for a whole-of-government framework across systems that affect children. It identifies rights education and awareness as foundational measures to be embedded in any future plan. Under Queensland's new *Child Safe Organisations Act 2024*, Standard 2 states that children and young people must know about their rights, be involved in decisions that affect them, and be listened to and taken seriously. It is based on the idea from

Articles 12 and 19 of the UNCRC that being safe and being heard go hand in hand. Children and young people's participation isn't supplementary but is a central part of keeping them safe.

Greater awareness of rights strengthens child protection by ensuring that children and young people can recognise, articulate and seek remedy for breaches. To meet the new standard, organisations are expected to take practical steps to embed rights education and awareness into everyday practice. Children and young people must be supported in ways that are age-appropriate, culturally responsive and inclusive of all needs and abilities. This includes providing accessible, child-friendly information about rights using formats such as posters, videos, booklets and digital media. Organisations should also regularly seek and act on children and young people's feedback, and ensure all staff are trained to listen to and support their participation.<sup>32</sup>

In consultations we heard that children and young people often do not receive easy to understand information about their rights, and their ideas or feedback are not always acted upon. Many professionals' also report uncertainty about how to apply participatory approaches in complex or risk-managed environments, underscoring the need for structured rights education and workforce capability building.<sup>33</sup>

“ I feel like everybody has a different learning style. I feel like some people need it written down on a piece of paper, stuck up on a wall. Others just thinking of someone to sit down and say, hey, this is what you can do if you're feeling this way. I believe it's different for everyone, but I feel like maybe having it displayed in the homes or just somewhere where it can be visually accessed would be good.

19 years, female

“ Have it on paperwork and explain it to them when they first move in.

18 years, male

“ First of all, not going to the carers would be great, but also asking maybe what if we - I don't know - because not everyone knows, I get that, but asking what we want as an outcome and actually following through would be good.

20 years, female

## Community perceptions of child rights

Each year, we survey adults across Queensland to understand their views on the child protection and family support system. Of 3641 adults surveyed in 2025, 56 per cent agreed that the Queensland Government prioritises the safety and wellbeing of children and young people (31 per cent disagreed). However, perceptions varied across systems. Over half of respondents believed the health system (57 per cent), disability services system (53 per cent), and child protection and family support system (51 per cent) listen to, and value, the views of children and young people. Half of respondents (50 per cent) believed that the education system values children's voices, while slightly fewer (47 per cent) said the same about the mental health system. Only 41 per cent of respondents agreed that the youth justice system values children's views, and 34 per cent said the same about the public housing system.<sup>34</sup>

## Frontline perceptions of child rights

In 2025, we surveyed 205 frontline workers from government and non-government organisations in the child protection and youth justice systems. Total agreement (agreed or strongly agreed) for all statements related to upholding children's rights were significantly lower than reported in 2024 (Table 2).<sup>35</sup>

**Table 2.** Percentage of child protection and family support frontline workers surveyed who believed children's rights are upheld within their organisations

Indicator	2022	2023	2024	2025
Within my organisation children and young people are not discriminated against	86	75	76	60
Within my organisation the views of children and young people are listened to and valued	79	70	75	59
Within my organisation decisions are made in children's and young people's best interests	83	74	77	57
Within my organisation children are supported to survive and develop in the best way possible	85	75	80	54

Source: Queensland Family and Child Commission, Workforce Survey report 2025

Note: Survey items are aligned to the four guiding principles of the UNCRC.

# Complaints

It is important that government and non-government agencies take steps to ensure that children and young people are empowered to speak up when they have a problem, concern or complaint. They also need access to a range of supportive adults who can help them navigate these situations. The UNCRC has emphasised that access to justice for children and young people should include non-judicial, administrative or complaint mechanisms that are child friendly, responsive, accessible and fair. The committee highlights that governments must provide age appropriate information, support and guidance so children and young people understand and can use complaint or redress pathways. It calls for processes that reflect children's evolving capacities and guarantee their participation in decisions about how remedies are handled.<sup>36</sup> It further emphasises that effective remedies must address both individual violations and systemic failings. For Queensland, this means ensuring that complaint pathways do more than resolve individual matters, they must generate learning, drive systemic reform and strengthen accountability across the services that shape children's lives.

## Queensland Child Safe Standards

A major reform in Queensland was the introduction of the *Child Safe Organisations Act 2024*, under which businesses and organisations that work with children (up to 17 years) must adopt the 10 Child Safe Standards from 1 October 2025 (consistent with UNCRC Articles 12, 19 and 39). Standard 6 requires organisations to support children to be heard, seek help and obtain remedy, which may include having:<sup>37</sup>

- clearly documented complaint handling policies that are accessible and child friendly, specifying responsibilities and escalation pathways
- mechanisms that are trauma informed, respectful, timely and transparent, centred on the child's wellbeing
- multiple modes to lodge complaints (verbal, written, digital, in languages or via interpreters), and support persons or advocates
- systems to monitor, analyse and learn from complaint trends and drive systemic improvement
- cultural safety measures, for example involving trusted persons or Elders when First Nations children and young people raise complaints.

The complaints process in Queensland for services involving children and young people currently operates across three broad levels:

1. internal mechanisms within agencies and service providers
2. external oversight and advocacy bodies, for example the Queensland Human Rights Commission (QHRC), Queensland Ombudsman and the Office of the Public Guardian (OPG)
3. judicial or tribunal review routes, for example the Queensland Civil and Administrative Tribunal (QCAT) and the Children's Court.

By requiring organisations to analyse and learn from complaint trends, Standard 6 reframes complaints as a mechanism for system learning rather than merely individual redress. However, access to these mechanisms is still uneven, especially for First Nations children and young people and those in care or detention, living in remote areas, and living with disability.

## Internal complaint mechanisms

In Queensland, every department or service provider is expected to maintain a complaints or feedback process. Under the new Child Safe Standards, these processes must be accessible and understandable by children and young people. This includes the use of simplified forms, multiple modes of contact, the option of support persons and plain language materials. Ensuring accessible complaint mechanisms is central to fulfilling Articles 2, 12, 19 and 39 of the UNCRC, which require governments to provide avenues for participation, protection and redress. For First Nations children and young people, this also engages Articles 18 and 19 of UNDRIP affirming their right to participate in decisions through culturally legitimate processes. However, data shows that internal complaints are often not recorded and disaggregated data is lacking. Many departments do not classify complainants by age, disability, cultural background or geographic location. Without this detail, it is difficult to assess how effectively children and young people are using complaints processes, whether certain groups are under-represented and where specific barriers exist.

In the OATSICC's oversight role, we continue to identify significant barriers that prevent children and young people from making complaints.<sup>38</sup> For children and young people who do not have stable guardians or legal literacy, the requirement to first complain internally (before accessing external review)

may be a barrier or deterrent. Requiring children to exhaust internal complaints before approaching an independent body creates procedural barriers that delay access to justice and conflict with the principle that remedies must be prompt, effective and independent.<sup>39, 40</sup> In some cases, departments lack training, resources or cultural competency to meaningfully respond to complaints from vulnerable children and young people. In sectors with significant power imbalances, such as out of home care and youth detention, internal complaints systems may lack independence or sufficient separation from service delivery functions to give children and young people confidence that they will be taken seriously.

Under Delegated Authority arrangements, families with concerns about how decisions are being made (for example, where a child is placed or how cultural connections are being maintained) may raise concerns with the Aboriginal and Torres Strait Islander entity involved in the case. These are often classified as 'issues' or 'first attempts at resolution' rather than formal complaints. While this approach may be designed to encourage early and informal resolution, it often results in no formal record of the concern, how it was handled or whether it was resolved appropriately. This lack of documentation means there is no accountability when breaches of the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) occur. By failing to capture or review these matters formally, the system masks breaches of the ATSICPP and allows recurring structural failures to persist without scrutiny.

**Table 3.** Number of complaints relating to human rights and the Charter of Victims' Rights received by departments (2024–25)

Department	Complaint type	
	Human rights	Charter of Victims' Rights
Department of Families, Seniors, Disability Services and Child Safety	22	0
Department of Youth Justice and Victim Support	117	3
Education Queensland	1880	0

Source: Respective department annual reports 2024–25

Table 3 shows major variation in recorded human rights complaints in departmental annual reports (2024–25), with 1880 lodged in education, compared

with only 117 in youth justice and 22 in child safety. Very few complaints were made under the Charter of Victims' Rights. This disparity could suggest inconsistent implementation of human rights obligations and limited accessibility of complaint pathways.

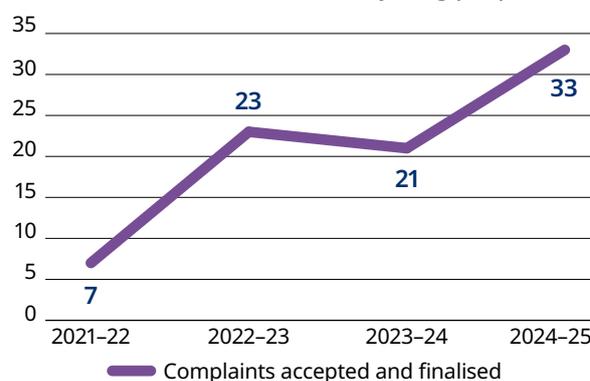
## External oversight, advocacy and investigative bodies

When internal mechanisms fail or are inappropriate, children and young people can turn to external oversight bodies. Together, they form part of Queensland's child rights infrastructure, playing a critical role in accountability and systemic scrutiny (consistent with Articles 4, 12 and 39 of the UNCRC, which require governments to establish accessible, independent and effective accountability mechanisms).

### Queensland Human Rights Commission

The Queensland Human Rights Commission (QHRC) handles complaints under the *Anti-Discrimination Act 1991* and breaches of the Human Rights Act (some complaints involve both). In 2024–25, the QHRC accepted and finalised 33 complaints from, or on behalf of, children or young people (an increase from seven in 2021–22) (Figure 1). In relation to complaints that raised human rights specific to children (whether or not made by children), the QHRC accepted and finalised 31 complaints related to the protection of families and children, 28 related to the right to education and two related to the protection of children in the criminal process. For sectors most likely to be working with children and young people, the QHRC accepted and finalised five complaints about child safety and 35 complaints about public education.<sup>41</sup>

**Figure 1.** Number of complaints to the Queensland Human Rights Commission accepted and finalised from, or on behalf of, children or young people



Source: Queensland Human Rights Commission annual reports

The QHRC receives few complaints directly from children and young people each year. The overall figures remain extremely low compared with the amount of state interaction with children. This suggests that many children and families are either unaware of, or unable to access, formal human-rights complaint pathways, a finding consistent with international concerns about children's limited access to administrative justice. The QHRC continues to play a key role as a human rights advocate in social policy matters. This includes promoting child safety, addressing the detention of children and young people in police watch-houses, and highlighting concerns about their treatment in the criminal justice system.

### Queensland Ombudsman

Under the *Ombudsman Act 2001*, the Queensland Ombudsman investigates complaints about the actions and decisions of Queensland state government departments, local councils, public universities and government authorities. The Ombudsman does not record ages of complainants; however, their annual report does list the number of complaints received by government departments most likely to be working with children and young people. Providing disaggregated data (such as age, location, sex, First Nations status, disability and cultural background) would improve transparency and system accountability.

In 2024–25, the Ombudsman received 25 complaints about the Department of Youth Justice and Victim Support<sup>c</sup> and 647 complaints about the Department of Families, Seniors, Disability Services and Child Safety.<sup>d</sup> The Ombudsman received a further 343 complaints about Education Queensland. The absence of age-disaggregated data represents a significant limitation on transparency. Without knowing whether children are accessing the Ombudsman themselves, it is impossible to assess whether this pathway provides genuine access to remedy for young people.

### Office of the Public Guardian

The OPG serves as an independent statutory advocate for children and young people, upholding their rights and ensuring their voices influence decisions made about their lives. Community visitors are appointed under the *Public Guardian Act 2014*, providing them with a level of independence from government when performing specific visiting functions under the Human Rights Act. Community visitors inspect and report on the appropriateness of accommodation

in visitable homes (such as kinship and foster care homes) and visitable sites (such as residential care facilities, youth detention centres, authorised mental health services and disability services). They advocate on issues or complaints affecting the rights of children and young people and monitor these matters to ensure they are resolved in a timely manner.

In 2023–24, OPG conducted 18,741 visits to children and young people at visitable locations and raised 15,122 issues on their behalf (Table 5).<sup>42</sup> Of those, nearly half (7266) were raised by, or on behalf of, First Nations children. These translated into just 57 formal complaints.<sup>43</sup> The wide gap between issues raised and formal complaints points to a reliance on informal resolution, which may resolve immediate concerns but limits the visibility of systemic patterns and undermines accountability for recurring breaches of children's rights. The disproportionate number of First Nations issues highlights persistent structural inequality in care and detention systems, reinforcing the need for culturally led oversight and prevention.

**Table 4.** Main issues raised to the Office of the Public Guardian on behalf of children and young people (2023–24)

Main issue	Percentage of all issues raised
Issues associated with the risk of children or young people entering youth detention	15
Contact arrangements of the child or young person (e.g. contact with their family or other significant people)	13
Issues associated with youth detention centres	12
Placement of the child or young person in the child protection system	11
Transition from care	10
Health needs of the child or young person	8

Source: The Office of the Public Guardian Annual Report 2023–24

<sup>c</sup> Following machinery of government changes within the year, these numbers combine the Department of Youth Justice and Victim Support, and the Department of Youth Justice.

<sup>d</sup> Following machinery of government changes within the year, these numbers combine the Department of Families, Seniors, Disability Services and Child Safety, and Department of Child Safety, Seniors and Disability Services.

In 2023–24, OPG made 1225 visits to Queensland's three youth detention centres. Community visitors raised 1943 issues on behalf of children and young people, a 33 per cent increase from the previous year. Concerns related to behaviour management and security (25 per cent), transitions back into the community (16 per cent), risks posed by other detainees (15 per cent), access to programs and services (15 per cent) and living conditions (9 per cent). Eight formal complaints were lodged regarding youth detention. The OPG remains particularly concerned about the use of separation of children, including extended periods of isolation, due to staff shortages.

The OPG also conducted 1081 visits to children and young people in watch-houses, seeing 604 individual children and young people (increases of 17 per cent and 4 per cent respectively from the previous year). A total of 2254 issues were raised (up 76 per cent) mainly due to a rise in the number of children and young people held and the length of their stays. The most common issues included excessive time in detention, lack of access to essential services (for example, health, legal or mental health support), overcrowding and staff conduct. Ninety formal complaints were made to oversight agencies. Increasing detention numbers were linked to rising allegations of police misconduct and declining mental health outcomes, including self-harm and suicidal ideation.

Under the *Public Guardian Act 2014*, child advocates provided individual advocacy for 453 children and young people (including 100 First Nations children) in 2023–24. In total, child advocates participated in 1195 court and tribunal matters and 351 meetings. These included court-ordered conferences (36 per cent), family group meetings (36 per cent), and stakeholder meetings (26 per cent) involving carers, service providers and government staff. Advocates play a critical role in ensuring children's voices are heard in decisions that affect their lives, especially when they are not present.<sup>44</sup>

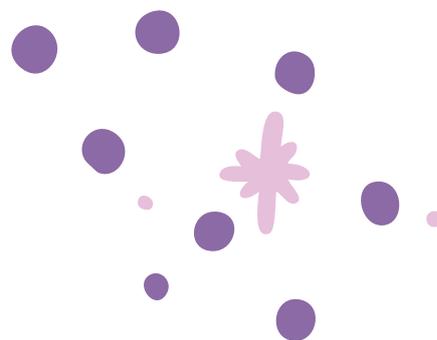
Taken together, data from the QHRC, Queensland Ombudsman and OPG reveal that while Queensland has a broad oversight architecture, it remains under-utilised by children and young people. Barriers include limited awareness, procedural complexity, fear of reprisal and reliance on informal resolution mechanisms. To meet obligations under Articles 4 and 39 of the UNCRC, Queensland must strengthen child-specific access to remedy, mandate

consistent age-disaggregated reporting, and embed systemic learning from complaints into government performance and accountability frameworks. Consideration should also be given to developing a simplified or 'one-door' entry point for children's complaints—a clear, accessible pathway to high-quality service that connects existing oversight bodies and ensures that no child is turned away or redirected between agencies.

## Judicial or tribunal review

In some cases, decisions affecting children may be subject to judicial or tribunal review. For example, students from a Cairns high school who experienced racism took their concerns to QCAT,<sup>45</sup> highlighting how young people can use formal legal avenues to challenge administrative decisions and seek accountability. Access to judicial or tribunal review forms part of Queensland's obligations under Articles 4, 12, 37 and 40 of the UNCRC, which require that children can challenge decisions that affect them and obtain fair and timely remedies.

In other contexts, such as child protection or youth justice, children or their representatives may turn to the Children's Court to contest decisions about removal, detention or care arrangements. While these processes provide critical safeguards, they often require legal representation and familiarity with procedural rules. They can also be intimidating or distressing for children and young people. Embedding child-specific legal supports, independent advocacy and trauma-informed court processes would help ensure these safeguards are accessible, not just theoretical.



## Voices of young people

In 2025, the OATSICC conducted consultations with young people who have lived or living experience in the child protection and youth justice systems. Several key themes emerged regarding young people's experiences with complaints processes and their awareness of rights. A recurring issue highlighted by participants was a lack of awareness about their rights and the complaints system. Many young people reported that they did not know what a complaint was or how to make one:

“ I think a big thing was for me I didn't know who I was going to report it to.

Female, 19 years, child protection

“ I had no idea that what was happening was wrong, and if I were to know that I was able to complain, I would have had no idea who to even talk to about that. There was just no resources for young people when they were feeling that way.

Female, 19 years, child protection

“ No. I don't even know what's my rights in here. Only that I have a right to have food and water and have a TV. That's all I know.

Male, 17 years, youth justice

Several young people suggested that information should be made clear and accessible upon entry to a placement:

“ Have it on paperwork and explain it to them when they first move in.

Male, 18 years, child protection

“ Because they don't like young people making complaints... Have it written down. Have it – have complaint stuff...like a brochure for young people when they first go into the house. This is how you make a complaint. This is what you do.

Female, 23 years, child protection

Young people in detention said they were aware of the formal complaints process because of either a community visitor or detention centre staff:

“ There's officers they come around and see you like after an incident and ask you if you want to make a complaint and that.

Male, 17 years, youth justice

“ Yeah, they ask us if we want to make a complaint or something, and you say yes – and I don't know what happens there, but I always say no.

Male, 17 years, youth justice

“ Because I've had someone that always comes in every time you get a new admission [community visitor].

Male, 16 years, youth justice

“ Yeah. Plenty of times. Just for thing – one reason, when I went to this little [unclear] meeting, all – you've got to talk to the unit managers of [detention centre]. I asked him for a change and this, that... I'll stand up. Youse aren't even – I talk [to you] but youse aren't even doing anything. If you – can you just try and push for this, push for that.

Male, youth justice

Several young people in detention centres mentioned that they used a 'red box' to submit complaints:

“ Some kids think it's a joke but at the same [time] some kids fear for their life in here use it often.

Male, 17 years, youth justice

“ The red box, sometimes we use that for staff, when they... if they were to do something wrong, we'd inbox them... what's that word called... if they were to do something like horrible, terrible things, we'd inbox them. If the food is wrong, we'd inbox them because sometimes we find yucky stuff in our dinner and it's disgusting.

Female, 16 years, youth justice

Fear of retribution and negative consequences was another significant barrier, particularly for young people in watch-houses. Young people expressed concern that complaints could worsen their situation or lead to reprisals from carers or staff. One young person explained:

“Probably not because I just would've thought that it would've made my life worse... Some of the people that were doing it were like the head of Child Safety and if I was to go do that... they'd stuffed my whole trust and everything up.

Male, 20 years, child protection

“I don't know if he's an officer or he's a watch-house worker, but, yeah, I'm not the only one who has made - I've made about two - I think two or three complaints about him... Nothing gets done, just apparently stays on my record, some - yeah, I'm not too sure. They don't really do much about it, it seems like.

Male, youth justice

Others reported experiences of inadequate handling of complaints:

“Yes, I did and then they just literally called my carer but she was the person I complained about... then that was literally it. That was the end of that.

Female, 20 years, child protection

Young people also described the lack of support in navigating the complaints process. Many needed help to articulate concerns, complete forms or understand outcomes, but this support was not consistently available.

“Yeah, and I also had, remember a CV?... Yeah, and she even put complaints in for me... Yeah, and then she would let me know what the outcome was because Child Safety, of course, won't tell you the outcome.

Female, 24 years, child protection

Others described long delays or inadequate responses:

“I called and emailed them... it didn't take until, I think, a week later until I got a phone call back from them... It shouldn't take me this long to get a hold of you for an incident that has happened in the home, and my safety is jeopardised.

Female, 23 years, child protection

“They came in this morning [unclear]. Yeah, but I've made complaints about it. She hasn't done anything about it. I've made complaints about the same person. Didn't do nothing. That's why I haven't made any complaints about any of the police and stuff. There's not really much of a point.

Male, 16 years, youth justice

“Yeah, but it would take a long process... but I've never made a complaint, so I'm not so sure, but just with the number of people here, there'd be a lot of complaints a week, it would take a long time.

Female, 16 years, youth justice

Young people frequently felt disempowered, noting that their concerns were often dismissed or not treated seriously:

“All the workers - get the workers to tell you, this is how you make a complaint... because every time I made a complaint, they didn't like it. I'm like, well, if you don't like me making complaints, then stop this stuff, stop what you're doing then.

Female, 23 years, child protection

“I had a lot to complain about, but I don't think I ever made a complaint... Either way, I feel like I would make a complaint if they weren't so useless... nothing would have happened, so I think I just didn't bother with it.

Female, 18 years, child protection

The consultations revealed systemic barriers that limit children and young people's access to effective complaints mechanisms. Consistent themes of limited knowledge, fear, inadequate support, poor feedback and disempowerment highlight the need for proactive measures to ensure that complaints systems are accessible, responsive and safe.

## Cultural rights

Article 30 of the UNCRC affirms the right of First Nations children and young people to enjoy their culture, practice their religion and use their language. This article exists to ensure that children and young people from minority and Indigenous backgrounds are not overlooked by decision-makers and are protected from policies or practices that may cause harm to their cultural identity and development. The committee's General Comment No. 11 provides further guidance on how Article 30 and other articles apply to Indigenous children and young people. It recognises that cultural identity is fundamental to the wellbeing of First Nations children and young people, and efforts to support their rights must be grounded in respect for their collective traditions and knowledge systems (see the *Spotlight* chapter for young people's perspectives).<sup>46</sup>

The *National Agreement on Closing the Gap* represents a shared commitment to improving life outcomes for First Nations peoples, including children and young people. Its benefits would also enrich the lives of all Queenslanders and Australians. The agreement includes specific targets across health, education, housing, justice and child protection, with a strong emphasis on reducing structural inequality and empowering community-led solutions. It acknowledges the need for systemic change to ensure that children and young people grow up safe, connected to culture and able to thrive.<sup>47</sup> The agreement aligns closely with both the UNCRC and UNDRIP, which affirms Indigenous peoples' rights to self-determination, cultural identity, language, education, health and land. It also requires governments to obtain the free, prior and informed consent of Indigenous peoples before implementing measures that affect them and their lands.

In Queensland, the cultural rights of Aboriginal and Torres Strait Islander peoples are given explicit recognition under the Human Rights Act. It acknowledges the unique significance of human rights for Aboriginal peoples and Torres Strait Islander peoples, and section 28 affirms their right to enjoy and maintain their culture, language, kinship ties and connection to land and waters. These rights draw on key provisions of UNDRIP, Article 30 of the UNCRC, and Article 27 of the *International Covenant on Civil and Political Rights*. These instruments and agreements call for governments to move beyond symbolic recognition and take practical, structural action to ensure that First Nations children and young people are safe, supported, and able to grow up proud in their identity and culture.

### Traditional adoption

A significant advancement in recognising the rights of Aboriginal and Torres Strait Islander children in Queensland is the implementation of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*. This landmark legislation was the first in Queensland to legally recognise Torres Strait Islander traditional child rearing practice. It came into effect in 2020, bringing Indigenous languages and customary lore into state law for the first time.<sup>48</sup> It is a model for embedding self-determination and cultural authority in human rights policy. This framework supports children's rights to family, culture and identity, and is directly aligned with *Closing the Gap* targets. It provides legally recognised identity documents for children, which improves access to vital services such as education, healthcare, housing and social supports. It also enables culturally recognised parents to access government entitlements, including childcare subsidies, parenting payments and workforce supports which reduces social and economic barriers for families practising traditional child rearing.

As of June 2025, more than 100 Cultural Recognition Orders have been made, formally acknowledging cultural adoption arrangements and ensuring children's identities and family relationships are respected within both Island custom and Queensland law.<sup>49</sup> In 2025, the Queensland Government extended funding for the scheme, and the reappointment of the Commissioner, reflecting an ongoing commitment to culturally safe practices and community leadership.

From a child-rights perspective, the legislation also provides a restorative pathway for families historically denied legal recognition of Island custom, contributing to intergenerational healing. Future evaluations should examine how children's voices are included in recognition processes, consistent with Article 12 of the UNCRC, and ensure equitable access for families across Torres Strait and mainland communities. Public reporting on outcomes would further strengthen transparency and accountability for the realisation of children's cultural and identity rights.

## Aboriginal and Torres Strait Islander languages

Aboriginal and Torres Strait Islander languages are integral to First Nation peoples' cultural heritage, identities, knowledge systems and traditions. The preservation and revitalisation of these languages are crucial for recognising and exercising First Nation peoples' rights. Language is also a human right under international law, including Article 30 of the UNCRC and UNDRIP. The loss of Indigenous languages can create significant barriers to accessing education, justice and health services, and undermine children and young people's participation in community life. Language revitalisation supports intergenerational connection, strengthens cultural safety and advances reconciliation. UNESCO's International Decade of Indigenous Languages (2022–2032) highlights that sustaining Indigenous languages requires investment in early learning, schooling and youth-led initiatives that make language transmission part of everyday life.<sup>50</sup>

Out of 819 Queensland state schools that teach a language, only 14 schools offered an Aboriginal or Torres Strait Islander language in 2024 (1.7 per cent), including just three schools in metropolitan regions.<sup>51</sup>

Target 16 of The *National Agreement on Closing the Gap* calls for a sustained increase in the number and strength of Aboriginal and Torres Strait Islander languages being spoken by 2031.<sup>52</sup> The most recent Queensland data (the 2021 Census) indicated that eight per cent of Aboriginal and Torres Strait Islander people spoke an Indigenous language.<sup>53</sup> As there is no new data since our baseline report, progress towards Target 16 cannot be assessed. Without regular, reliable and culturally informed data collection, it is impossible to hold governments to account.

## Queensland Government actions

Since 2021, the Queensland Government has taken action to support the preservation and revitalisation of Aboriginal and Torres Strait Islander languages. *Many Voices: Queensland Aboriginal and Torres Strait Islander Languages Policy* and the associated *2023–2025 Action Plan*, outline a whole-of-government approach to strengthen, acknowledge, maintain and increase access to First Nations languages.<sup>54</sup> In October 2023, the Government launched the updated action plan alongside a 'traffic light' report on progress of 40 identified actions. Key initiatives include the Indigenous Languages Grants Program, which provides funding to community-led projects focused on language documentation, resource creation, bilingual signage, workshops and intergenerational transmission. In 2025, over \$270,000 was distributed across 19 projects through this program.<sup>55</sup>

The Government has also invested in expanding and digitising Indigenous Knowledge Centres, which serve as cultural and digital hubs in remote and regional communities. Through the Growing Indigenous Knowledge Centres Program, approximately \$9 million has been allocated to establish new centres and upgrade existing ones. New centres were opened in Doomadgee, Kowanyama and Mornington Island in 2024–25, enhancing access to language resources, digital recording equipment and local training. These centres play a crucial role in preserving and sharing language and cultural knowledge while addressing digital exclusion.<sup>56, 57</sup>

The State Library of Queensland also continues to support Indigenous language programming through its Indigenous Languages Project, helping communities revive and document traditional languages using archival collections and historical research. The government has initiated work to establish a Queensland Indigenous languages peak body and a cross-agency working group to guide and coordinate language actions across the state.<sup>58, 59</sup> These efforts reflect a strategic and community-focused approach to language revitalisation in Queensland. However, as referenced above, there remains a need for updated data on language usage to measure the effectiveness of these actions and progress towards national targets.

## Climate change and the right to a clean environment

CRC General Comment No. 26 highlights the importance of safeguarding children's rights in relation to environmental issues, specifically climate change. It acknowledges that climate change significantly affects the rights of children, such as their right to health, education, and a safe environment. It stresses the need for governments to take action to mitigate the impact of climate change on children and include them in decision-making. The General Comment also affirms the rights of First Nations communities to maintain traditional knowledge, cultural practices and relationships to lands and waters.<sup>60</sup> The impacts of climate change on land, sea and cultural practices are not only environmental risks. They constitute breaches of the collective rights of Aboriginal and Torres Strait Islander children to self-determination, culture, identity, land, waters and traditional knowledge in the UNDRIP (Articles 3, 8, 11–12, 25–29 and 31).

Article 4 of the UNCRC establishes a positive duty for Queensland to integrate child-rights considerations into its environmental laws, climate strategies and resource allocations, ensuring that mitigation and adaptation measures are planned and assessed in the best interests of children.<sup>61</sup> General Comment No. 26 builds on this obligation and sets out four core duties of governments: respect children's rights by preventing environmental harm, protect children from foreseeable environmental risks caused by third parties, fulfil these rights by ensuring access to clean, safe and sustainable environments, and guarantee children's access to information, participation and remedy in environmental decision-making. These obligations require governments to integrate children's rights into all laws, policy development, regulatory decision-making and budget allocation related to the environment and climate action.<sup>62</sup>

In Queensland, First Nations peoples face increasing threats to their environments and ways of life due to the accelerating impacts of climate change. In particular, Torres Strait islands are experiencing sea level rise at approximately three times the global average. This poses serious risks to homes and essential infrastructure, as well as ecosystems, cultural practices, livelihoods and the intergenerational transfer of traditional knowledge. The Torres Strait Regional Authority has highlighted how climate change threatens sacred sites, food and water systems and the long-term viability of island communities.<sup>63</sup> These are not solely environmental concerns but also matters of human rights.

The Our Islands Our Home campaign, led by Torres Strait Islander Traditional Owners and community leaders seeks to protect Zenadh Kes (the Torres Strait Islands and surrounding sea country) from the growing impacts of climate change. Launched in 2019, the campaign supported a landmark human rights complaint to the UNHRC by eight claimants, known as the 'Torres Strait 8'. They argued that the Australian Government's failure to take adequate climate action violated their rights to culture, home, family life and a safe environment. In September 2022, the UNHRC agreed with the claimants, finding that Australia had breached its human rights obligations by failing to implement timely adaptation measures to protect Torres Strait Islander communities.<sup>64</sup>

In response, the campaign continues to call for stronger government action across five key areas: dedicated adaptation funding for affected communities, a national commitment to 100 per cent renewable energy within ten years, support for community-owned renewable energy projects in the Torres Strait, a just transition away from fossil fuels and international leadership to keep global warming below 1.5°C.<sup>65</sup> Beyond advocacy, the campaign also invests in community capacity through initiatives such as the Ailan Pawa Program, which empowers young Torres Strait Islanders to become climate justice advocates and storytellers. In 2025, this program received a \$50,000 grant to expand its youth engagement and training activities.<sup>66</sup>

In April 2025, nine young Australians (Generation Justice) filed a human rights complaint with the UNHRC's Special Rapporteur on Climate Change. The group allege that the federal government's insufficient action on climate change is violating their rights to life, health, culture and a safe future. The group includes young First Nations advocates from Queensland. The complaint argues that Australia's current climate targets are consistent with global warming of 2–3°C rather than the 1.5°C target. By taking the matter to the UNHRC's Special Rapporteur, the group aims to raise global accountability and prompt stronger national action in line with human rights obligations.<sup>67</sup>

These youth-led initiatives exemplify children and young people's right to participate in environmental decision-making (UNCRC Article 12) and to seek accountability for environmental harm. However, Queensland's legislative frameworks still lack formal mechanisms for children and young people's

participation in climate governance, such as youth climate councils, rights-based climate impact assessments for new projects, and requirements to consult with young people and First Nations communities in adaptation planning.<sup>68</sup>

Recent legal developments in Queensland have begun to acknowledge the intersection of environmental harm and human rights. In the 2025 decision, *Re Sungela Pty Ltd & Anor [2025] QLC 5*, the Queensland Land Court considered a mining lease application in the context of human rights impacts, particularly those arising from greenhouse gas emissions. The court found that unless the applicants could provide credible evidence of 'real and significant progress' in reducing emissions, it could not recommend granting the lease.

The case was assessed under the Human Rights Act, with reference to the right to life (section 16), rights of the child (section 26(2)), cultural rights of Aboriginal and Torres Strait Islander peoples (section 28) and the obligations of public entities (section 58).<sup>69</sup> The court determined that emissions from the proposed mining project could limit the right to life and the rights of children. On cultural rights, the court concluded that impacts on Aboriginal cultural heritage were minimal and manageable through existing assessments and agreements. The court made it clear that environmental approval processes must include explicit human rights considerations and government department's must demonstrate that they have considered human rights.

Queensland does not yet have a coordinated policy or legislative framework that explicitly integrates children's rights or intergenerational equity into environmental decision-making. Neither the *Environmental Protection Act 1994* (Qld) nor the State Planning Policy currently reference the Human Rights Act or child-specific standards. Integrating children and young people's environmental rights into Queensland's climate adaption strategy (currently under review) and budgetary frameworks would operationalise the positive duties in Article 4 and General Comment No. 26. Further, embedding child rights-based climate impact assessments and Indigenous-rights-based decision-making standards within environmental approval processes would ensure that the best interests of children, the rights of future generations and the rights of Aboriginal and Torres Strait Islander peoples are central to all major development and climate policy decisions.<sup>70</sup>



# Recommendations

## Amend the Queensland Human Rights Act to remove the override provision

- Prohibit the override of non-derogable rights.
- Strictly limit any override of other rights to circumstances that are demonstrably exceptional, necessary and proportionate.
- Require mandatory and meaningful consultation with affected children, families and communities prior to any proposed suspension.
- Require (under law) the public release of:
  - consultation outcomes, including the views of children and affected communities
  - any independent expert advice relied upon
  - a detailed statement of compatibility addressing UNCRC obligations.

## Legislate a Children's Plan for Queensland<sup>e</sup>

- Embed the UNCRC as the core guiding framework across all legislation, policies and programs affecting children.
- Mandate Child Rights Impact Assessments for all cabinet submissions, Bills and major policy reforms.
- Establish cross-agency accountability so that coordination of child rights support is the responsibility of the state, not the child or family.
- Require regular public reporting to parliament on departmental compliance and outcomes for children.

<sup>e</sup> As described in the [Blueprint: A Children's Plan for Queensland](#) this will set a clear direction for all policies, strategies and actions affecting children.

## Mandate child rights education across government agencies

- Require all Queensland Government agencies whose decisions affect children to:
  - provide mandatory training in children's rights, child participation, cultural safety and the Human Rights Act
  - ensure training is embedded in induction and professional development frameworks
  - participate in regular, independent audits of workforce capability, and make findings public
  - resource child rights education adequately for children and young people.

## Strengthen children's access to complaints, appeals and effective remedies

- Require all child-facing government and funded non-government institutions to:
  - provide accessible, child-friendly and culturally safe complaints and appeals mechanisms, consistent with the Child Safe Standards
  - implement a 'no wrong door' approach across systems
  - ensure complaints data is independently monitored, publicly reported and disaggregated by age, gender, First Nations status, disability, cultural background, right and system involvement.

### **Restore and strengthen mechanisms for truth-telling and treaty-building and environmental protections consistent with the Human Rights Act, the UNCRC and the UNDRIP**

- Recognise First Nations children as rights-holders in truth-telling and treaty processes, with safe and culturally appropriate participation.
- Protect children's rights to culture, Country, language and healthy environments, recognising intergenerational harm.
- Ensure trauma-aware and cultural safeguards for children involved in truth-telling.
- Require government agencies to act on findings affecting children and report publicly to parliament on outcomes for First Nations children.

### **Embed children's rights across all disaster risk management legislation, policies and operational frameworks**

- Mandate child-specific disaster impact assessments in all disaster preparedness, response and recovery planning, informed by Aboriginal and Torres Strait Islander knowledge systems.
- Enable genuine child and youth participation, including the leadership of First Nations children, in preparedness, evacuation and recovery planning.
- Embed Aboriginal and Torres Strait Islander knowledge and community leadership as core elements of disaster risk prevention, resilience and recovery.
- Set minimum, enforceable standards for child protection and youth justice systems during emergencies.
- Ensure clear cross-agency accountability, with transparent monitoring and public reporting on outcomes for children.



# Civil rights and freedoms

## UNCRC overview

Under the UNCRC, children and young people have the right to a name and nationality, which they should be granted at birth (Article 7). They also have a right to an identity, including name, nationality, race, culture, religion, language, appearance, abilities, gender identity and sexual orientation (Article 8). Children and young people have the right to freedom of expression and freedom to find out information about themselves (Article 13). Not only does the UNCRC ensure that children and young people have the right to choose their own religion, but they also have the right to freedom of thought and conscience (Article 14). Children and young people have the right to reliable information, including from the media, and should be protected from media that could harm them (Article 17). Media should also be available in formats that are accessible to children and young people with disability.

### Data snapshot

**Table 5.** Demographic data on First Nations and non-Indigenous births and households

Indicator	2022	2023	2024
Number of births registered in Queensland <sup>i</sup>	<b>62,740</b>	<b>58,959</b>	<b>59,394</b>
<b>Percentage of births registered within 60 days<sup>ii</sup></b>			
– First Nations	<b>64</b>	<b>67.1</b>	<b>68.5</b>
– Non-Indigenous	<b>91</b>	<b>91.3</b>	<b>91.1</b>
<b>Percentage of births registered within one year<sup>ii</sup></b>			
– First Nations	<b>83</b>	<b>81.9</b>	<b>83.6</b>
– Non-Indigenous	<b>98</b>	<b>97.4</b>	<b>97.3</b>

**Source:**

i Queensland Government Statistician's Office: *Vital statistics – Births*

ii Registry of Births Deaths and Marriages unpublished data

**Note:** Data is not available for 'Number of households with children with access to internet at home', 'Number of school students with access to the internet/device' or 'Number of Right to Information decisions by Department of Child Safety'.

## Birth registration

Registering a birth is an essential first step to ensuring recognition of a child's legal identity. Not only is birth registration a fundamental human right, it helps to ensure children and young people's other rights are upheld, particularly access to essential services. According to UNICEF, birth registration constitutes both a fundamental human right and a critical administrative function of the government, forming the legal foundation upon which the protection and realisation of all other rights depend. It is the mechanism through which a child's existence is formally recognised in law and by which the government assumes its obligations to uphold and protect that child's rights.<sup>71,72</sup>

UNICEF identifies the key principles for effective birth registration:

- **Universality:** Every child must be registered, without discrimination on any ground, including ethnicity, status, gender or geography.
- **Timeliness:** Registration should occur immediately after birth, ensuring early access to services and protection mechanisms.
- **Accessibility and affordability:** Processes must be simple, free or low-cost, and available through community-based or digital systems that reach remote areas.
- **Accuracy and data integrity:** Records must be complete, secure, and interoperable with health, education and social protection systems to inform policy and service delivery.
- **Cultural and linguistic appropriateness:** Systems should respect and incorporate Indigenous languages, customs and local governance structures to ensure cultural safety and trust.
- **Accountability and coordination:** Effective birth registration requires coherent governance, cross-agency accountability and alignment between health services, registries and social protection agencies.
- **Public awareness and empowerment:** Communities and families must understand the significance of registration through ongoing education and culturally tailored outreach.<sup>73</sup>

Queensland holds a consistently high birth registration rate of 98 per cent within 12 months.<sup>74</sup> This rate is significantly less among First Nations peoples, people living in remote areas, disadvantaged communities and babies born to women aged under 25 years.<sup>75</sup> The data in Table 5 above shows that in 2024, 68.3 per cent of First Nations babies born were registered within 60 days and 83 per cent within one year. These figures represent an improvement from when Queensland's *Closing the Registration Gap Strategy Plan (2021–2024)*<sup>76</sup> was released. However, the aim to increase First Nations birth registrations to 80 per cent within 60 days and 90 per cent within one year by 2024 was not met. In April 2024, the Queensland Attorney General provided a report to the Legislative Assembly on progress with the strategy, including slower than planned development and implementation, particularly in the areas of cross-agency and community engagement. The Attorney General's update briefly indicated next steps following the end of the strategy.<sup>77</sup> The OATSICC awaits a formal review of the strategy and future direction for ongoing action to ensure every child's birth is registered.

At the national level, UNICEF Australia's *Certify Hope – Rights from the start* report outlines barriers to birth registration in Australia.<sup>78</sup> The report calls for stronger federal-state collaboration to make birth certificates more affordable and provide adequate support for parents navigating the process. These barriers include cost, complexity of process, lack of language literacy and remoteness. They align closely with findings from the Queensland Ombudsman's 2018 *Indigenous birth registration report*<sup>79</sup> and the priorities in the *Closing the Registration Gap Strategy*.<sup>80</sup>

The Queensland Government's Our Kids Count campaign, part of the *Closing the Registration Gap Strategy*, continues to support families by providing culturally appropriate resources and conducting community visits to increase birth registration among First Nations children.<sup>81</sup> However, the alignment between UNICEF's national findings and Queensland's state-level data points to a consistent pattern of access and equity failure rooted in affordability, administrative complexity, literacy demands and geographic isolation. This convergence underscores the need for targeted, rights-based policy interventions such as fee waivers, simplified procedures, culturally safe outreach and cross-agency integration to ensure that the right to legal identity is fully realised for all children.<sup>82</sup>

## Aligning legal and living identity

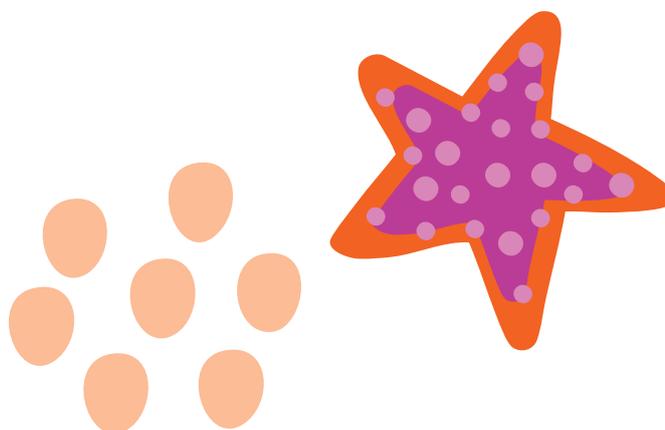
Article 8 of the UNCRC respects the right of a child to preserve their identity ‘without unlawful interference’.<sup>83</sup> It provides that children must have a legal identity that is unique and protects their name, nationality and family relationships. It also imposes a positive obligation on governments to assist in restoring or re-establishing a child’s identity when it has been lost or denied. This right extends to gender identity and expression, which form integral aspects of personal and social identity.<sup>84</sup>

The *Births, Deaths and Marriages Registration Act 2023* (Qld)<sup>85</sup> came into effect on 24 June 2024. Consistent with reforms in other states and territories, it enables a more accessible pathway for trans and gender-diverse individuals to update legal gender markers and birth registration records. The Human Rights Act allows for children aged 12 to 16 years to change their record of sex with the Registry of Births, Deaths and Marriages (RBDM) if a court order has been obtained. A person aged 16 years and older can apply directly to RBDM to make this change without parental consent or court order. This reform strengthens the alignment between a young person’s lived identity and their legal identity, advancing inclusion and reducing barriers to education, employment and social participation.

Despite progress in legal recognition of gender identity, in January 2025 the Queensland Government announced an immediate pause on access to puberty blockers and hormone therapies for new patients under 18 years in the public health system, pending a review.<sup>86</sup> In December 2025, following the release of the *Independent Review Advice Report* into the use

of puberty suppression and gender affirming hormones for children and young people in Queensland,<sup>87</sup> the government announced that it will continue its pause on the initiation of these therapies until 2031.<sup>88</sup> This policy decision raises concerns regarding children’s rights to access health services without discrimination (UNCRC Article 24) and the potential impacts on the mental and physical wellbeing of gender-diverse children and young people. Policy reversals of this kind risk creating uncertainty, distress and unequal treatment for gender-diverse children and young people, highlighting the need for stable, rights-based health policy grounded in evidence and participation.<sup>89, 90</sup>

The Australian Government has announced a review of the *Australian Standards of Care and Treatment Guidelines for Trans and Gender Diverse Children and Adolescents*, and development of new national guidelines in line with latest evidence and best practices.<sup>91</sup>



## Digital rights and the right to participate safely

As children's identities increasingly extend into digital spaces, the protection of their privacy, expression and access to information becomes an essential dimension of their right to identity under Articles 7, 8 and 16 of the UNCRC. A rights-based approach requires balancing the right to protection with the right to participation.<sup>92</sup> It requires protective measures that are proportionate, participatory and enabling. This means embedding protective design and participatory mechanisms within systems so that children and young people can exercise their rights to information, expression and decision-making safely, rather than being excluded from environments deemed risky.<sup>93, 94</sup> Continuing priorities that require a sustained focus for Queensland children and young people include informed privacy and data collection, digital inclusion, bullying, and online and physical safety.<sup>95</sup>

### Informed data and meaningful privacy

CRC General Comment 25<sup>96</sup> on children's rights in relation to the digital environment says:

*'State parties should take legislative, administrative and other measures to ensure that children's privacy is respected and protected by all organisations and in all environments that process their data. Legislation should include strong safeguards, transparency, independent oversight and access to remedy. State parties should require the integration of privacy-by-design into digital products and services that affect children. They should regularly review privacy and data protection legislation and ensure that procedures and practices prevent deliberate infringements or accidental breaches of children's privacy.'*

There are significant emerging discussions nationally regarding how online data is sought, collected, stored, used, commercialised and exploited.<sup>97</sup> The Australian Office of the eSafety Commissioner, established in 2015, coordinates and leads education and action about online safety. It is critical that the regulatory environment requires all online platforms to purposefully and systemically apply an 'informed consent' approach, making data practices transparent, child friendly and developmentally appropriate.<sup>98</sup> In September 2024, the Australian Government committed to developing the first data protection laws for children, a Children's Online Privacy Code under the *Privacy Act 1988* (Cth).<sup>99</sup> Administered by the Office

of the Australian Information Commissioner, the code is currently in consultation and will apply to services 'likely to be accessed by children.' It represents an important opportunity to embed children and young people's perspectives into the design of the code to ensure that their full rights are upheld.<sup>100</sup>

UNICEF has highlighted that meaningful privacy requires not only safeguarding data but also enabling children to understand, question and influence how their personal information is used. This approach links the right to privacy with the right to be heard and to participate in decisions affecting one's life.<sup>101, 102</sup> Effective privacy reform must therefore combine protection and participation with robust legal safeguards, clear accountabilities and accessible remedies for breaches, while investing in education and digital literacy so that children and families can exercise their rights. Privacy is not only a shield from harm but a foundation for agency, participation and inclusion in the digital environment.<sup>103, 104</sup>

### Social media, participation and expression

In 2024, the Australian Parliament passed the *Online Safety Amendment (Social Media Minimum Age) Act 2024*, prohibiting people under 16 years from creating or maintaining accounts on major social media platforms.<sup>105</sup> Commencing in December 2025, the aim of this legislation is to address online exploitation and other harms, including a perceived negative impact of social media on young people's wellbeing.

Although the legislation aligns with Articles 17 and 19 of the UNCRC, protecting children from harmful information, material, abuse and maltreatment, it raises concerns for rights to freedom of expression, access to information and association (Articles 12, 13 and 15). The UNCRC states that children and young people have the right to receive and share information, meet with other children and young people, join groups and organisations, and receive reliable information from the mass media. For most young people, social media is a tool to exercise these rights. The intention and execution of using this tool defines its impact.

International evidence suggests that blanket age bans on social media are unlikely to be effective and may produce unintended harms.<sup>106</sup> There are also significant gaps in research about the impact

of social media on children and young peoples' social wellbeing and more gaps regarding the impact of a ban.<sup>107</sup> Research from UNICEF, the Organisation for Economic Co-operation and Development (OECD) and leading digital-rights organisations shows that age-based prohibitions do not prevent access but instead drive children and young people towards less regulated, more covert or higher-risk online spaces.<sup>108</sup> Studies also indicate that enforcement of age bans is inconsistent, often relies on unverifiable self-reporting, and disproportionately affects marginalised children who rely on social media for connection, identity formation and support.<sup>109</sup> As a result, experts caution that bans may create a false sense of safety while failing to address the underlying issues of platform design, accountability and digital literacy.<sup>110</sup>

A rights-based approach also recognises that social media is neither inherently harmful nor inherently beneficial. Its impact depends on design, governance and digital literacy. Regulation should therefore focus on creating safe, participatory online environments, not on exclusion. A rights-based approach requires evidence-informed regulation focused on platform responsibility, safe product design and education, rather than exclusion.<sup>111</sup>

Members of the eSafety Youth Council shared their ideas for how the Australian Government can better support the online experiences of children and young people:<sup>112</sup>

- Regulate social media platforms and the broader tech industry to include 'safety by design' features in all digital products and services.
- Prioritise education for children and young people, as well as their families.
- Review the definition of social media, with consideration of which platforms are included in any age verification reforms.

## Closing the gap

**Target 17:** By 2026, Aboriginal and Torres Strait Islander people have equal levels of digital inclusion

**Assessment:** *Indicator was updated in March 2025. Estimating a trajectory to achieve parity is not currently possible*

## Digital inclusion and equity

As Queensland children and young people grow up in a digital environment, it is critical that discrimination and exclusion do not impact their right to participate online. Digital inclusion is a precondition for all other rights in the digital environment. Without equitable access, protection and participation remain theoretical.

The cost and quality of connection continue to impact children and families living with poverty.<sup>113</sup> Children and young people with a disability also continue to have lower rates of access, affordability and digital literacy and this gap has widened in the last reporting year.<sup>114</sup> Children and young people with disability face a triple burden: lower access to reliable devices and internet, higher costs for adaptive technology, and platforms that are not designed with accessibility in mind. These structural barriers deepen inequity and constitute indirect discrimination.

Under Target 17 of the *National Agreement on Closing the Gap*, governments have committed to achieving equal levels of digital inclusion for Aboriginal and Torres Strait Islander peoples by 2026.<sup>115</sup> Current data is not available to measure the progress of this work. The *First Nations Digital Inclusion Plan 2023–2026* provides a strategic framework, guidance and measures to eliminate the digital inclusion gap by focusing on three pillars of access, affordability and ability.<sup>116</sup> Progress monitoring remains limited due to data gaps, particularly in relation to affordability and infrastructure quality.

Reliable digital access is also a safety issue; without stable connection, young people cannot use reporting tools, safety-by-design features or online help services. Ensuring equitable digital access, particularly for First Nations children and children experiencing poverty, disability or living in remote communities, must therefore remain a core state and national priority.<sup>117, 118</sup>

## Online safety and emerging technologies

Children and young people have the right to safety, privacy and participation in digital environments. These rights, protected under UNCRC, require governments to ensure that the online world upholds the same human-rights standards as the physical world. Despite this, children and young people are exposed to online uses of power, control and associated harms, including grooming, sexual exploitation, emotional and physical violence, bullying, mental health impacts, data misuse and amplified violence.<sup>119, 120</sup> Reported incidences of online child sexual exploitation to the Australian Federal

Police have doubled since 2018.<sup>121</sup> In 2023–24, the Australian Centre to Counter Child Exploitation received 58,503 reports of child sexual exploitation, a 45 per cent increase compared to the previous financial year.<sup>122</sup>

Australia and the United Kingdom co-signed an *Online Safety and Security Memorandum of Understanding* on 20 February 2024 to jointly deliver coordinated online safety and security policy initiatives. The initial focus includes harmful online behaviour, gender-based violence, online child sexual exploitation, terrorist and violent extremist content, misinformation and disinformation, countering foreign interference, online scams and fraud, and the impact of artificial intelligence (AI).<sup>123, 124</sup> Reset.Tech Australia's *Co-Regulation for Children's Online Safety* report and UNICEF's *AI for Children Policy Guidance (2023)* both emphasise that effective governance must integrate rights-based co-regulation. This means centring the child's best interests, equality and participation at every stage of digital policy design.<sup>125, 126</sup>

Children and young people develop varying levels of knowledge, skills and confidence to navigate online spaces safely. These capacities are shaped by their age, environment, education and access to support and cannot be assumed or expected equally.<sup>127, 128</sup> While many demonstrate resilience and awareness,

others face barriers linked to poverty, disability, language, or digital exclusion. States and industry have a positive duty to set clear guidance that creates safe, rights-respecting digital environments that protect without restricting participation. Education and awareness initiatives remain essential but must operate alongside systemic accountability and child-centred design.

There have been significant efforts made to raise awareness and educate about online safety. Reset.Tech Australia has explored shifting from direct regulation to a co-regulation approach with a rights-based assessment model that balances duty to facilitate meaningful participation and duty to protect.<sup>129</sup> Project Paradigm is an organisation that delivers a range of specialist support and intervention programs for children, young people and families. They provide training, consultancy and resources focused on child abuse, and sexual and criminal exploitation.<sup>130</sup> ThinkUKnow Australia is an evidence-based education program led by the Australian Federal Police, delivered nationally in partnership with police and industry partners to prevent online child sexual exploitation. ThinkUKnow provides presentations, activities and learning resources for children and young people, parents, carers and educators.<sup>131</sup>



## Access to information for children and young people in care

Access to information is a cornerstone of the right to identity under Article 8 of the UNCRC. This right guarantees every child the ability to preserve their identity without interference, including their culture and family connections. For children and young people in the child protection system, this right is especially crucial given the disruptions to family and community connections that can occur during their time in care. These principles apply across all forms of care, including foster, kinship and residential settings, where consistency in record-keeping and access is essential.<sup>132, 133</sup>

In Queensland, the *Child Protection Act 1999* affirms these rights through the *Charter of Rights for a Child in Care*, which provides that children have the right to

develop their identity, maintain connections to family and culture, receive information in an accessible way, and participate in decisions affecting their lives.<sup>134</sup>

The Department of Child Safety is responsible for ensuring that children in care have access to information about their circumstances, including their rights, entitlements and available services. This is provided through both written materials and direct support from workers. Some external advocacy and legal support are available through the OPG and Legal Aid Queensland, helping children and young people understand and assert their rights.<sup>135</sup> However, these supports are limited by resourcing and reach (for example, limits on visitable sites by Community Visitors).

Young people who have experienced Queensland's child protection system report that knowing who they are and where they come from is vital for building a positive self-identity.<sup>136</sup> Access to identity documents such as birth certificates and full access to child protection files supports children and young people to understand the reasons behind their involvement in the system and helps them maintain a connection to their culture and family history.

Young people with lived experience in out-of-home care have told us that they were unaware of their right to access personal information while in care and only became informed of this right after leaving care through engagement with after-care support services. They recommended that information about the Right to Information (RTI) process be incorporated into transition from care planning to ensure that all young people are aware of, and supported to exercise, this right before they exit care.

“*It shouldn't have to take me until I turn 18 to just find out a little bit of information, because they blanked half of it out.*

*Female, young person*

Between 30 June 2021 and 30 June 2024, 231 applications for access to personal records were processed through the Time in Care Information Access Service,<sup>137</sup> although the actual number of children and young people accessing their records, including via the Right to Information scheme, is unknown. This reveals that while there are legislative and policy frameworks in place, there are gaps in awareness or support for children and young people to exercise their right to access information about themselves.

“*What do you mean I have to apply to get information on myself about my time in care?*

*Female, young person*

Decisions that limit or delay a child's access to personal information must be based on their best interests (UNCRC Article 3) and revisited as their understanding and capacities evolve. Older children and young people should have a say in when and how access occurs, reflecting their evolving capacities and agency.<sup>138</sup>

Barriers remain to ensuring children and young people fully realise their right to identity. These include limited awareness of their rights, complex administrative processes for accessing records, and redactions that restrict available information, particularly where confidentiality is an issue. Delays or difficulties in obtaining documents can heighten disconnection and distress, especially for First Nations children. Child safety practices must therefore be trauma-informed, culturally safe and supportive of each child's sense of identity. Timely and routine provision of identity documents should be prioritised, and data on access to records systematically collected and published to track progress.

From birth registration to care records, each data point represents a thread in the story of a child and how they are recognised. Achieving identity continuity requires interoperable data systems that enable secure, consent-based information-sharing between agencies. Data-portability standards, child-centred consent protocols and Indigenous data-sovereignty frameworks are practical mechanisms to ensure that information follows a child safely across systems.<sup>139, 140</sup> The increasing digitisation of personal records and case information reinforces the importance of digital inclusion and identity rights.<sup>141</sup>

“*I think they should be telling young people because how do you know why you're placed in care? I never knew why I was placed in care. The only reason I found out was through Time and Care Information Access.*

*Female, young person*

# Recommendations

## **Guarantee universal and timely birth registration for every child by identifying and removing system barriers**

- Fund community-led, culturally safe outreach in remote, regional and First Nations communities.

## **Ensure every child can align their legal identity with their lived identity**

- Establish clear, accessible pathways enabling children, especially those in out-of-home care or detention, to update identity documents, gender markers and names, without unnecessary delay, discrimination or gatekeeping.

## **Commit to evidence-based access to puberty blockers and other gender-affirming care**

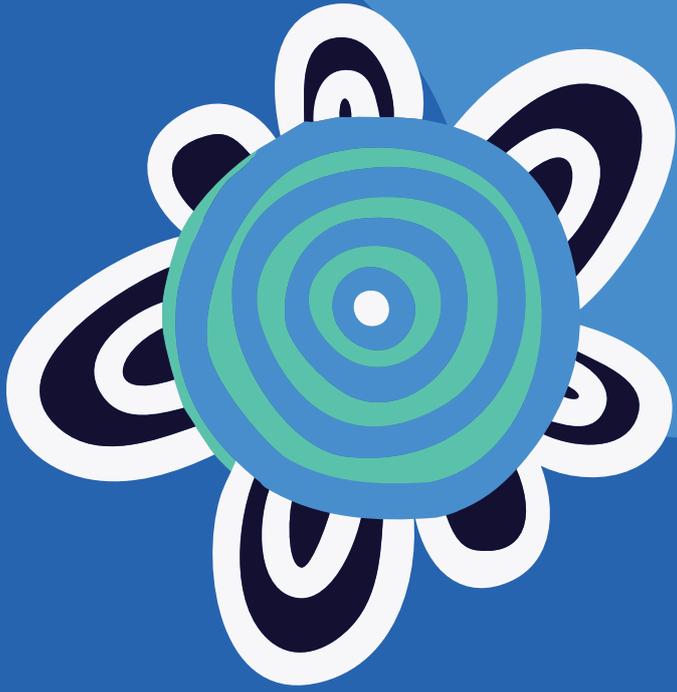
- Ensure decisions regarding access are guided by clinical evidence and prioritise the wellbeing of young people, incorporating their views.
- Establish clear and consistent statewide guidelines to prevent arbitrary or inconsistent restrictions.

## **Address the digital divide through affordable and reliable access to devices, connectivity and digital literacy programs**

- Guarantee affordable devices, reliable connectivity and age-appropriate digital literacy supports to excluded children, including well-designed public-private partnerships and scalable initiatives.
- Prioritise children at greatest risk of digital exclusion, including children in out-of-home care, remote communities, youth detention, homelessness and low-income households.

## **Ensure children and young people in out-of-home care have guaranteed access to personal information and requisite supports**

- Provide children and young people in out-of-home care with accessible information about their rights, care plans, complaint avenues and access to their records.
- Provide independent oversight to ensure compliance and access to independent advocacy (outside of the statutory child protection system) for the promotion and protection of their rights.



# Youth justice

## UNCRC overview

Children accused of breaking the law have the right to legal help, fair treatment and age-appropriate solutions that support their reintegration into their communities (UNCRC Article 40).

The incarceration of children and young people represents the most severe form of punishment within the criminal justice system. Article 37 of the UNCRC states that the arrest, detention or imprisonment of a child must only be used as a measure of last resort and for the shortest possible time.

## Data snapshot

**Table 6.** Youth justice data for Queensland, including First Nations young people

Indicator	2021–22	2022–23	2023–24
Average daily number of young people in youth detention <sup>i</sup>	<b>269</b> 66.5% First Nations	<b>286</b> 70.6% First Nations	<b>292</b> 71.9% First Nations
Average daily number of young people who are subject to their first lifetime detention episode <sup>ii</sup>	<b>32</b> 59.4% First Nations	<b>37</b> 54.1% First Nations	<b>46</b> 45.7% First Nations
Average length of time spent in sentenced detention during the year (days) <sup>iii</sup>	<b>81.1</b> 80.3% First Nations	<b>82.5</b> 86.9% First Nations	<b>75.6</b> 79.5% First Nations
Average daily number of young people under community-based supervision <sup>i</sup>	<b>917</b> 64.9% First Nations	<b>890</b> 65.7% First Nations	<b>903</b> 67.2% First Nations
Rate ratio of First Nations young people being detained compared to non-Indigenous across society <sup>i</sup>	<b>20.2</b>	<b>24.8</b>	<b>26.4</b>
Average detention-based supervision costs per day per child or young person <sup>i</sup>	<b>\$2268</b>	<b>\$1914</b>	<b>\$2162</b>
Average community-based supervision costs per day per child or young person <sup>i</sup>	<b>\$269</b>	<b>\$320</b>	<b>\$382</b>
Number of admissions to youth detention for young people under a guardianship order or a permanent care order at time of their admission to detention, as at 30 June each year <sup>ii</sup>	<b>383</b> 72.3% First Nations 20.4% of total admissions	<b>404</b> 76.2% First Nations 22.3% of total admissions	<b>335</b> 66.3% First Nations 20.8% of total admissions

**Source:**

i Productivity Commission, *17 Youth justice services: Report on Government Services 2025*

ii Department of Youth Justice, *Youth Justice Performance Reporting and Analytics*

iii Australian Institute of Health and Welfare, *Youth justice in Australia 2023–24*

The data shows that youth detention in Queensland is increasing, with First Nations children bearing a disproportionate and worsening burden. Detention numbers and first-time detention episodes have risen each year, children continue to spend long periods in custody, and First Nations children are now more than 26 times more likely to be detained than non-Indigenous children. One-fifth of all admissions involve children already in state care, highlighting

the ongoing care-to-custody pipeline. National data shows that 65 per cent of children and young people under youth justice supervision in 2022–23 had interacted with the child protection system in the last 10 years.<sup>142</sup> These trends reflect deep structural inequality and demonstrate that Queensland's youth justice system is neither preventing offending nor upholding children's rights, particularly the rights of First Nations children.

First Nations children and young people were 26.2 times more likely to be in youth detention than non-Indigenous children and young people in 2023–24.<sup>143</sup>

## Queensland Youth Justice Act

The *Youth Justice Act 1992* (Qld) sets out Queensland's criminal jurisdiction relating to children, underpinned by a charter of youth justice principles. These principles include that the community should be protected from offences and recidivist high-risk offenders, and that the youth justice system should uphold the rights of children, keep them safe and promote their physical and mental wellbeing. Consideration should be given to a child's age, maturity and, where appropriate, cultural and religious beliefs and practices:

*'The first principle of the Youth Justice Act 1992 is to protect the community from offences and, in particular, from high-risk repeat offenders. These offenders often have complex needs and their offending behaviour can be triggered by many factors. Quickly and effectively assessing their needs and the risks they pose to the community is critical. Designing and delivering effective rehabilitation programs is equally important. Rehabilitating young offenders takes time. Entities need to understand the causes of their offending behaviour and deliver programs that address those needs.'*<sup>144</sup>

“ Like going out into the big world and finding experience for myself. Becoming stable. Becoming like emotionally regulated where I know how to cope in situations. Yeah Bruh. That's what I would want for myself because I've seen the other world of not wanting it and the other world of not wanting a life, not want to be a good boy. Just want to be a hard c\*<sup>\*</sup>t. Want to be a maniac. Want to be a jailbird. I've seen where that gets you. That's getting you nowhere. Yeah, and I've lived that life. But it hasn't got me anywhere but pain in myself. Missing my mum. Missing my family. When I could be out there learning how to do stuff.

Male, 17 years

“ I believe this place should be shut down, because there's no benefit for us. Like yeah it's a detention centre but sometimes it's worse than jail in here, and we're only kids Bruh. Yeah.

Male, 17 years

## Queensland Government policy

Since the *Queensland Child Rights Report 2023*, Queensland's youth justice system has undergone significant legal and policy reform. These changes have prioritised punitive approaches that increase incarceration, lengthen sentencing and reduce access to community-based alternatives. While the Queensland Government has committed to investment in early intervention and rehabilitation, the pace, design and scale of these programs have not kept up with the rapid implementation of legal measures.

The government has announced the following funding for prevention and rehabilitation programs:

- \$225 million – Staying on Track
- \$115 million – Gold Standard Early Intervention
- \$80 million – Circuit Breaker Sentencing
- \$50 million – four Crime Prevention Schools
- \$40 million – two new Youth Justice Schools
- \$50 million – nine Regional Reset Programs.<sup>145</sup>

While these programs represent a positive acknowledgement of the need for early intervention and community-based responses, most initiatives remain in the early stages of rollout, and little detail is available regarding their evaluation frameworks, performance indicators or implementation timelines. Concerns remain about whether these programs are sufficiently evidence-based, co-designed or capable of addressing the systemic drivers of youth offending. Early intervention services must address the inequity in access to universal and targeted services (such as education, health, mental health, safe and stable housing, disability support and domestic and family violence). It is unclear whether funding for these programs constitutes new investment or a redistribution of existing resources. At the same time, some early intervention services appear to have been cut or discontinued, further undermining the government's overall approach.

Aside from announcing funding levels, the government has not presented an overarching investment model or strategic framework explaining how these programs link to broader justice system outcomes. There is also no evidence of equity-driven or place-based analysis in the distribution of early intervention funding. It remains unclear whether these programs are informed by local needs assessments, evaluation of previous interventions or alignment with national best practice models. There is no transparent analysis of how communities were selected for investment or how funds have been

distributed according to need. This risks perpetuating service gaps in rural, remote and over-policed communities, particularly those with high proportions of First Nations children and young people.

In November 2025, the Queensland Government published its Justice Reinvestment Framework, designed to shift the focus of the justice system from punitive responses toward prevention, early intervention and community-led solutions. The framework promotes investment in initiatives that address the underlying causes of crime, particularly in communities experiencing high rates of contact with the justice system, including First Nations peoples. It emphasises a place-based approach, enabling local communities to identify the drivers of offending and design culturally informed responses that strengthen safety, resilience and wellbeing. The Framework outlines a staged approach to justice reinvestment, including data collection and mapping, community-led planning and design, implementation of locally driven initiatives, and continuous monitoring and evaluation. The First Nations Justice Office plays a central role in coordinating this work and supporting partnerships with Aboriginal and Torres Strait Islander organisations to ensure cultural authority and leadership are embedded throughout the process.<sup>146</sup>

In line with this framework, the Queensland Government has announced a \$5 million Justice Reinvestment Grants Program to support community-based initiatives that reduce offending, increase safety, and improve social and justice outcomes. The grants focus on prevention strategies and early support, including counselling services, substance use and mental health programs, transitional accommodation and education initiatives. Funding is available for one-off projects (up to \$100,000 over one year) and multi-year initiatives (up to \$900,000 over three years).<sup>147</sup>

## Making Queensland Safer laws

In late 2024, the Queensland Parliament passed the *Making Queensland Safer Act 2024*,<sup>148</sup> which introduced amendments to the *Youth Justice Act 1992* and the *Childrens Court Act 1992*. Further amendments were made in May 2025 to expand the offences listed in the Adult Crime, Adult Time sentencing scheme from 11 to 33. In summary, these changes:

- Abolish the principle that detention must be a last resort
  - This change shifts the focus from rehabilitation and restorative justice to punitive measures. It may lead to the overuse of incarceration for offences that could be addressed with diversion and therapeutic responses. It also disproportionately impacts First Nations children and young people who are already over-represented in detention.
- Impose adult penalties on children for a variety of offences, including non-violent ones, and extend probation periods for these offences
  - Harsh sentences like mandatory life detention conflict with the UNCRC's emphasis on the shortest appropriate period of detention and the importance of rehabilitation. Children and young people may receive disproportionately severe sentences, reducing their chances of successful rehabilitation and reintegration into their communities. This may increase long-term criminalisation rather than reduce reoffending.
- Exclude restorative justice, a community-based approach, as an available sentencing option for certain offences
  - The changes mean that while children and young people can be referred to restorative justice processes before sentencing, restorative justice is no longer available as an alternate sentencing option for the 33 offences.
- Expand public access to Childrens Court proceedings
  - This change allows greater public access to Childrens Court proceedings, which may reduce children and young people's participation in proceedings.
- Broaden the scope of children's criminal records, allowing these expanded histories and findings of guilt without conviction to be considered in adulthood
  - The UNCRC promotes the idea of confidentiality and non-stigmatisation of children and young people who come into conflict with the law. The changes could embed a cycle of disadvantage, particularly for those who are already disproportionately impacted.

- Remove protections in the process for transferring children from youth detention to adult prisons once they turn 18 years
  - Such changes may result in traumatic experiences and stall or reverse rehabilitative progress. It undermines their right to protection and individualised treatment under international law.
- Mandate that courts prioritise the impact of an offense on the victim when sentencing children.

“No, I don't think. It's never stopped any of my friends or anything, so I don't think so because you don't really think about it when you're committing crimes.”

Female, 16 years  
[When asked if they have heard of 'adult crime, adult time']

The introduction of this legislation marked the fourth override of the Human Rights Act,<sup>149</sup> with the government conceding that the changes are 'more punitive than necessary to achieve community safety' and 'in direct conflict with international law standards'.<sup>150</sup> The government has also refused to release a report from the Expert Legal Panel who provided advice on the inclusion of serious offences listed in the Making Queensland Safer reforms.<sup>151</sup> There has been no evidence provided by the government to support the rationale for the approach as an effective means of reducing youth crime.

In the statement of compatibility, the government acknowledges that these amendments are incompatible with certain human rights provisions under the Human Rights Act, specifically:<sup>152</sup>

- Right to protection in the best interests of the child (s.26(2)).
- Right to liberty (s.29(1)).

It also acknowledged the reforms will have a greater impact on First Nations children and young people who are already over-represented in the youth justice system. The changes also undermine Queensland's obligations under the UNCRC, *the Beijing Rules*, *the Havana Rules* and *Riyadh Guidelines*.

## Participation

Youth participation is a requirement and cornerstone of just and effective youth justice. Embedding participation is not just about consultation or storytelling, it is a legal obligation and a critical design feature of any justice system. Promoting ways in which children and young people are meaningfully included in the governance, design, delivery and monitoring of the youth justice system can lead to a more equitable and responsive system that better serve the needs of children and young people.

“If I could change it [the youth justice system], I would definitely be more into – I would be more into what the kids are saying.

Female, young person

“I wish they would take more time to understand kids with their mental health in here, how it's not smooth for everyone in here.

Female, young person

## Criminalisation of children and young people

On an average day in 2023–24, there were 292 children and young people aged 10 years and over in youth detention in Queensland (an increase from 286 in 2022–23). Young males make up most children and young people in youth detention (89 per cent). The data fails to show any improvement in meeting the *National Agreement on Closing the Gap* targets.

### Closing the gap

**Target 2:** By 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10–17 years) in detention by at least 30 per cent

Assessment: **Worsening**

A significant proportion of children and young people entering the youth justice system are victims of systemic failures and complex social disadvantage. One-in-five admissions to youth detention are young people under a guardianship order or a permanent care order,<sup>153</sup> and therefore deemed in need of protection and support by the government. According to the 2024 Youth Justice Census of young people in custody,<sup>154</sup> 33 per cent were living in unstable or unsuitable accommodation, 55 per cent were totally disengaged from education, training or employment, 38 per cent have a parent who had been held in adult custody and 70 per cent had experienced domestic and family violence.

Over 70 per cent of children and young people in custody have a suspected or diagnosed disability and 47 per cent have a mental health disorder (such as anxiety, depression or post-traumatic stress disorder). These factors often go unaddressed in detention environments that aren't equipped to provide adequate therapeutic and rehabilitative services.

“Oh, mental. No, bro, this place makes me mental, word.”  
*Female, young person*

The data shows that many offenders in the youth justice system are also victims, including of the systems designed to support them.

Young people from lower socioeconomic areas are much more likely to be in detention. In 2023–24, the detention rate for those from the lowest socioeconomic areas was 9.1 per 10,000 people, compared to 1.0 per 10,000 people for the highest socioeconomic areas (Table 7). Nearly half (141 of 292) of young people detained on an average day came from the lowest socioeconomic quintile.

“Some kids offend because they need the money.”  
*Male, young person*

“No, well, when I got taken by Child Safety, that's when I started acting up.”  
*Female, young person*

“Sometimes people don't just come in here for housing.”  
*Male, young person*

**Table 7.** Young people in detention on an average day by socioeconomic position of usual residence (2023–24) (Queensland)

Socioeconomic groupings	Number in detention	Rate per 10,000	Australia (rate)
1 (lowest)	141.0	9.1	5.0
2	86.2	7.2	3.7
3	44.8	3.2	2.1
4	12.2	1.3	1.1
5 (highest)	6.2	1.0	0.9
<b>Total in detention</b>	<b>292.1</b>		

Source: Australian Institute of Health and Welfare, Youth justice in Australia 2023–24

“I was working when I got out last time because I told myself I wasn't going to come back. But then I had a family fallout and that kind of drove me off to a different path.”  
*Male, young person*

“When I got dropped at the park when I got out of juvie and stuff, Youth Justice were the only ones that helped me. They were the ones that got Child Safety in trouble and instead made them do something. If it wasn't for them, I would've just went back to juvie or to jail or whatever because I was almost – like yeah.”  
*Male, young person*

“Yeah. I reckon my childhood would have changed if we had money. I would have got raised right.”  
*Male, young person*

# Minimum age of criminal responsibility

Since 2022, legislative efforts to raise the minimum age of criminal responsibility from 10 to 14 years have stalled in Queensland. By contrast, the Queensland Government has recently introduced laws under the Making Queensland Safer reform, which allow children as young as 10 to be sentenced as adults for serious crimes. For children aged 10 to 13, the law applies the long-established principle of *doli incapax*, which means there is a legal assumption that these children do not have the capacity to understand that their actions were wrong (see section 29(2) of the *Criminal Code 1899 (Qld)*).<sup>155</sup>

“Just taking more time to understand kids and how it’s not easy being locked up at a young age. Because it’s hard for me because when I was little, I had separation anxiety from my mum. But we never had a good relationship and I don’t know, it’s just bad that I have – because my anxiety gets really bad.”  
*Female, young person*

There is a more effective way to address offending behaviour in children aged 10 to 13 years through prevention and early intervention, diversion and justice reinvestment.<sup>156</sup> These alternatives have shown to reduce reoffending by addressing children’s needs in more age-appropriate ways. These programs will protect children’s rights and improve community safety if they are delivered outside the youth justice system.<sup>157</sup> Raising the age of criminal responsibility beyond 14 will not strain existing support agencies.

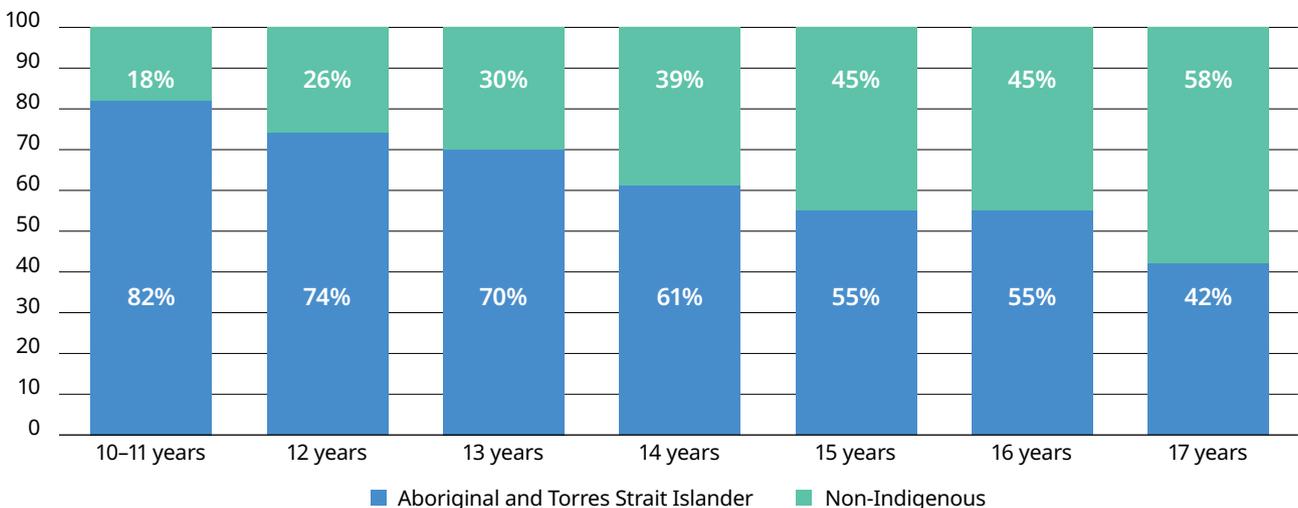
This small cohort can be more effectively assisted outside a justice system that lacks the capacity to address their health, disability and developmental needs or to positively influence their long-term outcomes.<sup>158</sup>

“Yeah. Because I don’t want them little fellas in here. I’ve seen little kids that are f\*\*\*ing three feet tall and this big brother... I went through some f\*\*\*ing breakdowns in here. I went through some hard times in here where I had to fight myself out of way of a situation. I had to scream myself out of a situation. I don’t want kids growing up in here like how I did.”  
*Male, young person*

First Nations children aged 10 to 14 years continue to be over-represented as child defendants (Figure 2). To close the gap for First Nations children in the youth justice system, significant attention should be given to the younger age groups, including diversionary responses and therapeutic supports to prevent them becoming further entrenched in the justice system.

The chart shows that First Nations children are overwhelmingly and disproportionately represented in youth detention at every age, with the greatest over-representation among the youngest children. This reveals deep structural failures in prevention, diversion and equitable treatment in Queensland’s youth justice system.

**Figure 2.** Percentage of distinct child defendants, by age at time of offence, 2023–24



Source: Queensland Childrens Court Annual Report 2024

# Diversion and restorative justice

## Data snapshot

**Table 8.** Cautions and restorative justice referrals (2021–22 to 2023–24)

Indicator	2021–22	2022–23	2023–24
Number of police-administered cautions to children and young people <sup>i</sup>	<b>14,345</b>	<b>15,602</b>	<b>15,589</b>
Number of distinct children and young people referred to a restorative justice process <sup>ii</sup>	<b>2225</b>	<b>2141</b>	<b>2256</b>
– Total percentage First Nations referred	<b>42.9</b>	<b>43.3</b>	<b>46.3</b>
– Total referred by court	<b>1444</b>	<b>1332</b>	<b>1422</b>
– Total referred by police	<b>936</b>	<b>994</b>	<b>1028</b>

**Source:**

i *Childrens Court of Queensland Annual Report 2023–24*

ii *Department of Youth Justice, Youth Justice Performance Reporting and Analytics*

Diversion measures are critical for preventing children and young people from entering the criminal justice system. CRC General Comment No. 24 on children's rights in the child justice system emphasises the importance of diversion as a preferred approach for most cases and at all stages of the criminal justice process. The General Comment calls for governments to invest in prevention, early intervention and multidisciplinary approaches, as well as to extend the range of offences for which diversion is possible. It also stresses the need for diversion to be an integral part of the child justice system, and the importance of protecting children's human rights and legal safeguards in diversion processes and programs (in accordance with UNCRC Article 40).<sup>159</sup>

For non-serious offences, the Youth Justice Act directs police officers to initially consider a better option before starting legal action against a child or young person. These options include:<sup>160</sup>

- doing nothing
- giving the child a warning (caution)
- referring the matter to a restorative justice conference
- offering the child a chance to take part in a drug help program (for minor drug offences)
- offering the child a chance to take part in a graffiti removal program (for graffiti offences).

Police cautioning remains high and evidence show that it is a significant deterrent in preventing reoffending for most children and young people. The evidence tells us that most children and young people engage in low-level offending and will outgrow

this behaviour with minimal to no intervention.<sup>161</sup> However, police can also make referrals to external service providers to support children and young people and decrease their risk of offending.<sup>162</sup>

Restorative justice conferences are a diversion option that give children and young people, who admit to an offence, a chance to take responsibility and repair harm instead of going through the regular court process. They can be referred to a conference by police or the court in different ways. Corporate data provided to OATSICC shows that, in 2023–24, 99 per cent of restorative justice processes resulted in at least one agreement being made. The process involves the young person, their family, the victim (if willing) and sometimes community members. It helps the young person understand the impact of their actions, make amends and avoid future offending.<sup>163</sup> This is no longer a sentencing option for 33 prescribed offences.

Data from the Australian Productivity Commission shows that the average cost per day per child or young person in community-based services was \$382 in 2023–24, an increase from \$320 in 2022–23. By comparison, the average cost per day per child or young person in detention-based services was \$2162 in 2023–24, an increase from \$1914 in 2022–23. Community-based options (such as diversion programs, probation, counselling and rehabilitation services) are more cost-effective than detention and offer a more supportive and less restrictive environment for children and young people. Increased funding is needed for community-based services to establish and maintain these programs, which can provide tailored service delivery, address underlying issues and promote positive behaviour change.

# Watch-houses and remand

## Data snapshot

**Table 9.** Watch-house and remand data for young Queenslanders (2021–22 to 2023–24)

Indicator	2021–22	2022–23	2023–24
Number of times children and young people were held in custody in a watch-house or police station <sup>i</sup>	<b>8028</b> 60.9% First Nations	<b>8100</b> 61.6% First Nations	<b>7807</b> 59.2% First Nations
Average daily number of young people in unsentenced detention <sup>ii</sup>	<b>238</b>	<b>249</b>	<b>246</b>
Average length of time spent in unsentenced detention during the year (days) <sup>ii</sup>	<b>39</b>	<b>45</b>	<b>48</b>
Percentage of children and young people released directly from court following sentencing <sup>ii</sup>	<b>45.7</b> 43.6% First Nations	<b>49.3</b> 50.7% First Nations	<b>37.8</b> 36.5% First Nations
Average number of days to finalise convicted charges in Magistrates (Childrens) Court <sup>ii</sup>	<b>85</b>	<b>92</b>	<b>85</b>
Average number of days to finalise convicted charges in Childrens Court of Queensland <sup>ii</sup>	<b>300</b>	<b>319</b>	<b>307</b>

**Source:**

<sup>i</sup> Queensland Police Service unpublished data

<sup>ii</sup> Childrens Court of Queensland Annual Report 2023–24

The data shows that Queensland continues to rely heavily on punitive detention, with thousands of children, mostly First Nations, held in police watch-houses each year. The majority of children in youth detention are unsentenced.

Children are spending an average of three months on remand, court delays remain significant and fewer children are being released directly from court, indicating systemic overuse of detention for children who pose no risk.

## Watch-houses

Queensland remains one of the only jurisdictions in Australia where children can be held in adult police watch-houses for extended periods (Table 10).

“Forty-six nights I was in the watch-house. Like that’s illegal. Like to me that should be illegal.”

Male, young person

“Yeah, I’ve been in Caboolture, Brisbane, Southport, Beenleigh, and yeah, it’s dreadful.”

Female, young person

“Boring... Yeah. Shit. It’s just shit food, no TV. You just feel like shit, and you’ve got no [sunlight], nothing.”

Male, young person

“When I got sent up [detention centre], I was in the watch-house, and they wouldn’t let me out of my room. I think I wasn’t out of my room for 25 days while I was in the watch-house for 27 days. Yeah, I couldn’t sit in the room anymore.”

Male, 16 years

“But when I’ve gone to like, the watch-house there’s not really enough support for me to stop committing crime.”

Female, 15 years

The Queensland Police Service (QPS) *Watch-house Review 2025*<sup>164</sup> found that children made up about 10 per cent of all watch-houses admissions in 2024 (7432 of 78,108 admissions). The review emphasised that watch-houses are primarily designed for short-term adult detention, not for children or prolonged stays. A major concern raised was the extended periods children spend in these facilities, which is linked to increased risk of self-harm, trauma and behavioural issues. For children remanded or sentenced in 2024, the average time in a watch-house was 161 hours (over six days), longer than the average for adults (118 hours). In some cases, children stayed much longer than this.

“You get nothing, you just got to sit there. I think it was, I don’t know, like 16 days or something.”

Male, young person

“We only do school if it’s like a holding watch-house, like a remand centre.”

Female, young person

“Only watch-house where I’ve f\*\*king seen they get school, Caboolture. That’s the only one.”

Male, young person

“Even sleeping in the watch-house. You don’t know if these c\*\*\*\* are going to come and they’ll bash you or yeah, do something like that. Yeah. You’ve got no-one in there except for you. Yeah. They could just come and bash you and if you try and stand up... they could easily just get away like that. Like oh nothing happened.”

Male, 17 years

Girls in particular face greater vulnerability in watch-houses. Issues include inadequate segregation from boys or men and being held in environments not tailored for their needs:

“The watch-house environment is largely designed with adult men in mind, leaving female prisoners with insufficient access to gender-responsive healthcare services, including for reproductive health and trauma-informed care.

QPS Watch-house Review 2025

“While separation is prioritised, the layout and infrastructure of many watches make it challenging to comply with this requirement. This results in inappropriate exposure of female prisoners to male prisoners and girls to adult prisoners or boys, including in some locations, showers or toilets, where there are no privacy screens or doors.

QPS Watch-house Review 2025

Many watch-houses were found to be ageing, poorly designed, and lacking natural light, ventilation, fresh air, privacy and appropriate spaces for children. The review also raised concerns about ‘intrusive and undignified’ processes for searching girls and inappropriate intake processes. The standard assessment questions on admission do not differentiate by age or account for a child’s special needs, health or mental-health status.

“Because they’re basically just police and I don’t know, they don’t look after you in there and it’s just always the worst, because whenever I go in a watch-house, I’m on a comedown, I’m high off drugs and they don’t look after you mentally. They’re just always yelling and screaming at you. They don’t offer – they’re not good with hygiene or anything. I don’t know, I don’t like being locked up with adults.

Female, young person

“They say they offer you showers, but they tend to forget.

Female, young person

The report made 34 recommendations, including:

- developing and implementing infrastructure improvement plans to ensure that watch-houses are safe and appropriate for children and other vulnerable detainees
- upgrading facilities and layouts to allow for proper separation between adults and children, with secure and private spaces for young people
- improving admission, assessment and care processes so that the individual needs of children, including medical, mental health and developmental factors, are properly identified and supported
- enhancing staff training in child-centred and trauma-informed practices to ensure officers can respond appropriately to young people in custody
- establishing stronger interagency coordination to prevent unnecessary or extended detention of children and prioritise alternative placements wherever possible.

“Yeah, because they gave us a little five-minute phone call once a week in front of the f\*\*king whole watch-house, [as a fun test]. It was pretty shit.

Male, young person

“Watch-house, it’s f\*\*king shit. I hated it from my guts. I hated it. There’s shit in there, dirty, filthy, you get scabies in there, there’s phlegm everywhere...Yeah. It’s just a yuck place you know.

Male, young person

In March 2025, the Queensland Government opened the Wacol Youth Remand Centre (WRYC) which has legally been designated a youth detention centre.<sup>165</sup> However, the centre has a different operating model and infrastructure to other youth detention centres. The WRYC is a temporary facility that will transfer back to the Queensland Police Service for its operational use as a watch-house in the future.

“[Wacol Youth Remand] You can’t go out anywhere. If you want to go out, you have to – you have this little – it’s like this big.

Female, young person

**Table 10.** Number of times children and young people were held in watch-houses and police stations by length of stay

Length of stay	2021–22	2022–23	2023–24
1 day or less	6053	5479	5237
2 days	1140	1303	1185
3 to 4 days	398	391	354
5 to 7 days	288	401	343
8 to 14 days	147	398	440
15 or more days	2	128	248
<b>Total</b>	<b>8028</b>	<b>8100</b>	<b>7807</b>

Source: Queensland Police Service unpublished data

Note: Figures may differ slightly to other publications.

Our 2023 review into watch-houses found increasing lengths of stay for children and young people.<sup>166</sup> Across 2023–24, more than 500 children and young people were in watch-houses across Queensland in every month except June. The data shows a dramatic and worsening increase in the number of children being held in Queensland watch-houses for extended periods. In 2023–24, 440 children and young people spent 8 to 14 days in a watch-house and another 248 spent more than two weeks. While short stays have declined slightly, stays of more than a week have risen to levels that fundamentally breach children's rights and contradict all international standards relating to detention.<sup>167</sup> These trends reflect systemic failures in bail, housing, remand management and youth justice infrastructure. They demonstrate that watch-houses, designed for overnight use, are now routinely functioning as long-term holding environments for children, disproportionately affecting Aboriginal and Torres Strait Islander children.

Following a Supreme Court ruling in 2023 that the holding of three children in police watch-houses was unlawful,<sup>168</sup> the Queensland Parliament made urgent amendments to the Youth Justice Act, including:

- making lawful the longstanding unlawful practice of holding children in watch-houses until beds become available in youth detention centres
- making that practice transparent by setting out criteria for deciding the prioritisation and timing of transfers
- providing a human rights declaration override that applies to this decision-making process until 31 December 2026

- making a retrospective amendment to address past incidences of children being held in police custody in watch-houses when section 56(4) orders have not been made
- providing a human rights override declaration for the establishment of youth detention centres until December 2026.

### Watch-house oversight

Our review identified key factors contributing to the extended stays of children and young people in watch-houses, including:<sup>169</sup>

- Family circumstances preventing the imposition of suitable bail conditions
  - Many children lack stable accommodation or family support, which is essential for bail compliance. The review noted that in 7 per cent of the 30 cases reviewed, the young person was homeless and in 20 per cent of the cases, the young person did not receive a visit from a family member during their time in the watch-house. Bail support services, including supervision and accommodation, are recommended to mitigate these issues. However, from 2019 to 2022, bail refusals for young people increased significantly from 12.8 per cent in 2019 to 20.3 per cent in 2022. The presumption against bail for repeat offenders, introduced as part of legislative reforms, has contributed to longer remand periods and a rise in the number of young people held on remand.
- Youth detention facilities operating above their safe capacity
  - In 2022, the average number of detainees exceeded the designated safe capacity by 17.7 per day. Due to detention centre capacity issues children and young people are being held in watch-houses for longer. Adding further pressure to detention centre capacity, the proportion of unsentenced children and young people in detention remained high between 2019 and 2022 (82–88 per cent), with an average stay of 48 days awaiting sentencing in 2022, up from 33 days in 2020. The UN Subcommittee on Prevention of Torture (SPT) and other international monitoring bodies have previously warned that holding children in punitive, unsafe and un-resourced environments, especially without sentencing, can amount to degrading treatment.

- Inconsistent access to education and rehabilitation programs
  - Detention centre services are not effectively addressing youth offending or reoffending, leading to a cycle of young people being held in watch-houses and detention centres. Overcrowding is a known risk factor for degrading treatment, violence and denial of basic services.
- Lack of clear accountability regarding the extended stays of children in watch-houses.
  - Despite various agencies being involved (including courts, police and youth justice), the reasons behind bail refusals, detention conditions and the oversight of young people's rights remain unclear.

Despite multiple oversight bodies responsible for monitoring children in closed or restrictive settings, the current system remains fragmented, reactive and inconsistent in its protection of children's rights. While the Inspector of Detention Services and the Queensland Human Rights Commission each have important roles, there is no coordinated or systemic framework guiding their oversight activities. Responsibilities are dispersed across agencies without clear leadership, which results in gaps in coverage, duplication of effort and lack of follow-through or accountability. These gaps are evident in police watch-houses and remand facilities, where children and young people are frequently held but oversight is minimal or poorly defined. Even in youth detention centres, where some structured scrutiny exists, the ability of oversight bodies to enforce their findings is limited. In many cases, recommendations are not consistently implemented or monitored.

The capacity to provide rigorous and authoritative oversight is weakened by recent legislative changes that have suspended human rights protections for children and young people in detention. As a result, Queensland is falling short of its obligations under both domestic human rights legislation and international instruments such as the UNCRC and the Optional Protocol to the Convention Against Torture (OPCAT). There is a clear need to establish a coordinated, enforceable oversight framework that is grounded in child rights and compliant with OPCAT. This should include the creation of a child-specific national preventive mechanism to monitor all settings where children are deprived of their liberty. A more integrated model of oversight is essential, whether through a lead agency responsible for coordination and implementation, or through a standing inter-agency committee with a formal mandate and the authority to act. Strengthening legislative protections for oversight functions will also be critical to ensure

they cannot be suspended or overridden during political or policy shifts.

The Inspector of Detention Services role (the Inspector), established under the *Inspector of Detention Services Act 2022*, is an important oversight function designed to promote the humane treatment of people in detention and prevent harm in places of detention across Queensland. This role is held by the Queensland Ombudsman who, in addition to their traditional responsibilities, now oversees the inspection and review of detention facilities, including youth detention centres, adult prisons and watch-houses.<sup>170</sup>

The Inspector's *Cairns and Murgon watch-houses inspection report 2024*<sup>171</sup> raised serious concerns about the detention of children in those watch-houses. The facilities were found to be unsuitable for accommodating children, lacking appropriate infrastructure, rehabilitative programs and staff trained to meet the specific needs of young people. Despite this, children were regularly held in these facilities for extended periods, sometimes weeks. Inspections identified unsafe and unhygienic conditions, with children denied access to fresh air, structured activities or consistent support services. These raised the potential for psychological harm (including anxiety, depression and stress-related conditions), particularly where children were held in isolation or near adults. A further concern was the lack of access to education and rehabilitation programs, essential for rehabilitation. The report also noted that cultural factors were not adequately considered in detention practices, potentially worsening trauma and distress.

The report recommended reducing the time children and young people spend in watch-houses and ensuring timely transfers to appropriate youth detention facilities. It called for increased staff training to support children in custody, improved cultural awareness and provision of essential services, such as education, mental health care and rehabilitation programs. The report emphasised the importance of transparency and ongoing monitoring, recommending regular inspections to ensure standards for the treatment of children are upheld and conditions improve.

The *Combined inspection report for youth detention centres* published in 2025 found serious and recurring breaches of children's rights across Queensland's youth detention centres. The inspection identified unlawful and unsafe practices, including failures to monitor children at risk of self-harm, excessive and poorly monitored use of separation, and separation rooms devoid of basic amenities, such as toilets, water and beds. Chronic staffing shortages further reduce

children's access to education, therapeutic supports and time out of room. It is critical to acknowledge that resource constraints can never justify breaching children's rights or operating below lawful minimum standards of care and safety. The report concluded that most previous recommendations remain only partially implemented, signalling systemic non-compliance and persistent conditions that violate humane treatment and rehabilitation standards.<sup>172</sup>

In 2025, the QHRC published a report on the detention of children in watch-houses. It reported on a 2023 case in which a 16-year-old boy was detained for 28 days in Queensland's Beenleigh and Southport watch-houses, awaiting either release or transfer to a youth detention centre. The report found that the child's detention violated fundamental rights, including protection as a minor, privacy and humane treatment. Watch-houses, designed for adults, are inadequate for extended detention of children, lacking the necessary resources and care to meet their needs. The QHRC made 10 recommendations to the QPS and the Department of Families, Seniors, Disability Services and Child Safety. Consistent with the Inspector's earlier conclusions, these recommendations focused on improving detention conditions for minors, including the creation of youth-specific facilities, better training for staff and the establishment of immediate transfer protocols.<sup>173</sup>

## Unsentenced detention

In 2023–24, over 85 per cent of children and young people in detention in Queensland were unsentenced. These children and young people spent an average of 48 days on remand. Of those sentenced, 37.8 per cent of children and young people were released immediately, meaning they had already served excessive time in pre-trial detention.<sup>174</sup>

The WYRC, located in Southeast Queensland, was opened in March 2025. This 76-bed facility aims to alleviate overcrowding in youth detention centres and reduce the number of children and young people held in adult watch-houses. It is designed to provide access to education, vocational training, rehabilitation programs, healthcare and support services.<sup>175</sup> The Staying on Track rehabilitation program, intended to provide at least six months of intensive support, was out for tender at the time the new centre opened, leaving young people without access to this critical rehabilitation service.<sup>176</sup>

While the WYRC was built to operate until a new youth detention centre in Woodford opens,<sup>177</sup> the facility's design and location raise concerns about its effectiveness in providing appropriate care and rehabilitation for children and young people. In early visits by the OATSICC, we found that the centre was designed as an adult remand facility, lacking essential features for youth detention, such as privacy, appropriate education spaces and outdoor areas. The centre does not allow for contact visits, which are crucial for maintaining family connections. Despite being near two youth detentions centres, the logistics and transportation needs may disrupt children and young people's access to rehabilitation programs and other services. The location of the centre also means children and young people may be moved far away from their communities.

## Judicial timeliness

The justice system should prioritise timely interventions that align legal responses with children and young people's evolving cognitive development and capacities. This is needed to link consequences to behaviour, promote accountability and support rehabilitation. Timely proceedings are also in the best interest of victims to support their access to justice and recovery.

The draft CRC General Comment No. 27 emphasises the importance of timely judicial processes. Prolonged, non-child-friendly procedures can undermine the right to justice and can lead to lengthy periods of unsentenced detention and extended time in watch-houses.<sup>178</sup> Judicial delays should not impede the child or young person's right to a fair and prompt resolution of their legal matters.<sup>179</sup>

Queensland data shows that improvements continue to be made to reduce the average time taken to finalise matters in 2023–24 compared with the previous year (92 days to 85 days for the Magistrates Court and 319 days to 307 days for the Childrens Court). In March 2023, the state commenced a Fast Track Sentencing pilot program with the aim of accelerating court processes for children and young people to limit the amount of time they spend on remand.<sup>180</sup>

## Separation

Separation (also known as isolation or solitary confinement) is a serious form of deprivation of liberty. Separation in youth detention, regardless of whether it is labelled 'separation,' 'isolation' or 'solitary confinement' is a harmful and highly restrictive practice under international law. CRC General Comment No. 24 (2019) states that solitary confinement should not be used for a child. Any separation of a child from others should be strictly time-limited and used only as a measure of last resort where it is necessary to prevent immediate harm to that child or to another child.<sup>181</sup> The UNCRC and the *United Nations Standard Minimum Rules for the Treatment of Prisoners* (Nelson Mandela Rules) make clear that solitary confinement must never be used for children, as it invariably constitutes cruel, inhuman or degrading treatment.<sup>182, 183</sup> Framing such practices in administrative language obscures their impact and risks normalising the deliberate deprivation of meaningful human contact, education and therapeutic support.

The Australian and New Zealand Children's Commissioners, Guardians and Advocates group released a joint statement on isolation practices in 2024. They called for use of isolation to be prohibited, except in extreme cases where there is no alternative practice to prevent imminent, serious threat of injury. They also called for governments to establish and resource an independent national preventive mechanism to ensure independent oversight.<sup>184</sup>

While youth detention centres in Queensland do not report on the use of separation for children and young people, previous court decisions and documents obtained through Parliament have highlighted the length of separations.<sup>185</sup> The Queensland Child Death Review Board has also explored the impacts of prolonged periods of separation on children and young people's psychological wellbeing and premature death.<sup>186</sup> This is a breach of Articles 3, 6, 19 and 37 of the UNCRC, and places children, particularly First Nations children, children with disability and those who have experienced trauma at serious risk of harm.

*"I'll do something silly and get put in [Oak] or the box. Nothing in it, just [blank] walls and you've got to sit on the ground for either an hour or half an hour; sometimes it can be all night. Yeah. Sometimes they talk shit, bro, it's f\*\*king – oh, that's what gets me more angry. Then sometimes we have to bang on the door just to get our way, and if not, it'll make it worse and we'll stay there for another whole hour. It just makes things worse.*

*Female, young person*

*"It would probably bring back past trauma.*

*Support Person*

*"Yeah. In the box...Shit. If you keep kicking on the door and shit they drag you and they make it an extra hour or two and you're in there for a bit...No. There's no toilet in there.*

*Male, young person*

*"I've been in separation here, probably over 50 times. Yeah. Just [unclear] up, getting slammed, taken to the box, kick back. Probably the longest I've ever been in a box, probably like two days because the cell was damaged. Yeah. Kick back in the box and just another shithole.*

*Male, young person*

*"It depends on the section's behaviour as well, like if there's many codes or such. But lockdown, you're just in your rooms all day, you eat in your room you don't come out unless they do rotations. They'll bring half of us out for an hour and put them in their room and the other half of us.*

*Female, young person*

The Inspector's report on the Cleveland Youth Detention Centre<sup>187</sup> highlights significant concerns related to separating children and young people due to ongoing staff shortages at the centre (Figure 3). The report notes that while separation is sometimes used to manage challenging behaviour, it is frequently being used due to staff shortages. Its excessive use is concerning, as it leads to social isolation and significantly affects the mental health of children and young people. These effects could be long-lasting and hinder children and young people's rehabilitation and reintegration into society after release.

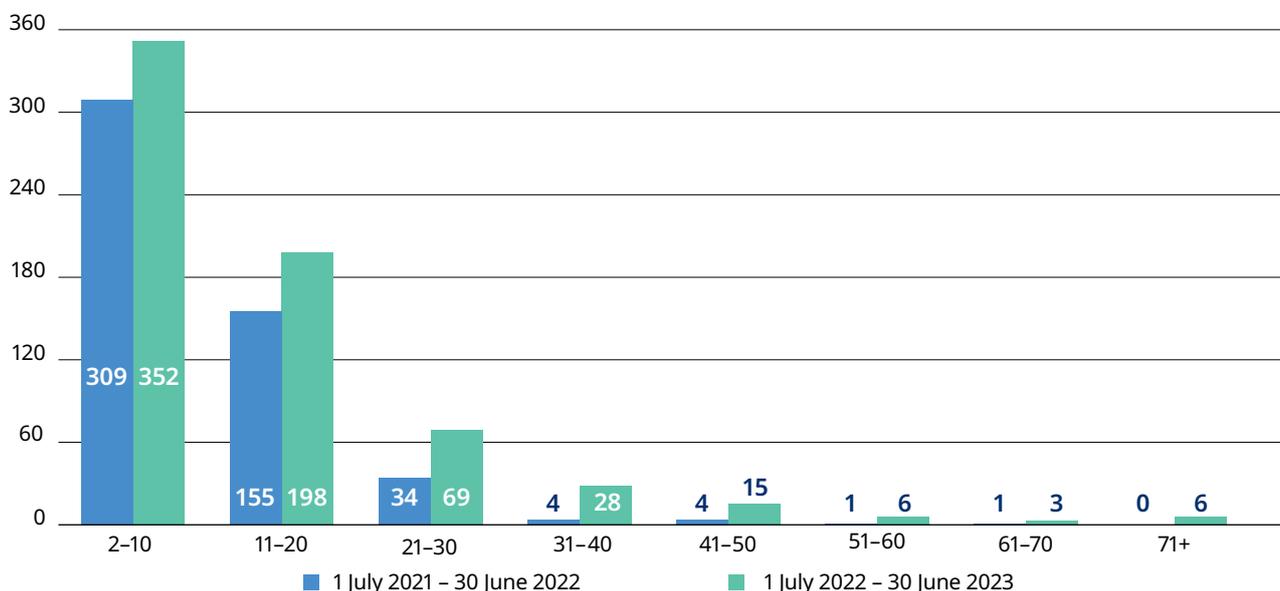
*"Just all the lockdowns in here and here at [detention centre], but it's gone a little bit better. At one point it was [unclear] for like 13, 14 days straight. That was pretty good. Not like back then, it used to be [unclear] for a couple of days, come back out for one day and then [unclear] for a couple more days.*

*Male, young person*

*"Just shit being stuck in that cell every day. Yeah and just being here for a long time, like months and shit. Yeah and just shit just getting used to the place... Locked down... Since yesterday... Pretty shit [and like yeah]. A bit stressed. Yeah.*

*Male, young person*

**Figure 3.** Children at Cleveland Youth Detention Centre in separation for 20 or more hours on consecutive days, 2021–22 and 2022–23



*Source:* Compiled by the Inspector of Detention Services using information from the Department of Youth Justice

The separation lengths above go far beyond what any international standard permits. Sustained separation of this length meets or exceeds the threshold for solitary confinement, which is generally prohibited for children under international law. The upward trend indicates a systemic pattern of unlawful, harmful and prolonged deprivation of liberty, rather than isolated failures. The data reveals a youth detention system increasingly reliant on separation practices that are incompatible with rehabilitation, child safety and basic human rights.

The staffing shortages at Cleveland Youth Detention Centre are identified as a critical factor contributing to the use of separation. Insufficient staff numbers make it difficult to maintain safe and effective supervision, meaning children and young people are placed in separation more frequently to control situations. In some instances, the lack of staff may result in force or physical restraint to manage children and young people. A critical finding was the lack of regular review of children and young people placed in separation. The Inspector's report recommends that there should be a more structured approach to reviewing separation to ensure that it is used appropriately and for the shortest time possible.

Separation should not be considered an appropriate default response to workforce constraints, as it does not meet the threshold of rare and exceptional circumstances required for short-term separation under the Nelson Mandela Rules.<sup>188</sup> Given the seriousness of the violations against children's rights in the youth justice system, staff shortages should

be recognised as an operational gap or systemic failure. Using separation to manage staffing deficits fundamentally misuses a practice that international law permits only in rare, exceptional and strictly time-limited circumstances.

The Inspector also found that rehabilitation programs are being disrupted due to the staffing shortages, which further alienates children and young people. Despite the Inspector calling for urgent action to reduce reliance on isolation, improve staffing levels, and ensure that rehabilitative and educational programs are accessible to all young people in detention, recent evidence shows that the issues outlined are persistent and ongoing for children and young people in Cleveland Youth Detention Centre.<sup>189</sup> The Inspector, along with other oversight bodies, have repeatedly issued similar recommendations over multiple years to address prolonged isolation caused by staff shortages. Despite these findings, limited action has been taken, resulting in a failure of accountability.

“ But I hate, if there's not enough staff, we've got to get in our rooms all day and just watch TV. I wouldn't consider all the time, but I reckon sometimes when we don't have enough staff to come and get us out.

*Female, young person*

# Assaults and restrictive practices

## Data snapshot

**Table 11.** Use of force on young Queenslanders and assaults in custody 2021–22 to 2023–24)

Indicator	2021–22	2022–23	2023–24
Number of children and young people on whom force was used in police custody within last 12 months <sup>i</sup>	<b>2268</b> 64.6% First Nations	<b>2445</b> 67.7% First Nations	<b>2433</b> 63.4% First Nations
Number of incidents of injury as a result of an assault in custody all young people) <sup>ii</sup>	<b>97</b> 69.1% First Nations	<b>37</b> 43.2% First Nations	<b>70</b> 55.7% First Nations

**Source:**

i Queensland Police Service unpublished data

ii Productivity Commission, 17 Youth justice services: Report on Government Services 2025

This snapshot points to a youth justice and policing environment where violence against children is normalised, where First Nations children and young people are disproportionately harmed, and where systemic failures continue to expose children to risk. The UNCRC states that governments must do all that they can to ensure that children and young people are protected from violence and abuse (Article 19) and that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment (Article 37).

The QPS reports that in 2023–24, there were 2433 instances of force<sup>f</sup> used by police on children and young people. Over 60 per cent of these were on First Nations children and young people and 78 per cent were on males. There were 350 reported instances where force was used on children under 14 years.<sup>190</sup> Each year, few incidents of assaults causing injury to children and young people while in detention centres are recorded by the Department of Youth Justice. This data is not reflected in the views of children and young people while in youth detention or police custody.

“They body slam. They slam us to the ground. What else? They do twist your wrist very hard.

Female, 16 years

“I got detained and then I said I’m going to jump on the ping pong table and then that’s when he just grabbed me and almost broke my arms. I could feel my arms ripping apart and it was bad, bro and I started screaming in there. I just went – I told him – I asked him, I literally said, I literally was using my manners and everything, if he could loosen his arms a bit, loosen my arms a bit, and no, he didn’t. He literally threw me around in the box. They f\*\*king – oh, they use so much force here, the guards.

Female, young person

“It’s usually just the police when they arrest you. They bash the f\*\*\* out of you. Like, they ripped me out of the car. I wasn’t resisting or anything. Then they goes, stop resisting. Otherwise, I’ll punch you. I wasn’t resisting or anything, I was sitting there with my hands – I was still half asleep. They ripped me out of the car while I was asleep. Yeah, my hands went behind my back, and he was just saying, stop resisting before I punch you, all this. When I got arrested last time, because I got [all my raid] footage, I got 34 camera footages, and every single one, you see this chick walk past my dad while he’s on the ground and kick him in the head. Then they pinned me up against the wall, put me through the wall, and then they dropped me again three times at the front. They reckon I was resisting when I was just trying to walk. Yeah, they just treat you like shit for no reason. They think they have the authority because they have a badge and a gun. It’s not right. No.

Male, 17 years

<sup>f</sup> Use of force includes firearm, taser, spithood, batons, oleoresin capsicum (oc) spray, open/closed hand tactics, restraining accoutrements, police dog, police horse, other object and police pursuit.

# Health and disability

## Data snapshot

**Table 12.** Incidents of self-harm (2021–22 to 2023–24) and percentage of young Queenslanders in custody with a disability (2022–2024)

Indicator	2021–22	2022–23	2023–24
Number of self-harm and attempted suicide incidents in custody not requiring hospitalisation (No reported incidents requiring hospitalisation) <sup>i</sup>	<b>164</b>	<b>108</b>	<b>50</b>
Percentage of young people in youth justice custody with at least one suspected or diagnosed disability <sup>ii</sup>	<b>37</b> 37% First Nations	<b>54</b> 58% First Nations	<b>71</b> 72% First Nations

**Source:**

i Productivity Commission, *17 Youth justice services: Report on Government Services 2025*

ii Department of Youth Justice, *Youth Justice Census*

The data shows that children and young people with disabilities are over-represented in the youth justice system. It suggests the youth justice system is acting as a holding place for children and young people with disabilities, rather than a rehabilitative environment, while simultaneously exposing them to significant psychological distress and risk of self-harm. Cases highlighted by the media show the systemic failures in providing adequate care for children and young

people with disabilities in detention. For example, a 14-year-old girl with severe intellectual disabilities and fetal alcohol spectrum disorder was frequently placed in police cells despite having the mental capacity of a five-year-old. Her disabilities, which impairs her understanding of consequences and decision-making, often led to behaviours interpreted as criminal, resulting in repeated detentions, including in watch-houses.<sup>191</sup>

“ Then because when I first went to my centre, they did a health assessment check on me and I asked for – that’s the first thing I did, I asked for my tablets, ADHD tablets. They still haven’t given me my ADHD tablets. That’s basically taken me – they took – they’re taking more than two months just to give me my ADHD tablets and they took like a month or so to do my iron tablets.

Female, 16 years

Despite the presence of multidisciplinary staff, including psychologists, speech-language pathologists and social workers,<sup>192</sup> the delivery of health and therapeutic services remains inconsistent. In 2023–24, Queensland Health provided 5076 occasions of mental health service to 157 children and young people in a youth detention facility (of approximately 1144 children and young people). Between 2022–23 and 2023–24, mental health treatment access in Queensland youth detention centres rose by 3.3 per cent. First Nations children and young people accessed mental health services at higher rates than others in detention.<sup>193</sup> Oversight bodies continue to highlight systemic failures in providing adequate health and therapeutic supports to young people in detention centres and watch-houses in Queensland.<sup>194, 195, 196</sup>

Children and young people in contact with the justice system often face complex and overlapping challenges, such as unstable housing, family violence, trauma, mental illness and disability.<sup>197</sup> Many are also victims of crime themselves. Research conducted by the Queensland Government Statistician's Office in 2023 found about one-in-four young people who had offended also experienced victimisation.<sup>198</sup> These factors, along with racism, inadequate healthcare and educational disadvantage, contribute to their contact with the justice system. Evidence has shown that once detained, the conditions, including isolation and lack of support, can worsen their mental health and developmental needs.<sup>199, 200</sup> These children require intensive, holistic support rather than punitive responses.

“ I wish they would take more time to understand kids with their mental health in here, how it's not smooth for everyone in here.

Female, 16 years

“ I found out at the start of this year it's a language disorder, so I can understand but some things I can't understand. It has to be put in different words, some words. Yeah, that's probably why. When there's too much noise, I can't focus on one thing.

Male, 17 years

“ I used to be like a sick kid all the time. I was in and out of (behavioural support units) all the time. But no, my mental health wasn't really supported. Just like you'd go off in your room, and they leave you in there, and they just let you do whatever the f\*\*k you want and then just come in and just sort it out their way. They won't even like sit you down and even have a chat to you, like what's going on?

Male, 17 years

“ They diagnosed me with ADHD. They put me on my medication for trauma because I have trauma from when I was a kid, and they put me on medication to help me sleep at night.

Male, 17 years

“ Like school and shit, because I don't know how to read and shit and like go to school. So, my psychologist has been helping me with reading and spelling and shit...So, I've picked up a level there [how does that make you feel?] I feel a bit happy like. Every time I went to school, like I was saying I don't want to learn and shit like that. Yeah.

Male, young person

“ Yeah. I haven't been sick [at all]. Well, I have, but I just don't talk. Because then you have to f\*\*king isolate on your own. They lock you on your own f\*\*king for a couple of days. No one really tells them.

Male, 17 years

## Cultural programs

First Nations children and young people continue to be significantly over-represented in Queensland's youth justice system. Despite making up only about eight per cent of the youth population, they account for over 70 per cent of those in detention on an average day. The Making Queensland Safer reform agenda highlights the need for culturally safe, community-led responses. In recent years expenditure and participation data suggest that investment in such programs remains limited and inconsistent (Table 13).

The expenditure pattern shows a system maintaining the status quo, rather than meaningfully expanding culturally grounded alternatives to detention. The reduction in On Country funding is especially concerning, signalling a retreat from programs with strong potential to reduce over-representation and support children to remain connected to family, community and culture.

The total funding across the On Country and Family-led Decision Making programs has averaged \$2.85 million over the past three years, with no significant growth over time. Funding for the On Country program fell by more than \$400,000 (a 24 per cent decrease) in the most recent year.<sup>201</sup> These levels of funding for culturally responsive, community-led programs do not align with the scale of overrepresentation of First Nations children and young people in the youth justice system. The reach of these programs also appears limited when compared with the level of need. Over the past three years, 351 young people engaged with On Country programs across three locations: Townsville, Cairns and Mt Isa. The Mt Isa program ceased as of 30 June 2023.<sup>202</sup> The loss of this service in a high-needs regional location leaves a potential gap in culturally appropriate support for First Nations children and young people in the area.

Despite significant investments and policy commitments under Making Queensland Safer reforms, we have not yet seen a commitment to expand or integrate these programs across the system. To reduce overrepresentation and improve long-term outcomes, Queensland's youth justice system must go beyond small-scale and pilot initiatives and embed these programs as core components of a sustained, system-wide response. They must be supported by stable funding, geographic reach and full integration into mainstream service delivery. While the establishment of a new youth justice peak body, the Queensland Aboriginal and Torres Strait Island Child Protection Peak (QATSICPP), is promising, cultural programs like youth Murri Court, Family-led Decision Making and On Country remain underutilised. There is also limited data on participation or outcomes for First Nations young people.

“ We only just finished the Young, Black and Proud program about a week ago...Just study our cultural background and stuff, what's happened and how we got to now and shit.

Male, young person

“ Yeah but like there hasn't been much practice about culture in here. We don't keep up to date with our culture in here...Only like sometimes but we've got to behave for it.

Male, young person

“ No. I've never been a part of any cultural program. No.

Male, young person

**Table 13.** On Country program and Youth Justice Family-led Decision Making expenditure (2021–22 to 2023–24)

Program	2021–22	2022–23	2023–24
– On Country program	\$1,776,248	\$1,790,440	\$1,351,494
– YJ Family-led Decision Making	\$1,094,756	\$1,097,551	\$1,447,435
<b>Total</b>	<b>\$2,871,004</b>	<b>\$2,887,991</b>	<b>\$2,798,929</b>

Source: Queensland Government Open Data Portal – Expenditure Data

## Exiting detention

The transition from youth detention back into the community is a critical intervention point for safeguarding the rights of children and young people and supporting rehabilitation (Table 14). Article 40 of the UNCRC, states that all children in conflict with the law are entitled to protection, education, rehabilitation and reintegration into society. Realising these rights requires coordinated, culturally grounded and relational supports that respond to the complex needs of children and young people exiting detention.

This data reveals a system in which First Nations children and young people continue to be disproportionately detained and affected, even though many do not require a custodial sentence. It also shows that restrictive bail practices are contributing to unnecessary detention.

“ I wouldn't say supports but I would just say, when I get out I've got people who's bugging me to f\*\*king like, you've got to keep up with your orders. Yeah. To me a support would be someone who's helping me. Them people are not helping me. They're pressuring me to finish my order. They're just giving me transport to an office so I can sign a paper that a whitefella told me that I've got to sign. Like their probation, like signing and that.

Male, young person

**Table 14.** Number of young people exiting detention episodes by exit type

Exit type	2021–22	2022–23	2023–24
Transferred to an adult correctional facility	10	14	11
Exited custody on a supervised release order	227	221	260
Sentenced to a non-custodial order	929	928	923
Released on bail	807	915	674
Released upon sentencing to a detention order, with no supervised release order	12	21	17
Other reasons	102	93	166
<b>Total exits</b>	<b>2087</b>	<b>2192</b>	<b>2051</b>
– First Nations	68.0%	72.6%	71.2%

**Source:** Department of Youth Justice, Youth Justice Performance Reporting and Analytics

**Notes:**

- Data are a count of exits from an episode of unsentenced (pre-court custody or remand) and sentenced custody either from a youth detention centre or from a police watch-house (post-court remand or sentence) in the reference period. Excludes same day admission and exits as well as young people held in a police watch-house on pre-court custody. The same young person may be counted multiple times if they had more than one exit from custody in the period.
- Exit types are hierarchically reported. For example, if a single exit was because the young person was sentenced to a non-custodial order and released on bail for other matters, that exit will only be reported as 'sentenced to a non-custodial order.'
- Datasets are accurate as at 31 July 2024. Data extracted from a different time period may result in different figures.
- Other reasons include doli incapax, charges dropped/withdrawn, deportation and court directed release.

## 72-hour transition plans

In 2022, 72-hour transition plans were rolled out by the Department of Youth Justice as an action area from the Youth Justice Taskforce. The 72-hour transition plans were designed to ensure serious repeat offenders have supports in place to meet their most immediate needs as they exit youth detention.<sup>203</sup> We explored data on the number of children and young people who received a 72-hour plan on release between 1 July 2023 and 31 December 2023, and who had a new charged offence within six months (Table 15). Within one month of exiting detention, 75 per cent of children and young people had reoffended and within six months almost 97 per cent had reoffended.

The data points to deep structural failure, in which detention produces rapid and near-universal reoffending, particularly for First Nations children. Of the 497 custody exits with a 72-hour release plan, 75 per cent resulted in a new alleged offence within one month, rising to 97 per cent within six months. This indicates that the 72-hour plan, designed to stabilise children during their highest-risk period, is not an effective intervention. First Nations children account for 80 per cent of all exits and the overwhelming majority of reoffending, highlighting entrenched racialised harm and the absence of culturally grounded supports. Because the dataset measures exits rather than individuals, it also exposes a system that recycles the same children through repeated detention episodes, with no sustained therapeutic, cultural, housing or disability supports to disrupt this cycle. Overall, the evidence demonstrates that Queensland's youth detention system entrenches the very conditions that lead children back into custody, especially First Nations children.

The Queensland Audit Office found that the 72-hour plans for young offenders were introduced by the Department of Youth Justice without evidence to support the approach. Despite being mandatory, 28 per cent of serious repeat offenders were released without a plan. The quality varied widely among the plans reviewed. Nearly half lacked a listed support person or mentor, and over a quarter were incomplete, missing basic details like living arrangements or bail conditions. Challenges for creating these plans include unpredictable release times, lack of available services on weekends and difficulties identifying a young person's stable housing. Non-government organisations report that poor coordination and minimal information-sharing by the department hinder effective transition support. They often received little notice about releases and were not given key information about young offenders' needs, making safe and tailored care difficult to provide.<sup>204</sup>

The 72-hour transition plans have now been replaced by the new Staying on Track 12-month post-detention rehabilitation programs. These programs include at least six months of intensive support following release from custody. They aim to reduce reoffending by providing mentoring, family support, and community engagement to help young people strengthen life skills and build positive relationships.<sup>205</sup> With the recent rollout of funding to deliver these services, progress will continue to be monitored over time.

**Table 15.** Number of custody exits for young people who received a 72-hour plan on release, who committed a new alleged offence within 1, 3 and 6 months of their exit

	Number of custody exits	Number of young people who reoffended following a custody exit		
		1 month	3 months	6 months
- First Nations	398	315	370	389
- Other	99	60	83	91
<b>Total</b>	<b>497</b>	<b>375</b>	<b>453</b>	<b>480</b>

**Source:** Department of Youth Justice, Youth Justice Performance Reporting and Analytics

**Notes:** Data are a count of custody exits for young people who received a 72-hour plan on release between 1 July 2023 and 31 December 2023, who had a new charged offence within 30 days, 91 days or 183 days. Data are not a count of distinct young people and therefore the same young person may be counted more than once.

## Recidivism

Queensland has one of the highest rates of reoffending in Australia. In 2021–22, 65.8 per cent of children and young people released from sentenced supervision returned within 12 months.<sup>206</sup>

Our 2024 report, *Exiting Youth Detention: Preventing Crime by Improving Post-Release Support*,<sup>207</sup> examined why many children and young people in Queensland reoffend after being released from youth detention. Almost all (96 per cent) young people who were released from Cleveland Youth Detention Centre committed another offence in the 12 months following their release. This compares with 92 per cent of young people from Brisbane Youth Detention Centre and 84 per cent from West Moreton Youth Detention Centre. The data indicates that the service delivery in detention facilities and transition processes are having little impact on reducing reoffending rates.<sup>208</sup>

Based on insights from 66 young people with detention experience, their families and 44 frontline workers, the report found that transition plans and rehabilitation programs were failing to address the root causes of offending, such as poverty, housing instability, family breakdown, violence and substance abuse. Young people reported that transition plans were slow, generic and poorly tailored to individual needs. This suggests that plans lacked continuity across systems with little to no integration with education, housing or health. This led to fragmented or absent support.

The report highlighted how negative community perceptions discourage young people from positive change, as they are left feeling rejected and undervalued. Consistent with previous findings, strong relationships with support workers, family and community members are more effective than short-term programs. Two key recommendations were made, to strengthen post-detention transition programs over a dedicated 12-month period and embed these programs in a broader, long-term approach that tackles the underlying causes of offending. We must also do better at listening to children and young people's experiences and needs to develop effective strategies that support their reintegration and reduce reoffending.

*“ More cultural program where it's one, two days, probably on weekends, because most times people steal on the weekends. They'll have YJAM on Monday to Friday... The weekend comes, there's nothing to support them on the weekend. Most – YETI is shut down on the weekends, there's not much people. If there was more support programs on the weekends, that way there'd be more support for the people, because that's most of the time when people get into trouble on the weekend when they've got no programs, no nothing, no support.*

*Male, young person*

High reoffending rates in Queensland often unfairly places blame on the child or young person, rather than recognising that repeated offending is largely a symptom of systemic failure. Meaningful change requires shifting accountability from individuals to the systems meant to support them.

*“ Well, not really. They were meant to sort it out while I was in detention so I could get released to rehab. When I was in for like six months, right, they were meant to sort it out. Then they didn't do it. Then I was out for a month and then I was back in, and then when I was in the most recent time – I only got out like a month ago and I was on remand the whole time I've been out. But they were meant to sort it out again. They still didn't do it, and then I was trying to do it while I was out. But I already had [support] when rehab called me saying that they could do a meeting and that with me. I already had [support] anyway so I kind of just forgot about it.*

*Female, young person*

*“ Police officers not pulling kids up just because they know who we are. I got [caught] up six times in one day when I was out. Because the only reason I got pulled up for the first two is because they said we saw you on the board at the watch-house. Then they pulled me up and said, no, a different person, then drove off.*

*Male, young person*

*“ This case worker, he was telling me, I can't come to your house and that thing, you've got to come here. I asked a couple of the other workers, can they do that, just make me go there, because I have to do it for – I've got to my sign ins like a month. He expects me to go there, like start walking on foot when I had to sign in. He said, if I don't get there and do one, he's just going to put a breach on it.*

*Male, 17 years*

The new Queensland Government has committed \$175 million to the Staying on Track program, which aims to reduce youth reoffending and support their reintegration. The program will provide up to 12 months post-release support to all children and young people exiting detention, including six months intensive support. Tailored strategies will help children and young people manage at-risk behaviours, access learning opportunities and find and prepare for jobs.<sup>209</sup>

## Rehabilitation

In 2024, the Queensland Audit Office reported on how well current youth justice strategies address serious repeat offending and contribute to community safety. The review found that more needs to be done to reduce offending by high-risk young people.<sup>210</sup> The report noted that while the QPS and the Department of Youth Justice are prioritising community safety through increased policing and expanded detention facilities, these measures offer only short-term relief and will likely entrench cycles of incarceration. Long-term reduction in youth reoffending requires greater investment in rehabilitation and support programs. However, there is limited evidence that current investments are targeted effectively, as no system-wide investment analysis is being undertaken. The current investment in punitive responses appears to be at the expense of systemic improvements that uphold rehabilitation obligations under the UNCRC and the Youth Justice Act.

“I don't even know, worse because – no, it's helped a little bit, getting my White Card in here, licence, stuff like that. It's worse too because now that I've been in here it's hard to break the cycle.”

Male, young person

The Queensland Audit Office reviewed how well the Department of Youth Justice is delivering rehabilitation programs to high-risk young offenders. The main program, Intensive Case Management, is meant to support these young people and their families over 6–12 months. However, 10 per cent of participants between 2018 and 2023 were not properly assessed before starting the program. As a result, supports may not align with young people's needs. Examination into 50 serious repeat offenders found major gaps in program delivery. One-third had no record of completing their mandatory rehabilitation program. Nearly one-in-five had no record of receiving any rehabilitation. Although the programs themselves are based on evidence, poor data collection makes it hard to measure their success.

Another major concern is the frequent lockdowns at youth detention centres, which disrupt both rehabilitation and education. Consistent with the Inspector's reports, lockdowns are mainly caused by staff shortages and safety concerns. Cleveland Youth Detention Centre is especially affected, with lockdown days increasing from 12 per cent in 2018–19 to 81 per cent in 2022–23, equivalent to 294 days locked down in one year. This has had a severe impact on the number of young people completing rehabilitation at Cleveland (down from 215 in 2018 to 31 in 2022).

The delivery of education has also suffered, with most young people receiving only three to five hours of in-person learning per week during 2021–2023, although some may receive learning materials in their rooms.

“Like outdoor programs, like oval and that, [pool], basketball. Sometimes it's hard to get it, especially being in this unit too. They won't really give it to us because they have to be able to trust us. We had one last week, yeah, that was all sweet, got out, fresh air. One of the boys he hasn't been out of this – been out there and got fresh air, for eight months.”

Male, young person

“I don't know, just cleaner... Look at that shit [pointing to graffiti walls]... You should see our rooms... If you go to room 10, 6, in the – mostly in the rooms detention, there's tags all up the floor, walls, roof, mould. Just all that type of shit. They've ripped up floors.”

Male, 17 years

Recidivism is a critical indicator of systemic failure of the youth justice system. Rather than reflecting inherent criminality, repeated offending often signals a lack of effective rehabilitation, support and reintegration mechanisms. Evidence shows that incarceration is criminogenic, it increases the likelihood of reoffending, disrupts developmental pathways, and severs essential social connections.<sup>211</sup> Programs rooted in education, psychological care, family engagement and community-based support have proven to reduce recidivism.<sup>212</sup> Preventative efforts that address trauma, abuse, neglect and poverty in early childhood are also essential for preventing or diverting children from the justice system.<sup>213</sup>

“Yeah. He was helping me with this one, Jabalbina program, like this little...somewhere up the Tablelands and you go there and get money – good money. You get a certificate [unclear] and something. They help you [unclear] and that stuff... Probably just – because it's hard to change my friend groups and everybody knows me and knows where I stay. It's hard, so that's why I like that little Jabalbina program, it was out of Cairns.”

Male, young person

## OPCAT and oversight

Since reporting in 2023, there has been minimal progress in implementing the OPCAT in Queensland. On 2 June 2023, Queensland's *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2023* commenced.<sup>214</sup> While this legislation facilitates the monitoring of places of detention by the OPCAT subcommittee, the lack of an established national preventive mechanism leaves a significant gap and limits Queensland's ability to ensure transparent, independent oversight. Stakeholders have also noted that the places of detention that fall under the scope of the legislation should be broadened to align with the requirements of OPCAT.<sup>215</sup>

Queensland's oversight landscape for children in detention is fragmented and lacks clear lines of responsibility. Although multiple bodies have mandates to monitor detention conditions and respond to rights-based complaints, the division of functions is neither transparent nor coherent, leaving children and their advocates uncertain about where to turn.<sup>216</sup> Individual agencies operate their own internal complaints systems, while external avenues such as the QHRC and the Office of the Health Ombudsman can investigate specific elements of watch-house and detention practices.<sup>217, 218</sup> This patchwork approach results in gaps, duplication and diffuse accountability. There is no clear, coordinated and child-specific oversight pathway to ensure every breach of rights is independently investigated, monitored and acted upon, wherever it occurs in the system.<sup>219, 220</sup>

“ Like sometime when I was younger I didn't really care because I know that's just how this place is. But like now that I'm older, like I'm 18 on Wednesday, and I sort of look back like what the f\*\*\*, kids going through what I went through in here. Like what the f\*\*\*. I believe this place should be shut down, because there's no benefit for us. Like yeah it's a detention centre but sometimes it's worse than jail in here, and we're only kids Bruh.

Male, 17 years

Whilst Queensland is yet to establish their OPCAT monitoring body and processes, the Queensland Ombudsman Inspector of Detention Services completes reviews of detention facilities in Queensland according to a set of inspection standards for prisons and youth detention centres.<sup>221</sup> In 2023–24, seven inspections of places of detention were undertaken, including Cleveland, West Moreton and Brisbane Youth Detention Centres and the Murgon and Cairns watch-houses. In its report on the inspections of the Murgon and Cairns watch-houses,<sup>222</sup> the Inspector identified concerns that:

- infrastructure is not suitable for children and young people
- the Cairns watch-house was overcrowded at the time of inspection
- the Murgon watch-house has no access to fresh air or consistent support services
- admission processes were inadequate
- there are no organised activities for children
- management of at-risk children is inadequate
- some children are exposed to inappropriate isolation practices
- there is limited privacy for children using toilet facilities
- there is limited guidance for staff on trauma-informed or other behaviour management

In September 2025, Levitt Robinson Solicitors was considering bringing an action against the State of Queensland and the Department of Youth Justice on behalf of current and former detainees of Queensland Youth Detention Centres from 2005 onwards.

## Youth justice peak body

In 2024, the Queensland Government appointed the QATSICPP as the inaugural Youth Justice Peak Body to:<sup>223, 224</sup>

- work with youth justice representatives and the Queensland Government to inform policy decisions
- enhance effective intervention and prevention strategies
- address over-representation of First Nations children and young people in the Queensland youth justice system
- work with communities, practitioners and policymakers to promote the safety and wellbeing of children, young people and their families in the system
- develop strategies to deliver a capable and effective youth justice workforce
- design and deliver campaigns targeting community service providers and community groups, representing the view of the youth justice sector
- build the capability of service providers in rural and remote locations and those providing services to First Nations and culturally diverse communities.

“*To come in here and to get rehabilitated. If a kid came in and you gave him that – teach him how to do horticulture and he enjoyed, he can go and get out and f\*\*king build a greenhouse for yourself. Make money off it. Or if he came in here and you teach that boy how to paint – simply how to paint – he'd get out and become an artist. He'll make millions of dollars. Like thousands of dollars.*

*Like you come in here and teach that boy how to mow the lawn, he can go out and be a f\*\*king grounds crew man. Like something to benefit that kid that's coming in. That's what I reckon. I never got no chance coming in here. Because there's no programs in here to help us with that, and when there is it's only for the boys who are being good. But you go down to Brisbane, you're a mainstream kid, you get thrown in a bricklaying classroom. Up here in Townsville we've got no bricklaying classroom. You know bricklaying, that's a f\*\*king well paying job Bruh. You can make thousands of dollars off that if you build a house and sell it.*

*If a kid came in here and learned how to do that I guarantee you he wouldn't come back in. If he came in and something benefited him, he wouldn't go back out and do that same thing because he know, look, yeah, I can make money off building a house. He'd know he got experience now and he'd use his experience to think. On the other side of that, regulation programs to stop him from being that hard and thinking like that... Stop him from thinking like that. So, like emotional programs and benefiting programs. I already know what it's like. I've been in here lots of times. I came in here since I was 11. I'm 18 now.*

*I've been in here lots of times. Too many times. I've seen this place change. Back in the day when I first came in, we used to go to good program and that. There was a music class. They would teach us how to rap. Or there was a painting class. They would teach us how to paint properly. These days I go to a painting class and they're like, okay, what do you want to do? I'm like f\*\*k I don't know how to paint. What am I going to do? Can you f\*\*king help me? You're a teacher. You're supposed to teach me how to do it. That's your job.*

*Male, young person*

# Recommendations

## Adopt a consistent, rights-based framework for all youth justice policies and practices

- Legislate a unified youth justice decision-making framework that requires responses to be proportionate, developmentally appropriate and culturally safe, with detention used only as a last resort.
- Support national minimum standards and a public data dashboard that reports on diversion, remand, detention conditions, restrictive practices, recidivism and outcomes for First Nations children.

## Raise the minimum age of criminal responsibility to 14 years with no exceptions

- Establish a fully funded, statutory therapeutic and community-based response system for children under 14, co-designed with First Nations communities and disability and health experts with annual public reporting on diversion and outcomes.

## Repeal provisions of the *Making Queensland Safer Act 2024*

- Repeal all provisions in the Making Queensland Safer Act that expand remand, restrict bail, impose mandatory or presumptive detention, or limit judicial discretion.
- Replace them with legislation requiring least-restrictive, evidence-based and developmentally appropriate responses.
- Require annual public reporting on adherence to the principle that detention is a last resort for the shortest appropriate period.

## Prohibit solitary confinement, isolation and all harmful forms of 'separation'

- Amend the Youth Justice Act to explicitly prohibit solitary confinement, separation, isolation and any practice that involves holding a child alone for punitive, administrative or behavioural reasons.
- Establish real-time reporting, independent monitoring and mandatory cultural, therapeutic and disability safeguards for any restrictive practice.
- Publish disaggregated rights-based data, including reporting on young people's time out of cells (in alignment with the Report on Government Services reporting that already occurs for adults).

## Legislate an absolute prohibition on holding children in adult police watch houses

- Require monthly disaggregated public reporting on all holding practices and ensure any authorised facilities comply with youth-specific human rights standards and OPCAT obligations.

## Expand community-led diversion and First Nations justice responses

- Expand diversion, restorative justice and healing programs that are First Nations-designed, governed and delivered.
- Embed culturally informed courts, such as the Youth Murri Court and Victoria's Neighbourhood Justice Centre, as core therapeutic pathways in the youth justice system.
- Establish a specialist jurisdiction for children involved in both the child protection and youth justice systems, with powers to issue directive orders that ensure their rights to care, protection and development, and prevent children being criminalised for systemic failures.

### **Commit to a phased reduction in expenditure on detention and high-intensity tertiary responses**

- Mandate an annual justice investment report comparing spending on detention with investment in prevention, early intervention and community-led supports.
- Commit to reducing detention's share of total youth justice expenditure, with reinvestment into evidence-based, community-led alternatives.
- Ensure all spending is disaggregated by region, program type and First Nations governance to support transparent, rights-aligned budgeting.

### **Guarantee comprehensive health, disability and mental health care in detention, with a focus on care continuity**

- Ensure all children in detention receive a comprehensive health, disability, mental health and cultural assessment on entry.
- Provide ongoing access to culturally safe therapeutic supports.
- Guarantee continuity of care through mandatory transfer of health and disability plans on release.
- Conduct annual public audits of health and wellbeing outcomes to ensure accountability and improvement.

### **Ensure every child leaving detention has a rights-based transition plan**

- Require a youth-led, rights-based and culturally safe transition plan for every child, initiated early in detention and completed before release, addressing housing, education, disability supports, income, health care, family support and cultural connection.
- Mandate referral pathways to community-controlled organisations for First Nations children.
- Monitor and publicly report post-release outcomes to ensure accountability and effective support.

### **Strengthen independent oversight consistent with OPCAT**

- Legislate to strengthen Queensland's Independent Detention Scrutiny function to ensure it operates with clear independence, expanded powers of access and inspection, and a mandate that aligns with OPCAT standards for places where children are deprived of liberty. This should include authority to conduct unannounced inspections of all relevant settings
- Publish public reports and make enforceable recommendations, supported by processes that embed child participation and dedicated mechanisms for Aboriginal and Torres Strait Islander children, young people and communities.



# Violence against children

## UNCRC overview

Under the UNCRC, governments have a clear responsibility to protect children from all forms of violence, abuse, neglect and exploitation (Articles 19 and 34). Children who experience violence have the right to recover, restore their dignity and rebuild their health and self-worth (Article 39). States must also take effective steps to end harmful traditional practices that threaten children's health and wellbeing (Article 24(3)). General Comment No. 13 clarifies that this obligation extends to *interpersonal, institutional, structural and systemic* violence, requiring comprehensive prevention, accountability and redress measures.<sup>225</sup> General Comment No. 8 further prohibits all forms of corporal punishment and other cruel or degrading treatment, including those sanctioned by law or policy.<sup>226</sup>

This chapter highlights the experiences of children and young people in Queensland who experience violence directly and indirectly, including physical, sexual, emotional and systemic forms of harm across their homes, communities, schools, online environments, and within institutional and state systems. While this chapter offers a snapshot of lived and living experiences, it only begins to reveal the scale and complexity of the issue. For many children and young people, violence is not a one-off event. It is a chronic, cumulative and intergenerational experience that undermines their safety, development and participation.

The social, economic and institutional arrangements that systematically disadvantage some groups of children and young people while protecting others is known as structural violence. It is embedded in laws, policies and cultural norms that perpetuate inequality, racism, gender bias and poverty, creating conditions that increase children's vulnerability to harm. UNICEF describes such harm as multidimensional and enduring, affecting

children's physical health, cognitive and emotional development, attachment and trust, educational engagement, and capacity to form safe relationships. Exposure to violence in childhood is also recognised as a predictor of poorer outcomes across the life course, including heightened risk of mental ill-health, substance use, homelessness, and contact with the justice system. These effects are compounded when violence occurs in environments already marked by poverty, discrimination or systemic neglect.<sup>227, 228, 229, 230</sup>

For many First Nations children and young people, and for those with disability or from marginalised communities, violence is rooted in the enduring legacies of colonisation and institutional neglect. It is produced by systems that fail to ensure safety, equity and belonging. Recognising structural violence reframes the issue from isolated acts of abuse to a collective obligation to transform the systems, data practices and social conditions that enable harm to persist. Understanding violence in this way positions justice and accountability as matters of prevention, not just protection.<sup>231, 232, 233</sup>

The Child Death Review Board completed its 12-month review into system responses to child sexual abuse in Queensland in December 2025. *In Plain Sight* examined systemic issues across the early childhood education and care sector, police services, and the blue card system, using the case of a convicted offender of child sexual abuse a. It was the broadest review of Australia's response to child sexual exploitation since the Royal Commission into Institutional Responses to Child Sexual Abuse, and it was the first of its type in Queensland.<sup>9</sup>

<sup>9</sup> <https://www.qfcc.qld.gov.au/board/system-responses-to-child-sexual-abuse>

## Data snapshot

**Table 16.** Number of young people subject to a child safety notification and percentage of young victims of sexual offences and assault (2021–22 to 2023–24)

Indicator	2021–22	2022–23	2023–24
Number of children and young people subject to a child safety notification <sup>i</sup>	<b>28,587</b> 31.9% First Nations	<b>30,628</b> 32.1% First Nations	<b>35,732</b> 30.8% First Nations
Percentage of victims (not individuals) of sexual offences who are girls and young women aged 0–19 years <sup>ii</sup>	<b>47.6</b>	<b>42.7</b>	<b>40.5</b>
Percentage of victims (not individuals) of sexual offences who are boys and young men aged 0–19 years <sup>ii</sup>	<b>7.1</b>	<b>8.4</b>	<b>8.3</b>
Percentage of victims (not individuals) of assault against a person aged 0–19 years <sup>ii</sup>	<b>16.9</b>	<b>18.3</b>	<b>18.3</b>
Number of DFV orders made at Queensland Courts that had a child/s named as a protected person (all order types) <sup>iii</sup>	<b>19,653</b> 12.8% First Nations	<b>22,011</b> 12.5% First Nations	<b>20,346</b> 12.7% First Nations
Number of child victims of intra-familial fatal assault and homicide <sup>iv</sup>	<b>7</b> 42.9% First Nations	<b>5</b> 40% First Nations	<b>2</b> 0 First Nations

**Source:**

i Department of Families, Seniors, Disability Services and Child Safety: *Our Performance Data*

ii Queensland Government Statistician's Office: *Crime Report, Queensland*

iii Queensland Courts: *Queensland Wide Inter-linked Courts Data*

iv Queensland Family and Child Commission: *Child death reports and data*

This snapshot reveals a child safety environment characterised by rising demand, widespread exposure to violence, gendered sexual harm, pervasive impact of domestic and family violence, preventable child deaths, and extreme over-representation of First Nations children and young people across multiple harm indicators. Each of these factors highlights the breadth and severity of the challenges facing children in Queensland, demonstrating that many are experiencing harm in multiple, intersecting ways.

The data confirms that Queensland's current systems are not consistently protecting children and young people, particularly First Nations children and young people, from violence, neglect and abuse. It underscores the urgent need for coordinated,

culturally grounded, whole-of-system reform that addresses immediate safety concerns and targets the structural determinants driving these harms. Without such comprehensive reform, the patterns of harm and inequity identified are likely to persist.

During 2024, Kids Helpline counsellors provided support for child abuse for 8 per cent of the counselling contacts with children and young people from Queensland, aged five to 25 years. Child abuse made up 24 per cent of the crisis responses where counsellors engaged external services to assist children and young people at risk of harm. Family relationship issues were expressed in 18 per cent of the contacts with children and young people during the year.<sup>234</sup>

## Child Safe Organisations

Queensland has made significant progress in implementing Child Safe Organisations reforms through the introduction of the *Child Safe Organisations Act 2024*. This Act establishes a comprehensive human rights-based framework to protect children in various sectors by requiring organisations to comply with 10 Child Safe Standards, which took effect from 1 October 2025. These standards are designed to ensure that prescribed organisations take proactive and systemic steps to create physically, emotionally and culturally safe environments, where children are heard, respected and involved in decisions affecting them.

From July 2026, the associated Reportable Conduct Scheme will require organisations to report allegations of child abuse or misconduct by staff or volunteers. Central to these reforms is the Universal Principle, which focuses on creating environments where Aboriginal and Torres Strait Islander people are culturally safe, where they are welcomed, respected and able to participate on their own terms.

The Queensland Family and Child Commission oversees implementation of the reforms and compliance with the Human Rights Act. We provide ongoing support to ensure the successful adoption of these safeguarding measures across Queensland. To support organisations in meeting the new requirements, guidelines, self-assessment tools, training programs and other resources have been developed. These help organisations understand their obligations and build capacity to comply effectively. The Queensland Family and Child Commission also administers the Child Safeguarding Grants Program, offering grants up to \$90,000 to eligible organisations to assist with costs associated with becoming child safe.<sup>235</sup>

## National plan to end violence against women and children

The *National Plan to End Violence against Women and Children 2022–2032* sets out a national commitment to eliminate gender-based violence across four domains: prevention, early intervention, response, and recovery and healing. Despite this commitment, in 2023–24 in Australia, one woman was killed every eight days (compared with one man every 41 days). Of 90 domestic homicide victims, 35 were killed by family members, including seven children killed by a parent and 18 parents killed by a child.<sup>236</sup> These figures demonstrate that Australia's national commitment has not yet translated into measurable safety for women or children.

Together, the earlier *National Plan to Reduce Violence against Women and their Children 2010–2022* and the current *National Plan to End Violence against Women and Children 2022–2032* established a clear and enduring national commitment to address gender-based and family violence. However, despite stronger coordination and policy recognition, rates of lethal and interpersonal violence remain largely unchanged. The persistence of violence reflects unaddressed structural drivers including gender inequality, intergenerational trauma, poverty, racism and weak accountability across systems that respond too late and too narrowly. While the new plan marks progress by recognising children as distinct victims and rights-holders, implementation must now focus on prevention at the roots of harm—strengthening cultural safety, community-led early intervention, and coordinated action across education, health, justice and child protection systems.

The first Action Plan (2023–2027) outlines 10 national actions, with Action 8 focused on developing age-appropriate, culturally safe programs for children and young people. These programs are to be informed by child victims, and will support recovery and healing, as well as early intervention efforts to shift attitudes and behaviours that condone violence. This action aligns with other frameworks such as *Safe and Supported: The National Framework for Protecting Australia's Children* and the *Early Years Strategy*.

The *Aboriginal and Torres Strait Islander Action Plan* specifically aims to reduce violence against First Nations women and children by at least 50 per cent by 2031 in line with *Closing the Gap* Target 13.

### Closing the gap

**Target 13:** By 2031, the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children is reduced at least by 50 per cent, as progress towards zero.

*Assessment: No assessment (data quality)*

Outcome 5 of the national plan's Outcomes Framework recognises children as victims in their own right, who must be safe in all environments

and supported by systems that centre their voices. However, there is limited evidence on how children's participation is being consistently evaluated or embedded across jurisdictions. Targeted action is needed to ensure that children are not only protected but meaningfully included as active participants in shaping the policies and services that affect them. As UNICEF and the UNCRC emphasise, participation is not separate from protection; it is a precondition for it. Protection and participation are mutually reinforcing. Genuine protection depends on children's ability to express their views and influence decisions that affect their safety and wellbeing. Systems that listen to, respect and act on children's views are more likely to identify risks early, respond effectively and uphold every child's right to safety, dignity and agency.<sup>237, 238</sup>

## Queensland Government policy

Since the release of the *Not Now, Not Ever* report in 2015, Queensland has been undertaking long-term, whole-of-community reforms to end domestic, family and sexual violence. This work is being guided by the *Domestic and Family Violence Prevention Strategy 2016–2026*,<sup>239</sup> with its series of action plans responding to emerging needs and key recommendations from taskforces and inquiries. A major part of the reform effort has been the Women's Safety and Justice Taskforce, established in 2021 to examine systemic issues such as coercive control and women's experiences in the justice system. The Queensland Government has committed to implementing its 277 recommendations. So far, 72 have been completed, 195 are underway and 10 are yet to commence.

Significant progress includes legislating against coercive control, strengthening consent laws, expanding specialist domestic and family violence (DFV) courts and developing the *Primary Prevention Plan for Violence Against Women 2024–28*. There is also an ongoing commitment to listening to lived experience and grounding all reforms in evidence and evaluation. More than \$1.3 billion has also been invested into programs that prevent violence, improve

service delivery and strengthen justice responses. The reforms have focused on four main pillars: prevention, support for victim-survivors, justice system reform and inclusion of priority groups. Prevention efforts include changing community attitudes, promoting respectful relationships and engaging workplaces and schools.<sup>240</sup>

Reform continues in 2025 with the Queensland Government's *Safer Children, Safer Communities* policy. Magistrates' courts in Townsville and Caboolture are commencing a pilot program to track 150 high-risk offenders by the end of 2025 with location monitors as part of their Domestic Violence Orders. Additional measures include allowing police officers to issue 12-month Police Protection Directions to protect victim-survivors and the use of video evidence-in-chief for DFV victim survivors to ease their trauma during court processes.<sup>241</sup> The Queensland Government has also committed \$31.3 million to expanding DVConnect, including a new North Queensland hub, and \$24 million for the roll-out of DFV support workers within Queensland police stations.<sup>242, 243</sup>

The Queensland Government has also announced bringing forward the establishment of a DFV peak

body, which will commence in January 2026. The new body will be led by the Queensland Domestic Violence Services Network. It will help coordinate services, strengthen advocacy and improve government and community services cooperation in preventing and responding to DFV. This includes making sure that the voices of people with lived experience, including children, are heard in policy decisions. The government also announced a new study into misidentification in DFV cases.<sup>244</sup>

A new sexual violence support services peak body will also be established from the first half of 2026, led by the Queensland Sexual Assault Network. The peak body will bring services together to improve support for victim-survivors and ensure the sector has a strong voice in government policy and reform. The announcement includes new funding

of \$1.62 million over five years to support First Nations-led prevention and shelter services, which play a critical role in community safety. These reforms respond to recommendations from the Women's Safety and Justice Taskforce.<sup>245</sup>

From a child rights perspective, these reforms mark important progress towards fulfilling Queensland's obligations under the UNCRC, including Article 19 (protection from all forms of violence), Article 24 (right to health), Article 39 (recovery and reintegration) and Article 12 (right to be heard). Establishing strong, coordinated peak bodies is a necessary step toward the realisation of these rights. However, the effectiveness of these reforms will depend on whether children's specific needs and voices are embedded in policy, practice and funding frameworks from the outset.

## Child abuse and neglect

In 2023–24, the Department of Child Safety received 40,389 notifications involving 35,732 children and young people across Queensland (a 26.2 per cent increase in notifications since 2021–22). For 4302 children and young people (1778 First Nations), it was assessed that they had suffered (or are at unacceptable risk of suffering) significant harm and were in need of protection. Table 17 shows the most serious abuse type that children and young people were assessed as having experienced (noting they likely experienced multiple forms of abuse).<sup>246</sup>

The rising number of substantiated abuse cases shows that more children in Queensland are experiencing preventable and serious harm, with emotional abuse and neglect driving much of the increase. Overall, child maltreatment is increasing, with substantiated cases rising each year and signalling that more children are experiencing significant harm that meets the threshold for formal intervention. Current data reflects only the abuse and neglect reported through the child protection system. It does not capture the full extent of harm experienced by children across families, communities and institutions. As a result, the true scale of child abuse and neglect in Queensland remains unknown.

**Table 17.** Number of children and young people with substantiated abuse by most serious abuse type

Most serious abuse type	2021–22	2022–23	2023–24
Physical	629	561	560
Sexual	213	172	263
Emotional	1458	1590	1674
Neglect	1528	1652	1805
<b>Total children substantiated</b>	<b>3828</b>	<b>3975</b>	<b>4302</b>

*Source:* Department of Families, Seniors, Disability Services and Child Safety – Our Performance

*Note:* Substantiated – Child in need of protection: The outcome of an investigation and assessment where it is assessed that the child or young person has suffered, is suffering, or is at unacceptable risk of suffering future, significant harm and there is no parent able and willing to protect the child.

The introduction of Child Safe Organisations reforms in Queensland presents an opportunity to improve our understanding. As these organisations adopt clearer reporting mechanisms, strengthen child-centred practices and embed child safety into their governance and cultures, there will be an increase in the identification and reporting of incidents and concerns, supported by improved data quality and consistency. Over time, this should contribute to a more comprehensive understanding of where and how harm occurs and what can be done to prevent it.

## Sexual assaults

Sexual violence remains one of the most under-reported and least visible forms of violence, particularly for children and young people. According to the *Crime Report, Queensland 2023–24*, nearly half (40.5 per cent) of all recorded victims of sexual offences were females aged 19 years or younger, while boys and young men in this age group made up 8.3 per cent of victims.<sup>247</sup> The disproportionate impact of sexual violence on children and young people highlights the ongoing need for targeted, age-appropriate responses.

The Queensland Government remains committed to preventing and responding to sexual violence through the implementation of *Prevent. Support. Believe. Queensland's Framework to Address Sexual Violence*. The framework reinforces the importance of early intervention, community education, victim-centred support and justice responses that uphold the rights and safety of children and young people.<sup>248</sup>

As part of the Queensland Police Service's *Sexual Violence Response Strategy 2023–2025*, a significant public awareness initiative was delivered to engage young people in conversations about consent, respect and healthy relationships. A four-part social media campaign, launched during Sexual Violence Awareness Month in October 2023, targeted young people aged 16 to 20 via TikTok and Instagram. The campaign focused on educating young people about the right to say no, recognising unacceptable behaviours and encouraging them to speak up, report and seek help. The campaign reached over 139,000 people, with the videos on 'green flags' and 'consent' generating the highest engagement, particularly through content sharing between young users. The campaign also promoted pathways for victims to report sexual violence and access support services, contributing to a broader shift in community attitudes and awareness.<sup>249</sup>

An evaluation of short-term results by Griffith University found that the QPS is making progress across the strategy's four strategic priority areas. The evaluation made 16 recommendations to further strengthen QPS's response to victim-survivors and build on initiatives already underway. They focused on enhancing education and training, improving policy and practice, expanding online reporting mechanisms, and establishing long-term evaluation measures. The evaluation also highlighted the need for ongoing cultural and organisational change to ensure trauma-informed responses are consistently embedded across all levels of the QPS.<sup>250</sup> The recommendations were consistent with the *Women's Safety and Justice Taskforce Report Two* and helped to develop the *Sexual Violence Response Strategy 2023–2025* and accompanying Action Plan.

Despite this progress, the high proportion of child victims highlights the ongoing need for strengthened preventative measures. Sexual violence against children and young people is a gendered and intergenerational issue,<sup>251</sup> deeply rooted in unequal power relations, harmful social norms and systemic discrimination. While awareness and education campaigns are critical, they must be complemented by sustained structural reform that addresses these underlying drivers and strengthens accountability mechanisms.

Prevention efforts must be gender-transformative by challenging stereotypes, fostering respectful relationships and promoting gender equality across schools, communities and digital spaces. The meaningful participation of children and young people, especially girls and young women, should inform program design, implementation and evaluation to ensure initiatives reflect their lived experiences and needs. Protection systems must be accessible, trauma-informed and culturally safe, supported by trained responders across the justice, health and education sectors. Data collection and monitoring should be disaggregated by age, gender and other intersecting factors to reveal inequities and guide targeted investment and reform. Lasting change requires coordinated, whole-of-system approaches that integrate policy reform, social norm change and survivor-centred accountability.<sup>252</sup>

## Domestic and family violence

DFV remains a serious and complex risk to the safety, wellbeing and rights of children in Queensland. Article 19 of the UNCRC affirms the right of every child to be protected from all forms of physical and mental violence, injury, abuse, neglect and maltreatment while in the care of any person responsible for their welfare.

Over the past 10 years, Queensland has seen a 265 per cent increase in DFV-related calls to police, with some regions experiencing even more dramatic rises, including Wide Bay Burnett (8218% increase), Mount Isa (6353% increase) and Ipswich (2876%).<sup>253</sup> These trends indicate systemic failure to prevent harm and protect children at risk. The Queensland Audit Office 2022–23 report *Keeping People Safe from Domestic and Family Violence* found that, despite significant investments since the 2015 *Not Now, Not Ever* report, systemic coordination remains fragmented, and responses are not sufficiently tailored to children's specific needs and experiences.<sup>254</sup>

### First Nations peoples

The recent *Crime Report, Queensland 2023–24* shows that DFV continues to have a disproportionate impact on First Nations children and young people, particularly in the early years of life. DFV victimisation rates for First Nations children aged up to nine years old were twice as high as for non-Indigenous children, regardless of sex. From age 10 onwards, the gap widens significantly. For First Nations girls, victimisation rates were 4.5–12.0 times higher than non-Indigenous counterparts, and First Nations boys were 3.0–11.7 times higher. These figures are based on offences recorded at the time of police detection, meaning the actual incident may have occurred earlier, particularly for children. It is also likely that DFV rates are under-reported.<sup>255</sup>

The 2021 *National Community Attitudes towards Violence against Women Survey* shows that while most respondents recognise physical violence and threats as serious and unacceptable, non-physical forms of abuse like coercive control and technology-facilitated violence remain under-recognised. The data also shows a lack of confidence in mainstream institutions like police and courts, driven by ongoing experiences of systemic racism and colonial legacies.

Many First Nations people do not believe these systems treat First Nations women fairly or safely, especially when they seek help. This work highlights the need to shift power to governance structures that exist within First Nations communities (for example, Family Responsibility Commission Welfare Reform). For government, the challenge is not only listening to First Nations voices, but acting on them by investing in long-term, community-led solutions that confront the structural drivers of institutional harm.<sup>256</sup>

In 2024, the Australian Productivity Commission reported that there is still no national data available to track progress against the baseline year (2018–19) for Target 13 of the *National Agreement on Closing the Gap*, 'to reduce all forms of violence against Aboriginal and Torres Strait Islander women and children by at least 50 per cent by 2031'. Ethical concerns about data collection and potential participant harm have slowed the development of new data sources, resulting in significant gaps in monitoring and accountability. These challenges highlight the importance of upholding First Nations data sovereignty and the principle of 'do no harm'. This further emphasises the need for community-led and culturally safe data development and collection processes grounded in First Nations governance.

There are also gaps in data regarding the experiences of children and young people from culturally and linguistically diverse (CALD) backgrounds, those with disability, LGBTQ+ young people, and those living in regional and remote communities. These gaps are further compounded by the complexities of intersectionality, where multiple identities overlap and impact children and young people's experiences of violence and access to support. Data defines whose safety matters, whose harm is seen and whose voices shape data and systems. When the experiences of certain children and young people are absent from evidence, policy or service design, it affects whose lives are counted and whose are overlooked. In practice, it means that children from CALD backgrounds remain outside the frame of decision-making, service eligibility and prevention investment.

## CALD communities

Children and young people from CALD backgrounds remain largely invisible across data systems and service responses. Roundtables held in Queensland as part of the *National Plan to End Violence Against Women and Children* highlighted eight core themes on DFV among CALD children and young people. These included: the invisibility of children in services, lack of culturally reflective supports, institutional racism, fragmented funding systems, visa-related risks and, most significantly, the denial of children's rights being heard (UNCRC Article 12).<sup>257</sup> DFV services have historically focused on adults (mostly mothers) and have treated children as secondary victims. The evidence shows that CALD families experience compounding structural and interpersonal barriers to seeking help, yet these children are under-represented in care systems.<sup>258</sup>

## People living with disability

The *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* (Royal Commission) found that people with disability are more likely to experience abuse and interpersonal violence at a young age.<sup>259</sup> National data presented to the Royal Commission in 2021 showed high rates of family, domestic and sexual violence against women and girls with disability:<sup>260</sup>

- 40 per cent (or 1.2 million) women with disability had experienced physical violence after the age of 15, compared with 26 per cent (or 1.7 million) without disability.
- From the age of 15, 46 per cent of women with cognitive disability and 50 per cent of women with psychological disability had experienced sexual violence, compared with 16 per cent of women without disability.
- First Nations women are 34 times more likely than non-Indigenous women to be hospitalised due to family and domestic violence.
- Of the LGBTQ+ people who reported harassment or violence in the previous 12 months, 46 per cent had a disability.

## LGBTQ+ communities

Findings from the Australian Child Maltreatment Study highlight significant differences in childhood experiences of abuse and neglect among sexuality and gender diverse children and young people. The study, which collected data on experiences before the age of 18, found that children and young people who identify as sexuality diverse (for example, lesbian, gay, bisexual and pansexual) or gender diverse (for example, transgender and non-binary) were substantially more likely to have experienced child maltreatment than their heterosexual and cisgender (non-transgender) peers.<sup>261</sup> Approximately 84 per cent of sexuality diverse participants reported experiencing at least one form of maltreatment during childhood, compared with around 61 per cent of heterosexual participants. Maltreatment included physical abuse, sexual abuse, emotional abuse, neglect and exposure to domestic violence. The risk was even higher for gender diverse young people, with an estimated 91 per cent of participants aged 16 to 24 reporting at least one form of child maltreatment. Sexuality and gender diverse people were more likely to experience exposure to two or more forms of maltreatment.<sup>262</sup>

The findings across these communities support the need for a rights-based, trauma-informed and inclusive approach to child protection and DFV responses that specifically recognise the distinct risks and strengths of children and young people. They reveal that violence against First Nations and CALD children and young people, those with disability, and those who are sexuality or gender diverse, is systemic rather than incidental. The consistent over-representation across all forms of maltreatment points to structural exclusion, systems built around normative assumptions of childhood, gender and ability that fail to protect those most at risk. A rights-based response requires moving toward structural inclusion, ensuring that culture, background, disability, gender and sexuality diversity are embedded in prevention, safeguarding and data systems.

## Coercive control laws

Coercive control is defined as a deliberate, repeated pattern of behaviour used to intimidate, manipulate, isolate and dominate another person. It may include emotional, psychological, verbal, financial, technological and social abuse, often accompanied by gaslighting and other tactics aimed at breaking down a victim's autonomy. While coercive control can impact anyone, research consistently shows it is a gendered form of violence, disproportionately perpetrated by men and overwhelmingly affecting women and children.<sup>263</sup>

In May 2025, Queensland took a significant step in the legal recognition of non-physical forms of DFV by criminalising coercive control. Under the *Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024*, it is now a criminal offence for an adult to use abusive behaviours to control or coerce a current or former intimate partner, family member or carer.<sup>264</sup> These changes came into effect to protect victims and hold perpetrators to account. The legislation was shaped by the advocacy and wider awareness following the murders of Hannah Clarke and her three children in 2020.

The coercive control of one partner often extends to harming children and young people, whether targeted directly or as witnesses to abuse. Children and young people exposed to intimate partner violence, including coercive control, face elevated risks to their mental health, physical wellbeing, cognitive development and future social relationships. These children may experience anxiety, depression, trauma, disrupted attachment and behavioural challenges.<sup>265</sup> Despite these impacts, children's experiences of coercive control often go unrecognised because they do not always conform to conventional notions of 'violence'.

A critical barrier to prevention and early intervention is the lack of awareness and understanding of coercive control among children and young people themselves. According to the *Coercive Control Communication Framework 2024–2027*, market research conducted in 2023 showed that awareness of the term and its connection to DFV was significantly lower among young people aged 12 to 17 compared with adults. Nearly one-in-four young Queenslanders in this age group did not perceive coercive control as seriously harmful.<sup>266</sup>

In the first month of the new legislation (May–June 2025), the QPS reported 42 victim survivors of coercive control, yet no disaggregated data has been released on how many children were involved as direct victims or impacted dependents.<sup>267</sup> Without child-specific data and monitoring, the risk remains that children and young people will continue to be treated as peripheral to adult victim survivors, rather than as rights-holders themselves.

## Corporal punishment

Corporal punishment, defined by the CRC as any punishment involving physical force (however mild) intended to cause pain or discomfort,<sup>268</sup> is still legally permitted in Queensland homes and non-government schools. This includes actions such as hitting, slapping, kicking, shaking or striking a child with an object, as well as forcing them into uncomfortable positions or using non-physical violence such as threats, humiliation and verbal abuse. As acts of corporal punishment are not recorded as offences under the law, there is no formal tracking of how many children and young people are subjected to this form of violence. The UNCRC affirms that corporal punishment constitutes a form of violence, not discipline, and that its prohibition is a necessary step toward building protective, non-violent environments for children and young people.

In Queensland, corporal punishment remains legal in the home under section 280 of the *Criminal Code Act 1899* (Qld), which provides a defence of 'domestic discipline.' This section allows parents, carers or those in place of a parent to use 'reasonable force by way of correction, discipline, management or control.' While the law states that the force must be reasonable and not cause injury, this defence can and has been used to justify physical acts that would otherwise be considered assault.<sup>269</sup> In practice, this creates a legal grey area that risks failing to protect children from violence.

An example of this was documented in interviews with the Queensland Police Integrity Unit, where section 280 was applied in a case involving a father who kicked his eight year old son in the ribs while yelling threats. Despite the severity of the behaviour, officers concluded that the domestic discipline defence could still apply. This raises serious questions about consistency in interpreting 'reasonable force' and whether the law affords adequate protection to children in vulnerable situations.<sup>270</sup>

UNICEF emphasises that prohibiting corporal punishment is not about criminalising families but about changing norms, building capability and ensuring equality before the law. Continued reliance on 'reasonable force' defences sustains a cultural and legal tolerance of violence that undermines the government's duty to protect. Reform is therefore essential to realise every child's right to dignity, safety and respect in all settings.<sup>271, 272</sup>

Although corporal punishment was banned in Queensland state schools in 1989, it remains lawful in non-government schools, where staff may still rely on the same defence under section 280.<sup>273</sup> This inconsistency leaves children and young people in private and independent schools without the statutory protection given to state school students.

The Queensland Law Reform Commission is currently undertaking a review of criminal defences, including the provision under the Criminal Code that permits parents and carers to use reasonable force for the purpose of disciplining a child. In its consultation paper released in early 2025, the commission proposed either repealing the domestic discipline defence entirely or significantly narrowing its scope.<sup>274</sup> However, the Queensland Premier has stated that the government should not dictate how parents discipline children, rejecting proposals to repeal or limit section 280. He stated that existing assault laws suffice to regulate misuse of force.<sup>275</sup>

Our 2023 *Community Perceptions Survey* found that one-in-five people (20 per cent) considered difficulties disciplining children as a major issue. In 2024, the number of people who believed a lack of punishment or discipline was a key problem rose from 15 per cent to 18 per cent. The survey also showed that parents were twice as likely as non-parents to believe physical discipline is necessary, and men were more likely than women to support it. These results reflect strong, deeply held social attitudes that could make law reform challenging without complementary strategies, such as public education campaigns and greater support for parents to use non-violent approaches to discipline.<sup>276</sup>

Research shows that physical punishment is harmful. Children who experience corporal punishment face higher risks of stress, altered brain structure and function, mental health problems, aggression, academic difficulties and later involvement in violence or substance misuse. The harmful effects are cumulative and often escalate over time.<sup>277, 278, 279</sup>

From a child rights perspective, the continued legality of corporal punishment in both the home and some educational settings puts Queensland, and Australia more broadly, at odds with international standards on child protection. UNCRC Article 19 directs states to protect children from 'all forms of physical or mental violence while in the care of parent(s), legal guardian(s) or any other person.' The CRC has made it clear that this includes all forms of corporal punishment, regardless of severity, and has repeatedly called on Australia to fully prohibit it in all settings.<sup>280</sup> The CRC's General Comment No. 8 (2006) affirms that there is no justification for 'legalised violence against children,' no matter how light the force.<sup>281</sup>

The use of corporal punishment in Queensland must be understood not only as a disciplinary issue but as a child rights issue. Legal and policy reform is needed to align Queensland's laws with the UNCRC and to ensure that children are afforded the same legal protections from violence as adults. Without reform, children remain exposed to physical and emotional harm in environments where they should feel safest, at home and at school.

## Fatal assaults and neglect

We maintain a register of all child deaths in Queensland and investigates risk factors that might help prevent future deaths. In 2023–24, two children died from fatal assault and neglect. This is among 70 preventable deaths classified that year as 'external causes'. Over the past five years, infants under one year old remain the most at risk age group for deaths from fatal assault and neglect, with a rate of 2.9 deaths per 100,000 infants. Children aged one to four years had a rate of 1.1 per 100,000, and those aged 15 to 17 years had a rate of 0.6 per 100,000. All children who died due to intrafamilial homicide (caused by someone in the family) over that five year period were under nine years old. There were also seven extrafamilial homicide deaths over five years (caused by other people, such as peers, acquaintances and strangers).

From our research, several risk factors are clear: many children who died from fatal assault or neglect had prior exposure to domestic and family violence or previous child abuse. Those known to the child protection system are at higher risk and infants are especially vulnerable.<sup>282</sup>

## Respectful relationships education

Under Articles 19 and 29 of the UNCRC and Article 10(c) of the *Convention on the Elimination of All Forms of Discrimination Against Women*,<sup>283</sup> governments have an obligation to provide education that actively prevents violence, discrimination and harmful gender norms. Respectful relationships education (RRE) is a preventive approach that seeks to reduce gender based violence before it starts. It does this by helping young people develop healthy attitudes, knowledge, skills and behaviours about respect, equality, consent and nonviolent relationships. RRE works best when integrated into a school's overall culture, including its policies, curriculum, staff practices, student supports and engagement with families and the community.

In Queensland, the Respect program is the state's central RRE initiative (building on the 2017 RRE framework in response to *Not Now, Not Ever*). From Prep to Year 10, RRE is taught as a skills-based, prevention-focused approach grounded in the Australian curriculum.<sup>284</sup> The *Australian Curriculum for Health and Physical Education Version 9* includes new and strengthened RRE content, including:

- consent, protective behaviours, help-seeking and reporting in Prep to Year 10
- the influence of gender stereotypes on choices and actions from Years 3 to 10
- power, coercion and control in different types of relationships in Years 7 to 10.

The *Queensland Kindergarten Learning Guidelines*, updated in 2024, include content involving learning about respectful and reciprocal relationships through positive interactions with family members, teachers and peers. The recently updated *Health 2025 General senior syllabus* includes content about the role of respectful relationships in post-school transitions, and strategies to advocate, mediate and enable respectful relationships.

As of 2024, data from the Education Department indicates that around 53 per cent of Queensland state schools are using Respect or a comparable respectful relationships program. For the remaining state schools, it is not clear whether they are delivering respectful relationship education.<sup>285</sup> Further, there is currently no comprehensive system across the state that reliably measures how many schools are using Respect, how consistently they are delivering it or what impact it has on students' knowledge, attitudes and behaviours. The QAO's *Keeping People Safe from Domestic and Family Violence* report flagged this as a limitation. The report noted that while Respect is a positive initiative, public sector entities rely too

heavily on this program without adequately monitoring its use or evaluating its effectiveness. The report recommends that Education Queensland annually assess the delivery, reach and effectiveness of the Respect program in state schools.

While Queensland has made progress in upgrading and resourcing the Respect materials, the limited monitoring of RRE reflects a broader systemic imbalance. That is, Queensland's policy settings continue to prioritise crisis response over primary prevention. The impact of RRE will depend on consistent delivery, evaluation, teacher support and embedding the program as a core component of education accountability mechanisms.

The content of RRE programs should be co-designed with First Nations, CALD, LGBTQ+ and disability communities to ensure relevance and cultural responsiveness for all students. In line with Article 12 of the UNCRC, children and young people should also be meaningfully involved in the design, monitoring and evaluation of RRE content and delivery, to reflect their lived realities and priorities. To reach all children and young people, RRE should also be delivered beyond schools, including through youth services, detention centres and community organisations, targeting those disengaged from formal education and ensuring equitable access to its benefits. Recent policy developments under the *National Plan to End Domestic, Family and Sexual Violence (2022–2032)* and the *First Action Plan 2023–2027 Addendum (2024)* include greater coverage of RRE. This includes rolling out Respect across all schools, bolstering teacher capability via eight Senior Education Officers, and adapting RRE for young people outside formal education (for example, via youth services and in youth detention settings).<sup>286</sup>

## Bullying

Bullying continues to pose a threat to the health, safety and human rights of children and young people in Queensland. The psychological and educational impacts of bullying are severe. Children and young people who are bullied are at greater risk of anxiety, depression, suicidal thoughts, school disengagement and long-term mental health issues.<sup>287</sup> Recent data and reporting reveal that distress levels related to bullying now surpass those experienced during the height of the COVID-19 pandemic, with children as young as 10 years suffering repeated abuse, both in-person and online.<sup>288</sup>

The QAO *Protecting Students from Bullying 2024–25* report found that state schools recorded more than 2.49 million behaviour incidents in 2023, with over 76,000 specifically classified as bullying and a further 61,900 incidents of harassment (a total of more than 137,900 recorded cases of interpersonal harm). While these figures reveal a persistent problem, the true scope is likely larger given the significant limitations in data recording and classification. For example, cyberbullying remains under-reported, yet data trends show that it has risen by approximately 41 per cent over the past decade. Analysis of free-text entries in school behaviour systems revealed an increase from around 5100 cyberbullying-related incidents in 2013 to over 7200 in 2023. The continued under-reporting of cyberbullying, particularly among marginalised groups, may reveal barriers to disclosure and limited trust in support systems. Data also suggests that boys are roughly twice as likely to be recorded as engaging in bullying behaviour compared with girls.<sup>289</sup>

Bullying is often misrepresented as a behaviour management issue rather than as a breach of children's rights. When bullying is minimised as 'behaviour' rather than recognised as violence, children and young people's experiences of harm are often trivialised and under-reported. They are often treated as disciplinary matters instead of protection failures. The absence of consistent definitions and recording practices frequently prevents early intervention and obscures systemic risk.<sup>290, 291, 292, 293</sup>

The Queensland Government has recently taken steps to address bullying through policy initiatives that include rollout of Rapid Response Squads in schools to respond quickly to serious incidents, expansion of school chaplaincy services, a new seven-day crisis support hotline for free and confidential counselling for parents and carers, and new wellbeing education programs. These are supported through a \$33 million anti-bullying funding package. Education Queensland also requires every school to maintain a student

code of conduct, which must include strategies for managing bullying, ensuring safe learning environments and supporting students' wellbeing. New and updated professional development materials will also be made available to upskill teachers, teacher aides and support staff.<sup>294</sup>

The QAO report identified that existing departmental strategies, including the *Equity and Excellence* and the *Student Learning and Wellbeing Framework*, do not include explicit targets, performance indicators or evaluation mechanisms related to bullying. Without clear benchmarks, it's difficult to assess whether schools are making meaningful progress. A review of 50 student codes of conduct revealed that all were missing one or more required elements, including clear guidance on how students and parents can report bullying or escalate complaints. This lack of consistency across schools compromises transparency and limits families' ability to advocate for children's safety.<sup>295</sup>

There are also significant data and accountability challenges. The current behaviour incident recording system, OneSchool, does not consistently capture information about students who experience bullying and it does not have a dedicated field for cyberbullying. This lack of visibility prevents a clear understanding of which children are most affected and whether current responses are equitable or effective. The department's pilot incident-tracking dashboard, while promising, is still in early stages of implementation and unavailable to most schools.<sup>296</sup>

Bullying that takes place online (or outside school hours) is also more difficult to detect and manage, particularly when families have limited access to digital literacy resources or are unclear about their options for support. The government's emphasis on rapid response and school-based policies must therefore be complemented by a whole-of-community strategy that includes digital safety education, interagency collaboration and provision of wraparound supports. Independent evaluation of anti-bullying initiatives is also essential for ensuring accountability and measuring outcomes for children and young people.

## Pathways to prevention

The *INSPIRE framework*, developed jointly by UNICEF, World Health Organization, World Bank and Global Partnership to End Violence Against Children, provides the world's most comprehensive, evidence-based roadmap for ending violence against children. The framework synthesises decades of research and program evaluation into seven interlocking strategies, each proven to reduce exposure to violence, strengthen protective environments, and uphold children's fundamental rights to safety, dignity and development.

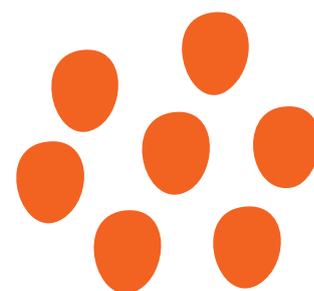
INSPIRE is a systems-level change model grounded in human rights, public health and social development principles. It recognises that violence is not inevitable, it is preventable when governments act across sectors to address structural inequalities, shift social norms and invest in family and community capability. The framework's design is deliberately cross-sectoral, bridging child protection, health, education, justice and social policy. It includes seven strategies:<sup>297</sup>

- 1. Implementation and enforcement of laws:** Strengthening and enforcing laws that protect children from violence, including laws against abuse, sexual violence, exploitation and harmful practices, such as corporal punishment and child marriage.
- 2. Norms and values:** Shifting social norms and attitudes that condone or perpetuate violence through community mobilisation, education and public awareness campaigns that promote gender equality and non-violence.
- 3. Safe environments:** Creating and maintaining physical and social environments that reduce risks and strengthen protective factors in schools, communities and online spaces.
- 4. Parent and caregiver support:** Providing parenting programs and family-based interventions that build positive, nurturing relationships and reduce harsh or neglectful practices.
- 5. Income and economic strengthening:** Enhancing household economic stability through social protection, cash transfers, employment and livelihood support to reduce stressors linked to violence and neglect.

**6. Response and support services:** Ensuring accessible, child-friendly health, social and justice services that identify, support and protect children who experience or are at risk of violence.

**7. Education and life skills:** Promoting school attendance and delivering curricula that teach children and young people essential life skills, such as emotional regulation, empathy, communication and conflict resolution, to reduce vulnerability and build resilience.

Adopting the *INSPIRE framework* at a policy level would provide Queensland with a coherent, evidence-based structure for preventing and responding to violence against children. It would enable government agencies to move beyond program-by-program responses toward a system-wide prevention architecture that links legislative reform, community education, service delivery and accountabilities.<sup>298</sup> Embedding INSPIRE across policy frameworks would strengthen alignment between education, health, justice and child protection systems, while ensuring interventions are both rights-based and measurable. Importantly, it would also support the development of shared indicators, cross-agency data integration and evaluation mechanisms, critical for tracking progress and identifying inequities. In doing so, Queensland could position itself as a national leader in implementing a comprehensive, whole-of-government approach to ending violence against children.



# Recommendations

## Adopt the INSPIRE framework as Queensland's violence-prevention architecture

- Endorse the INSPIRE framework as the foundational model for preventing violence against children and embed it across child protection, domestic and family violence, youth justice and education systems.

## Explicitly recognise children as victims in their own right

- Amend the *Charter of Victims' Rights* to explicitly recognise children as victims in their own right and require that the best interests of the child be a primary consideration in all decisions affecting them.
- Define child victims to cover those directly harmed and those exposed to, witnessing, or otherwise affected by violence, abuse, neglect or institutional failings.
- Broaden the definition of 'harm' to include physical, psychological, emotional, cultural, economic and systemic impacts.
- Ground these reforms in the Human Rights Act and the UNCRC, with clear oversight and reporting to ensure accountability and improved outcomes for child victims.

## Strengthen whole-of-system responses to children affected by domestic and family violence

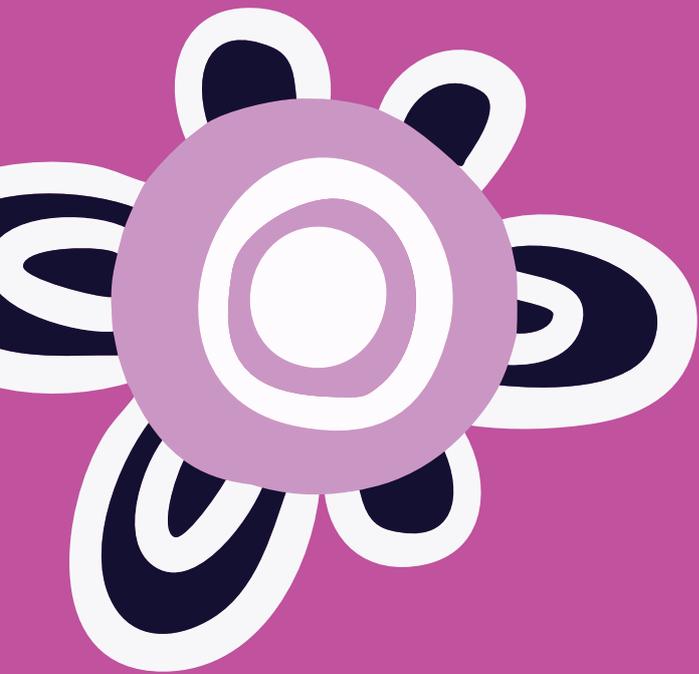
- Require all domestic and family violence responses to include child-specific risk and safety planning.
- Ensure children have direct access to culturally safe specialist services and advocacy.

## Conduct a future evaluation of the reportable conduct and blue card schemes

- In 2028–29, conduct a comprehensive review of Queensland's key child safeguarding frameworks, including the risk-based Working with Children Check (blue card) system, the Child Safe Organisations Act and the Reportable Conduct Scheme.
- The review should assess whether reforms are operating as intended, identify any gaps or unintended consequences to the operation of the new schemes and provide evidence-based recommendations for improvements to strengthen accountability, reduce risk and ensure that the child safeguarding system effectively protects children across all sectors.

## Expand respectful relationships, anti-racism and anti-bullying education

- Require all schools to deliver evidence-based respectful relationships education and adopt whole-school anti-bullying and anti-racism approaches that promote safety, inclusion and positive culture across the learning environment.
- Require these programs to be co-designed with students.



# Alternative care

## UNCRC overview

According to the UNCRC (Article 5) and the Human Rights Act, governments have a fundamental duty to uphold the rights and responsibilities of families to support the development of children and young people. Where the child or young person's own family is unable to provide adequate care for them (even with appropriate support), the government is responsible for protecting the rights of the child or young person and ensuring appropriate alternative care (*United Nations Guidelines for the Alternative Care of Children*).<sup>299</sup> A child or young person who is temporarily or permanently deprived of their family environment, or who cannot remain there in their own best interests, has the right to special protection and assistance provided by the government. Under Article 20 of the UNCRC and the Human Rights Act, it is important to consider continuity in the child's upbringing, as well as their ethnic, religious, cultural and linguistic background, when deciding on appropriate care.

Financial or material poverty, and situations that result directly from it, should never be the sole reason for removing a child or young person from their parents' care, placing them in alternative care or preventing their return home. Instead, poverty should be recognised as a sign that the family needs additional support (*United Nations Guidelines for the Alternative Care of Children*). Many children and young people growing up in alternative care are isolated from their families and communities. Deprived of parental care, these children and young people are more likely to experience violence, abuse and neglect. The resulting psychological and social harm can last a lifetime.<sup>300</sup>

Reducing the number of children and young people entering the child protection system requires prevention and early intervention. Primary prevention includes universal access to services and programs with a whole-of-community focus. Early intervention includes services to support families that may have difficulty caring for their children.<sup>301</sup> However, in Queensland, 90 per cent of child protection expenditure flows to intervention and care services while only 10 per cent to family support.<sup>302</sup>

This chapter includes information provided through consultations with 15 Queensland adults aged 18 to 25 who have lived in out-of-home care. Consultations were conducted between August and October 2025.

### Closing the gap

**Target 12:** By 2031, reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent.

*Assessment:* **Worsening**

Although there are examples of good practice, overall progress on the *Closing the Gap* Priority Reforms has been slow, inconsistent and fragmented, with limited evidence of transformational change.<sup>303, 304</sup> Implementation has been constrained by the lack of dedicated funding, enforceable accountability measures, and failure to embed genuine partnership and cultural authority as required under Priority Reform 3 of *Closing the Gap*.<sup>305</sup>

Governments, their organisations and their institutions are accountable for Closing the Gap and are culturally safe and responsive to the needs of Aboriginal and Torres Strait Islander people, including through the services they fund.

## Queensland Government policy

In Queensland, the Department of Child Safety manages the child protection system with a \$2.7 billion dollar budget in 2025–26.<sup>306</sup> In 2021, federal, state, and territory governments jointly committed to implementing *Safe and Supported: The National Framework for Protecting Australia's Children 2021–31*.<sup>307</sup> The framework aims to reduce child abuse, neglect and intergenerational harm. It reflects Australia's obligations under Articles 3, 19 and 39 of the UNCRC and Articles 7, 8 and 14 of the UNDRIP. The framework requires collaboration between governments, community organisations and First Nations leaders.

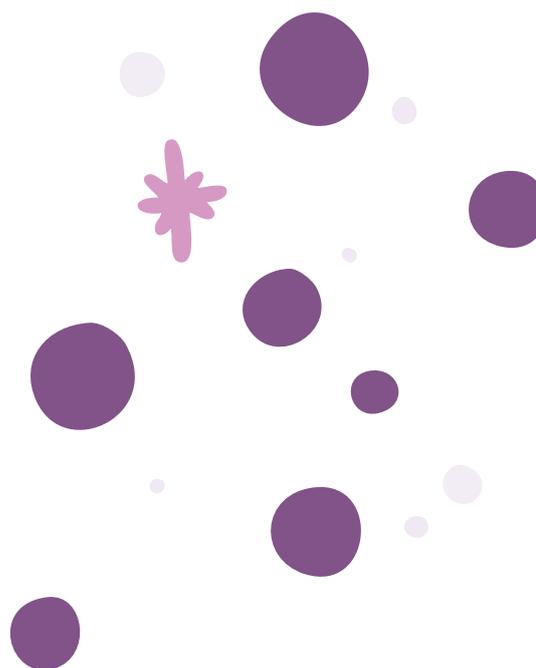
Amendments to the Child Protection Act commenced in May 2023, including changes to reinforce children's rights and strengthen children's voices in decision-making. The *Charter of rights for a child in care* (Schedule 1 of the Child Protection Act) was expanded with ten new rights to reflect contemporary issues, social values and community expectations.<sup>308</sup>

Upon its election in October 2024, the Queensland Government's child protection priorities focused on the statutory system and included the following initiatives:

- Reforming the residential care system, including implementing 24 hour dual carer supervision.
- Increasing the number of Child Safety Officers by 20 per cent.
- Designing and developing a \$50 million secure care facility for young people with mental health needs who pose a risk to themselves or others.
- Establishing a \$27 million professional foster care pilot program for children and young people with complex needs.
- Providing a \$1500 annual increase to the allowance for each child or young person in out-of-home care, to support education and extracurricular activities.
- Introducing a new independent complaints escalation process for complex cases to better support families and carers.
- Reducing the number of children and young people in care interacting with the criminal justice system.<sup>309</sup>

From a child rights perspective, these initiatives focus on managing pressure within the current system rather than child-centred reform. They do not alter how power or accountability operate. The proposed secure care facility for children with mental health needs raises particular concern. UNICEF and the CRC have warned that such facilities can blur the line between care and detention and may amount to deprivation of liberty, contrary to Articles 37 and 39 of the UNCRC.

UNICEF has emphasised that children should never be placed in closed or punitive settings for their own 'protection.' Instead, therapeutic support should be community-based, voluntary and trauma-informed. Meaningful reform requires early investment in these community supports so children are protected through care, rather than confinement.<sup>310</sup> Evidence from Australia's *Royal Commission into Institutional Responses to Child Sexual Abuse* (2017) showed the risks to child safety in closed facilities. The Commission found that, compared with other institutions, closed institutions carry a higher cumulative risk of child sexual abuse, by adults and children, and harmful sexual behaviours.<sup>311</sup>



## Child Safety Commission of Inquiry

In May 2025, the Queensland Government launched a Commission of Inquiry into the state's child protection system. The Commission formally commenced 1 July and is expected to report by May 2026. While extensive, the Terms of Reference<sup>h</sup> made no reference to First Nations children and families and their disproportionate representation in the child protection system. This is the fourth major inquiry into Queensland's statutory child protection system since 1999, each identifying the same structural failings of over-surveillance, under-investment in prevention and weak accountability. For Aboriginal and Torres Strait Islander children, every inquiry confirmed the same pattern: disproportionate removals driven by poverty, racism and the failure to fully implement the ATSI CPP in s.5C of the Child Protection Act.<sup>i</sup>

Despite consistent findings across the reviews, the number of children and young people entering out-of-home care, particularly residential care, continues to rise. Expenditure on residential care services, intended as a 'last resort' option, reached approximately \$1.2 billion in 2024 and is forecast to rise to \$7 billion by 2030 if there is no change to intake numbers and system structures.<sup>312</sup> The persistence of these trends suggests that reform has been largely cyclical rather than transformative. It has reinforced institutional processes and risk management, rather than building the conditions for Aboriginal and Torres Strait Islander families and communities to exercise greater authority, access resources and lead decisions affecting their children.

There continue to be many examples, often raised by young adults who have left care, where the safety, wellbeing and best interests of children have not been upheld. Each year, there are several hundred harm reports made about children in out-of-home care and the mortality rate for children known to the Department of Child Safety is almost twice the rate of all child deaths in Queensland.<sup>313</sup>

The last Queensland child protection reform program, *Supporting Families, Changing Futures*, introduced significant changes in response to the Child Protection Commission of Inquiry (2013). Despite these reforms, demand on the statutory system remains high and frontline staff continue to face heavy workloads and capacity pressures. Children and young people face ongoing placement instability and support for young people leaving care is inconsistent. The over-representation of First Nations children and young people has worsened and services for health, education and wellbeing need to improve. Our evaluation found limited evidence that reforms had improved outcomes, noting weak governance and accountability, and data that measured outputs rather than real outcomes for children, young people and families.<sup>314</sup>

<sup>h</sup> The terms of reference are available at <https://www.childsafetyinquiry.qld.gov.au/about/terms-of-reference>

<sup>i</sup> The ATSI CPP sets out how to apply the right to self-determination and maintenance of identity and connection to family and community. There are five principles: Prevention, Partnership, Placement, Participation, Connection.

# Entry to the statutory child protection system

Since 2021–22, Queensland has recorded a 25 per cent increase in notifications (compared with a 12 per cent increase nationally). This includes an increase of 21 per cent in notifications about First Nations children and young people (compared with a nine per cent increase nationally) and a 31 per cent increase for non-Indigenous children and young people (compared with 10 per cent nationally). The number of children and young people substantiated as needing care has increased by 14 per cent in Queensland (compared with an eight per cent decline nationally), including a four per cent decrease for First Nations children and young people (Table 18).

Notifications are when there is a reasonable suspicion that a child needs protection. That is, a child has been significantly harmed, is being significantly harmed, or is at risk of significant harm, and does not have a parent able and willing to protect them. Harm can be caused by physical, psychological or emotional abuse, neglect, sexual abuse or exploitation. When a notification is recorded, the department must investigate and/or assess the concerns.<sup>315</sup>

Substantiations means that after an investigation and assessment by the Department of Child Safety it has been assessed that the child or young person has suffered, is suffering, or is at unacceptable risk of suffering future significant harm.<sup>316</sup>

The rate of notifications and substantiations for First Nations children and young people in Queensland is far higher than for non-Indigenous children and young people and has increased further since 2022. Current patterns indicate the system continues to intervene too late and measures activity instead of outcomes, prioritising compliance over children's lived experience.

“Parents have issues and sh\*t like that, but if Child Safety actually stuck to their word and helped the parents, you might actually find a difference. They might actually find more kids going back to their homes because Child Safety is actually stepping in and actually helping, not just taking the kids.

Female, 19 years

“By the time my mum was fighting for custody, all these words were said to me of, your mum's not a good woman, she didn't look after you. The carers were talking about it. The case workers were saying it, then she – and by the time we went to court ... She would have had us in her care, but because all of these confusions that was coming at me with what people believe or what they thought of an Aboriginal woman and what an Aboriginal mother should be like. I ended up telling the judge that I didn't want to go with mum.

Female, 25 years

**Table 18.** Number and rate of children with a notification and substantiation

Individual children Number (and rate/1000)	2021–22	2022–23	2023–24
<b>Notifications</b>			
– First Nations	9132 (82.3)	9827 (87.0)	11,010 (96.0)
– Non-Indigenous	15,752 (14.5)	17,230 (15.7)	20,622 (18.6)
<b>Total</b>	<b>28,576 (23.9)</b>	<b>30,618 (25.3)</b>	<b>35,723 (29.2)</b>
Proportion of notifications that were First Nations children	32.0%	32.1%	30.8%
<b>Substantiations</b>			
– First Nations	2274 (20.5)	2524 (22.4)	2584 (22.5)
– Non-Indigenous	3708 (3.4)	4077 (3.7)	4209 (3.8)
<b>Total</b>	<b>6249 (5.2)</b>	<b>6869 (5.7)</b>	<b>7115 (5.8)</b>

Source: Productivity Commission, Report on Government Services: 16 Child protection services

Note: Number (and rate per 1000 of the total population) of individual children subject to Child Safety interventions.<sup>317</sup>

# Children in out-of-home care

## Data snapshot

**Table 19.** Number and percentage of children in out-of-home care (2021–22 to 2023–24)

Number (and percentage)	2021–22		2022–23		2023–24	
<b>All</b>	<b>11,323</b>		<b>11,593</b>		<b>11,966</b>	
– First Nations	<b>5515</b>	45.2%	<b>5347</b>	46.4%	<b>5643</b>	47.2%
– Non-Indigenous	<b>6208</b>	54.8%	<b>6246</b>	53.9%	<b>6323</b>	52.8%
<b>Children in care subject to a harm report<sup>i</sup></b>						
<b>All (proportion of children in care)</b>	<b>345</b>	3.0%	<b>523</b>	4.5%	<b>521</b>	4.4%
– First Nations (proportion of all harm reports)	<b>228</b>	66.1%	<b>300</b>	57.4%	<b>303</b>	58.1%
<b>Placement type<sup>i</sup></b>						
– Kin care	<b>5257</b>	46.4%	<b>5592</b>	48.2%	<b>5965</b>	49.8%
– Foster care	<b>4484</b>	39.6%	<b>4238</b>	36.6%	<b>4003</b>	33.5%
– Residential care	<b>1582</b>	13.9%	<b>1763</b>	15.2%	<b>1998</b>	16.7%
<b>Number (and %) of successful reunifications (did not return to care within 12 months)<sup>i</sup></b>						
<b>Total</b>	<b>485</b>	92.4%	<b>500</b>	89.9%	<b>555</b>	92.2%
– First Nations	<b>193</b>	90.2%	<b>215</b>	90%	<b>245</b>	91.1%
– Non-Indigenous	<b>292</b>	93.9%	<b>285</b>	89.9%	<b>310</b>	93.1%
<b>Number of foster and kinship care families (ratio of families to children)<sup>i</sup></b>						
	<b>5967</b>	1.63	<b>6068</b>	1.62	<b>6241</b>	1.60

Source:

<sup>i</sup> Department of Families, Seniors, Disability Services and Child Safety Our Performance Data

The number and proportion of First Nations children and young people in care have continued to rise since 2022. While the number of non-Indigenous children in care has also increased, this has been at a slower rate of growth compared to First Nations children. Harm in care reports have increased since 2022 with First Nations children and young people representing

around 58 per cent of the reports, above their representation in the system. Successful reunification rates for all children and young people range between 90 per cent and 93 per cent, with a slight improvement for First Nations reunifications since 2022.

## Child safety census

In 2024, the Department of Child Safety compiled a profile of 2413 children and young people who had been living away from home for more than three months:

- 31 per cent had limited to severely limited intellectual functioning and/or developmental delay.
- 20 per cent had a diagnosed or suspected mental illness and/or behavioural disorder.
- 41 per cent had a diagnosed or suspected disability and/or neurodevelopmental disability.<sup>318</sup>
- Almost half of young people aged 15 years and over were perceived to display extreme emotional responses that were linked to limiting their participation in education and employment.<sup>319</sup>

“ In my circumstance, the second placement that I went to, I was there and I was doing all right but then I started mucking up just – only one occasion. So, there was this problem that was happening at school, I said to my carer, if I go to school today, I’m going to knock this person out. I can’t go because they did something like real dodgy to my mate. So, the carer, she just said, no, you have to go to school, because she was going through a lot. She had like five kids under her roof.

Male, 21 years

“ I hated school. I felt left out... Because I was another kid in care. Another kid in care. I also had a disability. I wasn’t keeping up with everybody. So, I felt like the odd one out and also, people knowing that you’re in the care system, you get bullied... Knowing now that I have that disability, they could have done a lot more to help...

Female, 24 years

“ I remember when my sister got moved that – we were trying to get to each other and they wouldn’t let us, and then we kept – they had to put us in two different cars, like drag us away from each other. She had to get – she got – [I mean her] big coin box and gave me that. But the money, I didn’t care about the money, I just wanted my sister. Then seeing her real scared and how she was and – yeah.

Male, 20 years

Within the sample, there were no notable differences between First Nations and non-Indigenous children and young people, across measures related to health, development or behaviour. However, First Nations children and young people were:

- six per cent more likely to have been in care for more than 5 years
- five per cent more likely to have entered care at birth
- three per cent more likely to have been excluded or suspended from school.<sup>320</sup>

“ I mean, going from house to house is not easy, especially not staying with either family or... because you just go from different person to different person, where it’s this really strict Christian household and then this household’s not strict at all. You can go to bed whenever you want to and then you’re all of a sudden on a farm or wherever you were. It was just like, what the hell’s going on?

Female, 20 years

“ ... school was always very hard for me. I have autism, so growing up I struggled a lot with meltdowns and stuff like that. In saying that, I – when I was put into school, I was kind of just thrown into school. I wasn’t – my workers didn’t speak to my school around helping me to actually thrive in school. I was just, here’s your uniform, here’s your bag, off to school for the day. ... Until eventually I got expelled and then I tried to go to another school and they pretty much said, we can’t have you here. ... So I pretty much just didn’t go to school and that was Year 8. Child Safety let that happen. They pushed to get a letter of exemption from school from my psychologist. Keep in mind while I’m saying this all, if they had have actually helped me to thrive in school, I would have graduated. ... They literally never even offered any other alternative options.

Female, 19 years

## First Nations children

First Nations peoples and individuals have the same rights and freedoms as all other peoples and must not face discrimination, especially on the basis of their Indigenous origin or identity. They have the right to take part in decisions that affect them and choose their own representatives and decision-making processes (Articles 2 and 18, UNDRIP). Governments are required to consult with Indigenous peoples to obtain their free, prior and informed consent before introducing laws or policies that may impact them (Article 19, UNDRIP).

*“I said, I want to stick with a family structure because this has been a part of our family and culture. That’s a culture in Aboriginal culture is we’ve always had a family structure, like a mum and a dad. Might not be perfect, but that was how we grew up.”*

*Female, 25 years*

Queensland data on First Nations children and young people in out-of-home care continues to highlight significant and persistent disproportionality. While First Nations children and young people make up approximately nine per cent of Queensland’s child population,<sup>321</sup> they account for nearly 50 per cent of children and young people in out-of-home care. Without targeted analysis and action to address systemic drivers behind this disproportionality, over-representation will persist. Queensland is not on track to meet its *Closing the Gap* target of reducing the over-representation of First Nations children in care by 45 per cent by 2031.<sup>322</sup>

CRC General Comment No. 11 (2009) *Indigenous children and their rights* states:

*‘In States parties where Indigenous children are over-represented among children separated from their family environment, specially targeted policy measures should be developed in consultation with indigenous communities to reduce the number of indigenous children in alternative care and prevent the loss of their cultural identity. Specifically, if an indigenous child is placed in care outside their community, the State party should take special measures to ensure that the child can maintain his or her cultural identity.’<sup>323</sup>*

*“I think before I went to my full-time foster family we were seeing each other regularly, every fortnight, or every month – at least once a month. It was better. Then when I went to my full-time carers it was kind of just like – it was weird. They just had that expectation of – I don’t know. They had this weird image of my family so they didn’t really want me around them, which was annoying. Then, when I pushed it, they would be like, no. Never again.”*

*Female, 20 years  
[When asked about seeing siblings]*

*Our Way: A generational strategy for Aboriginal and Torres Strait Islander children and families (Our Way)* is a 20-year strategy introduced in 2017, with the vision of all Aboriginal and Torres Strait Islander children and young people growing up safe and cared for in family, community and culture and eliminating disproportionate representation in the child protection system by 2037.<sup>324</sup> *Our Way’s* objectives are to ensure that:

- all families enjoy access to quality, culturally safe universal and targeted services necessary for Aboriginal and Torres Strait Islander children to thrive
- Aboriginal and Torres Strait Islander peoples and organisations participate in, and have control over, decisions that affect their children
- law, policy and practice in child and family welfare are culturally safe and responsive
- governments and community services are accountable to Aboriginal and Torres Strait Islander peoples.

An external evaluation<sup>325</sup> completed in 2022 identified several positive outcomes, including:

- amendments to the Child Protection Act to introduce delegated authority
- continued investment in Family Wellbeing Services to support families to care for their children
- improved efforts by government agencies to seek and respond to community voices.

The evaluation called for robust data collection and performance monitoring to effectively measure system change and track improvements in the life outcomes of Aboriginal and Torres Strait Islander children. It also found that further progress was needed to:

- strengthen early intervention and prevention so that Aboriginal and Torres Strait Islander children do not have to enter the child protection system
- align funding and governance to support community-led decision making
- improve cross-government collaboration in implementing *Our Way*
- elevate Indigenous voices, leadership and governance and take stronger action to identify and eliminate racism in the system.

Two class actions on behalf of First Nations families were launched at the end of 2023 against the Department of Child Safety, based on complaints from hundreds of First Nations families about discriminatory experiences.<sup>326</sup> The cases allege breaches of the *Racial Discrimination Act 1975* (Cth), based on race or descent, by the Department of Child Safety towards children who were removed from their families, and parents who had children removed. It is also claimed that the department failed to adhere to the ATSI CPP.

“It’s just, they just need to be educated on child safety too. Children who are in Child Safety... because I think when people want to be carers, Child Safety goes, okay, well you’re going to have to do this every week for us, you just get that \$800 payment every fortnight from them kids and that’s all that we’re going to tell you about them kids. We’re not going to tell you anything about what they’ve gone through, if they have mental health issues, if they have a disability, if they’ve been through this or this, they just go, okay, well here’s some kids for you. It’s like they need to be educated on – especially Aboriginal children’s rights and Aboriginal children’s trauma... it was just, oh we’re a nice white family, let’s take on these two Aboriginal girls who went through so much trauma, but we don’t know nothing about it and they should be grateful because we gave them a roof over their heads.

Female, 20 years

## Blue card exemptions for kin carers

Our *Kinship Care* report released in October 2023, found that the working with children (blue card) check is not designed for kinship care, and its processes create additional barriers for Aboriginal and Torres Strait Islander kinship carers.<sup>327</sup> Legislation was passed in 2024<sup>328</sup> removing the blue card requirement for kinship carers. This would mean more children are able to be cared for by their families, supporting their connection to family, kin, community and culture. At time of writing, the legislation had not been proclaimed. A second stage of legislative reform is required to implement a fit-for-purpose framework for screening kinship carers and their adult household members. This delay continues to restrict the ability of kin to support child rearing. It suggests a systemic disregard for the ATSI CPP.

The next step in reform is to move beyond removing barriers to kinship care and embed community-controlled assessment and approval processes that uphold self-determination and the ATSI CPP. Shifting authority for assessing and supporting kin carers to Aboriginal and Torres Strait Islander community-controlled organisations would ensure decisions are made by those who understand cultural context and family obligations. Embedding these functions in community governance is key to realising the participation and connection elements of the ATSI CPP and giving practical effect to Articles 3, 5 and 18 of UNDRIP and Articles 8 and 30 of the UNCRC.

## Family Participation Program

Governments have a duty to ensure effective measures that safeguard the integrity of families, including Indigenous families and communities, by assisting them in their child-rearing responsibilities (UNCRC Articles 3, 5, 18 and 27). The Family Participation Program (FPP) has operated in Queensland since 2018. It provides independent support to Aboriginal and Torres Strait Islander families with children (Table 20).<sup>329</sup> The FPP helps uphold the legislated rights of families and children to participate in, and inform, significant decisions that affect them and their children. This includes those who are at risk of being the subject of a child protection notification or who are already subject to intervention by the statutory child protection system. FPP also supports the Department of Child Safety's legislative requirement to implement the ATSCIPP and helps fulfil Principle 2 of *Our Way*:

***'Ensuring that Aboriginal and Torres Strait Islander peoples and organisations participate in and have control over decisions that affect their children'.<sup>330</sup>***

Referrals to the FPP can only come from either the Department of Child Safety or as a self-referral from the family, although this data shows that there are few self-referrals. The Department of Child Safety must refer families to an FPP when they are making any significant decisions about the safety and wellbeing of a First Nations child or young person.<sup>331</sup> However, low numbers of referrals relative to the number of Aboriginal and Torres Strait Islander children in out-of-home care indicates that not enough families are being referred to FPP.

Too few families are being supported early, prior to statutory intervention, and the department is not upholding its legislated obligation to the ATSCIPP.

The HALT collective<sup>332</sup> has kept at least 12 babies with their mothers. This will have generational impacts, as subsequent children and the next generation are less likely to enter the child protection system. Research into the Birthing in Our Community (BiOC) initiative showed it reduced pre-term births by 38 per cent and its clients also experienced a significantly lower removal rate at birth than other First Nations women.<sup>333</sup> Yet BiOC receives no funding from the Child Safety department.<sup>334</sup>

**Table 20.** Family Participation Program referral data

Family Participation Program performance	2021–22	2022–23	2023–24
<b>Total referrals</b>	<b>2095</b>	<b>2000</b>	<b>2153</b>
– Child Safety department referrals	1906	1782	1974
– Self-referrals	189	218	179
– Service users	1548	1200	1611
Hours	34,087.4	29,684.7	47,528.4

Source: Department of Families, Seniors, Disability Services and Child Safety unpublished data

## Delegated authority

Amendments to the *Child Protection Act 1999* enabling delegated authority arrangements commenced in 2018. Delegated authority is the process undertaken to implement Chapter 4, Part 2A of the *Child Protection Act 1999*, that provides for the delegation of one or more of the chief executive's (Child Safety) function or powers in relation to an Aboriginal or Torres Strait Islander child to the Chief Executive Officer of an Aboriginal and Torres Strait Islander entity, when certain requirements are met. The amendment was intended to use the cultural knowledge and strength of First Nations leadership in decision-making for Aboriginal and Torres Strait Islander children. The delegations aimed to take a step towards self-determination and increase safe care and connection with kin, community and culture for First Nations children and young people.

Most delegated authority support services commenced their service delivery with delegations for:

- s.87 – maintaining contact and connection with parents
- s.88 (2) – mandated contact with community and language groups if the child is an Aboriginal or Torres Strait Islander child.

Some delegated authority support services have expanded their service delivery to include delivering delegations for:

- s.82.2 – placement back with parent while remaining under an order.

As at 10 December 2025, there are 16 Aboriginal and Torres Strait Islander entities funded to deliver 21 delegated authority support services in partnership with 26 Child Safety Service Centres and Hubs across the state, supporting 439 First Nations children under delegated arrangements, out of nearly 6000 First Nations children and young people in out-of-home care. The functions and powers of authorised officers cannot be delegated, which focuses the efforts of delegated authority service provision on children who are in care (subject to ongoing intervention). Funding for delegated authority is in place until 30 June 2027 and an evaluation is planned by the QATSICPP.

Section 148BB (4) of the *Child Protection Act 1999* requires the chief executive to have regard to the views of children and their parents before delegating functions and powers. Children with delegated authority arrangements maintain their legal rights to review and participation.

## Finding family and Kin

The Finding Kin team within the Department of Child Safety works alongside kinship care programs to develop family-based options for children and young people in residential care. It is focussed on 'increasing the number of children able to live with kin, to work towards reducing the number of children in residential care.'<sup>335</sup> The data shows an increase in the number of placements in both kin care and residential care and a decrease in foster care since 2022. The Queensland Government has committed to funding the team permanently as part of its plan to grow the child protection workforce by 20 per cent.<sup>336</sup>

Standards and resources should be in place early in the child protection trajectory to allow kin-connection rather than removal.<sup>337</sup> Under s.83 of the Child Protection Act, a placement decision must consider the views of the child and their family and provide for:

***'the optimal retention of the child's relationships with parents, siblings and other people of significance to the child under Aboriginal tradition or Island custom.'***

Under s.51B of the Child Protection Act, every Aboriginal and Torres Strait Islander child in out-of-home care must have a cultural support plan. However, according to the *2024 Child Safety Census*, only 53 per cent of First Nations children and young people in out-of-home care in Queensland had a cultural support plan. Of those, 37 per cent did not participate in the plan's development.<sup>338</sup>

“No, that was just something I had to do by myself, because if we organised it through Child Safety, (foster carer) would have said no.

Female, 20 years

“I think before I went to my full-time foster family, we were seeing each other regularly, every fortnight, or every month – at least once a month. It was better. Then when I went to my full-time carers it was kind of just like – it was weird. They just had that expectation of – I don't know. They had this weird image of my family, so they didn't really want me around them, which was annoying. Then, when I pushed it, they would be like, no. Never again.

Female, 20 years

Aboriginal and Torres Strait Islander young people we spoke to told us the Department of Child Safety did not try to connect them with their culture and none of them recalled having a cultural support plan. Some First Nations young people spoke about not knowing they were First Nations until after they left care, even though the Department of Child Safety held this information. Others spoke about their cultural identity being pushed to the side and not prioritised by the department. This undermines their rights under Article 30 of the UNCRC, which states that a child has the right to enjoy their culture, and Article 8, which recognises the right to preserve identity. It also conflicts with UNDRIP, which recognises the rights of Indigenous peoples to maintain, protect and develop their cultural identities and practices.

*“ I’m not, well, I think it was realising that they weren’t really doing their jobs. They would say, like, oh, I can, you know, I’ll look into contact with your mum. I’ll look into contact with your dad. Then when you ask them, like, oh, did you look into it, they’ll say, oh, I forgot or, oh, I have so many other cases, which you just – I don’t know. I feel like they don’t really prioritise many kids.*

*Female, 20 years*

Despite this, the census described over 80 per cent of First Nations children and young people as having some connection to their cultural identity. More consistent cultural support planning would likely improve implementation of the ATSCPP and increase successful searches for kin carers. The lack of a cultural support plan makes achievement of these legislated elements harder.

Young people spoke about the challenges of exiting care and trying to reconnect with a family and culture that had been stolen from them and how this made them feel further shame and isolation.

*“ Yeah, because the thing is that when a child – an Indigenous child goes in the system, that’s where they need the support. They need to be able to go straight to if it’s family counselling where they can have their parents involved too. ... where they can do programs like making necklaces together, painting together, go to church together, ... even going to the beach, going fishing or something. There could be a lot of things that they can put in to make it fun. Those are the ways to help break these barriers with these children, so by the time they grow up, there’s no barriers there.*

*Female, 25 years*

## Placement reviews

Article 25 of the UNCRC and paragraphs 67 and 68 of the *United Nations Guidelines for the Alternative Care of Children* recognise the right of a child placed in care to a periodic review of the treatment provided and all other circumstances relevant to their placement. Removal decisions should be regularly reviewed and the child's return to parental care should be in the best interests of the child (para.14 *United Nations Guidelines for the Alternative Care of Children*). A placement agreement includes information like intended length of the arrangement, information for parents, information to support the child's safety, wellbeing and belonging, health and education needs, arrangements for family contact, carer payments, and cultural support and connection. Placement agreements are to be reviewed every six months (Table 21).<sup>339</sup>

The *Child Safety Practice Manual* states:

*'The placement agreement is developed in collaboration with the child's carer and their support worker from the foster and kinship care service, or for a child placed in a non-family-based care arrangement, with the manager or coordinator of that service. Where possible, arrange a placement meeting to negotiate and develop the placement agreement. Consider inviting the young person to attend or contribute to the placement meeting, particularly if they are transitioning to adulthood.'*<sup>340</sup>

Involvement of the child in these meetings is essential, so they can express their views and those views be given due weight, in keeping with Article 12, UNCRC.

“ So, yeah, she called up Child Safety and said that she needed help with my situation. Child Safety's response was like, yeah, cool, we're going to move him to another place. That's not what she was asking for. She was just asking for a bit of help and they couldn't provide that. That was their solution. So, after that happened then normal went out the window for me and I just – yeah, just like fell flat on my face, really.

Male, 21 years

**Table 21.** Snapshot of placement agreements status as at July 2024

Placement agreement status	First Nations	Non-Indigenous and unknown	Total
Current	2659	2643	5302
Expired	1408	1676	3084
No agreement	1024	1265	2289
<b>Total</b>	<b>5091</b>	<b>5584</b>	<b>10,675</b>

*Source: Department of Families, Seniors, Disability Services and Child Safety unpublished data*

The snapshot provided by the Department of Child Safety shows that half the children and young people on short term orders did not have a current placement agreement.<sup>j</sup> Although the figures are uncleaned operational data, and therefore somewhat indicative, they indicate that Queensland is failing to ensure placements are regularly reviewed, or at least not recording the reviews in a timely manner, for safety, wellbeing and suitability, representing a systemic breach of children's rights. This shortfall is compounded by high staff turnover, with young people describing constant changes to their Child Safety Officer and, in some cases, never meeting their assigned worker before a new one was appointed. Such instability erodes trust and makes meaningful participation in placement reviews nearly impossible.

“ I think there was times where I come – I tried to express my wanting to move to Child Safety. It was always that they had put in an application for me to be moved. They have been telling me that for weeks, you know what I mean? Then the second I blow up, I get moved the next day. So it's like, I told you weeks ago I was having issues and you said you put in an application, but now I've blown up, I'm being moved. It taught me that you have to blow up to get change.

Female, 19 years

<sup>j</sup> Approximately 1500 children on a long-term guardianship order with a relative or another suitable person and approximately 370 children on a permanent care order were excluded from the snapshot, because placement reviews are not required for this cohort.

## Residential care

The use of residential care should be limited to cases where such a setting is specifically appropriate, necessary and constructive for the individual child or young person and in their best interests (Table 22). Alternative care for young children, especially those under the age of three years, should be provided in family-based settings. States should ensure there are sufficient carers in residential care settings to allow individualised attention and, where appropriate, give the child the opportunity to bond with a specific carer (paras. 21, 22 and 126, *United Nations Guidelines for the Alternative Care of Children*).

The *Royal Commission into Institutional Responses to Child Sexual Abuse* recommended that residential care should focus on an intensive therapeutic model of care, designed to meet the complex needs of children with histories of abuse and trauma. It further recommended that all residential care staff should be provided with regular training and professional supervision by appropriately qualified clinicians and, consistent Article 3 of the UNCRC, all services should implement the Child Safe Standards.<sup>341</sup>

“ My time in care was really, really bad. It was really bad. I - when I say - if I could have - if there was stuff going on, I literally would call the ambulance because, like I said, I had nobody to tell. You can't go away. The only place away is to some drug addict's place on the street or to the f\*\*king hospital.

Female, 19 years

Under Queensland's Child Safe Standards, every organisation is expected to be a model of children's safety and wellbeing, with leaders setting the tone and example. Organisations have an obligation to make First Nations children and young people feel culturally safe, welcomed, valued, included and respected. Children and young people should be informed about their rights and able to express concerns, provide input and participate meaningfully. Organisations must recruit and maintain a workforce that is not only qualified but deeply committed to upholding children's safety and wellbeing. Staff and volunteers should be supported with ongoing professional development and clear guidance, empowering them to model safe and respectful practices in every interaction.<sup>342</sup>

“ I had to call the police for myself because I'm like - and the workers just stood there, because what happened one night is they needed to do a bag search because there were young people in the house that were smoking in the house and stuff like that...Then that's when they [young people] came up and pulled me by the hair, pulled me to the ground. I felt really unsafe and I'm like, can someone call the police? You can see I'm - the workers were just standing there doing jack shit, and I'm like, okay, I'm calling 000, and then that's when the workers turned around and said, do what you want to do. But I was like, I'm young, sort of thing - I was young and I shouldn't have to do it myself.

Female, 23 years

**Table 22.** Number and proportion of children and young people in residential care

Children in residential care	2021-22		2022-23		2023-24	
<b>All (as a percentage of all children in out-of-home care)</b>	<b>1582</b>	<b>13.9%</b>	<b>1763</b>	<b>15.2%</b>	<b>1998</b>	<b>16.7%</b>
First Nations children (as a percentage of children in residential care)	704	44.5%	747	42.4%	903	45.2%
Children aged 0-9 in residential care (as a percentage of children in residential care)	243	15.4%	312	17.7%	363	18.2%
First Nations children aged 0-9 in residential care (as a percentage of all children aged 0-9 in residential care)	115	47.3%	148	47.4%	195	53.7%

Source: Department of Families, Seniors, Disability Services and Child Safety, Our Performance Data

The data demonstrates that reliance on residential care is growing and younger children are being placed in environments that do not meet their developmental needs. First Nations children, especially those aged nine and under, continue to be disproportionately and unfairly impacted. In Queensland, residential care is documented as a last resort for children and young people. However, data shows a rapid increase in the number of children and young people in residential care since 2022, continuing a trend since 2019. The number of First Nations children and young people in residential care has increased at a similar rate to all children and young people, remaining consistently over-represented at 45 per cent. The *Child Safety Practice Manual* says that residential care is for young people over the age of 12.<sup>343</sup> Despite this, in 2024 there were 363 children aged nine and under in residential care, representing 18 per cent of the total, with 54 per cent of these children being First Nations children, an increase from 47 per cent in 2022.<sup>344</sup>

The 2024 *Child Safety Census* stated that children and young people in residential care will have typically experienced higher rates of sexual, physical and emotional abuse prior to entering care than children in kinship and foster care. They are more likely to have been excluded or suspended from an education facility, and suffer from extreme emotional responses and poor social skills. Of the children who displayed extreme instability/emotional responses that limit functioning (28 per cent of 2413 children in out-of-home care reported in the census), 68 per cent had limited participation in school/education facility.<sup>345</sup> Compared with children in kinship and foster care, children in residential care are more likely to have a diagnosed or suspected mental illness and be self-harming.<sup>346</sup> They will be more likely to have first entered care at an older age, will have experienced more placements, including reunification attempts, and are much more likely to have self-placed at least once. Residential care, as it is currently arranged, is not the best option for these children and does not serve their best interests.

“Being in a foster home ... you had stability, and you were living with your siblings. Yeah, like having the stability, whereas like having – being in a resi, there was no stability, you had different carers coming in at different times, you were living with other young people. Foster home, I really actually loved because we had one person that we were with for a while, like 17 years.

Male, 24 years

“So the first time I was moved I had actually grown really attached to that residential care. I looked after everything. I had my own routine going there. I feel like there were more good days than bad there compared to everywhere else. Then they sold the house and I was forced to pack up my things within a week, I had to have my whole bedroom stripped and – yeah, it wasn't great. I feel like I really was I was really upset after that. I had been able to call that place home. I'd had my own bedroom for more than a year in that house. I'd really grown a connection and then they moved me to a house in Rural View, Northern Beaches with a suicidal, homicidal six-year-old who threatened and attempted to kill me and the other staff in the house.

Female, 19 years

“...all of my belongings were packed up without my permission and I was told to come home and retrieve them and self-place. Because they refused to place me because I hadn't been coming home because I didn't want to be there. They also refused to let me self-place before that. So it was really rocky, I guess.

Female, 19 years

## Temporary care setting

Although residential care is intended as a last resort, its growing use, particularly for young children and Aboriginal and Torres Strait Islander children, indicates a drift away from family-based and culturally grounded care. This expansion contravenes the *United Nations Guidelines for the Alternative Care of Children*, which require that residential settings be temporary and actively contributing to family reintegration. The experiences shared by young people highlight that current models often fail to provide stability, connection and opportunities to participate in decisions about their care.

“It was, well, you just, yeah, you feel stuck. You feel like you've just got no one around you on your side. You feel like – I don't know. I don't know. It was, like, imagine you're in a box with just nothing. That's just the feeling that it gave you.

Female [when asked what it was like in emergency residential care housing]

## Transition from family-based placements

Young people we interviewed told us that the transition from family-based placements to residential care was challenging. They highlighted uncertainty around routines, house expectations and matching with other young people in care. Building connections with staff in residential care homes was often difficult and many young people felt that youth workers were there to earn a salary rather than to support young people.

“A resi doesn't feel like a home. A resi feels like, I don't know, what's – it doesn't feel like home because you have different people coming in whereas like a foster care home, you've got one or two people, like usually Mum or Dad or just Mum.

Female, 24 years

“I feel like a lot of kids in resi need someone there for them, but they just, yeah, they didn't care. They were just all for the money, that's it.

Female, 18 years

## Long-term impacts

Young people in residential care spoke about their behaviour resulting in a placement change or closure, and how this rejection affected their ability to form long-term relationships or trust adults. Young people also spoke about having one staff member who they felt safe with and were able to connect with. When we explored this, young people said they longed for connection and to feel cared for, and that these workers took the time to get to know them by spending time hanging out and chatting about interests. These workers became the only source of connection for young people in residential care.

Young people who used to live in residential care said they did not have basic life skills to live alone at age 18. They told us that cooking, grocery shopping, creating a budget and learning to drive were skills that should have been supported as part of their transition from care plan.

“Even growing up in – I don't really want to say this, because I mean... I didn't get taught anything. I don't know how to do anything at all. All I know is street stuff, like yeah.

Male, 20 years

## Lack of transport

An issue that arose frequently when speaking to young people with residential care experience was transport. Many young people told us they missed out on family contact, work and school due to the lack of staff available to transport multiple children to different commitments.

“I dislocated and fractured my collarbone whilst in residential care. Initially, the carer said screw the rules, get in my car, I'm taking you to the hospital. The following day when I needed to go back for a follow-up appointment, the house hadn't had a car and we couldn't use the other young person's car because that was their car. I was in agony, no pain relief, had been waiting for an ambulance for two hours, and I was just unable to get to the hospital. I ended up hitchhiking with a concrete truckie to the hospital.

Female, 19 years

## Lack of participation and exposure to harm

Many young people spoke about being disengaged from school in residential care and not having much encouragement to return. Some young people spoke about being discouraged from attending school or re-enrolling because the Department of Child Safety did not think that young people would maintain attendance. They spoke about difficulties with completing Year 12 and about the stigma they experienced at school due to being in care, including teachers perpetuating negative stereotypes. Young people want teachers to understand what residential care is, what it is like to live in residential care and the challenges faced by children in out-of-home care.

Young people in residential care frequently told us they felt they had no choice over decisions about their life, including when they were unsafe in a residential placement. Young people expressed feeling a lack of control and security over their lives in residential care. They spoke about feeling safer sleeping on the streets, behind petrol stations and at parks than their residential care placement. Some young people said their alcohol and drug use began in residential care.

*“ I used to leave and not come back for weeks on end because I just couldn't stand the kids there...Back then, I got heavy into drugs, I'll be honest, because the pressure and just living with those kids, I couldn't deal with it. I'm sober now. When I turned 18, I quit drugs, but growing up in resi made me heavily addicted.*

*Female, 18 years*

This reflects a failure to operationalise Articles 12 and 19 of the UNCRC, which guarantee children's rights to express their views freely and be protected from harm, including in alternative care. A rights-based model would embed structured consultation and feedback mechanisms, such as mandatory participation in case planning and placement reviews, independent advocacy access and child-led safety audits so that decisions are informed by children's lived experiences.

*“ There were a few case plannings that I was involved in, but I feel like they should have been more frequently updated. I don't know, I feel like it didn't go in depth enough as it should have.*

*Female, 19 years*

*“ I think also if you're going to have a meeting with kids in care, make sure their parents, the carers, aren't around.... It should be like a counselling session. Like, the carers can take them to their office and then you sit there and talk to your caseworker, so then there's no way they would know what you're saying. Because a lot of kids, they – well, I was threatened, so it was like I can't say anything because they're going to take all my stuff away, I'm going to have no friends, I can't go to school anymore, I can't do this and I can't do that.*

*Female, 20 years*

From 1 October 2025, residential care providers must implement the Child Safe Standards and from 1 July 2026, all residential care providers must have a Reportable Conduct Scheme in place. The intent of the standards aligns directly with Articles 3, 12, 19 and 39 of the UNCRC, centring the child's best interests, participation, protection from harm and recovery. If these standards are fully and consistently met, the issues raised by young people should no longer occur. The implementation of the Child Safe Standards must move beyond a risk-management mindset to embed child and youth participation as a component of system design.

Participation is not a discretionary element but part of the engine of a child safe organisation. It generates feedback, accountability and continuous improvement. When children's voices inform governance, policy and practice, the system becomes self-correcting and rights-realising, rather than reactive and compliance-driven. Achieving this will require a significant culture shift within the sector, one that listens to the voices of children and young people, ensures cultural safety, encourages continuous improvement and builds staff knowledge and skills. Currently, the urgent need to find placements for children and young people appears to undermine these priorities.

## Permanency

Decisions about permanency drive children's lifelong attitudes towards identity, safety, belonging and cultural continuity. These decisions must be guided not only by immediate welfare concerns but by the enduring best interests of the child—what sustains their rights, relationships and identity over time. When considering alternative care solutions, due regard must be given to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background (UNCRC Articles 3, 8, 9 and 20). Applying a best-interests approach to decision-making means assessing the current safety of the child but also the likelihood of future risk, harm and other consequences.<sup>347</sup>

Permanency is intended to provide a child or young person with stability in relationships, living arrangements and legal security, providing a sense of long-term safety and wellbeing. S.5BA of the Child Protection Act outlines principles to ensure wellbeing and best interests of a child, including:

- ongoing positive, trusting and nurturing relationships with persons of significance to the child
- stable living arrangements, with connections to the child's community
- legal arrangements that provide the child with a sense of permanence and long-term stability, such as a long-term guardianship order, a permanent care order or an adoption order.

When a child or young person experiences these things, permanency is considered achieved under the Act. Long-term or permanent guardians must ensure the *Charter of rights for a child in care* is applied, help the young person's transition to independence, and preserve their identity and cultural connections (s.79A). Both s.5BA(4) and s.5C of the Child Protection Act affirm that the preference in all cases should be for a child to be brought up within their own family. Under Queensland law, permanency encompasses stability and security but also continuity of relationships, identity and belonging. For Aboriginal and Torres Strait Islander children, true permanency requires ongoing connection to family, culture and community, consistent with Articles 8 and 30 of the UNCRC and s.5C of the Child Protection Act.

Embedding child participation and ongoing oversight within permanency planning is essential to ensure Queensland's approach upholds international child rights standards.

### Permanent and long-term orders

The data suggests that Queensland's child protection system continues to rely heavily on long-term, non-family guardianship, with little change over time (Table 23). First Nations children are disproportionately subjected to lifelong separation from family, kin and Country, reflecting persistent patterns of systemic inequity. The rapid expansion in the use of Permanent Care Orders (PCO) represents a pathway that can undermine cultural rights and connection, while the system struggles to provide stable, planned and culturally grounded permanency options for these children.

**Table 23.** Rates of long-term care arrangements

Long term care	2021–22		2022–23		2023–24	
<b>Long term guardianship order (LTG-O) to another person<sup>i</sup></b>						
<b>All (as a proportion of all children on a child protection order)</b>	<b>1579</b>	<b>12.2%</b>	<b>1557</b>	<b>12.0%</b>	<b>1588</b>	<b>12.2%</b>
– First Nations (proportion of LTG-O)	613	38.8%	615	39.5%	648	40.8%
<b>Permanent Care Orders (PCO)<sup>i</sup></b>						
<b>All (as a proportion of all children on a child protection order)</b>	<b>162</b>	<b>1.3%</b>	<b>290</b>	<b>2.3%</b>	<b>376</b>	<b>2.9%</b>
– First Nations (proportion of PCOs)	42	25.9%	68	23.4%	86	22.9%
– Non-Indigenous (proportion of PCOs)	120	74.1%	222	76.6%	290	77.1%
<b>Admitted to a PCO<sup>ii</sup></b>						
<b>Total</b>	<b>~83</b>		<b>~134</b>		<b>92</b>	
– First Nations	~30		~32		20	
– Non-Indigenous	52		110		72	
<b>Adoptions<sup>ii</sup></b>						
<b>Total</b>	<b>23</b>		<b>19</b>		<b>35<sup>k</sup></b>	

**Source:**

<sup>i</sup> Department of Families, Seniors, Disability Services and Child Safety Our Performance Data

<sup>ii</sup> Department of Families, Seniors, Disability Services and Child Safety, unpublished data

These inequity trends are particularly significant given the nature and legal consequences of PCO. They constitute one of the most far-reaching and irreversible forms of state intervention in a child's life, making the observed patterns of structural bias and inequity deeply concerning. Although Queensland's permanency hierarchy prioritises family restoration and kinship care, practice data indicates that long-term orders are frequently pursued before sustained reunification efforts have been made, particularly for First Nations families.<sup>348, 349</sup> It highlights the urgent need for reform that addresses both the immediate impacts of these orders and the underlying systemic factors that perpetuate inequitable outcomes.

Under an order granting long-term guardianship to a suitable person, the child is in the care of the guardian rather than the chief executive, in this case the *Child Protection Act 1999* continues to apply. The Department of Child Safety retains some involvement, including annual contact, responding to requests for support and preparing a case plan. The rate of First Nations children on long-term guardianship is far higher than for other children. Understanding the proportion of long-term guardianship orders made to kinship carers is critical to assessing whether

permanency decisions are upholding children's rights to family connection and cultural continuity, as required under the Child Protection Act and the ATSI CPP. There is a risk that permanent or long-term placements may lead to long-term cultural disconnection for First Nations children.

A PCO is a long-term child protection order where a permanent guardian is legally appointed to a child. Only the Office of the Director of Child Protection Litigation can apply to revoke or vary a PCO. Once a PCO is made, the Department of Child Safety has no further involvement with the child or young person unless the guardian or child requests a review of the case plan or a complaint is made. The numbers of PCOs are increasing each year, although the proportion of First Nations children and young people has declined slightly.

A concern with PCO arrangements may arise if the desire of the Department of Child Safety to find stable living arrangements outweighs the value of ongoing relationships and connections to culture, community and family of origin, as called for by Articles 8 and 9 of the UNCRC.<sup>350</sup> Many young people told us that relationship permanency was more important to

<sup>k</sup> Including one Indigenous child adopted by a step-parent.

them than physical address and placement stability. Young people on long term orders to foster carers spoke about not having an allocated Child Safety Officer or not knowing they had a Child Safety Officer they could contact. In line with children's experiences, permanency indicators should measure the continuity of relationships, frequency of family contact and cultural connection, not only legal order type.

Most young people told us they were not supported by the department to have family contact. When they were old enough, the young people informally arranged their own family contact. Some young people that were on long term orders spoke about their foster carers being unwilling to arrange family contact even though this is a requirement under s.87 of the Child Protection Act.

“No, that was just something I had to do by myself, because if we organised it through Child Safety, [foster carer] would have said no.

Female, 20 years

Because the Department of Child Safety ceases its active involvement with a child under a PCO or adoption, the child has limited recourse if the relationship breaks down. Under Part 6, Division 3A of the Child Protection Act, a child or family member can complain about a permanent guardian if they are not meeting their obligations under the *Charter of rights for a child in care*, but the matter will be treated like a new intake, rather than a harm-in-care report. Policy commitments to stability risk privileging case closure over relational, cultural and participatory aspects of children's rights. The increasing reliance on long-term and permanent orders, particularly for Aboriginal and Torres Strait Islander children, risks institutionalising disconnection from family, culture and community, contrary to the intent of the Child Protection Act and Australia's international obligations.

## Adoption

In accordance with Queensland's *Adoption Act 2009* and Article 21 of the UNCRC and the *Hague Convention on Protection of Children and Cooperating in Respect of Intercountry Adoption* (the Hague Convention), intercountry, interstate and domestic adoption must ensure rigorous oversight, informed consent and post-adoption support to prevent separation from identity and culture. The Hague Convention,<sup>351</sup> also protects children and families from trafficking and illegal or ill-prepared adoptions. Intercountry adoption occurs between Australia and six partner countries<sup>352</sup> in compliance with the Hague Convention.

A child has a right to maintain their identity under Article 8, UNCRC. Adoption should only proceed when it is demonstrably in the child's best interests and when family preservation and kinship options have been fully exhausted. Adoption, in any context, should therefore be treated as a last-resort measure, undertaken only after all viable options for family restoration and community care have been ruled out.<sup>353</sup>

Intercountry, interstate and local adoption in Queensland is administered through the *Adoption Act 2009* and *Adoption Regulation 2020*. The Adoption Act outlines that adoption should only apply to an Aboriginal or Torres Strait Islander child if there is no better available option. It further notes (Adoption Act, s7) that it is in the best interests of Aboriginal or Torres Strait islander children to be cared for within their community and maintain contact with their identity and traditions.

Adoption decisions must protect a child's identity, family and culture. For First Nations children, adoption without community authority would undermine self-determination and breach both the ATSI CPP and Australia's international human rights obligations.

## Transition to adulthood

Under Article 12 of the UNCRC, young people have the right to participate in decisions about their lives, including preparation for independence. Articles 27 and 29 affirm the right to an adequate standard of living and development of life skills for full participation in society. The Child Protection Act states that children are to receive appropriate help with the transition from being a child in care to independence including, for example, help with housing, access to income support and training and education.

Agencies and care facilities should have clear policies and follow agreed procedures when a young person's time in care comes to an end, whether planned or

unplanned, to ensure proper post-care and support. While in care, children and young people should be actively supported to develop the skills and confidence needed for independence and full participation in the community. This includes building social and life skills through involvement in local activities. Planning for post-care should start early in the placement, involve the young person and always be in place well before they leave care (para.131 and 134, *United Nations Guidelines for the Alternative Care of Children*).

The Queensland *Child Safety Practice Manual* states that transition to adulthood planning for young people in care should commence from age 15 (Table 24).<sup>354</sup>

**Table 24.** Transition to adulthood support and numbers of young people exiting care (2021–22 to 2023–24)

Transition to adulthood	2021–22	2022–23	2023–24
<b>Proportion of children with a transition plan<sup>i</sup></b>			
<b>Total aged 15–17</b>	<b>66%</b>	<b>64%</b>	<b>63%</b>
– First Nations aged 15–17	65%	62%	61%
– Non-Indigenous aged 15–17	66%	65%	65%
<b>Total aged 17</b>	<b>90%</b>	<b>89%</b>	<b>88%</b>
– First Nations aged 17	91%	89%	86%
<b>Number of children and young people exiting care (all exit types)<sup>ii</sup></b>			
<b>Total</b>	<b>2242</b>	<b>2719</b>	<b>2659</b>
– First Nations	915	1186	1137
– Non-Indigenous	1319	1533	1519
<b>Number of young people in out of home care who turned 18<sup>iii</sup></b>	397	465	476
<b>Number of young people exited placement at 18</b>	150	168	122
– First Nations	61	83	44
– Non-Indigenous	89	85	78
<b>Number of service users accessing Next Steps Plus<sup>iii</sup></b>	1489	1675	1923
– First Nations	31.52%	36.41%	31.97%
– Extended Post Care Support <sup>iii</sup> (commenced 1 July 2023)			295
– Number accessed (financial assistance)			(\$1.982M)
– Open cases			619
– First Nations open cases			272 (44%)

**Source:**

i Department of Families, Seniors, Disability Services and Child Safety Our Performance Data

ii Productivity Commission Report on Government Services 2025: 16A.6 Child Protection services

iii Department of Families, Seniors, Disability Services and Child Safety, unpublished data

The data shows that transition planning for young people leaving care is declining, resulting in large numbers exiting the system each year with inconsistent preparation. At the same time, there is escalating demand for post-care supports, reflecting failures in pre-exit planning and increasing reliance on crisis-oriented financial assistance. These trends indicate a system that is under-preparing young people for adulthood and shifting the burden of support onto post-care services. Importantly, the data highlights a failure to provide culturally grounded, stable and long-term transition pathways, with First Nations young people disproportionately affected. This points to an urgent need for reforms that deliver comprehensive, culturally responsive planning and support before and after leaving care.

Extended Post Care Support (EPCS)<sup>355</sup> was introduced in Queensland from 1 July 2023 to help young people exiting care manage social challenges.<sup>356</sup> This means young people who turned 18 after this date can access practical support, conditional financial support and a continuing care allowance until their 21st birthday and some additional supports until age 25.<sup>357</sup> Young people we spoke to who transitioned from foster care or were homeless, said they did not know what a Transition from Care plan was, and that planning would have been helpful for them. Some young people did not know about the resources they were eligible for. First Nations young people are under-represented in the numbers accessing support after leaving care. The data indicates a systemic gap between policy intent and implementation. Transition planning remains inconsistently applied and, as a result, many young people experience ongoing instability and inadequate support for independence.

The *Performance of the Queensland child protection system 2024–25* annual report found high rates of unmet need among young people transitioning from care within 12 months. Application forms for the NDIS home and living supports had not yet been filed for 58 per cent of young people with disability and 29 per cent needing public housing. Almost two-thirds were not registered with Centrelink, and 11 per cent did not have a leaving care plan.<sup>358</sup>

Around 65 per cent of young adults do not remain with their carer after turning 18.<sup>359</sup> Some young people we spoke with talked about how the discontinuation of relationships with adult carers made them feel isolated and unsupported. Some young people also needed help to establish or build better relationships with family and kin. Despite policy being clear about the importance of transition to adulthood planning from age 15, many young people spoke about not being supported through their transition from care.

“It was horrible. I’m not going to sugar coat it. It was not very good. I kind of felt like I was left in the dark and I also felt like everyone else got the leaving to care plan, they got to do everything else, while I’m sitting here being like, what about me? What about me? Like I’m here as well. Like I was a kid in care. I’ve been in there for 18 years of my life and not having that ... – oh my God – leaving to care plan, hadn’t I had a home, I would have been homeless. How do we know about going to Housing? How do we know how to ask Child Safety? So, a lot of them don’t know how to ask, or they’re afraid to ask, or they don’t want to.”

Female, 24 years

“We didn’t even get a ..., transition to adulthood. I was just about 18 and that’s when they were like – I think it was two weeks before my 18th birthday, they came out and said, “you’re about to turn 18”.”

Female, young person

Many young people told us that after-care services like EPCS or Next Steps Plus<sup>360</sup> were helpful. However, the Department of Child Safety offered no transition support before they turned 18 and became eligible for the after-care support services. When asked what would have made the transition from care easier, one young person said:

“ I think having carers that cared. That's the only thing really. Child Safety was enough as it is, or they did as much as they could, which was nothing... It would have been a lot easier if you just cared.

*Female, 19 years*

The effectiveness of post-care support should be a key indicator in Queensland's performance framework for the child protection system under s.40 of the *Family and Child Commission Act 2014* (Qld), linking oversight to measurable rights outcomes. This would ensure the success of the child protection system is judged not only by exit rates, but by how well young people sustain safety, stability and belonging post care.

From a child-rights perspective, transition from care is not an administrative hand-off but a critical stage in realising the right to development, participation and belonging. The low rate of transition plans, coupled with limited awareness of supports, indicates that Queensland's system remains compliance-oriented rather than development-focused. Ensuring continuity of relationships, culturally safe planning and youth-led decision-making are essential to fulfilling Articles 12, 20 and 27 of the UNCRRC.

# Recommendations

## Recognise systemic abuse and neglect as a formal harm type

- Formally recognise systemic abuse and neglect as a distinct harm type within child protection legislation, data systems and oversight frameworks to ensure harm caused by structural failings, discriminatory practices or institutional responses is identified, monitored and addressed.

## Reallocate child protection expenditure toward prevention and early support

- Rebalance expenditure toward early intervention, family strengthening, family restoration and community-led support, with priority investment in Aboriginal and Torres Strait Islander community-controlled organisations.
- Deliver prevention and early support outside the statutory child protection system, ensuring equitable access to universal and targeted services that build family and community safety.
- Position statutory child protection as a last-resort response within a broader prevention-led system that reduces entries to care and addresses structural drivers of harm.

## Ensure poverty is never treated as a ground for child removal

- Require the provision of timely financial, housing and material supports to enable children to safely remain, or be reunified, with their families.
- Support this approach with clear statutory decision-making tools and guidance to assist practitioners to distinguish poverty-related need from risk of harm, and to prioritise family support over removal.

## Strengthen the Aboriginal and Torres Strait Islander Child Placement Principle as a legislative safeguard for First Nations children

- Create clarity in the Act by including a reference to 'enduring best interests' (i.e. 5C(1) 'The following additional principles apply for administering this Act in relation to the enduring best interests of Aboriginal or Torres Strait Islander children').

## Require public reporting on active efforts, cultural connection and family participation to enable effective independent monitoring.

- Establish clear consequences for non-compliance in recognising systemic abuse and neglect as a distinct harm type.

## Prohibit secure care or use it as a last resort

- Mandate that any secure care placements or similarly restrictive arrangements are used strictly as a last resort and authorised exclusively by the Supreme Court.
- Ensure any such placements are subject to continuous independent oversight, mandatory public reporting on use, duration, demographics and outcomes, and be fully consistent with the findings of the Royal Commission and international child rights standards, including the UNCRC, UNICEF guidance on deprivation of liberty and OPCAT requirements.
- Ensure deprivation of liberty is not mischaracterised as 'care' but is treated as an exceptional harm-prevention measure with continuous judicial oversight and access to independent supports.

### Phase out for-profit residential care

- Legislate a prohibition on for-profit residential care and a structured transition to community-controlled, therapeutic and relational care models, consistent with evidence and recent reforms in Victoria, which have acknowledged that profit-based care arrangements undermine relational stability, accountability and children's rights.

### Legislate an enforceable right to safe, supported and rights-based transition from care

- Require that every young person leaving care has:
  - a youth-led transition plan developed with independent advocacy
  - guaranteed access to secure and stable housing before exit from care
  - guaranteed ongoing post-care supports to at least age 21, with optional extended care to age 25 based on need and choice
  - continuity of health, disability, education, income and cultural supports.
- Embed participatory decision-making, including young people's control over their support packages.
- Strengthen provider contracts to require transition outcomes, housing continuity and accountability.
- Prohibit exits from care into homelessness or unsafe housing, including for children on orders.
- Prioritise Aboriginal and Torres Strait Islander community-controlled supports, consistent with cultural rights and self-determination.

### Integrate post-care outcomes into the state's performance framework

- Amend the Family and Child Commission Act to require the monitoring and public reporting of post-care outcomes as core state performance indicators.
- Include housing stability, cultural connection, education and training, employment, health and contact with the justice system as indicators, to ensure accountability for the realisation of young people's rights after leaving care.

### Establish formal complaints processes within delegated authority and kinship care

- Require all delegated authority and kinship care arrangements to provide accessible, child-friendly and culturally safe complaint pathways.
- Ensure confidential access for children, mandatory recording and tracking of complaints, independent oversight and review, and system-level analysis and public reporting to drive learning, accountability and continuous improvement.

### Implement kinship carer blue card reforms already legislated

- Implement as a matter of urgency the already-legislated kinship carer blue card reforms to ensure timely, culturally safe and proportionate screening processes, remove unnecessary administrative barriers for Aboriginal and Torres Strait Islander kinship carers and support children's rights to family, culture and continuity of care.
- Progress the necessary amendments and proclamation to commence the relevant provisions of the *Working with Children (Risk Management and Screening) Act 2021* to give full effect to parliament's intent and ensure kinship care arrangements are not delayed or undermined by systemic barriers.

### Expand the scope of the Queensland Child Death Review Board

- Amend the legislation governing the Queensland Child Death Review Board to extend its mandate to review the deaths of all young people up to age 25 who have been connected with the child protection system (including those who have and have not exited care on their 18th birthday).



# Disability, health and welfare



## UNCRC overview

Under to the UNCRC, every child has the right to life and development (Article 6) and children and young people with disability have the right to a full and decent life (Article 23). Good quality health care, clean water, nutritious food and a clean environment should be available to all children and young people (Article 24) and if families cannot afford this, they should be offered support (Article 26). The UNCRC protects the right of every child to a standard of living that meets their physical and mental needs (Article 27) and all appropriate measures should be taken to protect children and young people from dangerous drugs (Article 33).

# Social causes of health inequality

The health of a population reflects the fairness of its society.<sup>361</sup> Governments set policies that determine the conditions in which people are born, grow, live, work and age.<sup>362</sup> This encompasses health, education, employment, justice, housing, income and social protection. Ensuring health equity is both a matter of social justice and a human right, requiring governments to enact and enforce policies that enable all citizens to live healthy, dignified and fulfilling lives.

## Colonisation as the root cause of inequity

Research shows that poor health and disease are not simply caused by individual behaviours like smoking, diet or lack of exercise. Instead, the underlying social, economic and political factors are the causes of the 'social gradient' in the health outcomes of a society.<sup>363</sup> In countries shaped by colonisation, including Australia, systems and institutions have often been built in ways that marginalise or ignore First Nations knowledge, values and world views. This includes health systems, where western biomedical approaches prioritise clinical evidence, efficiency and a narrow focus on disease.<sup>364</sup> These frameworks can conflict with First Nations understanding of health as deeply connected to relationships between people, culture, spirit, community and Country. A rights-based approach recognises that First Nations peoples have the right to maintain and practise their own knowledge systems. Services must respect and incorporate these ways of understanding wellbeing, rather than expecting children, families and communities to fit into models that were not designed for them.

The inaugural report from the Queensland Chief First Nations Health Officer was clear that health equity starts with truth and accountability. Closing the health gap depends on removing racism at every level, ensuring that interventions to tackle discrimination are built into frontline care, policymaking and leadership structures.<sup>365</sup>

## Health equity for First Nations children and young people

Good health is more than the absence of illness, it encompasses physical, emotional, social and cultural wellbeing. Achieving health equity for First Nations children and young people requires addressing the underlying social and cultural determinants that shape their health outcomes.<sup>366</sup> Social determinants include impacts of colonisation, dispossession, systemic racism<sup>367</sup> and intergenerational trauma, as well as barriers such as geographic isolation, economic disadvantage and unsafe or culturally inappropriate services. Cultural determinants are strength-based, including recognising First Nations knowledge systems and involving First Nations people in the design, delivery and governance of health.<sup>368</sup> It means delivering care that is culturally safe, trauma-informed and grounded in respectful relationships.

Health equity must extend to those children and young people in care or in contact with the justice system to make sure that they are not further marginalised or harmed by fragmented or inadequate care. Equity is not about treating all children and young people the same, but about responding to their distinct contexts, histories and needs so that they can truly thrive. In policy terms, this requires more than service reform, it requires a fundamental shift in how health systems listen to, work with and are held accountable by First Nations people.

The *Closing the Gap* framework sets out the national targets and accountability mechanisms for improving health equity.<sup>369</sup> It recognises that health is not determined by access to hospitals or clinical services alone, but by the conditions in which children and families live, learn and grow. Secure housing, safe and affordable food, early childhood education, culturally affirming schooling, stable income, freedom from discrimination, and connection to culture and Country all directly shape health outcomes. The framework embeds health equity within a whole-of-life, whole-of-system approach, where governments acts across policy domains to close the gap.

# Disability

Australia is a signatory to the *United Nations Convention on the Rights of Persons with Disabilities* (UNCRPD), which underpins efforts to remove barriers and ensure the full realisation of rights by children and young people with disability. The guiding principles of the UNCRPD include:<sup>370</sup>

- respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons
- non-discrimination
- full and effective participation and inclusion in society
- respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
- equality of opportunity
- accessibility
- equality between men and women
- respect for the evolving capacities of children with disabilities
- respect for the right of children with disabilities to preserve their identities.

## Data snapshot

Queenslanders with disability by age group:<sup>371</sup>

**5.9%**  
0–4  
years

**15%**  
5–14  
years

**16.7**  
15–24  
years

**It is estimated that 41 per cent of children and young people in care have a diagnosed or suspected disability and/or neurodevelopmental disability.**<sup>372</sup>

**It is estimated that 71 per cent of children and young people in youth justice custody have at least one disability.**<sup>373</sup>

**Table 25.** Children and young people with NDIS plans and rates of utilisation (2021–2024)

NDIS plans	2021	2022	2023	2024
Children and young people (0–17 years)	37,800	40,300	42,000	44,000
Utilisation (percentage)	69.0	69.5	70.0	70.5

Source: NDIS Quarterly Reports

The data suggests that while more Queensland children are entering the NDIS each year, the system is not becoming easier to navigate nor more responsive to their needs. Stagnant utilisation rates point to persistent structural barriers and service gaps, meaning many children, especially those with complex or intersecting needs, are not receiving the supports required to thrive.

## Queensland Government policy

Queensland's *Disability Plan 2022–27: Together, a better Queensland*<sup>374</sup> remains Queensland's primary inclusion strategy, aligning with the *Australia's Disability Strategy 2021–2031*.<sup>375</sup> Queensland has made strong commitments to this plan by embedding co-design principles and establishing structures to ensure accountability. The plan focuses on seven priority areas to promote inclusion and improve outcomes for people with disabilities:

1. employment and financial security
2. inclusive homes and communities
3. safety, rights and justice
4. personal and community support
5. education and learning
6. health and wellbeing
7. community attitudes.

As these reforms are relatively recent and many actions are still in the design or pilot stages, evidence of tangible improvements remains limited. In 2024, the government launched a new companion framework, the *Queensland Disability Reform Framework – The Next Chapter*. It supports state-level reform in response to the NDIS Review (2023) and Disability Royal Commission findings, with an emphasis on co-design, lived experience and systems transformation.<sup>376</sup>

## First Nations children and young people with a disability

Articles 21 and 22 of UNDRIP recognise the distinct and urgent needs of Indigenous peoples with disabilities. Disability among First Nations children and young people is shaped by the historical and ongoing impacts of colonisation, systemic racism, intergenerational trauma and service exclusion. The intersectionality of demographic factors and location can create greater challenges, and reporting on their outcomes is limited due to insufficient disaggregated data. Barriers to culturally safe and inclusive supports remain profound, especially in remote and very remote communities.<sup>377, 378</sup>

In 2025, the National Disability Insurance Agency released its *First Nations Strategy 2025–2030*, outlining four strategic priorities:<sup>379</sup>

- fair and equitable access and support
- NDIS 'our way' – transformation for power-sharing
- working together well
- gathering, sharing and revisiting knowledge about meaningful change.

An implementation plan is being developed and expected to be released later in 2025.

## National Disability Insurance Scheme

The NDIS in Queensland continues to support children and young people through two streams, the early childhood approach (for children under seven) and the general stream (for children seven and over). During the last quarter of 2024–25, 5039 children in Queensland accessed connections throughout the early childhood approach.<sup>380</sup> National data shows that children under eight are the highest recipients of the NDIS and that autism is the most common disability on the scheme.<sup>381</sup> Many children do not leave after early intervention due to the lack of post-scheme supports, with parents frequently describing the NDIS as a vital lifeline.

Federal reforms following the *2023 NDIS Review* are set to significantly reshape supports for children with mild to moderate disability.<sup>382</sup> A new program, Thriving Kids, will commence mid-2026, aiming to shift support for eligible children (particularly those with mild autism or developmental delay) into mainstream systems like schools, general practitioners and community-based services. Concerns remain about whether these mainstream systems will be sufficiently resourced and equipped to meet the complex and diverse needs of children without the dedicated support structures currently provided by the NDIS. Additional issues exist for children and young people who are losing access to NDIS supports following eligibility reassessments.<sup>383</sup> Ensuring the rights of people with disabilities and providing adequate support to parents requires an economical and sustainable approach, co-designed with children and their families.

A significant recent reform impacting NDIS therapy providers took effect on 1 July 2025, part of the *2025–26 NDIS Pricing Arrangements and Price Limits*. These changes specifically affect travel funding for therapy supports, including allied health services. Key elements of the reform include:<sup>384</sup>

- Providers can now claim only 50 per cent of the therapy price-limit for their travel time.
- Travel time limits remain region-specific and providers' travel claims must fit within these caps.
- These restrictions apply exclusively to therapy supports and do not affect all types of NDIS supports.

These reforms raise concerns, particularly regarding service delivery in regional and remote areas where travel distances are large and providers already operate on tight financial margins. The reduced travel funding may make it financially unviable for providers to travel to remote households, potentially decreasing access to vital therapy services for children in those locations.<sup>385</sup>

## Inclusion in the education system

UNICEF defines inclusive education as 'a process of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education.'<sup>386</sup> An inclusive education approach commits to upholding the fundamental human right to education for every individual, regardless of their background or abilities. It ensures that all learners, regardless of their unique characteristics, interests or learning needs, are provided equitable opportunities to participate, learn and succeed in the same educational environment. By promoting integration rather than segregation, inclusive education fosters a sense of belonging, reduces discrimination and promotes social cohesion.<sup>387</sup>

Australian children and young people with disabilities continue to face systemic discrimination in education. According to Children and Young People with Disability Australia (CYDA) *Youth Education Survey 2022–23*, 75 per cent of students reported experiencing bullying in the last year and 72 per cent of students reported being excluded from events or activities at school (both increases on the previous year). The survey found that 71 per cent of students who left the education system early did so due to inaccessibility, discrimination and bullying.<sup>388</sup> Ongoing high rates of suspension and exclusion of students with disability remain a major concern (see *Education and play* chapter).

The *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* called for the gradual phasing out of segregated education and proposed investment in inclusive schooling, embedded support and specialist staff. The Royal Commission's final report called for the urgent need to transform mainstream education to be inclusive. The federal government supports the Royal Commission's vision and is developing a national road map toward inclusive education, with implementation discussions ongoing and a first progress report expected soon.<sup>389</sup>

The Queensland Government accepted (in full or in principle) 11 of the 15 recommendations relating to Education Queensland. They covered such areas as: participation in school communities, equal access to mainstream education, exclusionary discipline practices, inclusive policies and support mechanisms, workforce development, engagement with students and parents and complaints management. A commitment was made to consult further on inclusive education units and oversight and enforcement of school obligations. The government noted two recommendations focused on phasing out segregated/special education settings and co-locating special and mainstream schooling options.<sup>390, 391</sup>

In mid-2025, the Queensland Government announced six new special schools in Southeast Queensland.<sup>392</sup> This announcement has drawn mixed support<sup>393</sup> and it contradicts international human rights obligations under the UNCRPD and disregards the recommendations of the Disability Royal Commission.

Education Queensland's Reasonable Adjustments Resourcing allocation provides additional resources to state schools to support students with disability. Resources are school-based, not student-specific and cover all disability types. Additional resources are allocated based on full-time equivalent enrolments for students receiving supplementary, substantial or extensive adjustments, as well as for prep and new students expected to need high-level adjustments. Additional resources are also available for students needing constant intensive support through the extensive plus category.<sup>394</sup>

## Mental health

The CRC has raised concerns about growing mental health issues and suicide rates among children and young people in Australia, urging governments to adopt a stronger, child-focused approach. The committee called for children's right to the highest attainable standard of health (UNCRC Article 24), through improved mental health literacy, targeted support for at-risk groups, and child and youth participation in service design. They have also called for psychostimulant medication as a last resort, ensuring such decisions are made in the best interests of each child.<sup>395</sup>

### Closing the gap

**Target 14:** Significant and sustained reduction in suicide of Aboriginal and Torres Strait Islander people towards zero

*Assessment:* **Worsening**

### Data snapshot

**Table 26.** Hospitalisation numbers for young Queenslanders, including First Nations young people (2021–22 to 2023–24)

Indicator (Queensland)	2021–22	2022–2023	2023–2024
Hospitalisation admissions for mental and behavioural disorders for children under 18 years (usual residents of Queensland) <sup>i</sup>	<b>4549</b>	<b>4548</b>	<b>4709</b>
Number of referrals to state funded mental health services for children under 18 years <sup>i</sup>			
– First Nations	<b>5010</b>	<b>5636</b>	<b>5685</b>
– Non-Indigenous	<b>24,181</b>	<b>22,646</b>	<b>20,931</b>
Number of referrals to state funded mental health services transitioned to treatment for children under 18 years <sup>i</sup>			
– First Nations	<b>1248</b>	<b>1329</b>	<b>1381</b>
– Non-Indigenous	<b>5910</b>	<b>5517</b>	<b>5368</b>
Suicide deaths for children under 18 years (probable and confirmed) <sup>ii</sup>	<b>21</b> 50.0% First Nations	<b>20</b> 25.0% First Nations	<b>19</b> 11.7% First Nations

**Source:**

<sup>i</sup> Queensland Hospital Admitted Patient Data Collection, Queensland Health

<sup>ii</sup> Queensland Family and Child Commission Annual Reports Deaths of children and young people

Queensland children and young people are facing escalating mental health needs, increasing levels of acute distress and uneven access to timely, appropriate and culturally safe care. Although many referrals progress to treatment, demand continues to outstrip system capacity. The rising hospitalisations, untreated mental ill-health and persistent child suicides underscore the depth of unmet need and the cost of delayed or inadequate support. This highlights critical gaps in prevention and early intervention services, with many children and young people only engaging once issues have significantly escalated.

For First Nations children and young people, these patterns are even more severe. They experience higher levels of psychological distress, more crisis-driven contact with mental health systems and disproportionately severe outcomes, including suicide. Systems meant to protect them remain culturally unsafe and difficult to access.

Kids Helpline reported 27,198 contacts by children and young people aged 5 to 25 in 2024, with 12 per cent identifying as First Nations and 29 per cent from culturally and linguistically diverse backgrounds. In their *2024 Youth Survey*, Mission Australia reported that mental health was the third biggest personal challenge (17 per cent) for Queensland young people aged 15 to 19, though this was down from 20 per cent in 2023 and 24 per cent in 2022.<sup>396</sup>

The data shows that the mental health system is under pressure and struggling to provide consistent, fair and preventative support for children and young people. First Nations children and young people continue to be disproportionately affected, while non-Indigenous children and young people are also experiencing reduced access to treatment. These trends point to long-standing inequalities and limits in the system's ability to meet growing needs. There is an urgent need for more accessible, community-based support systems tailored to children and youth. Addressing these challenges will require meaningful reform focused on prevention, access and accountability.

## Suicide

Suicide remains a significant mental health and public health issue for children and young people in Queensland. In 2023–24, 19 children and young people died by suicide in the state.<sup>397</sup> In the five-year period from 2019–20 to 2023–24, suicide was the leading cause of death among 10 to 17 year olds, surpassing cancers and transport related deaths. These rates are not simply a matter of individual vulnerability but reflect systemic failures to uphold children's rights to health, life and protection (UNCRC Articles 6, 19, 24).

While mental health challenges affect children from all backgrounds, First Nations children and young people are disproportionately represented in suicide statistics. Children and young people involved in the child protection system are also significantly over-represented in suicide statistics. The Royal Commission into Aboriginal Deaths in Custody recognised the importance of cultural, social and legal factors in understanding deaths of First Nations people.<sup>398</sup> Research shows that a First Nations young person's sense of cultural connection or disconnection has a significant impact on their mental and emotional health.<sup>399</sup> Cultural dislocation, removal from community and disconnection from identity has been linked to elevated risks of self-harm and suicide.<sup>400</sup> The threat to cultural connection posed by out-of-home care may contribute to the disproportionate over-representation in suicide statistics.

These findings highlight First Nations attitudes to mental health as holistic and multidimensional, with social and emotional wellbeing inextricably tied to family, community, Country and culture.<sup>401</sup> Cultural continuity, maintained through the preservation of culture and efforts toward self-determination, appears to protect children and young people from the risk of suicide.<sup>402, 403</sup> This is important as First Nations youth suicide rates have been linked to insufficient acknowledgement of distress and suicidality in current mental health models, leading to an increase in untreated mental illness.<sup>404</sup>

The *Mission Australia Youth Survey 2024* found that young people were particularly worried about suicide rates,<sup>405</sup> emphasising their right to be heard in shaping responses. Kids Helpline reported that one-in-six of all counselling contacts with children and young people aged five to 25 years in 2024 were related to suicide. There is also an escalating number of suicide-related contacts from younger age groups and young people living in rural and remote areas (48 per cent increase over the past five years).<sup>406</sup>

This trend highlights not only rising distress among children and young people but also the demographic and geographic inequities that influence whether they can access life-saving care. Rural and remote communities often face chronic shortages of child mental health specialists, long wait times and service models that are not adapted to the realities of small communities or the cultural needs of First Nations children and young people.<sup>407</sup> Community-led, culturally grounded suicide prevention programs are essential to promoting social and emotional wellbeing, and addressing the systemic inequities that contribute to the over-representation of First Nations youth in suicide statistics.<sup>408</sup>

## Queensland Government policy

*Better Care Together* is a plan for Queensland's state funded mental health alcohol and other drug services to 2027 that supports the delivery of specialist alcohol and drug treatment and harm reduction services across Queensland.<sup>409</sup> Queensland has updated *Shifting minds: The Queensland Mental Health, Alcohol and Other Drugs, and Suicide Prevention Strategic Plan 2023–2028*, replacing the 2018–2023 plan. It extends the whole-of-government vision for mental health, alcohol and other drugs, and suicide prevention. The new plan sets out three reform pillars: whole-of-community (promotion and early intervention), whole-of-person (community-based and culturally appropriate care) and whole-of-system (collaborative planning and shared accountability).<sup>410</sup> The Queensland Mental Health Commission is formally responsible for leading oversight and review of the plan's implementation. It advised that a scope and timeline for evaluation will be released, however no evaluation has been completed to date. A tender for evaluation services was issued in late 2024.

In 2025, the Queensland Government made key announcements in relation to mental health:

- An additional \$3 million to First Nations Social and Emotional Wellbeing grants. These funds were directed to seven community organisations, including in Wujal Wujal, Rockhampton, Fraser Coast, Inala, Brisbane and Ipswich. The initiative supports *Closing the Gap* Target 14, aimed at improving social and emotional wellbeing for Aboriginal and Torres Strait Islander peoples.<sup>411</sup>
- Opening of a Youth Residential Rehabilitation Service in Caboolture, offering 24/7 long-term support for young people (aged 16 to 21) with complex mental health needs. Operated by Mind Australia in partnership with Metro North Hospital and Health Service, the four-bed facility allows stays up to 12 months and adds to the broader *Easier Access to Health Services Plan*.<sup>412</sup>
- Opening of the new Secure Mental Health Rehabilitation Unit at Gold Coast University Hospital. It includes a 40-bed inpatient facility delivering specialist care for complex mental health needs.<sup>413</sup>
- Opening of a new mental health unit at Cairns Hospital. The Jugarrbaajing facility includes 53 beds, of which 10 are intensive care mental health beds.
- Opening of the Mental Health Hub in Longreach, bringing specialist services to a central, non-hospital location. The hub supports children, youth and adults via a multidisciplinary team offering culturally appropriate programs.<sup>414</sup>
- A commitment to open a new six-bed youth Step Up, Step Down facility in Townsville to improve regional health access. It provides short-stay intensive mental health treatment in a rehabilitative, residential setting.<sup>415</sup>
- A commitment and expressions of interest to deliver 30 perinatal mental health beds statewide.<sup>416</sup>

The mental health system in Queensland is fragmented, spanning services funded and delivered by state and federal governments, alongside non-government and private providers. The recent suite of mental health initiatives in Queensland reflects a continued pattern of project-based investment rather than systemic reform of core services. The reliance on short-term, grant-based funding risks undermining sustainability and equity. Community-controlled organisations are left operating within narrow funding cycles that constrain workforce retention, long-term planning, and culturally embedded service delivery. This stands in contrast to the obligations under the UNCRC (Articles 2, 6, 24) and UNDRIP (Articles 21 and 23), which require governments to ensure universal, equitable and culturally safe access to health and wellbeing supports as a matter of right, not discretionary project activity.

While recent Queensland Government actions demonstrate a commitment to improving mental health and suicide prevention for young people, the emphasis remains largely on crisis response and acute care, with significant investment directed toward new facilities and inpatient beds. This expansion of tertiary infrastructure addresses immediate demand pressures but does little to address the structural gaps that drive children into crisis in the first place. Without shifting investment toward universal, community-based and culturally safe early supports, these new services will simply absorb crisis demand rather than reduce it. The approach risks entrenching a cycle where children only receive help once they are unwell enough to require hospital-level care.<sup>417, 418, 419</sup>

Sustainable change requires more than the efforts of one government or agency. Children's mental health is shaped as much by social determinants, including stable housing, safe schools, inclusive communities and protection from violence as by access to mental health support. Current reforms risk being undermined unless there is a coordinated, cross-sector strategy that links mental health with child protection, youth justice, education and housing systems. Without this broader integration, services will continue to operate in silos, children will fall through gaps and investment will remain reactive rather than preventative.

## Mental health and climate change

UNICEF has consistently highlighted climate change as one of the greatest threats to children's rights, with young people reporting high levels of climate anxiety and distress about their future. From exposure to extreme weather events to the chronic stress of uncertainty about the planet's future, these pressures compound existing social and mental health challenges.<sup>420, 421</sup> The notion of climate change being a human and child rights issue, as well as an environmental one, continues to grow.<sup>422</sup> Children and young people report increasing levels of climate anxiety.<sup>423</sup> Queensland young people identified climate change and the environment as the second most important national issue in the *2024 Mission Australia Youth Survey*.<sup>424</sup> Climate anxiety is driven by concern about negative outcomes from human-induced climate change for themselves, their community and the environment.<sup>425</sup>

Under the UNCRC, governments have obligations to ensure children's right to health (Article 24), survival and development (Article 6), and an adequate standard of living (Article 27), all of which are undermined by climate-related harms. A rights-based response requires a cohesive, preventative, and cross-sector approach that addresses the root causes of climate anxiety and ensures children are supported through education, community resilience, and accessible mental health care. It also means recognising children as active participants in climate decision-making (Article 12).

Children and young people's general health and wellbeing are impacted by all elements of climate change.<sup>426</sup> Australia is a signatory to the *United Nations Framework Convention on Climate Change*<sup>427</sup> with obligations to develop sustainable climate change education policy, action and education. The realisation and enjoyment of all child rights are potentially affected by an unsafe environment, including pollution, extreme weather, climate-created poverty, and food and water security.

It is important to acknowledge that climate anxiety among children is not a pathology, it is a rational, evidence-based response to the very real and escalating threats posed by climate change. When young people express fear, grief or anger about climate futures, they are responding to observable failures in policy, adaptation, environmental protection and long-term planning. Framing their distress as an individual mental health problem obscures these systemic drivers and risks locating the 'problem' in the child rather than in the structural conditions that are failing them. The solution is not to 'fix' anxious children, but to fix the conditions that make their fears justified, through decisive action in emissions reduction and investment in prevention and resilience.<sup>428, 429</sup>

Young people are not passive recipients of climate impacts, they are leading climate movements, shaping public debate and offering grounded, forward-looking solutions. Yet, in Queensland, they remain largely excluded from formal climate planning and adaptation processes.<sup>430</sup> This exclusion undermines the legitimacy and effectiveness of government responses. Climate policies that do not incorporate children's voices are likely to be ineffective, inequitable and disconnected from the lived realities of those who will bear the long-term consequences.<sup>431</sup> Upholding children's right to participation is essential to designing climate strategies that are just, inclusive and fit for purpose.



# Alcohol and other drugs

## Data snapshot

**Table 27.** Rates of smoking, vaping and use of alcohol and drugs by young Australians (2017 and 2022–23)

Percentage of people aged 12–17	2017	2022–23
Consumed alcohol in the previous 12 months	<b>52.0</b>	<b>49.9</b>
Consumed alcohol in the previous four weeks	<b>32.0</b>	<b>25.5</b>
Used an illicit drug in the previous 12 months	<b>21.1</b>	<b>20.8</b>
Used cannabis in the previous 12 months	<b>19.7</b>	<b>14.7</b>
Had ever vaped	<b>15.5</b>	<b>35.6</b>
Had vaped in the past month	<b>5.7</b>	<b>21.3</b>
Had ever smoked tobacco	<b>22.9</b>	<b>18.6</b>
Had smoked tobacco in the previous 12 months	<b>17.4</b>	<b>10.5</b>

*Source:* Australian Secondary Students' Alcohol and Drug (ASSAD) Survey results for Queensland retrieved from the Report of the Chief Health Officer Queensland

*Note:* First Nations disaggregation not available.

Due to the lack of Queensland Government data, we rely on national surveys like the Australian Secondary Students' Alcohol and Drug (ASSAD) survey and the National Drug Strategy Household Survey (NDSHS) to provide insights into alcohol and substance use trends among young people in Queensland. However, neither survey reports disaggregated data for key population groups, including First Nations young people, culturally and linguistically diverse young people, gender-diverse young people, young people with disability and those living in regional or remote areas. These limitations hinder the ability to develop targeted and evidence-based responses for young people across Queensland.

The above data shows a mixed picture of adolescent substance use in Queensland, with encouraging declines in alcohol, tobacco and cannabis use overshadowed by an alarming surge in vaping. Fewer young people are drinking or smoking compared with 2017, indicating that long-term prevention strategies and shifting youth norms are having a positive effect. Illicit drug use remains relatively stable, with around one-in-five adolescents still reporting use in the past year. However, vaping has increased at a pace that far outstrips all other trends, with the proportion of young people who have ever vaped more than doubling, and recent use nearly quadrupling, over the same period.

## Queensland Government policy

Queensland's *Achieving balance: The Queensland Alcohol and Other Drugs Plan 2022–2027*,<sup>432</sup> developed by the Queensland Mental Health Commission remains current as a sub-plan of *Shifting minds 2023–2028*.<sup>433</sup> It aligns with the *National Drug Strategy 2017–2026*<sup>434</sup> and intends to achieve better outcomes for individuals, families, communities and the system through five strategic priorities:

1. prevention and early intervention
2. enhancing treatment and support systems
3. expanding diversion
4. reducing stigma and discrimination
5. minimising harm.

The plan is currently in its second phase, 'investing in collaboration and rebalancing the system' and developing an evaluation framework. However, interim progress reports and the evaluation framework are not yet available.

## Alcohol

While the ASSAD survey shows that overall alcohol use among young people is decreasing, young females are more likely to drink at risky levels.<sup>435</sup> Over half of the Queensland young people who participated in the *2024 Mission Australia Youth Survey* see alcohol (53 per cent) and drugs ( per cent) as serious problems in Australia. On a personal level, 19 per cent said alcohol causes issues for their family or friends, while 13 per cent said the same about drugs. Most young people learn about the risks of alcohol and drugs from their teachers and schools (57 per cent). Others get this information from news or advertising (42 per cent) and social media (40 per cent). Alcohol use remains a real challenge for young people and the results highlight the important role of education and media in helping them understand the risks.<sup>436</sup>

## Illicit substances

While there is limited current data available for illicit substance use, the ASSAD survey reported that about one-in-five Queensland young people had used an illicit drug in the previous 12 months. This trend has remained stable since 2017. In the *Queensland Child Rights Report 2023*, we reported that the former government's announcement to introduce pill testing in Queensland for the first time as a harm minimisation approach was a positive step. In April 2024, Queensland launched their permanent drug checking service, CheQpoint, which included two fixed-site locations and mobile services at festivals. The first summary report from CheQpoint showed that one-in-six (16 per cent) people discarded the drug following testing or said they would not consume it and almost one-in-four (23 per cent) said they planned to take less of the drug.<sup>437</sup> The Queensland Government closed pill testing sites in April 2025 and has prevented its reopening.<sup>438</sup>

The new government has announced opening two new Step Up, Step Down youth mental health facilities in Townsville and Rockhampton, which would provide essential mental health and alcohol and drug services in Central and North Queensland.<sup>439, 440</sup> However, the timeframe for rollout is unknown and further investment across the state for youth-focused alcohol and drug services is lacking.

## Smoking and vaping

Based on the 2022–23 ASSAD survey, tobacco use continues to decline among young people, while the use of e-cigarettes or vapes remains a serious concern (more than doubling between 2017 and 2022–23). Over 70 per cent of young people said their main reasons for using e-cigarettes was out of curiosity.<sup>441</sup>

CRC General Comment No. 4 on adolescent health and development affirms that protection from alcohol, tobacco and substance abuse is a core element of the right to health under Article 24 of the UNCRC. States are therefore obliged to take proactive steps to safeguard young people, including regulating marketing and availability, enforcing age restrictions and addressing the commercial interests that place young people at risk. The CRC stressed that young people are entitled to accurate, accessible and age-appropriate information about the harms of alcohol and drugs so they can exercise their rights to make informed choices.<sup>442</sup> The persistence of alcohol-related harms, the stable rates of illicit drug use and the surge in vaping all demonstrate that investment must be directed towards comprehensive, evidence-based prevention and harm-reduction strategies, not only enforcement or short-term campaigns.

In August 2023, the report *Vaping: An inquiry into reducing rates of e-cigarette use in Queensland*, was tabled in the Queensland Parliament.<sup>443</sup> A Parliamentary Committee reviewed data showing a concerning rise in e-cigarette use in Queensland, especially among young adults and school-aged children, First Nations people and those with mental illness. Many individuals are using both tobacco products and e-cigarettes. The committee heard strong evidence that e-cigarettes pose significant health risks, exposing users to nicotine and harmful chemicals, heavy metals, pesticides and carcinogens. These issues are already negatively affecting the community and the healthcare system. The committee made fourteen recommendations, including improving education, non-punitive interventions in schools, specialist support for young people and the need for further research. The government's October 2023 response supported the Committee's recommendations.<sup>444</sup>

While significant investments were announced by the Queensland Government in 2023 focused on education and youth campaigns,<sup>445</sup> the current approach has shifted to legislative measures and enforcement. In April 2025, the Queensland Government introduced substantial on-the-spot fines for commercial supply or possession of illicit vapes, nicotine pouches and tobacco.<sup>446</sup> Enforcement measures have also included seizing and destroying illegal vapes and hiring 43 new public health enforcement officers.<sup>447, 448</sup>

The Australian Parliament passed the *Therapeutic Goods and Other Legislation Amendment (Vaping Reforms) Act 2024*, which included:<sup>449</sup>

- banning domestic manufacture, commercial possession and sale of non-therapeutic and disposable vapes
- strengthening the framework for how vapes are advertised
- criminal and civil penalties for importation, manufacture, supply and possession
- extended powers for organisations responsible for law enforcement.

The impact of these new laws and investments is yet to be seen. A focus on education in schools and youth-led campaigns must remain a priority alongside enforcement measures. While young people themselves can offer solutions, they are not currently reflected in government policy or narrative about this issue.<sup>450</sup>

# Physical health

## Data snapshot

**Table 28.** Health indicators for young Queenslanders (2022–2024)

Indicator	2021–22	2022–23	2023–24
<b>Percentage of babies born of low birth weight<sup>i</sup></b>			
– First Nations	<b>9.3</b>	<b>9.7</b>	<b>10.4</b>
– Non-Indigenous	<b>4.9</b>	<b>5.2</b>	<b>5.0</b>
Percentage of children and young people whose daily fruit consumption is sufficient based on 2013 guidelines <sup>ii</sup>	<b>68.8</b>	<b>65.5</b>	<b>69.3</b>
Percentage of children and young people whose daily vegetable consumption is sufficient based on 2013 guidelines <sup>ii</sup>	<b>2.8</b>	<b>2.6</b>	<b>3.1</b>
Percentage of children and young people who are active for 60 minutes or more daily (in the past week) <sup>ii</sup>	<b>46.3</b>	<b>48.0</b>	<b>50.0</b>
Percentage of children and young people who were overweight or obese <sup>ii</sup>	<b>26.0</b>	<b>29.6</b>	<b>26.4</b>

**Source:**

i Queensland Health Annual reports 2021–2022, 2022–2023, 2023–2024

ii Queensland Health Preventive Health Surveys

This data presents a mixed health picture for Queensland children and young people. Birth inequities remain a significant concern, with First Nations babies continuing to experience disproportionately poorer outcomes. These early disparities contribute to long-term health challenges and reflect deep-rooted structural barriers that require sustained, culturally informed action. While fruit consumption is generally strong, vegetable intake remains extremely low. Physical activity levels show gradual improvement over time, suggesting that initiatives promoting movement and active lifestyles may be having a positive effect. These gains are tempered by the continued high rates of children who are overweight or obesity.

### Closing the gap

**Target 1:** Close the Gap in life expectancy within a generation, by 2031.

*Assessment: **Improvement but not on track***

**Target 2:** By 2031, increase the proportion of Aboriginal and Torres Strait Islander babies with a healthy birthweight to 91 per cent

*Assessment: **Improvement but not on track***

## Queensland Government policy

In Queensland, the *Making Tracks Together* framework provides the foundation for statewide health equity reform, grounded in co-design, cultural safety and holistic conceptions of health. It explicitly seeks to eliminate institutional racism, increase access to culturally safe services and address the broader social and economic determinants of health. Operationalised through regional strategies for 2022–2025, the framework commits to four ways of working (co-owning, co-designing, co-implementing and shared accountability).<sup>451</sup> Evaluations of early progress are not yet available.

At a regional level, each Hospital and Health Service in Queensland is legally required to implement its own First Nations Health Equity Strategy under the *Hospital and Health Boards Act 2011*.<sup>452</sup> A 2024 Health Service Directive has further strengthened these obligations by mandating transparent development processes, equitable resourcing and dispute resolution mechanisms.<sup>453</sup> These reforms are shifting accountability for equity from aspiration to legal obligation.

The *Southeast Queensland First Nations Health Equity Strategy 2021–31*<sup>454</sup> brings together Hospital and Health Services, Community Controlled Health Organisations (via the Institute for Urban Indigenous Health) and Primary Health Networks to deliver a systems-based, community-led response. The Brisbane South Public Health Network also released their *Health Access and Equity framework*,<sup>455</sup> reflecting local commitments to culturally responsive care. Children's Health Queensland launched its own *Health Equity Strategy (2025–2028)*,<sup>456</sup> which reaffirms the rights of all Aboriginal and Torres Strait Islander children to high-quality, culturally safe and patient-centred care. Co-designed with First Nations families it has a focus on accountability, workforce development and continuity of care.

These efforts are supported by broader systemic reforms, such as the *First Nations First Strategy 2032*, part of Queensland Health's broader HEALTH Q32 reform agenda.<sup>457</sup> This strategy seeks to eliminate racism, transform care models, reshape system design and strengthen the First Nations health workforce. Elements like the First Nations Health Equity Toolkit and the co-designed discussion paper between Queensland Health and the Queensland Aboriginal and Islander Health Council (QAIHC) further operationalise these goals, embedding lived experience and cultural leadership into the system.

## Progress and data challenges

Even with these strong frameworks in place, recent data highlights persistent and worsening gaps. The *Aboriginal and Torres Strait Islander Health Performance Framework 2025* report confirmed that systemic determinants, such as housing, education, income and cultural safety, continue to shape outcomes, particularly in remote and under-serviced regions.<sup>458</sup> While some indicators, such as healthy birth weights, have improved in parts of the state, the Productivity Commission's 2025 *Closing the Gap* report shows that only four out of 19 national targets remain on track. Progress against key outcome areas is not keeping pace, particularly in domains that affect children and young people most acutely. This includes Target 3 (early childhood development), Target 12 (children in out-of-home care), Target 13 (youth detention) and Target 14 (suicide).<sup>459</sup> Recent research has also shown that rates of potentially preventable hospitalisations (such as for asthma and allergies) remain higher among First Nations children and young people compared with non-Indigenous children and young people.<sup>460</sup>

Achieving health equity for First Nations children and young people means building a health system that is truly universal, grounded in relationships and focused on prevention. Health services must be flexible and responsive to children's immediate needs, rather than relying on one-size-fits-all models that overlook individual circumstances. This also means confronting stigma and racism head-on and backing the First Nations health workforce with the resources, authority and leadership opportunities needed to drive this change from within. Strong accountability and transparent reporting are also critical, including independent evaluations of the 2022–2025 health equity strategies and clear tracking of funding commitments.

## Physical activity and nutrition

Access to adequate nutrition and opportunities for physical activity are fundamental to the realisation of children's rights to health, development and wellbeing. In 2024, 50 per cent of Queensland children five to 17 years were physically active for at least one hour every day as recommended.<sup>461</sup>

Since 2011, the proportion of Queensland children and young people meeting physical activity guidelines has increased by over 21 per cent, except for children and young people living in remote and very remote areas.<sup>462</sup> This disparity may suggest environmental barriers, such as a lack of parks and recreational facilities, or limited access to these services (see *Education and play* chapter). Despite efforts to increase awareness of the importance of nutrition, fruit and vegetable consumption continues to fall below national guidelines.

The Queensland Government has introduced a number of targeted strategies to address these issues. The Play On! sport vouchers program,<sup>463</sup> launched in August 2025, provides \$200 per child aged five to 17 years for participation in organised sport and physical activity. This commitment, budgeted at \$250.5 million over five years, is designed to alleviate financial barriers to participation. The government has also committed a further \$250 million to grassroots sports infrastructure under the Games On! program,<sup>464</sup> and \$64.2 million to state-owned sport and recreation facilities. These initiatives build on the broader *Activate! Queensland strategy (2019–2029)*, which aims to increase participation in physical activity and improve health outcomes through community-level interventions and infrastructure development.<sup>465</sup>

While these programs ease some financial and infrastructure barriers, they fall short of addressing the upstream drivers of inequity, including poverty, food insecurity, inadequate urban planning that restricts safe play and the pervasive marketing of unhealthy products. Unless these systemic determinants are tackled directly, participation initiatives will deliver uneven benefits, widening rather than narrowing the gap for children in disadvantaged, remote and marginalised communities.

## Overweight and obesity

Childhood obesity is not solely a health issue, it is a significant human rights concern as it intersects with equity, child development, protection from harmful influences and the right to the highest attainable standard of health. The government has a responsibility to protect children from environments that compromise their health and wellbeing, including the food and social systems that impacts on their everyday environment.

In Queensland, 2024 data shows that 26.4 per cent of children were overweight or obese, with 17.9 per cent classified as overweight and 8.5 per cent as obese (a 10.3 percentage point increase since 2011).

Overweight and obesity are 28.7 per cent more likely among children aged five to 11 years compared with those aged 12 to 17 years, suggesting that early childhood is a critical window for prevention. Children and young people living in the most disadvantaged areas are 2.6 times more likely to be overweight or obese than those in the most advantaged areas.<sup>466, 467</sup> This growing gap shows how social and economic factors influence which children and young people are more likely to live in environments that prevent equitable health outcomes.

The Queensland Government has taken important steps to recognise and respond to childhood overweight and obesity. *Making Healthy Happen 2032* outlines a ten-year approach to preventing obesity and promoting healthy weight by targeting system-wide change, promoting early intervention and supporting environments that make healthy choices easier and more accessible.<sup>468</sup> This strategy is underpinned by a cross-sectoral action plan involving multiple government agencies and recognises the need for sustained and coordinated investment in prevention. *Making Healthy Happen 2032* also supports the government's commitment to improving outcomes against *Closing the Gap* targets. Programs such as Growing Good Habits,<sup>469</sup> Healthier Tuckshops,<sup>470</sup> Podsquad<sup>471</sup> and QCWA Country Kitchens<sup>472</sup> focus on improving food literacy, transforming food environments in schools and promoting healthy lifestyle practices, including in rural and regional communities. There is also a *National Obesity Strategy 2022–2032*<sup>473</sup>

Despite these positive developments, gaps remain that limit Queensland's ability to reach health equity. For example, there is a lack of effective regulation on the marketing of unhealthy food and beverages to children and young people.<sup>474</sup> Evidence shows that children are frequently exposed to advertising for energy-dense, nutrient-poor products across television, digital platforms, outdoor billboards and sports sponsorship.<sup>475, 476</sup> Voluntary industry codes have proven inadequate, with poor compliance and limited scope. Strengthening statutory regulation of marketing must be a priority if children's rights are to be meaningfully protected.<sup>477</sup>

Data availability and quality is also a key gap. Current estimates rely on parent-reported height and weight, which may underreport prevalence. There is limited disaggregated data by age, gender, First Nations status and geographic location, restricting the ability to target policy and programs. Without robust monitoring, it will be difficult to assess whether strategies reach those most at risk.

## Food insecurity

Queensland households continue to experience high levels of food insecurity. In 2024, nearly 700,000 households in Queensland lacked access to sufficient quality, nutritious and varied food in the past year, according to the *Foodbank Hunger Report 2024*.<sup>478</sup> One-in-five households (20 per cent) reported severe food insecurity, characterised by skipping meals or reducing portion sizes due to insufficient food or money.

Overall rates of food insecurity among Australian households with children have dropped (from 50 per cent in 2023 to 42 per cent in 2024), with severe food insecurity falling from 32 per cent in 2022 to 23 per cent in 2024. These improvements are concentrated among non-single parent households. In 2024, 69 per cent of single parent households reported experiencing food insecurity in the year prior. Households with incomes below \$30,000 continue to experience high food insecurity in the past 12 months (48 per cent in 2024, compared to 46 per cent in 2023). Foodbank saw a significant rise Australians' awareness of food relief supports. In 2024, 47 per cent of respondents knew where to seek help for food relief, up from 34 per cent in 2023, however embarrassment and shame are substantial barriers to people accessing food relief.

The School Breakfast Program (SBP), run by Foodbank Queensland and partners, operates in over 400 Queensland schools, feeding 49,000 kids per week. Program availability remains a barrier as many schools do not currently receive SBP. From 2023 to 2024, awareness of SBP increased (from 60 per cent to 71 per cent), schools offering SBP increased (from 34 per cent to 39 per cent) and participation in SBP increased slightly (from 25 per cent to 26 per cent). Among households that are food secure, the most common reason families do not take part in SBP is that they can afford to provide enough food themselves (41 per cent), followed by the program not being offered at their child's school (30 per cent). For households that are food insecure, the most common reason families do not take part is that the program is not available at their child's school (38 per cent), followed by feeling too embarrassed or ashamed for their child to participate (25 per cent).<sup>479</sup>

The Salvation Army's *Red Shield Report 2025* provides further detail on how food insecurity is affecting families and children, especially in low-income households. The survey was completed by almost 3600 people who access the Salvation Army's Doorways Emergency Relief Program. In households with children, 87 per cent were living below the poverty line, 81 per cent reported just getting by week to week and 62 per cent reported skipping meals so that children can eat. Parents frequently

reported feelings of shame and failure when they could not meet basic needs such as clothing, shoes or essentials for infants (43 per cent of these families could not afford formula or nappies). Of those surveyed, 14 per cent of parents said their children went to school hungry or without lunch. Health risks are elevated for people living with food insecurity, not just due to a lack of food, but respondents also reported compromising on food quality (for instance eating expired food), foregoing medications or being unable to afford essential healthcare.<sup>480</sup>

In 2024, the Queensland Government expanded its School and Community Food Relief program, committing an additional \$6.8 million and increasing the number of participating schools to 499. This program aims to reduce the incidence of food insecurity among school-aged children by providing regular access to nutritious meals in educational settings.<sup>481</sup>

The fact that many Queensland children and young people are arriving at school without breakfast, and that parents are sacrificing their own meals and health to feed their children, highlights systemic failures requiring urgent attention. Programs like the School Breakfast Program offer critical support and should be normalised as a universal service benefiting all students, recognising that children may miss breakfast for a range of reasons beyond food insecurity. Normalising access would reduce stigma and improve participation rates among families at risk. While emergency food relief programs, such as food banks, vouchers and school meals, are vital in addressing immediate needs, they are insufficient as long-term solutions.

Food insecurity in Queensland is a systemic human rights issue, not just a matter of individual hardship. Short-term food relief, while essential, cannot offset the deeper policy settings that drive food insecurity: low incomes, inadequate social protections, rising housing costs and unequal access to nutritious food. Until these drivers are addressed, Queensland will continue to rely on stop-gap charity models to meet basic needs.

## Remote area food security

The *Foodbank Hunger Report 2024* revealed that in Queensland, household food insecurity was worse for regional and remote areas (36 per cent in 2024 vs 34 per cent in 2023), compared with metropolitan areas (28 per cent in 2024 vs 37 per cent in 2023).<sup>482</sup> Remote areas of Queensland, especially First Nations communities, experience limited access to affordable and healthy food, poor infrastructure and disproportionate climate impacts. Food insecurity harms children's health, development and learning, worsened by limited access to education and healthcare.<sup>483</sup> Significant gaps remain in the availability of recent data on water security for children and young people in Queensland, particularly in remote and First Nations communities.

In 2023, Health and Wellbeing Queensland released the *Gather + Grow 2023–2032 Queensland Remote Food Security Strategy*.<sup>484</sup> Co-developed with First Nations communities, the strategy articulates a comprehensive framework to address the unique challenges facing remote communities. The strategy is grounded in six interconnected pillars: availability, accessibility, useability, stability, agency and sustainability. It recognises that food insecurity in remote regions is driven by multiple factors, including the high cost of freight and goods, supply chain volatility, climate change and entrenched systemic discrimination. These challenges disproportionately affect First Nations communities, where healthy food remains prohibitively expensive and access to fresh produce is highly variable.

To address these structural issues, the Queensland Remote Communities Freight Assistance Scheme<sup>485</sup> provides financial support to eligible businesses to reduce the cost of transporting essential goods to remote areas. In mid-2024, the former Queensland Government increased the assistance rate from 5.2 per cent to 20 per cent. This adjustment represents a significant improvement in affordability for remote consumers and supports the viability of local food supply chains. The scheme is currently funded until 2028.<sup>486</sup>

In addition to these efforts, the Queensland Government's broader prevention agenda, *Making Healthy Happen 2032*,<sup>487</sup> includes action areas focused on nutrition, obesity prevention and increased access to healthy food. While the policy intent is strong, there is limited publicly available data to track measurable changes in vegetable consumption or healthy food access in priority communities. Ongoing data collection and evaluation will be critical to determining its effectiveness in meeting children's rights to adequate nutrition.

The Australian Government has introduced a 10-year *National Strategy on Food Security in Remote First Nations Communities*, developed in partnership with state and territory governments, community controlled health organisations and First Nation communities.<sup>488</sup> As part of this strategy, the Low Cost Essentials Subsidy Scheme was launched, under which remote community stores can access 30 essential items (such as fresh and canned produce, nappies and toilet paper) at subsidised prices, with the objective of matching prices more closely to those in cities. In Queensland, the scheme has already been expanded to include an additional 32 remote stores across Cape York, Torres Strait Islands and Far north Queensland (including Doomadgee, Palm Island, Pormpuraaw and Boigu Island) with some items being up to 50 per cent cheaper for local consumers.<sup>489</sup> The program also requires stores to sign up to a *National Code of Practice for Remote Store Operations*, which sets minimum standards in governance, health and operations. It includes measures such as renovations, refrigeration upgrades, better supply chain resilience, visible shelf tags on discounted items and employment of nutrition workers to help people make healthier food choices.<sup>490</sup>

Child food security requires more than subsidised groceries; it depends on addressing the structural conditions that shape daily life in remote communities. Affordable freight must be paired with safe water systems, reliable cold storage and well-resourced local stores that can consistently stock fresh food. Strong infrastructure, including roads, transport, warehousing, power and digital connectivity, underpins the stability of food supply chains. Importantly, First Nations communities need genuine decision-making authority to design and govern their own food systems, ensuring solutions are culturally grounded and responsive to local realities. Without these foundations, children's right to nutritious, reliable food and an adequate standard of living cannot be guaranteed.<sup>491, 492, 493</sup>

## Sexual health

In our last report, we identified ongoing barriers that prevent many children and young people from accessing equitable and comprehensive sexual health services and education. Results from the National Secondary Students and Sexual Health (SSASH) survey found that challenges include inconsistent delivery of relationships and sexuality education in schools, limited opportunities for youth to engage in service design and persistent stigma around sexual health. Many young people rely on informal and often unreliable sources for sexual health information.<sup>494</sup>

Queensland Health has implemented a refreshed *Sexual Health Framework* and targeted plans, including the *STI Action Plan to 2030* and the *Syphilis Response Plan 2023–2028*,<sup>495</sup> aimed at improving outcomes for priority populations, including First Nations youth and those in regional or remote areas. Ongoing gaps in data collection and access to responsive services remain key issues. The latest SSASH survey closed in 2024, with results pending publication.



## Child poverty

Under Article 27 of the UNCRC, every child has the right to an adequate standard of living, and governments have a duty to provide material assistance where families cannot meet these needs. Despite these profound impacts, Queensland and Australian Governments do not have dedicated measures or targets for child poverty, leaving a major accountability gap. In Australia, children in single-parent households, children with disability, those living in remote or socio-economically disadvantaged communities, and First Nations children face disproportionately higher rates of poverty, compounding obstacles to realising their rights.<sup>496, 497, 498</sup>

According to the Salvation Army, 17 per cent of children in Queensland live in poverty (considerably more in some areas). For example, in Kowanyama–Pormpuraaw, 64.4 per cent of children live in poverty.<sup>499</sup> In Queensland, First Nations peoples disproportionately experience poverty, unemployment and inadequate housing, all of which contribute to persistent gaps in health outcomes compared with non-Indigenous populations.<sup>500</sup> Racism and discrimination, as both structural and psychosocial determinants of health, are fundamental causes of these inequalities, shaping access to resources, social participation and psychological wellbeing.<sup>501</sup>

Poverty is multidimensional and systematically undermines children's economic and social rights, stripping away access to adequate food, housing, health care, education and opportunities for participation. It diminishes not only immediate wellbeing but also long-term development and opportunity. Research on multidimensional child poverty in Australia highlights that income alone does not capture the full extent of disadvantage. Children living in poverty often experience overlapping deprivations in material resources, social inclusion, health and education, and their lived experiences generally reflect systemic harms rather than individual failings.<sup>502</sup>

In our 2025 *Community Perceptions Survey*, more than half of Queensland adults (54 per cent) identified cost of living, poverty, inflation and financial pressures as the biggest issues facing families. Around one-in-five respondents (23 per cent) highlighted housing affordability and homelessness as key concerns.<sup>503</sup>

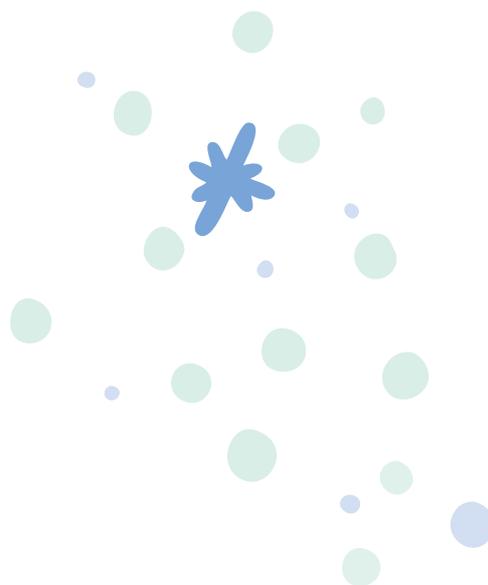
## Living affordability

The cost of living remains a major driver of poverty and insecurity. QCOSS's *Living Affordability in Queensland 2024* found that most low-income families are unable to meet a basic standard of living. Only two of the five households modelled were able to meet a basic standard of living, with the remaining households highly vulnerable to financial shocks and accumulating debt. All the households were shown to be extremely sensitive to even small increases in costs. With many families spending 30–40 per cent or more of their income on housing, they have limited financial flexibility to respond to emergencies or provide stability. To cover rent and utility bills, families are skipping meals or cutting extracurricular and educational expenses for their children.<sup>504</sup> We know that economic insecurity affects children's physical health, educational attainment, emotional wellbeing and future lives.<sup>505</sup>

Findings from the *Smith Family Pulse Survey (2024)* highlight a growing equity gap in education. Of the parents and carers surveyed, 88.3 per cent reported being worried about whether they could afford everything their children need for school, as they were already stressed by the rising cost of everyday essentials (such as groceries, rent, petrol and energy).

Parents and carers expressed concerns that their child would miss out on essential school items, such as uniforms or shoes (45.6 per cent), digital devices (51.2 per cent), internet access (16.6 per cent), books and stationery (18.3 per cent), extra-curricular activities (40.2 per cent) and school excursions (32.0 per cent). These items are not luxuries but essentials for educational participation and social inclusion.<sup>506</sup>

Access to healthcare emerged as a top five issue in Queensland (50.2 per cent) for the first time in the 2025 *Social Justice Stocktake*. Community members described longer wait times, high out-of-pocket costs and diminishing access to bulk billing GP clinics. These barriers particularly affect children in low-income households who rely on regular and affordable medical and mental health care.<sup>507</sup>



# Housing and homelessness

## Data snapshot

**Table 29.** Housing and homelessness indicators for First Nations and non-Indigenous young people

Percentage of overcrowding of social housing dwellings by type <sup>i</sup>			
Indicator	2021–22	2022–23	2023–24
Public housing	5.9%	6.1%	6.3%
State-owned and managed Indigenous housing	16.3%	16.1%	15.3%
Community housing dwellings	2.4%	2.7%	2.6%
Indigenous community housing	23.5%	23.0%	24.1%

Indicator	At June 2023	At June 2024	At March 2025
Number of families with dependents with an active application on social housing waitlist <sup>ii</sup>	5415 52.1% First Nations	7549 47.4% First Nations	8731 45.8% First Nations

Indicator	2022	2023	2024
Number of young people under 20 years accessing Commonwealth Rent Assistance <sup>iii</sup>	4715	3830	4070

Queensland clients per 10,000 accessing specialist homelessness services <sup>iv</sup>		
Indicator	2022–23	2023–24
All clients	85.5	89.4
– First Nations	622.3	647.7
– Young people (15–24 years) presenting alone	85.9	88.6
– Leaving care	1.6	1.6
– Children on protection orders	10.6	13.5

Percentage of people living in appropriately sized (not overcrowded) dwellings <sup>v</sup>		
Indicator	2016	2021
First Nations	79.4	81.2
Non-Indigenous	94.6	94.8

**Source:**

i Productivity Commissioner Report on Government Services 2025 Housing

ii Social Housing Register – Dataset – Open Data Portal, Queensland Government

iii AIHW Commonwealth Rent Assistance in Australia data

iv AIHW Specialist homelessness services 2023–24: Queensland

v Productivity Commissioner Closing the Gap Information Repository

This data indicates persistent housing inequities for First Nations children and young people, including overcrowding and high use of homelessness services. Demand for social housing is rising, particularly among First Nations families and young people.

While some improvements are noted in the percentage of people living in appropriately sized dwellings, structural housing challenges and systemic disadvantages remain significant, particularly for First Nations children and young people.

## Closing the gap

**Target 9a and 9b:** Housing: Increase proportion of Aboriginal and Torres Strait Islander people living in appropriately sized housing (i.e. reduce overcrowding) to 88 per cent and ensure essential services in discrete and near town communities meet standards.

**Assessment:** *Improving but not on track*

## State and national agreements

Current housing targets, such as the *Closing the Gap* measure to increase the proportion of Aboriginal and Torres Strait Islander people living in appropriately sized housing by 2031, are already off track. Progress reporting is irregular, with the most recent Queensland data published in 2021, making it difficult to monitor trends or hold governments accountable. Critically, these targets are not child-specific. They measure household-level overcrowding or adult housing stress, but do not capture the lived experience of children, such as the number of children in overcrowded dwellings, impact of long wait times for families with dependents or rate of children experiencing homelessness.

## Queensland Government policy

The new Queensland Government has announced the *Securing our Housing Foundations* plan,<sup>508</sup> with significant funding commitments (continuing and new) across multiple housing and homelessness initiatives. This includes \$1.967 billion over four years, with an ongoing \$500 million annually through the Housing Investment Pipeline, aimed at delivering 53,500 new social and community homes by 2044. A separate \$2 billion Residential Activation Fund is beginning to roll out support infrastructure for new housing developments, with at least half the funding directed to regional, rural and remote areas.<sup>509</sup>

To address homelessness and housing insecurity, the government has committed to investing \$152.6 million in 2025–26 (part of a broader \$380.1 million over five years) to deliver crisis accommodation and frontline services. Specialist Homelessness Services will receive continued support, with \$52.2 million in 2025–26 (from a total \$208.9 million over four years), a 20 per cent funding increase.<sup>510</sup> Further planning and coordination efforts include \$31.3 million over four years to develop 13 regional housing plans in partnership with local councils, and \$3.1 million in 2025–26 to support housing and homelessness sector peak

bodies. Targeted community-level investments and infrastructure development in the Waraba Priority Development Area have also been promised.<sup>511, 512</sup>

The *Our Place: A First Nations Housing and Homelessness Action Plan 2024–2027*<sup>513</sup> was launched by the former government in July 2024, with the explicit commitment to closing the housing gap for First Nations peoples in Queensland by 2031. The government committed \$61.3 million to the plan to accelerate First Nations housing outcomes over the first four years of the first action plan. The plan was co-designed with the peak body Aboriginal and Torres Strait Islander Housing Queensland.<sup>514</sup>

At the same time, a new Aboriginal and Torres Strait Islander Housing Action Plan is being developed to accelerate housing delivery in remote communities, address overcrowding and expand home ownership.<sup>515</sup> The Department of Housing and Public Works have advised us that it will be informed by prior consultation and guided by key First Nations housing partners. We will continue to monitor progress.

*Towards ending homelessness for young Queenslanders 2022–2027*<sup>516</sup> is the Queensland Government's plan to ending youth homelessness in Queensland. The Department of Housing and Public Works provided an update on the commitments made to young people, including:

- Delivery of eight new youth foyers across Queensland. The government has reaffirmed its commitment to expand on the existing foyers in Gold Coast, Logan and Townsville. Youth foyers will support young people aged 16 to 25 at risk of homelessness, combining accommodation with education, employment and life skills support. Three new foyers have been announced for Cairns, Moreton Bay and Hervey Bay. Work is set to begin on the Cairns Youth Foyer in late 2025. Planning has commenced for the other two sites.
- Expanded temporary supported accommodation for young people. The government is enhancing temporary supported housing through uplift funding to ensure 24/7 staffing, with two workers on-site during peak hours. Additional funding was provided to boost one Immediate Support Assistance service in each of five regions (Cairns, Mount Isa, Rockhampton, Moreton Bay and Logan).
- Youth Subsidy for community housing providers. The Youth Subsidy, launched on 1 July 2024, supports the financial viability of Registered Community Housing Providers and helps more young people access housing. A review is scheduled for 2025–26 to assess its effectiveness and alignment with young people's needs.

- Enhanced Rental Security Subsidy. Young people facing temporary financial hardship can access up to \$20,000 over four years (or until their 25th birthday) to maintain a private rental. Reapplication options are available depending on age and circumstances.
- Housing and Support Link Service for Young Families. A second Housing and Support Link Service will be established with the Gold Coast Hospital and Health Service, with service expected to commence late 2025. It supports young women aged 16 to 25 who are pregnant or have young families and are at risk of homelessness during treatment. It offers case management and connections to healthcare and social supports and builds on the success of the first service at the Mater Young Adult Health Centre, which helped 28 young people secure safe housing.
- Supported tenancies for young parents. Launched in Cairns in December 2024 and delivered by Shelter Housing Action Cairns, this initiative provides mobile, wraparound tenancy support for young parents in, or eligible for, social housing. It helps them build skills, sustain tenancies and parent successfully.
- Specialist Homelessness Services funding. As of 30 June 2025, \$76.24 million was spent supporting 39 non-government organisations to deliver 63 Specialist Homelessness Services across Queensland, specifically for young people. This is above the allocated \$75.9 million due to additional support needs.

The Healthy Housing Pilot Program is a cross-agency initiative delivered in partnership with First Nations councils, health services and community stakeholders, to improve housing conditions and healthy living practices. Since its launch in 2022, the pilot has engaged 199 households (more than 1140 residents) in two remote communities. It has focused on improving health literacy (such as awareness of rheumatic heart disease and skin health), as well as addressing critical housing infrastructure issues, such as hot water access, sanitation and food preparation areas. Over 9900 maintenance items have been addressed to date. The program has achieved positive early outcomes: over 300 primary school students given healthy skin education, 34 per cent increase in hygienic towel drying practices, 53 per cent increase in household first aid kit availability, 8 per cent decline in skin-related health presentations at the local clinic.<sup>517</sup>

While the Queensland Government has announced significant housing and homelessness initiatives, these commitments are not linked to child-specific targets and lack independent oversight to measure whether they are reducing child homelessness and overcrowding. The *National Agreement on Social Housing and Homelessness (2024–2029)* was launched to ensure shared responsibility across federal, state and territory governments. While this is Australia-wide, its success is dependent on state-level implementation and reporting.<sup>518</sup>

## Housing instability and overcrowding

Housing continues to be the most significant and unavoidable cost for Queensland households. Based on findings from the Salvation Army's *Social Justice Stocktake 2025*, in Queensland 76.8 per cent of people identified housing affordability and homelessness as an issue in the community.<sup>519</sup>

Rents are consuming between 37 per cent and 44 per cent of household income (well above the 30 per cent threshold for affordability). Rental prices have not kept pace with wage growth, with 89 per cent of renters spending more than 30 per cent of their income on rent and 47 per cent spending more than 40 per cent. Between 2020 and 2023, median advertised rents in Brisbane increased by 49 per cent. Regional areas have experienced even greater increases: 110 per cent in Gladstone, 69 per cent in Rockhampton and 67 per cent in Mackay. These increases, combined with critically low rental vacancy rates have deepened housing insecurity and limited access to stable, affordable housing. At the same time, home ownership is increasingly out of reach, particularly for younger and low-to-middle income households.<sup>520</sup>

With an unmet housing need of 152,600 dwellings in Queensland,<sup>521</sup> social housing is also scarce. As of March 2025, more than 8700 families with dependent children were on the waiting list for social housing (up from 5415 in 2023),<sup>522</sup> with an average wait time of 21.2 months for allocation (based on 2023–24 figures).<sup>523</sup>

The consequences of house instability are particularly severe for children, as it can result in frequent relocations, overcrowded living conditions and homelessness, all of which impact on children's right to safety and security. Overcrowding is also evident in many communities, especially among First Nations families, who are disproportionately impacted. Although data has not been published since 2021, most recent reports show that the target to increase the proportion of First Nations people living in

appropriately sized (not overcrowded) housing by 2031 is not on track.<sup>524</sup> Persistent overcrowding undermines health, safety and privacy, and places additional stress on children.

## Child and youth homelessness

According to Homelessness Australia, the national peak body, 15,436 children and young people experienced homelessness in 2022–23; approximately 37 per cent were First Nations children and young people.<sup>525</sup> Table 30 presents the most recent data available for Queensland.

**Table 30.** Children experiencing homelessness in Queensland (2022–23)

Area	0–9 years	10–19 years	Total
Greater Brisbane	2994	2674	<b>5668</b>
Rest of Queensland	5287	4481	<b>9768</b>

*Source:* Homelessness Australia: 2024 Child Homelessness Snapshot

In 2023–24, 6190 young people aged 15 to 24 across Queensland sought help from Specialist Homelessness Services, without the support of family or dependents. Of these, the majority required accommodation support, however fewer than half of those received it. For those at risk of homelessness, key drivers included family and domestic violence, financial hardship and unstable housing. Many began their support period couch-surfing, a common form of homelessness that is often hidden. Most were not engaged in education or training at the time of seeking support and a majority were young women aged 18 to 24.<sup>526</sup>

## Youth transitioning from care

Young people leaving care are among the few groups for whom the government has assumed full parental responsibility. Under the UNCRC, this creates a heightened duty to ensure their right to care, protection and an adequate standard of living after exiting the system. Persistent homelessness among care leavers is therefore not only a service gap but a breach of children's rights. Current supports, largely framed as one-off payments, fall short of the enduring, relational obligations that a 'corporate parent' must uphold. A rights-based approach requires governments to guarantee secure housing, embed participation of young people in policy design, and ensure transparent monitoring of outcomes so that no child leaving care is left without a home.

Young people transitioning from care continue to face high risk of homelessness. In 2022–23, around 4200 young people aged 15 to 17 exited out-of-home care in Australia, 30 per cent of whom experienced homelessness within a year after leaving care.<sup>527</sup> Youth Housing and Reintegration Services<sup>528</sup> help young people who have experienced care and are at risk of becoming homeless. The services offer practical and financial support, as well as access to housing options. Youth Housing Essentials<sup>529</sup> funding is a one-off amount of up to \$5000 for young people up to 25 years of age that assists with the cost of transitioning to independent living. Transition to Independent Living Allowance<sup>530</sup> is another one-off \$1500 payment to assist young people between 15 and 25 years transition from living in care. Child Safety Service Centres also have a limited amount of funding for 'child-related costs,' which can be focussed on transitional needs when leaving care.

“It was horrible. I'm not going to sugar coat it. It was not very good. I kind of felt like I was left in the dark and I also felt like everyone else got the leaving to care plan, they got to do everything else, while I'm sitting here being like, what about me? What about me? Like I'm here as well. Like I was a kid in care. I've been in there for 18 years of my life and not having that leaving to – oh my God – leaving to care plan, hadn't I had a home, I would have been homeless. How do we know about going to Housing? How do we know how to ask Child Safety? So, a lot of them don't know how to ask, or they're afraid to ask, or they don't want to.

*Female, 24 years*

To date, the growing number of post-care services have not had a large-scale impact on rates of homelessness for children and young people leaving care in Queensland. In 2022–23, 6658 children remained homeless after contact with specialist services, which rose from 5541 in the previous reporting year.<sup>531</sup> A rights-based approach is needed, led by the best interests and meaningful participation of young people. Three key elements need to be focused on to reduce homelessness and housing instability for young people leaving care:

- seeing and addressing the concept of 'home' as an idea of rights and relationships
- seeing and practicing 'transition' as a developmental and ongoing process that begins before children enter care.
- significantly increasing the financial and practical access to enduring housing.

# Recommendations

## Strengthen the voices of Aboriginal and Torres Strait Islander children and young people in health equity reform

- Ensure First Nations children and young people are actively involved in the design and implementation of reforms, including prioritising children and young people with disability and those with experiences in the child protection, youth justice and mental health systems.
- Require linked, disaggregated data collection and public reporting on access, outcomes and inequities.
- Establish clear accountability mechanisms, including responsibility for acting on identified gaps and failures.

## Guarantee timely access to mental health and disability assessments

- Require prompt and equitable access to paediatric, developmental and mental health assessments and interventions as a matter of children's right to health, with priority for rural, remote and First Nations communities.

## Strengthen coordination across disability, health, education and child protection

- Establish integrated assessment pathways and shared planning arrangements for children with disability across state and Commonwealth systems, to give effect to children's rights to timely support, participation and continuity of care.
- Mandate joint, child-centred case planning across health, disability, education and child protection systems, with the child's views and best interests central to decision-making.
- Ensure clear accountability for outcomes, including named lead agencies responsible for coordination and follow-through.
- Implement lawful, timely and secure information-sharing mechanisms to prevent delays, duplication and service gaps.

## Address child poverty and food insecurity by recognising access to adequate food, housing and material support as core children's rights

- Set clear, measurable targets for reducing child poverty, food insecurity and material deprivation.
- Prioritise investment in Aboriginal and Torres Strait Islander community-controlled and other community-led programs that address structural drivers of disadvantage.
- Require cross-agency accountability, including shared responsibility across housing, health, education and social services.
- Mandate transparent data collection and public reporting to track progress and ensure accountability for the realisation of children's economic and social rights.

## Expand culturally safe, youth-specific alcohol and other drug (AOD) supports

- Commission dedicated youth AOD services with ring-fenced funding for regional, remote and First Nations communities, including services delivered by Aboriginal and Torres Strait Islander community-controlled organisations.
- Embed youth AOD clinicians and outreach workers within schools and youth justice, out-of-home care, homelessness and community health settings to enable early identification and intervention.
- Mandate harm-reduction models (including outreach, peer support and non-punitive responses) as core service requirements, rather than optional add-ons.
- Require formal youth co-design mechanisms, such as paid youth advisory roles or youth reference groups, to shape service design, operating hours, locations and engagement approaches.
- Establish clear referral and care-coordination pathways across health, mental health, disability, child protection and youth justice systems to prevent service gaps and delays.
- Monitor and publicly report on access, wait times, cultural safety and outcomes for young people, disaggregated by age, location, First Nations status and system involvement.

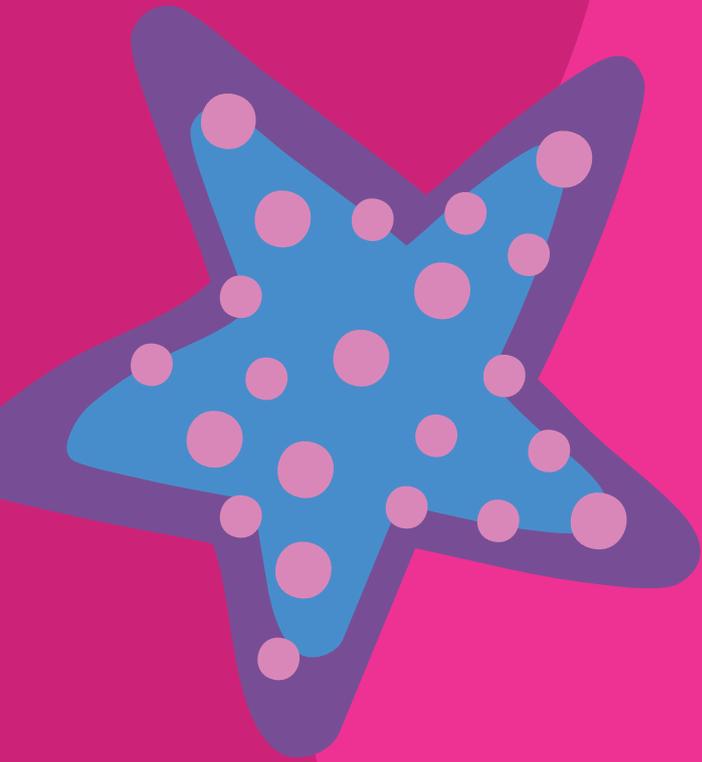
# Recommendations

## **Implement evidence-based pill testing for harm minimisation**

- Adopt evidence-based pill testing and harm reduction strategies in appropriate settings, supported by monitoring and evaluation, to reduce drug-related harm among young people while linking participants to relevant health and support services.

## **Legislate an enforceable right to safe, stable and adequate housing for children and young people engaged with state systems**

- Amend housing, child protection and youth justice legislation to require that no child or young person exits child safety, youth justice or homelessness services into homelessness or unsafe or overcrowded housing.
- Name a lead agency as legally responsible for securing and maintaining housing stability for each child or young person.
- Ensure joint case planning and pooled funding arrangements operate across housing, child protection and youth justice systems to prevent service gaps.
- Require minimum housing standards are applied to all placements (including safety, adequacy, proximity to family, culture, education and services).
- Establish independent monitoring and public reporting of housing outcomes, exits into homelessness and compliance with statutory duties.
- Ensure children and young people have access to independent advocacy and remedies where the right to housing is not met.



# Education and play



## UNCRC overview

Under the UNCRC, all children and young people have the right to a quality education (Articles 28 and 29). Education should develop each child's personality and talents and should encourage children to respect their parents, their cultures and other cultures (Article 29). Children have the right to rest, play and participate in a variety of cultural, artistic and recreational leisure activities (Article 31). The United Nations *Transforming Education* summit called for education systems that are inclusive, equitable and fit for the challenges of a rapidly changing world. Children and young people should be supported as active co-creators of their futures, learning skills for life, work and sustainable development. Education is not just a human capital investment; it is a foundational component of societal wellbeing, cultural integrity, democratic engagement and intergenerational fairness.<sup>532</sup>

## Early childhood education and care

### Data snapshot

**Table 31.** Early childhood education and care indicators for First Nations children

Indicators	2022	2023	2024
Number of Aboriginal and Torres Strait Islander community-controlled early childhood education and care services <sup>i</sup>	26	28	27
Proportion of First Nations children in the state-specific year before full-time schooling age cohort who are enrolled in a preschool program <sup>i</sup>	91.3%	93.4%	96.1%
Proportion of non-Indigenous children in the state-specific year before full-time schooling age cohort who are enrolled in a preschool program <sup>i</sup>	86.7%	87.1%	88.8%
Proportion of First Nations children with disability enrolled in a state government funded preschool program in the year before full-time schooling <sup>i</sup>	11.2%	11.9%	12.3%
Proportion of non-Indigenous children with disability enrolled in a state government funded preschool program in the year before full-time schooling <sup>i</sup>	6.7%	7.6%	7.3%
Proportion of First Nations children in the state-specific year before full-time schooling age cohort who are enrolled in a preschool program and attending 15 hours or more in the reference week <sup>i</sup>	79.7%	81.1%	80.9%
Proportion of non-Indigenous children in the state-specific year before full-time schooling age cohort who are enrolled in a preschool program and attending 15 hours or more in the reference week <sup>i</sup>	84.3%	85.3%	85.6%
Indicators	2018	2021	2024
Proportion of First Nations children assessed as developmentally on track in all five domains of the Australian Early Development Census <sup>ii</sup>	33.5%	33.8%	34.6%
Proportion of non-Indigenous children assessed as developmentally on track in all five domains of the Australian Early Development Census <sup>ii</sup>	52.1%	53.2%	53.6%

**Source:**

<sup>i</sup> Productivity Commission: *Closing the Gap – Early childhood education data tables*

<sup>ii</sup> Productivity Commission: *Closing the Gap – Early childhood development data tables*

These data show strong improvements in early childhood participation for First Nations children but limited progress in early childhood development, pointing to a serious mismatch between enrolment and developmental outcomes. High enrolment without corresponding developmental gains signals structural barriers to participation, such as program quality, cultural safety, disability support, poverty

and early childhood workforce capacity. Closing the developmental gap will require far more than improving access. It demands sustained investment in high-quality, culturally grounded early childhood programs and meaningful action on the broader conditions that shape children's early lives, including health, housing, nutrition, safety and family wellbeing.

## Government frameworks

Education Queensland's *Strategic Plan 2025–29* recognises that a strong early childhood education and care (ECEC) system is the foundation of every child's right to learn, develop and thrive. It highlights the importance of supporting families and communities to give every child the best possible start in life.<sup>533</sup> The plan includes two explicit commitments:

- promote equity and excellence and uphold Queensland's cultural identity through a commitment to respect, protect and promote human rights
- work in partnership with Aboriginal and Torres Strait Islander peoples to close the gap.

Under the strategic plan and related frameworks, Queensland aligns with national quality and safety standards while setting its own regulatory and service priorities. The Queensland Early Childhood Regulatory Authority has identified key priorities, including health and hygiene, incident prevention, fostering positive relationships with children and supporting educational leadership.<sup>534</sup> These align closely with children's rights under the UNCRC, including the right to health (Article 24), the right to protection from harm (Article 19) and the right to education and development (Articles 28 and 29).

At the national level, the Australian Government and all states and territories share responsibility for shaping the ECEC system. The *National Early Years Strategy 2024–2034* provides a 10-year vision that 'all children in Australia thrive in their early years.' It focuses on four priorities: valuing the early years and early learning, empowering parents, caregivers and families, supporting and working with communities, and strengthening accountability and coordination across systems.<sup>535</sup> Eight key outcomes are used to track progress (six centred on children, one on families, and one on communities).<sup>536</sup>

The *National Quality Framework* (NQF) is the basis of national regulation. Administered by the Australian Children's Education and Care Quality Authority (ACECQA), the NQF sets out the standards used to assess the quality of education, care and governance in early childhood services. The NQF is designed to protect children from harm, uphold their right to be heard and ensure they can learn and grow in safe, nurturing environments.<sup>537</sup> The *2023 Review of Child Safety Arrangements* under the NQF identified opportunities to strengthen child safety in physical and online environments, improve staffing and supervision and enhance information sharing between jurisdictions. Its recommendations, being implemented from 2025 onwards, aim to embed stronger child-safe cultures across the ECEC sector.<sup>538</sup>

Although state and national frameworks are robust and rights-based, implementation remains complex. Multiple layers of regulation, strategy and agreements can create duplication and make coordination difficult. Access to early education is improving, but the consistency of quality, inclusion and cultural responsiveness varies. Sustained leadership and coordination are essential to avoid policy drift and ensure that state and national goals translate into tangible outcomes for children. This presents a clear case for a Children's Plan for Queensland, as recommended by the Committee on the Rights of the Child.<sup>539</sup> A coordinated plan would provide a single, unifying framework that connects national and state initiatives, clarifies roles and responsibilities, and aligns quality regulation with developmental and rights-based outcomes.

## Queensland Government policy

The ECEC sector functions within a market-based model, where services are run by a mix of for-profit and not-for-profit providers and decisions are often shaped by pressures to keep things running smoothly for parents, maintain the financial viability of smaller services, and protect substantial government subsidies.<sup>540</sup> In Queensland, the regulatory framework overseen by the Queensland Early Childhood Regulatory Authority sets out how services must comply with the NQF to ensure children's safety, health and development.

The *Child Safe Organisations Act 2024* (Qld) established a new legislative context requiring child safety and wellbeing to be embedded as a governing principle across all child-related services, including ECEC. This framework compels regulatory practice to evolve toward a proactive, rights-based model that prioritises children's best interests and empowers regulators to intervene decisively when risks are identified. It also emphasises the importance of transparent public reporting, enabling families and communities to have confidence in the system's integrity.<sup>541</sup>

The introduction of Queensland's Reportable Conduct Scheme, initially scheduled for July 2027, has been brought forward to July 2026. This scheme, already legislated, will require ECEC services to report allegations of child-related misconduct to an independent oversight body. The earlier implementation responds to increasing public concern about child safety and aligns Queensland with other jurisdictions where such schemes have enhanced accountability and transparency in child-related sectors.<sup>542</sup>

In the 2025–26 Budget, the Queensland Government committed an additional \$12.7 million over four years to expand staffing in the Early Childhood Regulatory Authority. This will improve the authority's ability to monitor compliance, handle complaints and check quality across the ECEC sector. By strengthening its workforce, it will be better able to respond quickly to potential risks to children and consistently apply the NQF standards.<sup>543</sup>

Alongside regulatory reforms, the Queensland and Australian governments are investing in ECEC workforce development, recognising the critical role of skilled educators in delivering high-quality care. Workforce strategies aim to address persistent shortages, promote professional recognition (including pathways to early childhood teacher registration), and strengthen training across the sector. However, challenges remain, particularly in rural and remote communities and in maintaining consistent standards across private and community providers.<sup>544, 545, 546, 547</sup>

The Queensland Government, with the Australian Government and other states and territories, has committed to a comprehensive package of reforms aimed at strengthening child safety and quality in ECEC.<sup>548</sup> A key element is the creation of a national register of early childhood educators and staff, which will include qualifications, identity verification and 'working with children' check status. This register, managed by ACECQA, will be tested from December 2025 with a full rollout from February 2026. In addition, all staff, volunteers and students in ECEC services will be required to complete mandatory child safety training, with grants available to support small to medium providers during training periods.

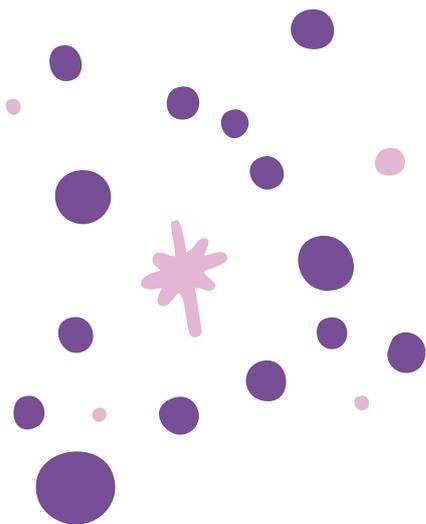
Other measures to improve oversight and accountability will include conducting unannounced spot checks and joint regulatory visits, with compliance information made publicly available.<sup>1</sup> These measures include publication of the last regulatory visit, conditions on providers, compliance breaches and enforcement actions. To deter misconduct, penalties under national law and regulations will be tripled, and regulators will receive enhanced powers, including extended limitation periods, broader information-sharing and stricter premises supervision requirements.

The Australian Government, along with states and territories, is also exploring the use of CCTV in ECEC services through a national assessment of up to 300 services to inform guidance on ethical, privacy-compliant use. From September 2025, personal mobile devices capable of recording images or video will be restricted for staff working directly with children. Rapid assessments will review how safeguarding practices operate in services, ensuring regulatory ratings are updated more frequently, particularly for services 'working towards' standards.

<sup>1</sup> <https://startingblocks.gov.au/>

In January 2024, the Queensland Government introduced 15 hours of free kindergarten per week for 40 weeks per year for all eligible children.<sup>549</sup> In 2024–25, \$26.23 million was invested to extend free kindy to up to 30 hours per week for four-year-olds in discrete communities.<sup>550</sup> While it is too early to measure the long-term impacts, this policy aims to support early learning, wellbeing, improve school readiness and ease financial barriers for families. Evidence shows that access to affordable, high-quality early learning significantly benefits children's cognitive and social development, particularly for those experiencing vulnerability or disadvantage.<sup>551, 552, 553</sup>

In 2023, a former childcare worker was convicted of 1,623 child abuse offences against 91 children, with crimes committed in Brisbane, Sydney and overseas between 2007 and 2022.<sup>554</sup> This case exposed systemic weaknesses in information-sharing and regulatory enforcement across jurisdictions. To better uphold children's rights, Queensland's regulatory approach needs to evolve further towards a child-centred, rights-based model. This means giving regulators clear authority and resources to act in children's best interests. The approach needs to embed structural safeguards to protect families and educators and ensure transparent accountability through public reporting and meaningful community engagement.



## First Nations children

The AEDC is a national population measure of young children's development, collected every three years.<sup>555</sup> In their first year of full-time school (prep/foundation), teachers complete a questionnaire for each child covering five domains:

- physical health and wellbeing
- social competence
- emotional maturity
- language and cognitive skills
- communication and general knowledge.

The data shows the proportion of children who are 'on track,' 'at risk,' or 'developmentally vulnerable' in each domain. It is designed to provide a community-level snapshot of how children are progressing, rather than an individual diagnostic tool. Governments, schools and communities use AEDC results to plan early childhood services, target supports and track child development over time.

First Nations children are participating in early childhood education at very high rates: 96.1 per cent were enrolled in 2024, compared to 88.8 per cent of non-Indigenous children. Yet outcomes remain poor. AEDC data shows that just over a third of First Nations children are developmentally on track in all five domains (34.6 per cent), compared to 53.6 per cent of non-Indigenous children. The stark contrast between high participation and low developmental outcomes requires investigation. This includes considering possible bias in AEDC data collection, the limited number of Aboriginal and Torres Strait Islander community-controlled centres and broader systemic barriers.

From a rights perspective, access alone is not enough. Every child has the right not just to attend an early childhood program but to thrive within one that is high-quality, culturally safe and inclusive. Governments have binding obligations under the UNCRC to ensure children's rights to non-discrimination (Article 2), development (Article 6) and education (Articles 28 and 29), and under UNDRIP Article 14 to culturally appropriate education.

In 2016, there were 20 Aboriginal and Torres Strait Islander-focused early childhood education and care services that were community-controlled. By 2024, that number had increased to just 27, with another 13 services that serviced First Nations families but were not community-controlled.<sup>556</sup> This represents less than one per cent of the 3308 services across Queensland in 2023–24.<sup>557</sup> It is inconsistent with the expectations of UNDRIP and raises questions about whether community-controlled services are adequately funded.

According to the Department of Education the early childhood workforce strategy was co-designed with Aboriginal and Torres Strait Islander educators. Strengthening engagement with Elders and community members and building relationships to embed First Nations people's perspectives on kindergarten programs were integral to the department's commitment to *Closing the Gap*.<sup>558</sup> This co-design is welcomed and should be part of the department's obligation to realise First Nations peoples' right to self-determination in education. This means embedding cultural authority, creating strong pathways for community control and equitable resourcing in workplace planning and development.

### Closing the gap

**Target 3:** By 2025, increase the proportion of Aboriginal and Torres Strait Islander children enrolled in 'year before full time schooling' early childhood education to 95 per cent.

*Assessment: Improving and on track*

**Target 4:** By 2031, increase the proportion of Aboriginal and Torres Strait Islander children assessed as developmentally on track in all five domains of the Australian Early Development Census to 55 per cent.

*Assessment: Worsening*

The data shows mixed progress across the targets. Early childhood enrolment is improving and on track, but developmental outcomes at age five are worsening, signalling a major early-years gap. Year 12 attainment and youth engagement in employment, education or training are improving but not at the pace required to meet the 2031 goals. Overall, participation is rising but the systems surrounding children are not yet delivering the developmental and long-term outcomes needed to close the gap.

## Access and participation

In 2024–25, the State Delivered Kindergarten program<sup>m</sup> provided access to more than 850 children in 139 locations (two more locations than in the previous year). It was delivered in selected discrete Aboriginal and Torres Strait Islander communities or other communities with barriers to accessing kindergarten. eKindy, an at-home kindergarten program, supported about 100 children in 2024–25 (down from 150 children in 2023–24)<sup>559, 560</sup> who are unable to attend kindergarten due to distance, itinerant lifestyle or medical reason. The program is delivered by the Brisbane School of Distance Education, supported by a qualified early childhood teacher.<sup>561</sup>

eKindy and other inclusion supports appear to be improving participation for children in low-income and remote communities. Yet it remains uneven for children with disability, with access dependant on application processes, disability categorisation and location. Locating some programs within special schools also risks limiting opportunities for inclusive education, contrary to Australia's obligations under the UNCRPD. The Kindergarten Inclusion Support Scheme and Kindergarten Inclusion Services<sup>562</sup> offer funding to kindergarten services (on application) to provide inclusive programs. There were also Early Childhood Development programs in 102 Queensland schools in 2024,<sup>563, 564</sup> supporting early learning and development for children with certain disabilities as they transition to school.

Early years education programs are not covered by the disability standards for education.<sup>565</sup> However, amendments planned under the 2025 review of standards are intended to include ECEC services. It is hoped this will improve access to services for children with disability.

<sup>m</sup> State Delivered Kindergarten (SDK) – in state schools located at least 40 kilometres by road from the nearest approved kindergarten, in a selected, discrete Aboriginal and Torres Strait Islander community or other selected communities where there are barriers to accessing kindergarten.

# Listening and Learning report

The 2024 *Listening and Learning* report<sup>566</sup> explores the voices and experiences of First Nations children, young people, families and communities in relation to early childhood, education and training across Queensland. The report was developed to inform the establishment of a proposed First Nations Early Childhood, Education and Training Consultative Body and is based on feedback from over 800 participants through community organisations and an online survey. Its primary purpose is to ensure that First Nations perspectives shape education policy, systems and decision-making at all levels of government.

We heard that education is deeply important and viewed as a pathway to empowerment, opportunity and wellbeing. Many young people expressed pride in their culture and a desire to succeed but highlighted how systemic barriers and lived realities often make this difficult. Experiences outside the classroom such as trauma, family displacement, socio-economic challenges and the effects of child protection involvement significantly influence school engagement. Participants also described ongoing issues of racism, exclusion and inflexible schooling systems that fail to accommodate the complexities of First Nations students' lives. Many felt that educational institutions still do not adequately reflect or respect First Nations knowledge, languages, histories and ways of learning.

*“Then after my mum complained about the way the teacher treated me and I had told some of my school friends what happened I was taken to a meeting room with the deputy principal and indigenous support teacher and was told that I shouldn't have told people anything and I'm ruining the teacher's reputation. Then I had to give my laptop back, empty my locker and they said they didn't want me to come back to the school. It was very upsetting, and I miss my new friends but I am enjoying home school.”*

*Young person*

The report highlights what works well when young people are supported in culturally safe and inclusive environments. Schools that embed First Nations perspectives, foster a sense of belonging and actively engage families and communities were identified as places where students thrive. When young people feel their identity is valued and their voice matters, they are more likely to attend school and achieve positive outcomes.

A central focus of the report is the design of the proposed consultative body. Participants strongly supported its creation and were clear about what it must do to be effective. They said the body must be community-led, with genuine decision-making power rather than a token advisory role. It must be transparent, representative across local and regional levels, and adequately resourced to influence policy and hold government accountable. Membership should be elected by community rather than appointed by government and its work should focus on embedding culture and language, improving educational engagement and ensuring that schools are culturally safe.

*“...any First Nations Education and Training Consultative Body must focus on ensuring the State meets its most basic obligations to the most disadvantaged children in terms of attendance, staffing, responding to special needs, behaviour, and health.”*

*Cape York children and young people*

The proposed consultative body is seen as a potentially pivotal mechanism but only if it is genuinely empowered, community-led and action-oriented. It is recommended that the body be aligned with national commitments such as the *Closing the Gap* targets and guided by a rights-based approach consistent with the UNCRC. First Nations children and young people in Queensland deserve an education system that values who they are, what they bring and where they come from. For that to happen, the system must shift power and control into their hands, meaningfully include their voices, embed culture and community connection, and act on the structural inequities that have hindered success historically.

While the *Listening and Learning* report was finalised on 30 June 2024, the consultative body is yet to be established.

*“My goals is to get a job, fencing mechanic or go to the mines. I can do that with the support of the JT Academy. It makes me feel good that the younger ones look up to me as a role model.”*

*Young person*

# Schooling

## Data snapshot

**Table 32.** School enrolment, retention, disciplinary and other indicators for First Nations and non-Indigenous young Queenslanders (2022–2024)

Indicators	2022	2023	2024
Number of full-time students enrolled in state schools <sup>i</sup>	<b>569,353</b> 11.1% First Nations	<b>568,050</b> 11.4% First Nations	<b>565,818</b> 11.6% First Nations
Number of full-time students enrolled in non-government schools <sup>i</sup>	<b>299,027</b> 4.8% First Nations	<b>307,182</b> 5.0% First Nations	<b>315,130</b> 5.3% First Nations
Proportion of enrolled students (all schools who received an educational adjustment due to disability <sup>i</sup> )	<b>19.3%</b>	<b>21.5%</b>	<b>23.6%</b>
Apparent retention rate, Years 10–12, of full-time secondary students, all schools <sup>i a</sup>	<b>81.0%</b> 64.1% First Nations	<b>80.7%</b> 63.8% First Nations	<b>81.2%</b> 65.6% First Nations
Number of school disciplinary absences in state schools <sup>ii b</sup>	<b>78,026</b>	<b>81,918</b>	<b>73,188</b>
Number of students registered for home education <sup>iii</sup>	<b>8461</b>	<b>10,048</b>	<b>11,314</b>
Post school engagement in education, employment or training <sup>iv</sup>	<b>90.6%</b>	<b>91.3%</b>	<b>89.9%</b>
Proportion of state schools reported offering the Department's RRE <sup>v</sup>	<b>11.2%</b>	<b>16.3%</b>	<b>15.6%</b>
Proportion of state schools reported using the RREP and other respectful relationships programs <sup>v</sup>	<b>39.7%</b>	<b>49.9%</b>	<b>53.0%</b>
Proportion of state schools reported using both the RRE and one or more other respectful relationships program <sup>v</sup>	<b>3.2%</b>	<b>10.6%</b>	<b>19.7%</b>
Number of Principal Advisors: RRE (one per region <sup>v</sup> )	<b>7</b>	<b>8</b>	<b>8</b>
Expenditure to date for the implementation of Respect <sup>v</sup>	<b>\$6.007m</b>	<b>\$6.176m</b>	<b>\$3.286m</b>
Proportion of state schools reported using the Daniel Morcombe Child Safety curriculum <sup>v</sup>	<b>38.6%</b>	<b>35.4%</b>	<b>37.7%</b>

**Source:**

- i Productivity Commission: Report on Government Services 2025 – 4 school education
- ii Queensland Department of Education public school disciplinary absences collections
- iii Queensland Department of Education public home education registrations data
- iv Queensland Department of Education Year 12 Completers surveys
- v Department of Education unpublished data

**Notes:**

- a The apparent retention rate from Year 10 to Year 12 for full-time students is the percentage of full-time students who continued to Year 12 from the respective cohort group at Year 10.
- b School disciplinary absence (SDA data is a total of short suspensions (1–10 days, long suspensions (11–20 days, exclusions and cancellations). The number of SDAs is not the number of students who received an SDA as one student may be suspended several times in a school year.

Data on Queensland's schooling system shows rising diversity, increasing complexity of student needs and growing reliance on exclusionary discipline and home education as pressure-release mechanisms. While engagement and retention are improving in some areas, particularly for First Nations students, system-wide inequities and inconsistent implementation of safety and wellbeing programs persist.

## Queensland Government policy

In 2025, Education Queensland released its *Strategic Plan 2025–2029*,<sup>567</sup> replacing the previous *Equity and Excellence: Realising the Potential of Every Student* strategy. The new plan focuses on ensuring every student realises their full potential by preparing them for a bright future with the knowledge and skills they need to succeed. The department has key objectives:

- deliver high-quality, differentiated teaching and learning
- improve outcomes in English and mathematics as the foundations for learning
- strengthen supports and responses to ensure safe, respectful and disciplined learning environments
- support transitions across all phases of learning to improve attendance and educational outcomes
- enhance teaching and learning through digital innovation and virtual learning opportunities
- support students with disability to engage fully in learning and improve educational outcomes
- improve educational outcomes for Aboriginal and Torres Strait Islander students
- support students to remain engaged, or re-engage, in education, training or employment through collaboration with partners
- work with partners to strengthen meaningful post-school pathways in education, training or employment.

In mid-2025, the Queensland Government announced a significant investment in new education infrastructure, including the development of six new special schools (see *Disability, health and welfare* chapter).<sup>568</sup> The investment forms part of the broader \$21.9 billion education budget for 2025–26, which includes funding for 15 new schools. The 2025–26 Budget also introduced the Back to School Boost, a \$100 payment per student from Prep to Year 6, intended to assist families with the cost of school essentials. The funding will be distributed directly to schools and may be used to offset expenses such as books, stationery, devices, uniforms and extracurricular activities.<sup>569</sup>

Under the *Better and Fairer Schools Agreement 2025–34*<sup>570</sup> (March 2025) between the Australian and Queensland Governments, federal funding for Queensland state schools will increase by five per cent or approximately \$2.8 billion over ten years. The agreement focuses on three objectives: equity and excellence, wellbeing for learning and engagement, and a strong and sustainable workforce.<sup>571</sup> Both governments have committed to implementing the agreement in a way that supports the priority reforms of the *National Agreement on Closing the Gap*. The agreement recognises that Aboriginal and Torres Strait Islander cultures and knowledges are fundamental to shaping and improving education systems and outcomes for Queensland's First Nations students.

## Respectful relationship education and social and emotional learning

Education Queensland reports that the full allocation of \$15.469 million for 2022–23 to 2024–25 has been expended for the implementation of the Respect program (Respectful Relationships Education or RRE).<sup>572</sup> The funding has been used to update and promote the Respect materials, which cover respectful relationships, consent education, ethical decision-making, coercive control and drivers of gender-based violence. Education Queensland has also employed eight Senior Education Officers across the state to strengthen teacher capability, support schools to implement RRE and provide specialist advice. The funding has supported the Teacher Relief Scheme, enabling teachers to engage in professional learning and planning time for RRE delivery.<sup>573</sup> The use of the Respect materials is recommended but not mandatory for state schools. This allows flexibility in how schools tailor the program for local needs but may lead to variation in uptake and consistency across the system (see *Violence against children* chapter).

In addition to RRE-specific initiatives, Education Queensland has introduced broader support mechanisms to uphold students' rights to safe and respectful learning environments. The Rapid Support Squads initiative was launched in 2025, which involves eight regionally based squads who are available to assist schools facing high-impact bullying incidents, offering on-ground support for students, families and staff, including mental-health and wellbeing assistance. The squads form part of a wider anti-bullying plan designed to ensure students' rights to protection from violence, harassment and discrimination in school settings.<sup>574</sup>

In addition, the Commonwealth Department of Education announced \$77.6 million over five years from 2024 for respectful relationships and consent education across Australia, including approximately \$14.35 million for Queensland.<sup>575</sup> A *Consent and Respectful Relationships Education* implementation plan that builds on initiatives delivered under Queensland Government funding until December 2024, brings continuity to initiatives strengthening delivery of RRE. Australian Government funding of \$9.982m (2023–24 to 2027–28) is being used by the department to deliver curriculum resources, professional development and school community partnership initiatives.

### Closing the gap

**Target 5:** By 2031, increase the proportion of Aboriginal and Torres Strait Islander people (age 20–24) attaining Year 12 or equivalent qualification to 96 per cent.

*Assessment: Improving but not on track*

**Target 7:** By 2031, increase the proportion of Aboriginal and Torres Strait Islander youth (15–24 years) who are in employment, education or training to 67 per cent.

*Assessment: Improving but not on track*

## First Nations students

In 2024, First Nations students made up 11.6 per cent of state school enrolments (approximately 66,272 students) and 5.3 per cent of non-state school enrolments. The apparent retention rate from Year 10 to Year 12 for full-time secondary students in all schools was 65.6 per cent for First Nations students, compared with 82.7 per cent for non-Indigenous students. Retention rates through high school have plateaued in recent years.<sup>576</sup> Post-school engagement also remains lower for First Nations young people.

According to Education Queensland's Next Step survey, 75.6 per cent of First Nations young people (1986 responses total) were engaged in either training or employment after completing school. This compares with approximately 89.9 per cent of all students who responded.<sup>577</sup> This gap persists despite the almost universal participation of First Nations children in ECEC, which is recognised as a critical foundation for school readiness and lifelong learning. The proportion of student disciplinary absences (SDAs) issued to First Nations students (26.1 per cent) remains disproportionately high compared with non-Indigenous students (73.8 per cent).<sup>578</sup>

The *Alice Springs (Mparntwe) Education Declaration* (2019) sets out a national vision for Australian schooling, emphasising equity, excellence and the holistic development of all students. The declaration explicitly highlights the importance of Aboriginal and Torres Strait Islander cultures, knowledge and histories, cultural recognition and responsiveness as integral to achieving equitable outcomes. Its priorities include high-quality teaching, strengthened transitions between learning phases, student wellbeing and early childhood education. It provides a framework for states and territories to guide policy, curriculum and resource allocation.<sup>579</sup> Despite this commitment by governments and others, the data indicates that mainstream schooling is not culturally safe enough to enable First Nations students to thrive.

As articulated in Article 14 of UNDRIP, First Nations children have the right to access education in their own cultures and languages. Persistent disparities in retention, behaviour responses and post-school pathways reflect ongoing structural and systemic inequities, including socio-economic disadvantage, limited recognition of cultural identity within curricula and insufficient system support for First Nations languages, knowledge systems and community engagement (see *Making children's rights real* chapter).

## Education in youth detention

Education is one of the most important protective factors against entering the criminal justice system for children and young people.<sup>580</sup> A report by the Queensland Productivity Commission in 2019 found that the educational attainment for people in detention is significantly below the population average.<sup>581</sup> The report also found that the rising incidences of SDAs placed a significant number of children and young people at risk of disengagement from the education system. Based on the 2024 *Youth Justice Census*, over half of the children and young people in youth detention were disengaged from education, training or employment.<sup>582</sup>

“Yeah. That’s all I’ve been doing since I left school, I just started stealing. I don’t know what for.”

Male, young person

Education is provided in youth detention settings in partnership with Education Queensland. Each youth detention centre has its own school led by a principal and staffed by qualified teachers,<sup>583</sup> and children and young people are required to attend education or training five days a week. Oversight reports have highlighted gaps in education access due to lockdowns and staffing shortages.<sup>584</sup>

“Maybe like something to set me up for my life. Even like something simple like horticulture certificates. Like in here we’re going to school but what is this benefiting us for the outside.”

Male, young person

“No. I like doing the schoolwork, but I’ll just – I’m just there to do it so I can get my reward... You get to [unclear] music choices.”

Male, young person

“Yeah. It’s not like every day or nothing. It depends a lot on the day. We could be locked down one day and [they didn’t] get no school at all. Or the next day, if there’s staff, then we might go to school once or twice in that day. Just depending on that.”

Male, young person

“I actually did [like school]. Because I want to learn how to read and write.”

Male, young person

“No, I didn’t really do the schoolwork because I didn’t like it.... Nah, because it wasn’t going to do anything for me. I had to get certificates and licences... No, I did, but not the right ones [certificates]... I wanted construction or something... Only bricklaying [offered in detention], but I don’t want to do that... carpentry or plumbing.”

Male, young person

“More hands-on stuff [education options in detention].”

Male, young person

Apart from the Caboolture Watchhouse Education Support Hub, Education Queensland does not currently provide direct education sessions to children and young people held in watch-houses. However, Education Queensland has developed a range of educational, literacy and numeracy resources for use in watch-houses. Where resources allow, youth justice staff support young people in completing these activities.<sup>585</sup>

“I actually like going to school. When I first got out, I went to school for – I had to go to school four times a week and I’ve gone for the whole six months I was out. Then, when I was doing my resume, certificate, and then I was trying to get a job, but then I accidentally did one little mistake and then I got locked up.”

Female, young person

“It’s going to be hard because I haven’t been since Year 6, so I’m going in Year 10 next year and they can’t put me into mainstream because of my criminal history and how I’m a risk to kids.”

Female, young person

“Yeah. Get out more. Go and get more school. You only get one or two f\*\*\*ing lessons of school a day... Yeah, well it says – they put down on the laptops, f\*\*\*ing apparently, we do four, five. For some reason they mark it, like say we did this every day, but they – yeah, we don’t.”

Male, young person

## Inclusive education

UNICEF defines inclusive education as:<sup>586</sup>

*'a process of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the state to educate all children.'* (see *Disability, health and welfare* chapter).

In line with Article 24 of the UNCRPD, Queensland state schools are required to provide 'reasonable adjustments resourcing' to support students with disability. Education Queensland's *Inclusive education policy* sets out a broader, system-wide framework designed to remove barriers and promote full participation in schooling for all students.<sup>587</sup> The *Disability Standards for Education 2005* explains the obligations of education and training providers under the *Disability Discrimination Act 1992* to ensure that students with disability can participate in education on the same basis as students without disability.<sup>588</sup>

Despite these policies and frameworks, parents report that support is often insufficient and their requests for additional assistance go unheard.<sup>589</sup> Contributing factors include limited funding, inadequate workforce training and inflexible school infrastructure and pedagogy. Students with disability are disproportionately affected by suspensions and exclusions. For example, in 2024 students with disability accounted for 13.2 per cent of all short suspensions (one to 10 days), compared with 6.5 per cent for all students.<sup>590</sup> Neurodiverse students and those receiving social-emotional adjustments are particularly likely to experience repeated suspensions.<sup>591</sup> These figures suggest that many students with disability may not be receiving the adjustments and support to which they are legally entitled.

To assure the right to a quality education is provided universally and without discrimination, an inclusive education system is the appropriate standard.<sup>592</sup>

In Queensland, however, there are some variations to this standard and appear to be moves towards greater segregation. In early 2025, the Queensland Government announced the construction of six additional special schools in Southeast Queensland, adding to the 46 already operating.<sup>593</sup> These schools are intended for children with significant intellectual disabilities that severely limit their ability to participate in mainstream schools. However, the Australian Disability Discrimination Commissioner raised concerns in July 2025 that this approach risks a return to a segregated, ableist model and that investment in mainstream schools could better support inclusion, transparency and equitable access.<sup>594, 595</sup>

There is currently limited public data on the attendance, learning outcomes and barriers faced by children with disabilities, particularly in alternative and special schools. Better monitoring and accountability are essential to ensure all students receive a quality education and that inclusive practices are implemented consistently across Queensland.<sup>596</sup> Inclusive education not only supports individual learning but also helps communities challenge discrimination, recognise diversity and build social cohesion. Achieving this requires a comprehensive transformation of education systems, including legislation, policy, funding, administration and teaching practice.

## School disciplinary absences

SDAs include suspensions, exclusions and enrolment cancellations. In 2024, there were 73,188 incidences of SDAs in Queensland state schools. This was down from 81,918 instances in 2023 and 78,026 incidences in 2022.<sup>597</sup> From 2018 to 2023, 15.3 per cent of SDAs involved students with disability.<sup>598</sup> As well as being disproportionately issued to children and young people with disabilities, children and young people in out-of-home care and First Nations children and young people are also over-represented.<sup>599</sup>

During 2024, the OATSICC explored the experiences of 30 children and young people aged six to 25 years old who had received an SDA and four of the family members who support them. A consistent theme across the consultations was the importance of including students in the school disciplinary processes. When children were suspended or excluded, their learning was jeopardised, especially when they are not involved in decision-making.

“...check up on like every student, like you know, you never know what they're going through...”  
Young person

“I would say like don't jump straight to suspending the student, like sit down and have an actual like conversation about what they're struggling with and why they're doing it.”  
Young person

Effective educational responses must tackle the root causes of behaviour and introduce support alternatives, rather than defaulting to exclusionary measures. Suspensions and exclusions negatively affect students emotionally and socially, manifesting in feelings of injustice, isolation and disconnection. Over the longer term, these punitive approaches not only hinder educational outcomes but can also exacerbate health issues and reduce student engagement with learning.

“Um, everybody gets – you know, everyone should get support, instead of, you know, just like the ones who are easy to help. because I wanted to finish school, but they didn't see that. That was the biggest problem.”  
Young person

“A teacher that would believe and understand me because all the teachers, most of them hated me so they're like all against me.”  
Young person

## Alternative programs

Some mainstream state schools have been funded to offer Positive Learning Centres, where students facing challenges in the classroom can stay at their current school but in a different classroom. The aim is to reintegrate the child into their class 'or into more appropriate learning or vocational pathways.<sup>600</sup> Where mainstream schooling systems have not met the needs of a young person, alternatives have been created in separate locations. Queensland Pathways State College<sup>601</sup> supports students in Years 10 to 12 who have disengaged from mainstream school through a 12-month transition program, including senior subjects and vocational education and training. It is possible for students to gain a Queensland Certificate of Education but not an Australian Tertiary Admission Rank (ATAR). Three of the nine campuses are outside Brisbane.<sup>602</sup>

There are also many schools run by non-government providers, including Edmund Rice Education<sup>603</sup> (14 schools, seven outside Brisbane), Silver Lining Foundation<sup>604</sup> (four schools, all outside Brisbane) and Clontarf Foundation<sup>605</sup> (21 locations in existing schools, all but one outside Brisbane). Silver Lining is governed by a board of Aboriginal and Torres Strait Islander directors.

From a child rights perspective, these models show efforts to respond to disengagement, but they also raise questions about equity and access and whether students in alternative settings are guaranteed the same educational entitlements as their peers. Whatever the model, schools must not become holding places. They must provide genuine pathways to quality education.

“Teachers need to know more about kids in care so that they can help the children in schools as well. I also think that the teachers need to have – I meant the teachers need to have a relationship with the parent – not the parent, the worker – the house manager kind of thing. Because the things that are going on at home are a lot different for that child than what's going on at home for anybody else in that classroom. They go home to a dinner table at night. That teacher has no f\*\*\*ing idea what that child goes home to. It's literally like a movie. That f\*\*\*ing child could go home to anything that day. You don't know. I think their life is really explosive and it changes all the time and then they've got to go to school and uphold this front around so many different kids. F\*\*\* that's hard. People don't understand how hard that is.”

Female, 19 years

## Home education

Home education in Queensland is provided by a parent or registered teacher under the *Education (General Provisions) Act 2006* (s.205). Under s.217 of the Human Rights Act, parents are responsible for ensuring their child receives a high-quality education that meets the child's individual learning needs and circumstances.<sup>606</sup>

In 2024, a review of Education Queensland's Home Education Unit provided valuable insights into the administration of home education. However, it did not explore the reasons behind the 230 per cent increase in home education registrations since 2019, and it did not seek input from current or previous home-educated children. The review identified that a significant proportion of home-educated children have learning difficulties, diagnosed disabilities or mental health concerns. It also found that some parents became reluctant home educators after their children experienced challenges such as bullying, exclusion or unmet learning needs within mainstream schooling. These findings suggest that the rapid growth in home education enrolments cannot be fully understood or addressed without examining the broader education system.

The review made recommendations aimed at improving opportunities and support for home-educated children. These include enhancing connections to post-school pathways, expanding access to sport, competitions and forums, and improving eligibility for student discounts and educational resources. The Queensland Government accepted a number of these recommendations and committed to establishing a parent and advocate consultative group, which will include First Nations representatives although children and young people are not currently included in its membership.<sup>607</sup>

## Access to remedy

While children and families may raise education-related complaints with the QHRC, there is no independent advocacy body in Queensland dedicated to representing and supporting children who wish to complain about decisions made by government or non-government schools. From a child rights perspective, this represents a significant structural gap. Under the principles of the UNCRC, children are entitled to formal remedies and also accessible, child-friendly mechanisms that ensure their voices are heard and their rights are upheld in practice (see *Making children's rights real* chapter).

Education Queensland complaints data shows that the number and proportion of complaints engaging a human right have increased significantly over the past three years (Table 33). This trend may reflect growing awareness of the Human Rights Act among complainants and departmental officers, rather than an actual increase in human rights breaches. Importantly, it signals a heightened recognition of human rights considerations within Queensland's education system.

**Table 33.** Complaints made to Education Queensland (2021–22 to 2023–24)

Indicator	2021–22	2022–23	2023–24
Complaints engaging a human right	699	1112	1870
Percentage of all complaints	23%	35%	44%

*Source: Queensland Department of Education customer complaints data reports*

In 2023–24, the Queensland Human Rights Commission accepted and finalised 30 complaints involving alleged breaches of the right to education and 72 complaints alleging discrimination in education.<sup>608</sup> During the same period, the Queensland Ombudsman received 366 complaints about Education Queensland, a decrease from 436 complaints in 2022–23.<sup>609</sup>

These figures show that while some oversight and complaints mechanisms are functioning, there remains no independent, child-centred advocacy service to support students through these processes. Establishing such a structure could help ensure that children and young people's concerns are addressed in a manner consistent with their rights, developmental needs and best interests. The absence of such advocacy is particularly concerning given ongoing challenges, including persistent barriers to inclusive education, high rates of SDAs and significant increase in home schooling. A dedicated advocacy mechanism could play a crucial role in identifying and addressing these systemic issues early.

## Leisure and play

Every child has the right to rest and leisure, engage in play and recreational activities, and participate freely in cultural life and the arts (UNCRC Article 31). Play, rest and leisure are essential for healthy brain development, particularly in a child's early years. Play and recreation facilitate children's capacities to negotiate, regain emotional balance, resolve conflicts and make decisions. Children learn by exploring their surroundings, trying new ideas, roles and experiences, and figuring out their place in society and how they relate to others.<sup>610</sup> The Committee on the Rights of the Child General Comment No. 17 states that investment often occurs in structured and organised activities rather than promoting time and space for spontaneous play.<sup>611</sup> It also notes that children and young people are frequently overlooked at all levels of government planning for these activities.

### Queensland Government policy

Education Queensland's strategic plan includes the objective 'vibrant arts and culture across the state' and commits to investing in arts and culture to deliver social, cultural and economic outcomes for Queensland. Strategies include:

- delivering the key priorities of Queensland's arts strategy
- driving arts and culture-led economic outcomes across the state ahead of the Brisbane 2032 Olympic and Paralympic Games
- increasing access to arts and culture through the delivery of high-quality cultural infrastructure
- supporting arts and cultural projects, programs and experiences in regional and remote communities to grow tourism and local employment
- growing the capability of the arts and cultural sectors to deliver a skilled and culturally capable workforce.

The *Queensland's Time to Shine* arts strategy sets out a 10-year plan to design and support artistic, cultural and creative industries across the state.<sup>612</sup> While the strategy outlines a strong framework for investment and industry growth, it does not explicitly identify how children and young people will be supported to participate freely in cultural life and the arts. This remains an area where future policy development could strengthen children's rights to cultural participation, creativity and expression.

The Queensland Government has also introduced targeted strategies to enhance children and young people's access to play, sport and recreation. The Play On! sport vouchers program,<sup>613</sup> launched in August 2025, provides \$200 per child aged five to 17 years to support participation in organised sport and physical activity. This program, budgeted at \$250.5 million over five years, is designed to alleviate financial barriers to participation and promote inclusion in community sport. The government has also committed a further \$250 million to grassroots sports infrastructure under the Games On! program,<sup>614</sup> and \$64.2 million to state-owned sport and recreation facilities (see *Disability, health and welfare* chapter). These initiatives build on the broader *Activate! Queensland (2019–2029)* strategy,<sup>615</sup> supporting children's rights to play, recreation and the highest attainable standard of health.

To further promote family connection and community participation, the G'day Little Queenslanders initiative offers free family events across the state.<sup>616</sup> These events celebrate Queensland's culture and lifestyle, providing opportunities for families with young children to enjoy outdoor activities, interactive play and arts-based experiences in safe and inclusive settings.

### Structured play and leisure

In the *Growing Up in Queensland* report (2024), three-quarters of primary aged children reported that they do things they enjoy in their spare time. Around 65 per cent of these children reported that they participate in clubs or activities such as sport, dance or music.<sup>617</sup> For many years, the Queensland Government has funded structured play and leisure activities through financial initiatives for children and young people. They are often well received in the community as they support parents and carers financially, which is often reported as a barrier to participation.

However, a recent study of the New South Wales Active Kids program found that participation was higher among children and young people living in the least disadvantaged areas. This highlights a key equity concern, that universal initiatives can inadvertently widen disparities by primarily benefiting those who are already more advantaged or active.<sup>618</sup> Targeted programs, such as Swim Start and the \$1500 support for children in care to access extracurricular activities, may be more effective in ensuring that every child has an equal opportunity to participate.

For many regional and remote communities, access to structured play, sport and leisure opportunities remains limited due to distance, cost, infrastructure availability and workforce shortages. When announcing the Play On! sports vouchers program, the Queensland Government stated that the initiative:

*'will ensure regional and remote Queenslanders get their fair share of vouchers, and we'll be working with the sports sector to make sure the program fits regional community needs.'*<sup>619</sup>

While this commitment is positive, continued attention and evaluation will be required to ensure equitable access and meaningful participation for children and young people outside major centres.

Children and young people with disability also continue to experience additional barriers to play, recreation and leisure activities, including accessibility challenges, lack of inclusive programming and limited awareness or capacity among service providers.<sup>620</sup> Addressing these barriers is critical to ensuring that all children and young people, regardless of where they live or their abilities, can enjoy their right to play, recreation and participation in community life.

## Unstructured play and leisure

Based on the latest data, approximately 68 per cent of primary school-aged children in Queensland feel safe in their neighbourhood. Seventy-two per cent of children reported they do fun things with their parents and 80 per cent of parents say they do fun things as a family.<sup>621</sup> In the *Wandering Survey Insights Paper* (2024), parents reported that children have far less freedom to roam or play without adult supervision compared with previous generations. Almost 50 per cent of parents said they do not allow their child to spend time away without adult supervision. The survey identified community safety concerns, changing parenting styles and greater awareness of potential risks as the main reasons for these shifts in behaviour. A small proportion of parents also suggested that there is now less value placed on unstructured play or children being able to explore or engage in adventure independently.<sup>622</sup>

There are currently 17 all-abilities<sup>n</sup> playgrounds across Queensland.<sup>623</sup> According to Liberty Swing, there are 38 wheelchair swings located in parks throughout the state. However, children and young people who want to use these swings need to contact their local council to obtain a key, which can create an additional barrier to spontaneous play.<sup>624</sup>

The Queensland Government is responsible for the management and protection of national parks and state-managed parks, while local councils oversee playgrounds, recreational parks, informal sports facilities, creeks, beaches and bushland reserves.<sup>625</sup> Many studies have highlighted the benefits of nature experiences for children, emphasising their positive impact of individual and community health, the development of sustainable cities and economic growth.<sup>626</sup> Between 2013 and 2019, the Queensland Government provided over \$3 million to Nature Play Queensland, which works to increase the time children spend in unstructured outdoor play and nature, supporting opportunities for exploration, creativity and physical activity.<sup>627</sup> They have developed a range of nature play activities and locations, including council-specific nature play passports, to encourage children and families to engage with their local natural environments.<sup>o</sup>

As Queensland's population grows, many local councils have invested in playgrounds and recreational facilities. The Sunshine Coast *Play Opportunities Plan* provides a strategic direction for the Council to manage open spaces in their region by ensuring that everyone 'has access to quality, unstructured, outdoor play every day.'<sup>628</sup> The plan involved consultation with BUSHkids community organisation, a local special school and other stakeholders to identify specific needs and barriers to participation. This is an example of including children and young people's voices in the planning of unstructured play and leisure opportunities.

Another example is the Western Downs Regional Council, which worked closely with its Youth Advisory Panel to inform the master plan for Dalby's new cultural precinct. Through community engagement, the council identified the need for activities and spaces specifically designed for children, young people and young families.<sup>629</sup>

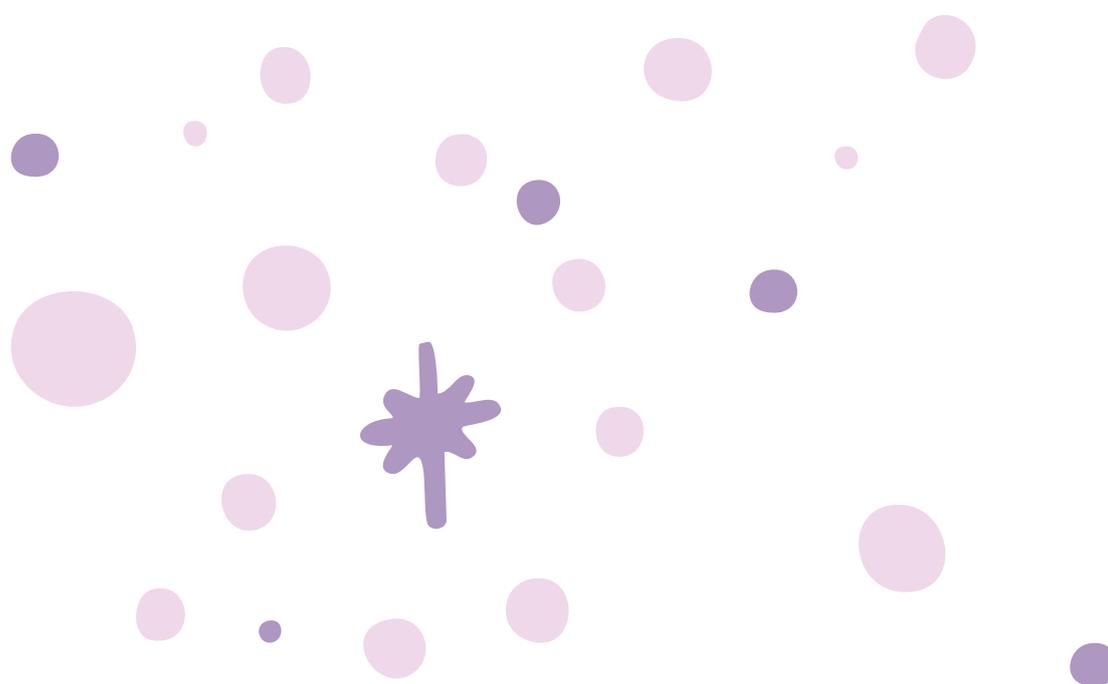
By prioritising and investing equally in child-friendly spaces and infrastructure, communities can create safe, inclusive and sustainable play and leisure opportunities for all children and young people. This approach goes beyond just providing traditional playgrounds, incorporating nature-based solutions and locating green spaces near residential areas and schools.<sup>630</sup> Including children and young people's voices in the design and planning process improves the quality and value of these spaces, while helping to ensure their long-term use, relevance and enjoyment.

n All abilities playgrounds allow children of all ages and abilities to have fun and play with their friends and family.

o Nature Play Queensland passports were created in four local council areas: Gold Coast, Logan, Brisbane and Ipswich.

We continue to remain concerned about children and young people's access to education, leisure and play while in youth detention, given the findings discussed in the *Youth justice* chapter. Those held in separation and watch-houses are of particular concern, as the environment does not allow for play and recreation, which are biological necessities for healthy human development and wellbeing.

Through play and recreation, children build important skills, practice negotiation, find ways to calm themselves emotionally, work out conflicts and make choices. Without access to natural environments and opportunities to develop these skills, children and young people may struggle to reintegrate into their communities, with difficulties extending beyond the immediate post-release period.



# Recommendations

## Establish a First Nations advisory body for early childhood and education

- Legislate an independent, First Nations-led advisory body for early childhood, schooling and vocational education that will:
  - exercise First Nations leadership and cultural authority in guiding education reform and decision-making
  - monitor and publicly report on progress against *Closing the Gap* education targets and outcomes for First Nations children and young people
  - provide culturally grounded, evidence-informed advice to government
  - guarantee the direct participation of First Nations children and young people in governance and decision-making, through supported, age-appropriate and culturally safe mechanisms.

## Ensure universal access to high-quality early childhood education

- Guarantee access to high-quality, culturally safe and consistent early childhood education for all children, with priority for First Nations children and children in care.
- Establish an entitlement to free or low-cost early childhood education for priority cohorts, including fee waivers and transport support.
- Fund an expansion of Aboriginal and Torres Strait Islander community-controlled early learning services and embed cultural safety standards across all providers.
- Require continuity of early learning placements for children in care, including during placement changes.

- Deliver targeted outreach and enrolment support, including community-based navigators to assist families with enrolment, attendance and transitions.
- Strengthen workforce capability, including First Nations workforce pipelines and mandatory cultural safety training.
- Monitor and publicly report on access, attendance, quality and outcomes for First Nations children, children in care and children with a disability.

## Address Australia Early Development Census disparity for First Nations children

- Establish stronger whole-of-government governance and coordination across health, early learning, family support and housing portfolios, to address early years fragmentation for Aboriginal and Torres Strait Islander children.
- Report publicly on early years access and learning indicators within a whole-of-government Children's Plan and *Closing the Gap* framework.
- Establish clear, shared accountability at senior executive level for early childhood access, participation and learning outcomes, rather than siloed program responsibility.
- Integrate planning and commissioning across key portfolios so services work as a connected system around the child and family.
- Facilitate First Nations leadership and community-controlled governance in setting priorities and monitoring outcomes.
- Ensure joined-up data and early identification pathways to reduce access barriers and support children's learning and development before school entry.

### Strengthen inclusive education and reduce suspensions and exclusions

- Introduce a positive statutory duty on the Director-General (or delegated authority) requiring any decision by a principal to impose a disciplinary absence to be lawful, proportionate and a measure of last resort.
- Require any such decision to be supported by documented evidence that active efforts were made to provide reasonable alternatives that promote continuity of education for the child or young person.
- Mandate that all disciplinary decisions must operate within a clear education guarantee, ensuring that no child is excluded from learning without access to appropriate, inclusive and culturally safe educational supports.

### Guarantee educational quality and continuity for children in detention

- Require that every child in detention has an enforceable right to education that is equivalent in quality, breadth and intensity to education in the community.
- Ensure full access for children in detention to the curriculum, qualified teachers and learning resources aligned with the Queensland curriculum.
- Provide formal recognition and transfer of credits and learning to ensure curriculum equivalency and prevent educational loss.
- Direct that individual learning plans be developed in partnership with the child and their school or training provider.
- Support transition pathways back into school, training or employment prior to release, including enrolment, handover and continuity of supports.
- Monitor and publicly report on educational access, quality and outcomes for children in detention.

### Deliver evidence-based, therapeutic and trauma-informed youth justice schooling

- Require all youth justice education programs to meet enforceable, rights-based standards.
- Ensure schooling approaches are evidence-based, trauma-informed and culturally safe and provided by qualified staff.
- Integrate therapeutic supports into learning, rather than punitive behaviour management.
- Maintain family, community and cultural connections through flexible and relational learning approaches.
- Embed youth-led participation in learning goals and engagement strategies.
- Monitor and publicly report on access, continuity and post-release education and employment outcomes.

### Invest in children's play and leisure, guided by a plan for Queensland children

- Adopt coordinated, long-term actions specific to children's right to play and leisure as an upstream investment in children's wellbeing and development.
- Ensure a focus on the universal entitlement to safe, inclusive and culturally appropriate play and leisure opportunities.
- Direct targeted investment to communities and cohorts experiencing the greatest exclusion, including First Nations children, children with disability, children in care, and children in disadvantaged, regional and remote areas.
- Set minimum standards for play and leisure spaces and programs across all communities and settings.
- Require child-led and culturally safe co-design, including with First Nations children.
- Align planning, education and community infrastructure decisions with children's right to play.
- Establish dedicated funding and public reporting to track equity of access and outcomes.

“ In my opinion and experience. I do not blame any particular teacher, or principal. It is the whole foundation of how the school system is designed. [There is a] lack of knowledge, lack of funding, that needs to be strategically spent on real change like ADHD Coaching or funds being allocated towards staff training, on teaching outside of the traditional style of teaching.

*Include me,  
don't exclude me report*

“ The children, education, schools, Indigenous ways of learning, maintaining school engagement and decreasing disengaged youth, cater to strengths-based approaches to learning, their own culture and history, family connections to land (if they know where they've come from, they'll know where they're going). A youth centred approach and inquiry led curriculum. Embed Indigenous perspectives. Cultural awareness- the background of families.

*Listening and  
learning report*

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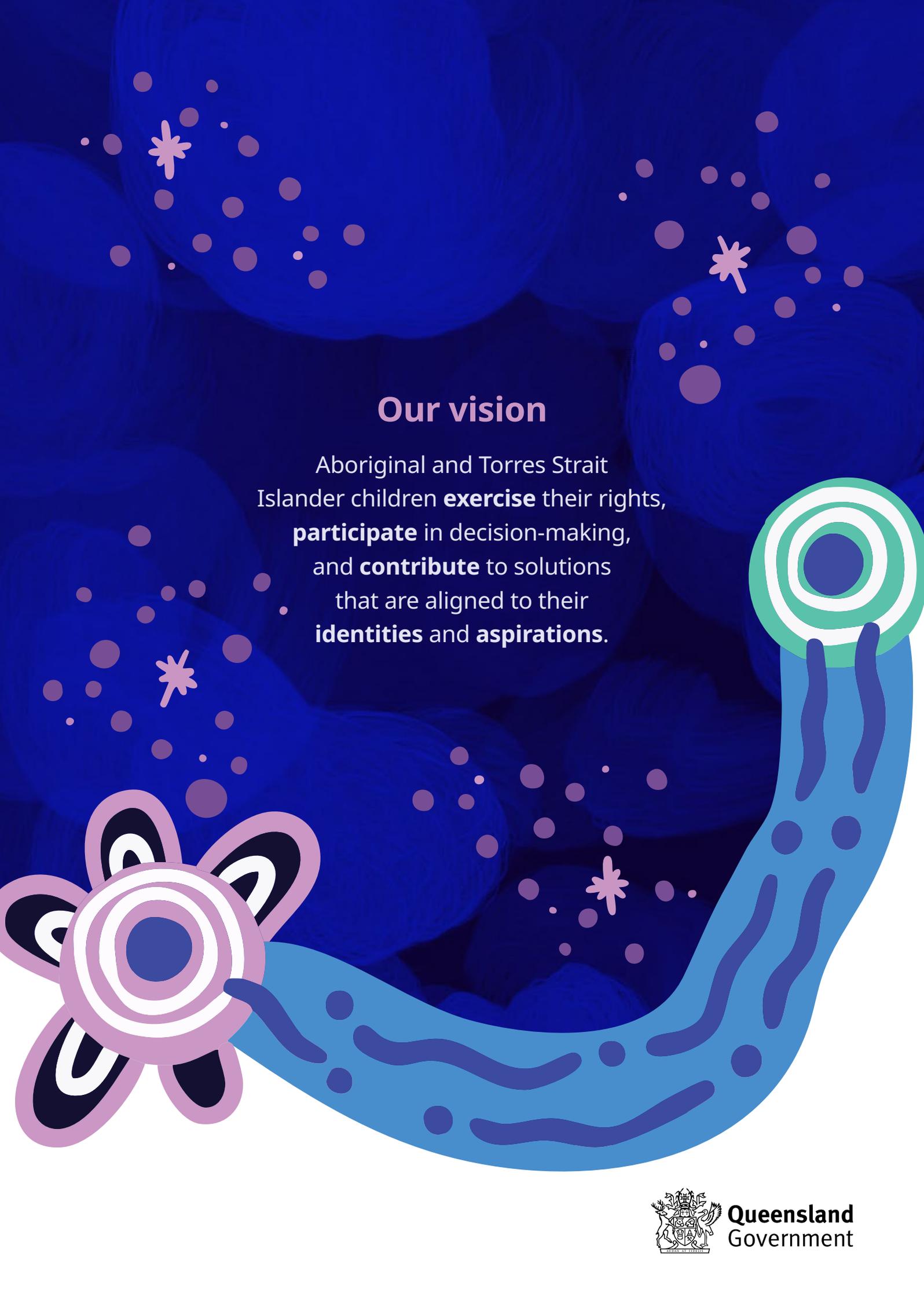
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## Our vision

Aboriginal and Torres Strait  
Islander children **exercise** their rights,  
**participate** in decision-making,  
and **contribute** to solutions  
that are aligned to their  
**identities** and **aspirations**.

