

**AMNESTY
INTERNATIONAL**



26 February 2019

The Hon Di Farmer
Minister for Child Safety, Youth and Women
Minister for the Prevention of Domestic and Family
Violence
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BRISBANE QLD 4000

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Dear Minister

Throughout 2018, Amnesty International Australia wrote to you and other relevant Ministers regarding the overcrowding of youth detention centres in Queensland (**enclosed**), and in particular, our concern about the growing use of watchhouses as places of detention. In December 2018 we warned of an impending human rights crisis in regards to youth justice in Queensland.

Amnesty is now of the strong opinion that Queensland is in the midst of a human rights crisis.

Under Right to Information legislation, Amnesty has accessed and analysed hundreds of case notes of children being held in watchhouses. Amnesty estimates that in 2018, there were:

- **1685 breaches of international law and standards**, including the Convention on the Rights of the Child, the United Nations (UN) Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), the UN Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules), the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), and the UN Guidelines for the Prevention of Juvenile Delinquency;
- **302 breaches of Queensland legislation and regulations**, including the *Youth Justice Act 1992* (QLD) and the *Youth Justice Regulation 2016* (QLD); and
- **668 breaches of the Queensland Police Operational Procedures Manual** (QPOPM).

These violations include:

- breaches of the QPOPM's note that children are never to be kept overnight at certain watchhouses (Appendix 16.8);
- cases of degrading treatment of prisoners and police mistreatment;
- a lack of access to legal representation, education and health services;
- cases where children are kept on poor hygiene;
- the use of separation, confinement and isolation; and
- the use of degrading search practices.

I have **enclosed** an outline of the alleged violations for your information.

To end the violation of the human rights of children in Queensland, Amnesty International calls upon the Queensland Government to:

1. **Immediately release all children on remand back into the community** and/or with family, where safe to do so, and work with Department of Child Safety, Youth & Women, to find accommodation for those who need it;
2. **Significantly expand Supervised Bail Accommodation Services in Queensland as soon as possible**, to reduce the significant remand rates causing overcrowding at detention centres;
3. **Legislate to uphold Appendix 16.8 of the QPOPM as soon as possible; and**
4. **Immediately announce the Government's intention to raise the minimum age of criminal responsibility to at least fourteen years of age.**

Given the seriousness of the situation action is needed immediately. Joel Clark will be in contact with your office to set up a full-briefing for you or your senior staff. There are a number of individual cases - both heartbreaking and horrifying - that we wish to bring to your attention in person.

If action is not immediately undertaken to address these issues, further information including the estimated 2655 breaches of international and domestic laws, regulation and procedures, we would have to make our concerns public.

Kind regards

Claire Mallinson
National Director