

Telephone:
Reference:



Cameron Harsley APM
Deputy Commissioner
Queensland Police Service
GPO Box 1440
BRISBANE QLD 4001

Via email:



Dear Mr Harsley,

The Queensland Family and Child Commission (QFCC) welcomes the opportunity to comment on the review to watch house operations in Queensland. We understand that watch house services are part of the broader justice system, and that while my firm position is that watchhouses are unsuitable for the accommodation of children, I have outlined below positions that may assist your review.

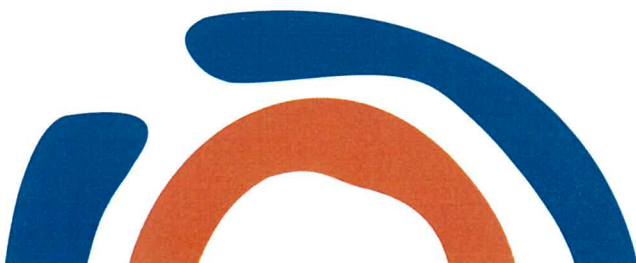
Firstly, I recognise that watch houses are designed to be a short-term holding facility for people, including young people, who have been arrested and are awaiting processing or transfer to a court or detention centre. They are intended to provide a safe place for those entering the criminal justice system to be held while they are processed, enabling police to return to the frontline while this occurs.

It is clear to me that the operation of watch house system in Queensland no longer fits this original design intent – and that there is much opportunity to reform elements of the system for better outcomes.

Child Safe Standards

While watch houses are designed to maintain order and safety, they must also provide an environment that respects the rights and needs of all individuals, including vulnerable adults and young people.

The *Child Safe Organisations Act 2024* passed Parliament on 11 September 2024, marking a significant moment for child safety in Queensland. This new legislation aims to build a culture of safety and wellbeing for all Queensland children. Queensland organisations such as QPS, that engage in child-related work, provide services specifically for children or facilities for children's use, will be required to comply with new legal responsibilities. Specifically, the Act



introduces 10 Child Safe Standards, a Universal Principle, and a nationally consistent Reportable Conduct Scheme.

This Child Safe Organisations system will be introduced in a phased approach from 1 October 2025, meaning organisations across different sectors will be required to meet their obligations at different times. The Child Safe Standards and Universal Principle will be introduced from 1 October 2025 through a staged process with full implementation in place by 1 April 2026. The Reportable Conduct Scheme will commence on 1 July 2026 with full implementation effected on 1 July 2027.

Introduction and application of this scheme to watch house operations will require attention and effort on behalf of QPS, and implementation of these legislative requirements should be a key feature in your review.

Recognising the different service needs for ‘long-stays’

First it is clear that watch house staff now hold people – for short (traditional) arrangements; and for longer, multi-day periods. I suggest that the whole system needs transformation to provide a new alternative service model for this second group.

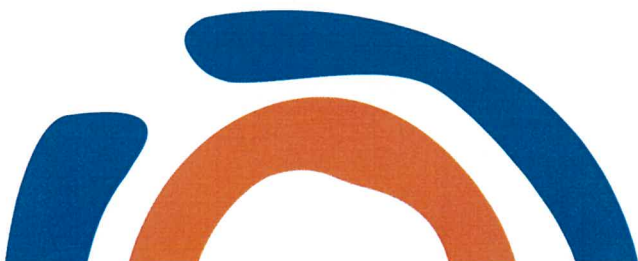
In our 2023 report, [*Who’s Responsible: Understanding why young people are being held longer in Queensland watch houses*](#), the QFCC highlighted the systemic drivers resulting in children being held in watch houses and made five recommendations to the Queensland Government aimed at improving system responses to short-term detention. The QFCC recognises that the Queensland Police Service (QPS) has made improvements to transparency in reporting watch house detention and acknowledges that many of the concerns raised in our report will be included in the scope of the current review.

In the 2023 report, we identified that delays in court processes and the insufficient capacity of youth detention centres contribute to children being held in police watch houses for extended periods of time. This report also includes the voices of young people who have spent time in watch houses.

I am aware of other jurisdictions where legislated time limits have been implemented for youth in watch houses to ensure they are not held in facilities longer than necessary. This law reform put pressure on the judiciary and youth justice system and provide watch house services with protection from becoming the ‘accommodation safety net’ when there were no other options. I would support law reform and practice changes in Queensland that would put time limits and boundaries on the use of watch houses to protect the original program and design integrity.

Young people in watch houses

Watch houses are not designed to meet the unique needs of children and young people. Holding children in such environments for any extended period has serious, negative consequences for their psychological, emotional, and physical wellbeing. Such detention



environments are not equipped to provide the care, support, and safety that young people require. Children in these environments are often exposed to adult detainees, which poses risks to their safety and wellbeing. This is particularly troubling with the knowledge that many children in custody have already experienced trauma in their lives, such as abuse, neglect, or family violence and need environments that foster healing and rehabilitation, not further harm. The current Queensland practice of holding children for days is deeply concerning and reflects complexity in the current response to youth justice.

I have visited several Queensland watch houses, and spoken to children about their time in watch houses. It is clear to me that police are not the best professional to meet the needs of young people in custody, and that an alternative workforce would benefit the force, the young people and community safety.

The last governments efforts to establish remand centres and youth-only watch houses acknowledged this issue, however I urge and encourage your review to go further in providing for a specialised service model, with distinct staffing, for managing the custody of young people in cases where they can not be processed within 24 hours.

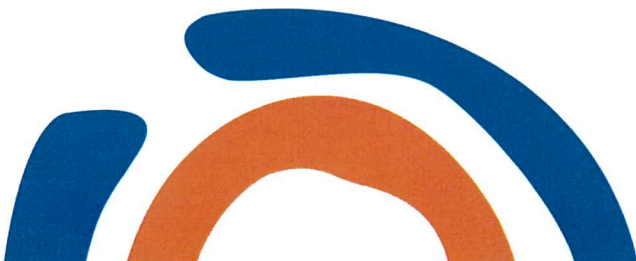
Watch houses should only be used in exceptional, short-term circumstances, and every effort should be made to transfer individuals, particularly children, to child-focused, safe environments that prioritise their wellbeing. I firmly believe that dedicated facilities with specialised staff (i.e. bail accommodation or remand houses), are a better option to watch houses if done correctly. I would support moves that provide young people in custody with child-focussed professionals and services in a dedicated space. This would include actively supporting family and community connections, education, and health services.

Cultural Safety of Watch houses

Data from the Australian Institute of Criminology and other sources consistently show that Indigenous young people are disproportionately involved in the criminal justice system, including being held in police watch houses¹. In Queensland, Aboriginal and Torres Strait Islander children are overrepresented in youth detention, and their rates of incarceration are far higher than those of non-Indigenous children. According to the Australian Institute of Health and Welfare, Indigenous children account for 49 per cent of all young people in detention in Queensland, despite comprising only 6 per cent of the state's child population². The trauma of institutionalisation, particularly in environments that are not culturally appropriate, further impedes rehabilitation and reintegration. In cases involving youth, particularly Aboriginal and Torres Strait Islander children, there is a critical need to ensure

¹ Australian Government, Institute of Criminology (2020), *Youth justice in Australia: Themes from recent inquiries*. [Youth justice in Australia: Themes from recent inquiries | Australian Institute of Criminology](#)

² Australian Institute of Health and Welfare (2022). *Youth detention population; Aboriginal and Torres Strait Islander people*. [Youth detention population in Australia 2022, Aboriginal and Torres Strait Islander people - Australian Institute of Health and Welfare](#)



cultural safety. Watch houses and bail houses should not only provide physical safety but also foster an environment where young people feel respected and safe.

Watchhouse Staff

Watch house workers perform a demanding job in a difficult environment. The care and treatment of watch house employees are equally critical in ensuring the safety and wellbeing of detainees, especially those who are at risk. It is imperative that employees receive adequate training to effectively address the complex needs of vulnerable individuals in these settings. Watch house staff must be equipped with the skills to offer appropriate care, while also being provided with leave entitlements and protection from abuse. Proper support for employees, including professional development and mental health resources, is essential to perform their duties with competence and compassion. This approach will not only enhance the quality of care for detainees but also safeguard the welfare of those working in these challenging environments.

I believe that special attention must be given to ensuring watch houses are staffed by individuals who are well-trained in the unique challenges these children face, with a strong emphasis on trauma-informed care, youth justice principles, and cultural competence. A broadening of the multi-disciplinary workforce that emphasises child and youth development and adolescent mental health is a critical need if the current system is to remain in place.

Conclusion

While I am opposed to the accommodation of children in watch houses this does not mean that I do not understand and value their place in the criminal justice system. Returning watch house services to their original intent of temporarily holding individuals for processing is necessary, as is the implementation of the Child Safe Organisations Act. The design and establishment of alternative service models for accommodating multiple-night custody arrangements is highly recommended.

If you have any queries in relation to this matter, please don't hesitate to contact me directly on [REDACTED] or via email at [REDACTED]

Yours sincerely

[REDACTED]

Luke Twyford
Principal Commissioner
Queensland Family and Child Commission

11
December 2024

