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[Ewing, Bronwyn](#)
(2023)

The criminalisation of children and young people at the intersection of poverty, race, gender and gender identity: A public document analysis. In
7th Canadian International Conference on Advances in Education, Teaching and Technology, 2023-06-09 - 2023-06-11, Toronto, Canada, CAN. (Unpublished)

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The criminalisation of children and young people at the intersection of poverty, race, gender and gender identity: A public document analysis

7th Canadian International Conference on Advances in Education, Teaching & Technology 9-10 June, 2023

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School of Teacher Education and Leadership,
Faculty Creative Industries, Education and Social Justice, Queensland Australia

I wish to acknowledge this land on which the University of Toronto operates.

For thousands of years it has been the traditional land of the Huron-Wendat, the Seneca, and the Mississaugas of the Credit.

Today, this meeting place is still the home to many Indigenous people from across Turtle Island and I am grateful to have the opportunity to work on this land.

<https://indigenous.utoronto.ca/about/land-acknowledgement/>

We're going to have to do things that are uncomfortable and inconvenient, because we do not change the world by only doing the things that are comfortable and convenient. And that means that we're going to have to make a choice to do uncomfortable things to change things.

([Lawyer and juvenile justice advocate in the US Bryan Stevenson argued in an address at John Hopkins University 2018](#))

Overview

How I arrived at this program

- Investigative questions

Intersectionality

- Data sources

History of youth justice

In 2023

- Poverty
- Race
- Gender
- Gender identity

How I arrive at this program?

Over 20 research projects: focus on teaching, learning (maths), leadership and school disengagement in, regional, remote and very remote communities of Australia

One year pilot project with one juvenile detention centre Qld
Ewing, B. & Sarra, G. (2015)

ARC IN Unlocking the learning potential of Indigenous and low SES children and young people
Sarra, G. & Ewing, B. (2016-2023)

Intersectionality of poverty, race, gender and gender identity
Ewing, B (2022-2023)

... the Investigative Questions

1. What are the rates of children and young people from low socioeconomic backgrounds, children with intellectual disabilities, Aboriginal and Torres Strait Islander, Māori and Pacific Islander children, males and females and LGBTIQASB+ children 10-17 years of age involved in juvenile justice detention from 2017-2022 in Queensland, Australia?
2. How do these rates intersect with poverty, race, gender, and gender identity as reported in publicly available data and research literature?
3. Are poverty, race, gender, and gender identity used to criminalise children and young people (10-17 years) involved in community detention and juvenile justice systems?

Scholarship informed by intersectionality...

... can be found in interdisciplinary and traditional academic disciplines which emphasise different features of intersectionality itself as well as key categories of analysis (Collins, 2017; Lutz et al., 2011; May, 2015). Because it straddles these disciplines and traditions, it is **uniquely positioned to develop critical theoretical analyses of multiple forms of oppression and inequality that reflect myriads of policies, societal contexts, and people** (CRIAW/ICREFS, 2021; Hancock, 2016; Hill Collins & Bilge, 2016; May, 2015).

For children and young people involved in the juvenile justice in Queensland, Australia intersectionality is a framework for analysing **how aspects of identity, systems of power and institutional structures work to criminalise them. These multiple forms of discrimination/oppression are simultaneous and cannot be separated from their experiences of discrimination.**





... children and young people who are detained are complex

— they are more than their socioeconomic position, the hues of their skin and their gender identity.

They intersect with their family(ies), culture(s), language(s), race(s), gender(s), sexuality(ies), ability(ies), religion(s) and spirituality(ies).

Their complex identities cannot be discussed and explained in isolation from one another.

Agency Data Sources

Data detail	Queensland
Agency source	Queensland Government Statistician's Office Department of Children, Youth Justice and Multicultural Affairs, Queensland MeteOR: Metadata Online Registry Australian Institute of Health and Welfare Queensland Statistician's Office Productivity Commission ABS Australian Institute of Family Studies Departments of Attorney-Generals
Definition	Detention admissions: committed offence between the ages of 10 and 17
Age of maturity	18 years
Observation period	Jan 2017-Feb 2023
Agency source	

History of Youth Justice In Queensland 1896-2023

Queensland's youth justice system is a state-wide statutory system that **straddles the broader criminal justice and child welfare systems**. It is part of the overall criminal justice system, which is responsible for community safety (CYJMA, 2018b; McMillan & Davis, 2016). The history of youth justice in Australia documents the constant reviews, amendments and reforms to legislation, policy, and practice (Alder & Wundersitz, 2020). This continual process is attributed to the consequences of the complexity of objectives of youth justice which **have shifted between and attempted to reconcile two apparent competing agendas, one to punish children and young people for offending behaviour whilst at the same time acknowledging the implication of their particular age status and attending to their welfare needs**.

The Queensland youth justice system alone **cannot be disentangled from laws, policies, institutions, and practices that provide processing of children and young people who have committed, or suspected of having committed, an offence** (McMillan & Davis, 2016). It works closely with a range of stakeholders and across disciplines to address offending behaviour, meet the health and wellbeing, housing, employment and education rights of children and young people, and respond to their broader needs. The laws and procedures set out in the Children's Court Act 1992 (Queensland Government, 1992a) and the Youth Justice Act 1992 (Queensland Government, 1992c) deal with children and young people who are suspected or found guilty of committing an offence.

(cont).

Over the past century, most Western societies dealt with juvenile offenders and suspects separately from adults (McMillan & Davis, 2016). Such dealings **varied from a justice framework which focused on due process and accountability of juvenile offenders, to the welfare framework which focused more on the rehabilitative needs of juvenile offenders.**

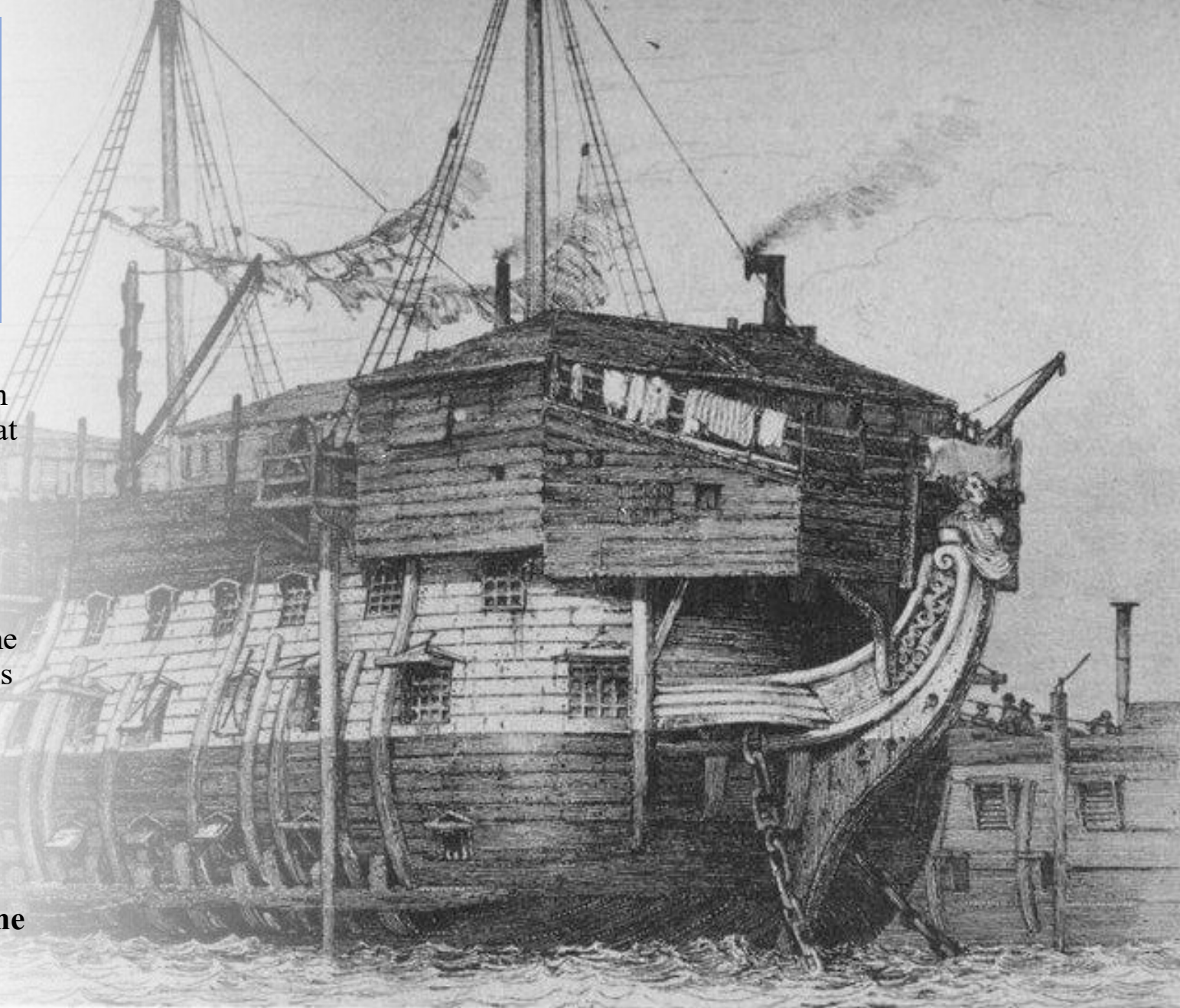
In Australia, these frameworks were used in combination in the juvenile justice system. The purpose of establishing juvenile justice systems was to prevent the development of criminality in children and young people (Queensland Parliament, 2002). As such, the State had a responsibility to prevent the development of youth criminality in communities.

Queensland Youth Justice System 1865-1992: Reformatory and Industrial Schools

The foundations of the Queensland youth justice system were built in the second half of the nineteenth century, at a time when the government commenced the establishment of industrial and reformatory schools.

The Industrial and Reformatory Schools Act 1865 (ISRA) (Department of Children's Services, 1979) mandated that children under 15 years “who had become unmanageable or incorrigible or had criminal tendencies were to be sent to reformatories, while those in unwholesome environments were to go to industrial schools. They were to be trained so they could be apprenticed or placed in employment”.

The schools were established for the purpose of segregating neglected and convicted children from the negative influence of adult prisoners and promoting their reformation and rehabilitation.



In 1871, six years after the IRSA Act was passed, the first reformatory was established on the hulk The Proserpine, anchored near Lytton, which served as a reformatory until 1881 (Queensland Archives, N.D.).

Children who were deemed neglected in 1865 (Queensland Government, 1963, pp. 2213-2214) were described as

1. Any child found begging or receiving alms or being in any street or public place for the purpose of begging or receiving alms
2. Any child who shall be found wandering about or frequenting any street thoroughfare tavern or place of public resort or sleeping in the open air and who shall not have any home or settled place of abode or any visible means of subsistence
3. Any child who shall reside in any brothel or associate or dwell with any person known or reputed to be a thief prostitute or drunkard or with any person convicted of vagrancy under any Act now or hereafter to be in force
4. Any child who having committed an offence punishable by imprisonment or some less punishment ought nevertheless in the opinion of the justices regard being had to his age and the circumstances of his case to be sent to an industrial school
5. Any child whose parent represents that he wishes him to be sent to an industrial school and gives security to the satisfaction of the justices before whom such child may be brought for payment of the maintenance of such child in such school
6. Any child who at the time of the passing of this Act or at any subsequent period may be or become an inmate of any benevolent asylum or who may be maintained either wholly or in part by public or private charity
7. Any child born of an aboriginal or half-caste mother.

The Act was administered by the Home Secretary's Department. Children were dealt with by a Police Magistrate or Justices. Options for the Courts to commit children were either to an institution or returned to their parents. Parents of neglected and convicted children were required to financially contribute to the maintenance of their sons whilst in reformatories.

Since 1865...

Acts and Legislation	Inquiries	International Covenants
15	5	7

2023...

- Poverty
- Race
- Gender
- Gender identity

What has Changed? Youth Justice in Australia in 2022-2023

After the disturbing TV report, Australia's Shame (ABC, 2016a), the release of the findings of the Royal Commission and Board of Inquiry into the Protection and Detention of Children in the Northern Territory (2017a) which ignited a plethora of reports into youth justice across Australia that sought to bring about changes in Youth Justice legislation, **what has changed?**

In 2022 into 2023 youth justice issues continue to be reported and debated in State and Federal Parliament, youth justice organisations, the media and the community. Parliamentary category searches of youth crime and offending within the Queensland Parliament (2023) website underscore this argument. The Hansard, Questions on Notice, Member Speeches, Tabled Papers and Notice Papers repeatedly refer to increasing youth justice, crime and offending.

Table 1 Queensland Parliamentary Record of Proceedings

Search for <i>with all these words</i>	Qld Parliamentary category	Found documents	Focus
2022 , with all these words: youth crime , with this exact phrase: offending , last updated: any-time found 40 documents	Hansard	40	Weak on crime, Youth justice system need to do more, youth justice complexities, restorative justice waste of time.
2022 , with all these words: youth crime , with this exact phrase: offending , last updated: any-time found 15 documents	Questions on Notice	15	Youth justice programs, reforms, youth justice offenders, youth crime, restorative Justice Conference, offenders, reviews and Dept CYJMA
youth crime , with this exact phrase: offending , last updated: any-time , facets: facetyear sm: 2022 found 85 documents	Member Speeches	85	Private members bill, Cairns Youth Justice, Adjournment – Cairns, Mareeba, Townsville, Palm Beach Curriculum, Mermaid Beach, Harvey Bay...
youth crime , with this exact phrase: offending , last updated: last12months , facets: facetyear sm: 2022 found 36 documents	Tabled papers	36	Reducing youth crime, preventing youth crime, causes of offending, corrective services budget, emerging technologies
2022 , with all these words: youth crime , with this exact phrase: offending , last updated: any-time found 23 documents	Notice Papers	23	West Moreton Detention Centre, Toowoomba, 18 years old, reoffending

Table 2. Queensland Parliamentary record of proceedings 2023 (February)

Search for with all these words	Qld Parliamentary category	Found documents	Focus
2023 , with all these words: youth crime , with at least one of these words: offending , last updated: anytime found 3 documents	Hansard	3	Target serious offenders, continue to fight the complex causes of youth crime; invest \$100 million in additional funds into programs proven to make a real and substantial difference
2023 , with all these words: youth crime , with at least one of these words: offending , last updated: anytime found no documents.	Questions on Notice	0	
2023 , with all these words: youth crime , with at least one of these words: offending , last updated: anytime found no documents.	Member Speeches	0	
youth crime , with at least one of these words: offending , last updated: last3months , facets: facet year_sm: 2023 found 9 documents	Tabled papers	9	Recidivist/repeat offenders, 17% of youth offending account for 48% of youth crime, human rights, trends in youth offending, epidemic
2023 , with all these words: youth crime , with at least one of these words: offending , last updated: last3months found 3 document	Notice Papers	3	Contact with Child Safety in the two years prior to their youth justice offending

Number of media items: Youth, crime,
offending in Queensland 01/01/2022-
23/03/23

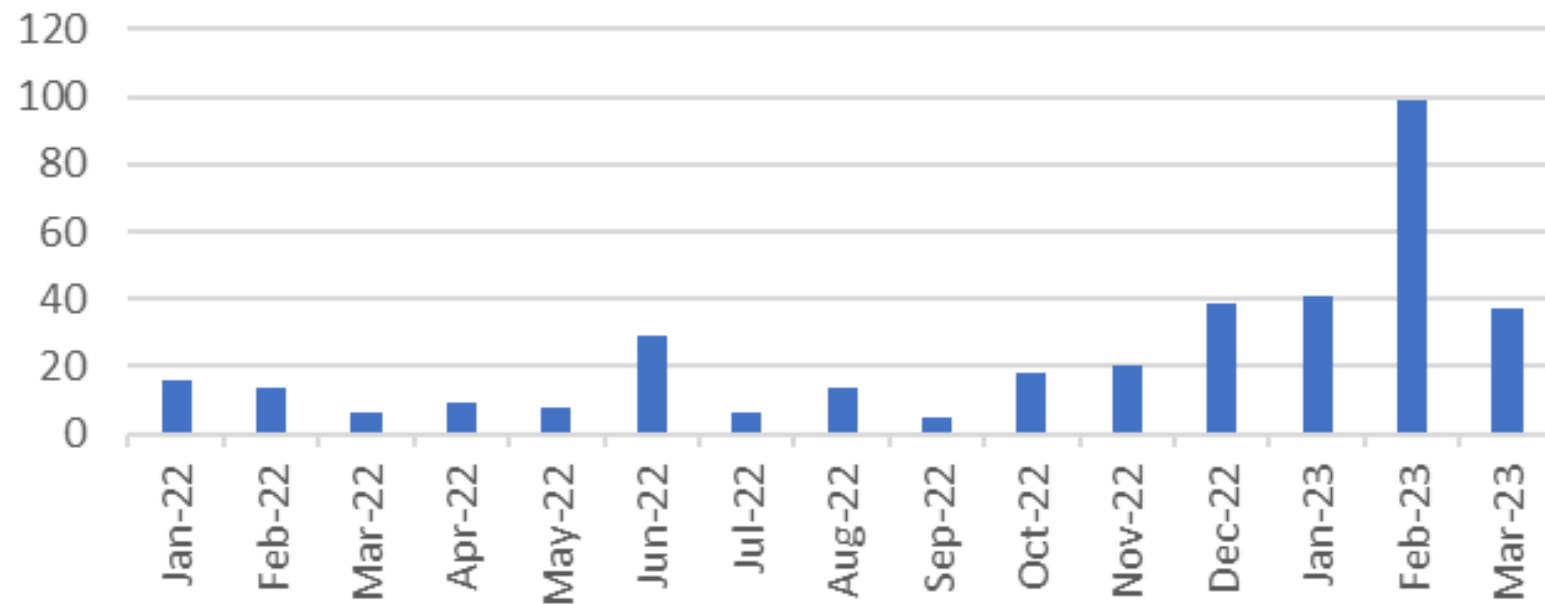


Table 3 Average daily number of young people (e) young people aged 10-17 years in detention, by sex 2016-2022

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i> <i>(a)</i>	<i>SA</i>	<i>Tas</i> <i>(b)</i>	<i>ACT</i> <i>(c)</i>	<i>NT</i>	<i>Aust</i> <i>(d)</i>
2021-22									
Male	no.	135	72	237	25	7	9	46	623
Female	no.	13	6	30	4	1	2	6	75
All people (f)	no.	147	78	267	29	8	10	52	697
2020-21									
Male	no.	137	94	195	19	7	6	29	574
Female	no.	14	8	23	6	1	2	3	66
All people (f)	no.	151	102	219	24	8	8	32	640
2019-20									
Male	no.	175	109	167	27	14	11	22	617
Female	no.	18	10	23	8	1	4	2	76
All people (f)	no.	193	119	190	34	14	14	24	693
2018-19									
Male	no.	184	100	204	33	11	6	33	682
Female	no.	21	11	33	4	1	2	3	88
All people (f)	no.	205	111	237	37	12	8	36	770
2017-18									
Male	no.	207	108	178	38	9	10	37	714
Female	no.	23	12	30	4	1	2	3	83
All people (f)	no.	230	119	208	43	10	12	40	797
2016-17									
Male	no.	196	105	155	41	8	7	35	668
Female	no.	21	9	27	6	1	2	3	76
All people (f)	no.	217	113	181	46	9	9	39	744

(Australian Government Productivity Commission, 2023)

Publicly available data from the Report on Government Services (Australian Government Productivity Commission, 2023) shows that children and young people's involvement in youth justice fluctuates from year to year.

Nationally in 2020-21, the average cost per day per young person subject to detention-based supervision was \$2518, an increase of 34 per cent from 2019-20 (\$1883). This national increase was driven by both an increase in expenditure and decrease in the average daily number of young people in detention.

Table 4 **Proportion of young people released from sentenced supervision, aged 10-16 years at time of release, who returned to sentenced supervision within 12 months, by State or Territory of index sentence (a)**

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld (b)</i>	<i>WA</i>	<i>SA</i>	<i>Tas (c)</i>	<i>ACT (d)</i>	<i>NT</i>	<i>Aust</i>
Young people released from sentenced supervision										
Who returned to sentenced supervision within 12 months										
Year of release from sentenced supervision										
2019-20	%	44.4	56.3	56.8	49.1	41.2	49.2	44.8	54.8	50.9
2018-19	%	47.9	50.0	61.2	54.0	52.6	52.6	38.1	64.6	54.9
2017-18	%	53.1	60.6	65.5	55.8	48.9	58.3	39.3	69.0	59.0
2016-17	%	47.6	60.9	61.0	56.2	59.4	51.8	30.0	60.1	56.4
2015-16	%	49.6	55.4	59.3	59.3	57.6	57.7	25.0	63.3	56.4
2014-15	%	50.9	53.6	60.4	56.6	55.4	54.2	33.3	63.3	56.5

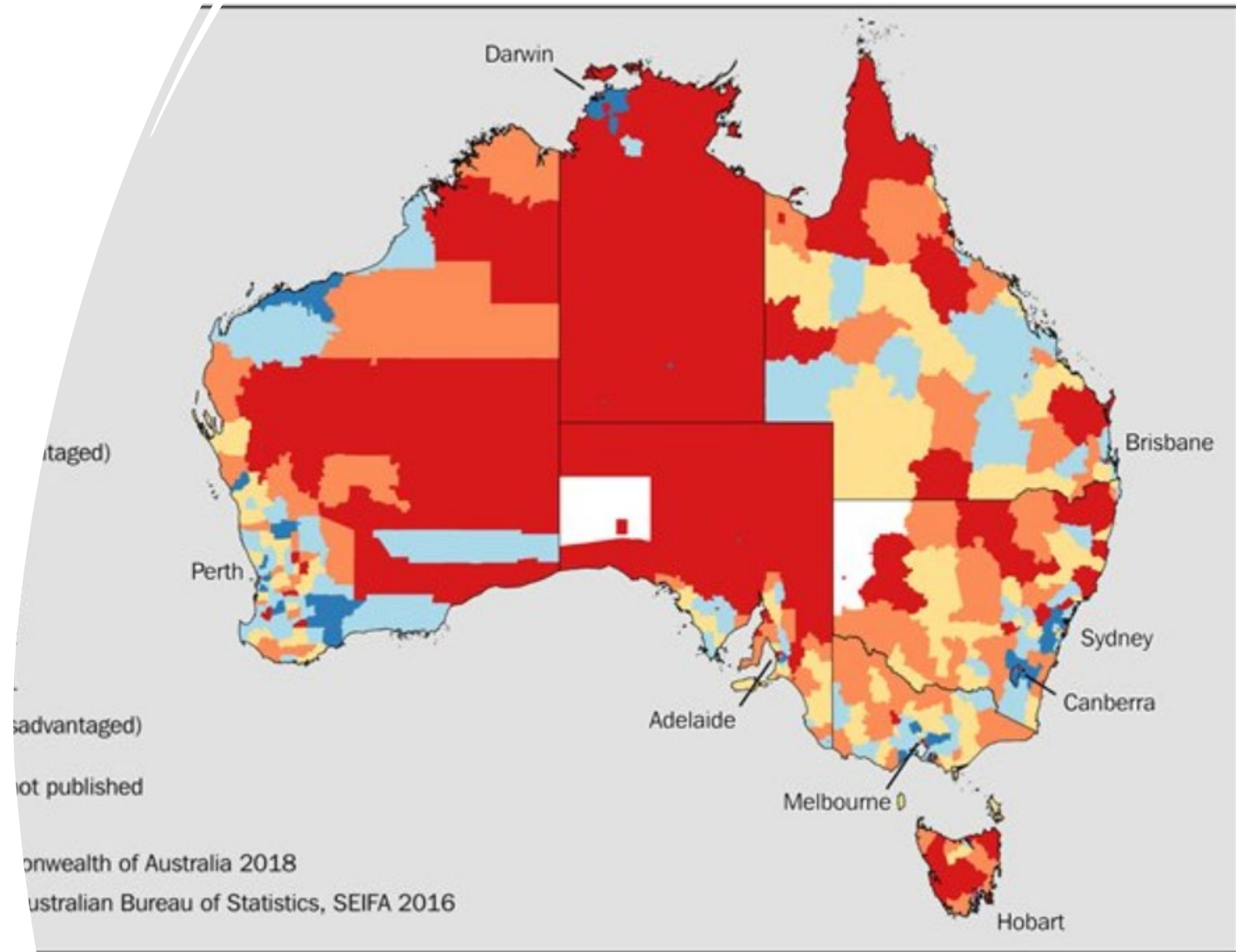
Data are not comparable across jurisdictions, but are comparable (subject to caveats) within jurisdictions over time.

Data are complete (subject to caveats) for the current reporting period.

Source: AIHW (unpublished) *Youth Justice National Minimum Dataset*.
(Australian Government Productivity Commission, 2023)

Poverty: children from areas of greatest socioeconomic disadvantage

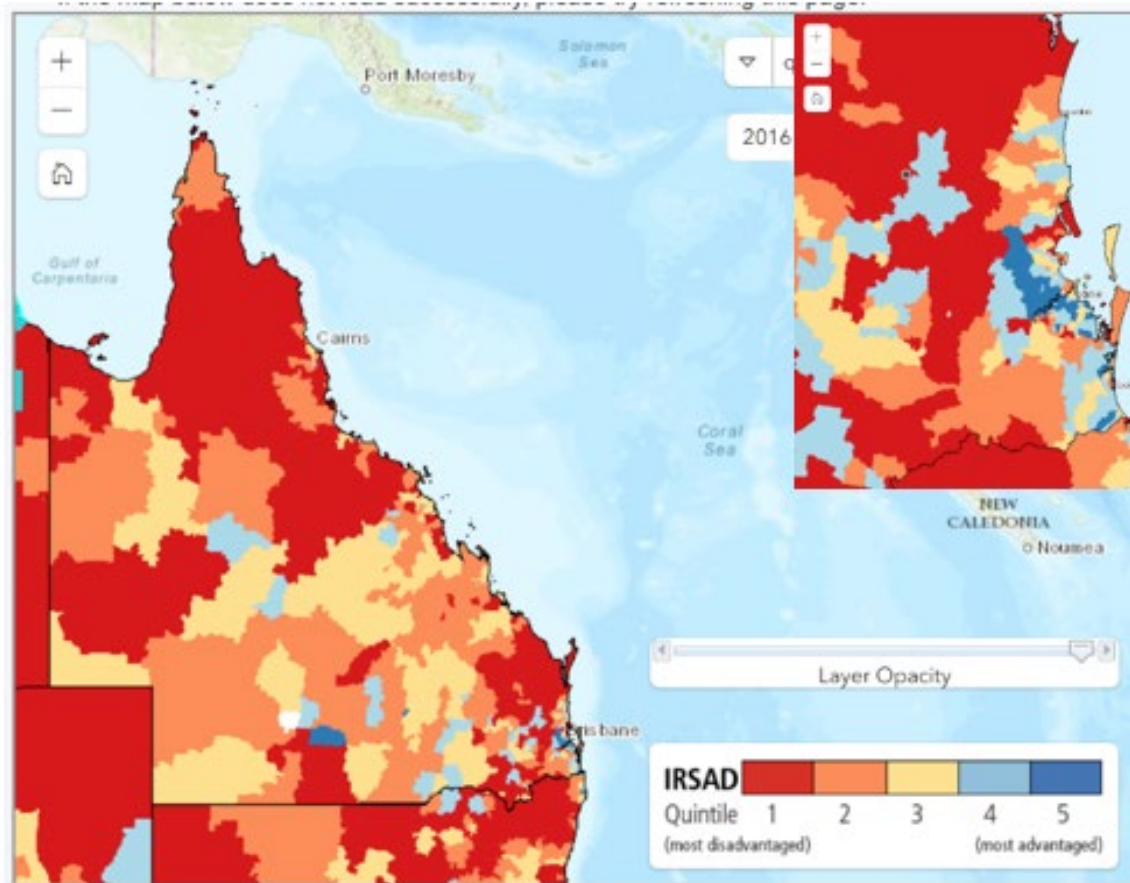
Children from areas of greatest socioeconomic disadvantage are ten times more likely than those living in areas of least disadvantage to be under supervision (140 per 100,000 compared with 14 per 100,000) (AIHW, 2020b). Socioeconomic position is a measure of how 'well off' a person, group or area is (AIHW, 2020).



* Socioeconomic position is a measure of how 'well off' a person, group or area is (AIHW, 2020). Youth Justice National Minimum Dataset reporting uses the Socio-Economic Indexes for Areas (SEIFA), developed by the Australian Bureau of Statistics (ABS), to analyse the socioeconomic position of the usual residence of children and young people under supervision.

of relative advantage and disadvantage quintiles (20 per cent lots) for Local Government Areas cover incorporated areas of Australia legally designated parts of incorporated local governing bodies have responsibility.

Table 5 Areas of Socioeconomic Advantage and Disadvantage, Queensland
with Southeast Queensland insert



Risk factors associated with socio-economic position, such as:

- inadequate housing
- homelessness,
- poor health,
- education failures and life event

render these children and young people as highly vulnerable and more likely to be involved in the juvenile justice system (AHRC, 2020; Cashmore, 2011; Cunneen, White & Richards, 2013; Homel, 2015).

Their vulnerability increases if they are male and Indigenous.

Table 6 Young people aged 10–17 under supervision on an average day(a) by socioeconomic position of usual residence, states and territories, 2020–21

Socioeconomic areas	NSW	Vic	Qld	WA	SA	Tas	AC T	NT	Aus
1 (lowest)	325.7	143.	476.6	79.0	102.	54.9	0.3	31.9	1,213.4
2	289.7	86.8	326.5	154.3	26.1	10.6	0.2	4.5	898.7
3	144.3	130.5	213.1	124.6	18.0	7.6	0.7	29.2	667.8
4	86.0	37.3	80.8	65.7	5.7	5.8	18.0	6.9	306.3
5 (highest)	99.5	24.8	38.0	28.9	3.1	1.3	32.2	3.3	231.2
Total under supervision	1,037.6	449.8	1,135.4	452.9	161.8	80.1	54.3	84.8	3,456.7

(a) Number of young people on an average day may not sum to total due to rounding. – represents zero or rounded to zero

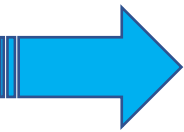
Risk factors associated with socio-economic position, such as inadequate housing or homelessness, poor health, education failures and life events render these children and young people as highly vulnerable and more likely to be involved in the juvenile justice system (AHRC, 2020; Cashmore, 2011; Cunneen, White & Richards, 2013; Homel, 2015). Their vulnerability increases if they are male and Indigenous.

Race: Why history is relevant to understanding overrepresentation in juvenile justice systems

History and its myriad of contexts provide understandings of race and identity. How “race” works can be viewed through the historical legacy of colonialism. Settler colonialism – the violent and, at times, genocidal dispossession of Indigenous peoples from their lands, followed by systematic racial discrimination which directly controlled all aspects of Indigenous life for much of the 19th and 20th centuries, and the ongoing denial of political sovereignty (Behrendt et al., 2019; Cunneen, 2020). The continuity and maintenance role of the juvenile justice system works to preserve colonial order, controlling Indigenous families and communities through large-scale removal and incarceration of children and young people, contradicting self-determination (Cunneen et al., 2016; Libesman, 2019; Wearne, 1980).

Throughout Australia’s colonial history, Aboriginal and Torres Strait Islander children and young people have been over-represented in juvenile justice systems (including child welfare systems) (Marks, 2022; Tilbury, 2009).

There are disproportionate numbers of Aboriginal and Torres Strait Islander children involved in the juvenile justice system compared to the general population of children.



The latest release of population data by the Australian Bureau of Statistics shows that in 2021 there were **812,728 people identified as being of Aboriginal and/or Torres Strait Islander origin, representing 3.2 per cent of the total population of Australia which was 25,766,605 (ABS, 2022a, 2022c). Of the juvenile justice population, there were 819 young people, 10 to 17 years of age, in detention on an average night in the June quarter 2021. Half (50%) were Aboriginal and Torres Strait Islander (AIHW, 2021b).**

Table 7 e 1 Young people under supervision on an average day(a) by sex, Indigenous status and socioeconomic position of usual residence, Australia, 2020–21

Sex	Socioeconomic areas	Indigenous	Non-Indigenous	Not stated	Total
Male	1 (lowest)	704.6	655.7	17.7	1,378.1
	2	473.2	447.2	9.5	929.9
	3	292.8	427.8	11.8	732.3
	4	113.1	244.4	5.1	362.6
	5 (highest)	50.3	181.1	4.9	236.2
Female	1 (lowest)	161.3	124.4	3.5	289.2
	2	159.2	84.5	4.1	247.8
	3	74.4	97.5	1.5	173.4
	4	31.3	45.4	0.4	77.1
	5 (highest)	15.1	47.9	0.2	63.3
Total	1 (lowest)	865.9	780.1	21.3	1,667.3
	2	633.4	531.7	13.7	1,178.8
	3	367.1	525.2	13.3	905.7
	4	144.4	289.8	5.5	439.7
	5 (highest)	65.4	229.0	5.1	299.5
	Total under supervision		2,140.7	2,481.8	72.3

(a) Number of young people on an average day may not sum to total due to rounding. – represents zero or rounded to zero

Note: Some young people excluded due to missing or invalid postcodes or because the postcode was not listed in the SEIFA file.

Source: AIHW Youth Justice National Minimum Dataset (YJ NMDS) 2000–01 to 2020–21.

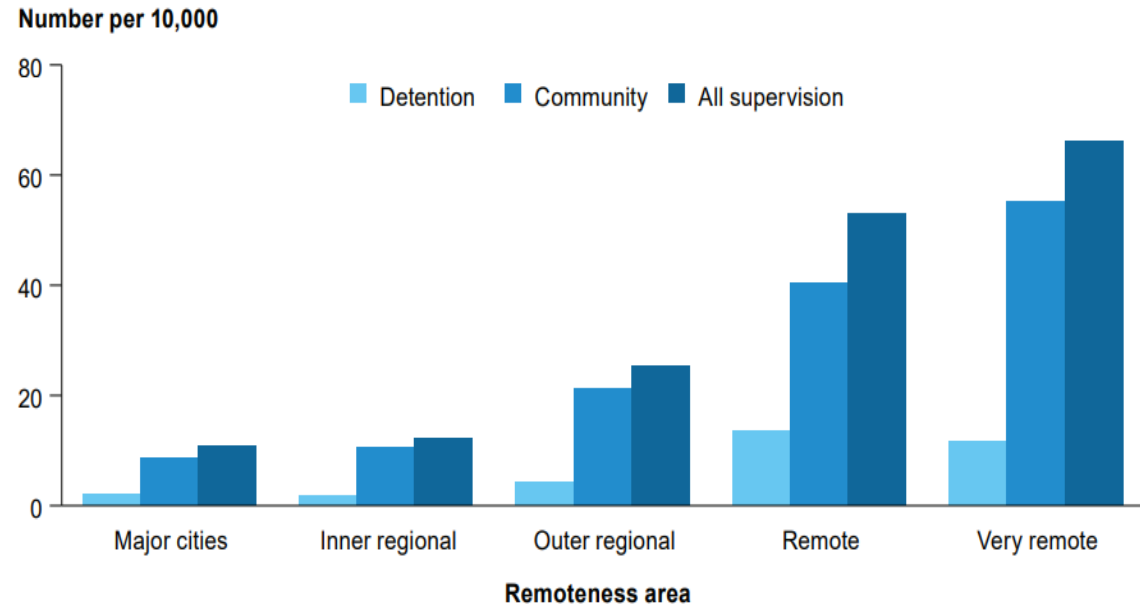
On an average day in 2020–21, **young people aged 10–17 who were from very remote areas were 6 times as likely to be under supervision as those from major cities.** This largely reflects the higher proportions of Indigenous Australians living in these areas (AIHW, 2022c).

Almost half (49%) of the young people under supervision on an average day in 2020–21 were Indigenous Australians (AIHW, 2022c, p. vi).

Omissions of data: There are several reasons for the obscurity of Māori and Pacific Islander and Sudanese children and young people in Australia’s juvenile justice system.

- In Australia the focus of juvenile justice statistics is on the distinction between Indigenous and non-Indigenous Peoples.
- Police are less likely to record specific ethnicities of other groups resulting in incomplete data of groups involved in the juvenile justice system (Shepherd & Ilallo, 2016).
- It is likely that the representation of Māori, Pacific Islander and Sudanese children and young people involved in the juvenile justice system in Australia is higher.

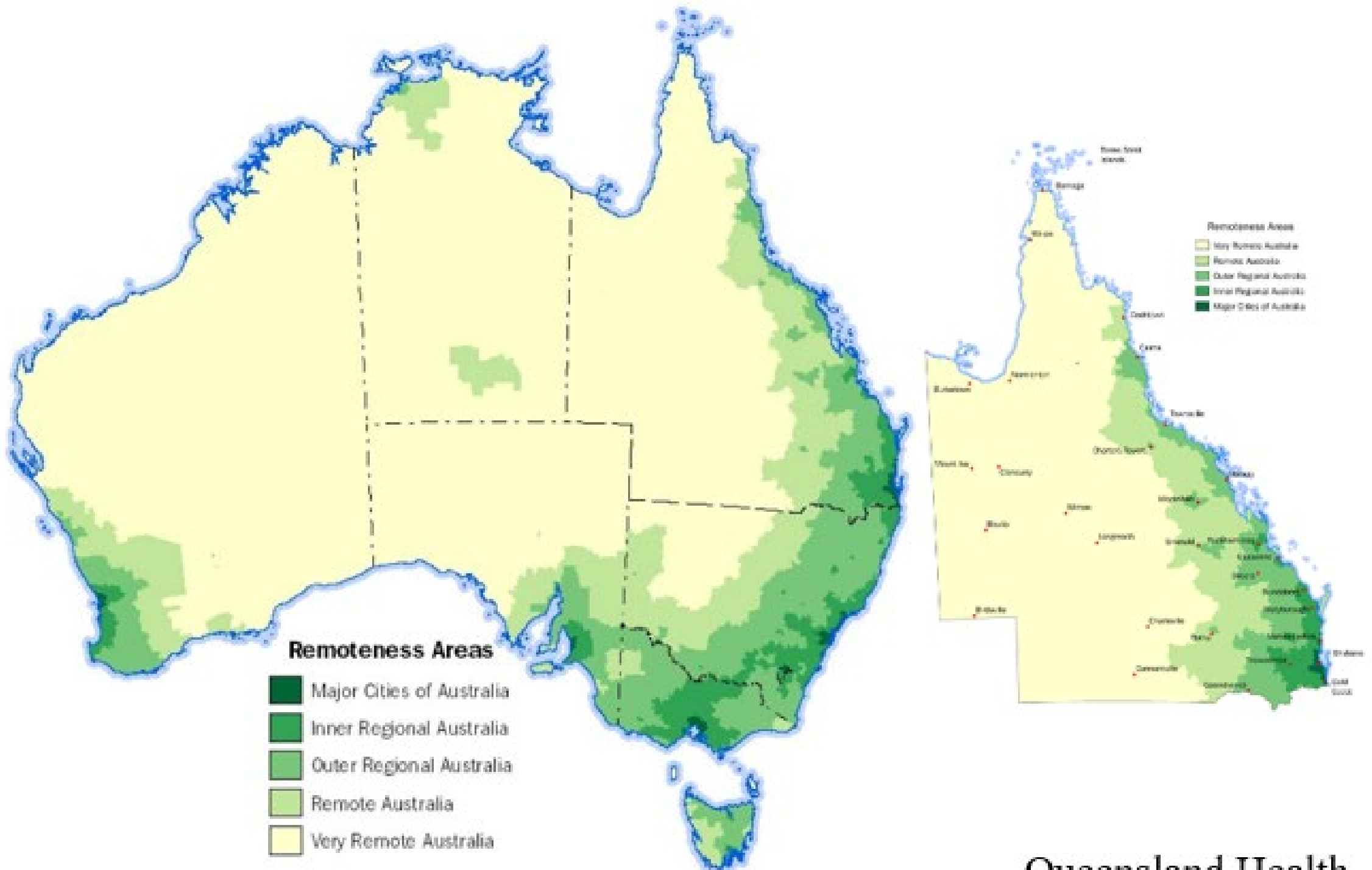
Figure 3.4: Young people aged 10–17 under supervision on an average day, by remoteness of usual residence and supervision type, Australia, 2020–21



Notes

1. Remoteness area could not be determined for about 5.1% of young people under youth justice supervision.
2. Age on an average day is calculated based on the age a young person is each day that they are under supervision. If a young person changes age during a period of supervision, the average daily number under supervision will reflect this. Average daily data broken down by age will not be comparable with data in *Youth justice in Australia* releases before 2019–20.

Source: tables S22c, S57c and S97c.



Gender: female and male

In the juvenile justice research literature and publicly available data the gender of children and young people are referred to as a binary gender--female and male (Australian Institute of Family Studies, 2022b). **There is very limited acknowledgement of non-binary including people who have no binary gender at all and people who have some relationship to binary gender/s.** Gender has been described as the characteristics of women, men, girls and boys (World Health Organization, 2022). These descriptions and characteristics are viewed as socially constructed and include norms, behaviours and roles associated with being a woman, man, girl or boy, as well as relationships with each other.

Males are much more likely than females to become involved with the juvenile justice system and they are more likely to reoffend than female offenders (Cutuli et al., 2016; Sentencing Advisory Council, 2016). Of the young people involved in youth justice supervision in Queensland, 78% were male.

Omissions of data: Research literature and publicly available reports and data focus primarily on male and female involvement in the juvenile justice. **There is very limited to no data available to this point in time that shifts from a focus on the female/male binary.**

Table 9 Young people under supervision on an average day(a) by sex, Indigenous status and socioeconomic position of usual residence, Australia, 2020–21

Sex	Socioeconomic areas	Indigenous	Non-Indigenous	Not stated	Total
Male	1 (lowest)	704.6	655.7	17.7	1,378.1
	2	473.2	447.2	9.5	929.9
	3	292.8	427.8	11.8	732.3
	4	113.1	244.4	5.1	362.6
	5 (highest)	50.3	181.1	4.9	236.2
Female	1 (lowest)	161.3	124.4	3.5	289.2
	2	159.2	84.5	4.1	247.8
	3	74.4	97.5	1.5	173.4
	4	31.3	45.4	0.4	77.1
	5 (highest)	15.1	47.9	0.2	63.3
Total	1 (lowest)	865.9	780.1	21.3	1,667.3
	2	633.4	531.7	13.7	1,178.8
	3	367.1	525.2	13.3	905.7
	4	144.4	289.8	5.5	439.7
	5 (highest)	65.4	229.0	5.1	299.5
	Total under supervision	2,140.7	2,481.8	72.3	4,694.8

(a) Number of young people on an average day may not sum to total due to rounding. – represents zero or rounded to zero

Note: Some young people excluded due to missing or invalid postcodes or because the postcode was not listed in the SEIFA file.

Source: AIHW Youth Justice National Minimum Dataset (YJ NMDS) 2000–01 to 2020–21.

Omissions of data: Lesbian, Gay, Bisexual, Transgender, Intersex, Queer or Questioning, asexual and other sexually or gender diverse (LGBTIQ+) children and young people

In Australia research has documented policing methods towards young LGBTIQ+ youth (Cunneen, Goldson & Russell, 2016; Dwyer, 2011). For these youth, the surveillance usually commences within the school and may result in criminal sanction and/or punishment (Snapp et al., 2015).

Dwyer et al., (2015) found that LGBTIQ youth were found to have learnt from interactions with police, that is, not to draw attention to their queerness, and, to evade police by changing their appearance so as not to appear queer.

Aboriginal and Torres Strait Islander young people can not do this, as their appearance is used as a racial profiling practice by police and is a contributing factor in the overrepresentation of Aboriginal and Torres Strait Islander people, in general, within the criminal justice system. The policing methods in relation to Aboriginal and Torres Strait Islander young people and LGBTIQ+ youth have impacted on the overrepresentation of these populations within youth justice.

I have used the collective term LGBTIQ+ children and young people because they are a diverse group that nevertheless faces some common challenges, for example, stigma, discrimination, and violence because of their sexual orientation, gender identity or expression, and sex characteristics. This definition is neither exclusive nor final; other concepts, terms, or identities may be relevant in different settings, and conceptions may evolve over time.

Omissions of data...

Children and young people with learning difficulties, intellectual disability and alcohol and drug use, or other social detriments, are more likely to experience contact with police and the justice system than young people with no impairment and who are non-Indigenous (MacGillivray & Baldry, 2013).

There are many young people in the youth justice system who **are diagnosed and undiagnosed with disabilities, such as, cognitive impairment, intellectual disability or disorders in the area of language and communication, which have contributed to significant disruptions in their education** (Drinan, 2018; Royal Commission and Board of Inquiry into the Protection and Detention of Children in the Northern Territory, 2017b). Many of them fall within the age of compulsory education (up to 17 years).

There is limited to no publicly available data that focuses on diagnosed and undiagnosed young people and children with disabilities

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There are several reasons for the obscurity of Māori and Pacific Islander children and young people in Australia's juvenile justice system. In Australia, the focus of juvenile justice statistics is on the distinction between Indigenous and non-Indigenous Peoples. Police are less likely to record specific ethnicities of other groups resulting in incomplete data of groups involved in the juvenile justice system (Shepherd & Ilalio, 2016). It is likely that the representation of Māori and Pacific Islander young people involved in the juvenile justice system in Australia is higher.

Little is known about the risk factors underpinning Māori and Pacific Islander young people's involvement in criminal behaviour. The findings of a literature review conducted by Shepherd et al. (2016, p. 113), identified that "acculturation stressors, widespread educational disengagement, family and cultural disintegration, job insecurity, economic disadvantage, and social service inaccessibility were prevalent issues among both young Māori and Pacific Islander offenders and their communities." The review findings indicated the need for culturally tailored interventions that divert young Māori and Pacific Islanders from law-breaking behaviours while reconnecting them with family, culture, education, employment, and prosocial activities.

Final words...

This study sought to raise awareness of the impact of poverty, race, gender and gender identity and their influence on the criminalisation and incarceration of children and young people (10-17 years of age) from low socioeconomic background, Aboriginal and Torres Strait Islander and Māori and Pacific Islander cultures, children with disabilities and LGBTIQSB+ children.

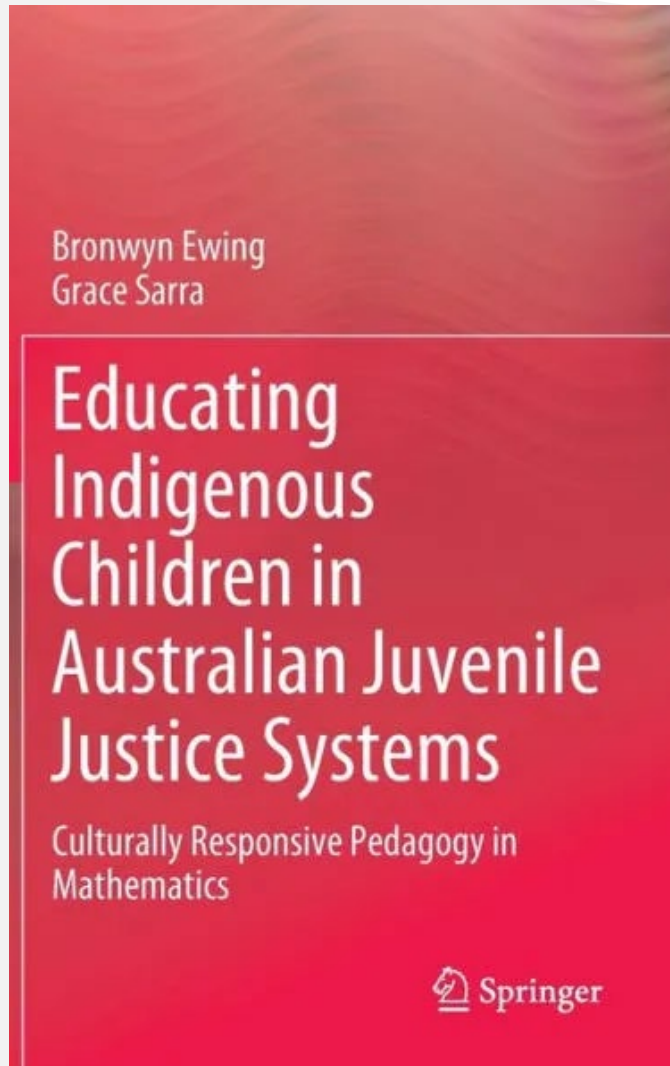
Current available data categorises children as either non-Indigenous, Indigenous, or Aboriginal and or Torres Strait Islander or Other and socioeconomic status. Data is largely silent on learning difficulties, intellectual disability and alcohol and drug use, or other social detriments, Māori and Pacific Islander cultures, and LGBTIQSB+ children, therefore very little is known about these children and their involvement in the juvenile justice system in Australia.

This study focuses on low socioeconomic background, Aboriginal and Torres Strait Islander and Māori and Pacific Islander cultures, children with disabilities, females and males and LGBTIQSB+ children to predict the criminalisation and incarceration of children and young people (10-17 years of age). Whilst other factors such as age, prior offending history, complying with court orders are used to predict risk of future offending, socioeconomic factors also predict risk including education, truancy, and unemployment. These factors however give rise to “individualised” models of child offending whereby historical dynamics of society are substituted for the individual histories of children (Cunneen, 2008). The characteristics of children are often represented as failings of the individual rather than the outcomes of inequality, discrimination and the absence of opportunity.

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For Indigenous people who have lived under racist regimes, the greatest 'risk' may be the institutions of the state itself. In Australia the systematic and forced removal of Indigenous children from their families by the state has proved to be the greatest 'risk' to the well-being of Indigenous children, young people and their families throughout much of the 20th century (NISATSIC, 1997).

Letting children know they matter and not being ignored because of their cultural socioeconomic background. Children can feel they do not matter yet all the while are experiencing poverty, sexual abuse, emotional numbing, disabilities, low self-esteem mental health issues, gender transitions or the trials of being Black and a young girl or boy trying to navigate adolescence. (Ewing & Sarra, 2023, p. 120)



Book Launch

- What inspired the writing of the book
- Expression of gratitude
- The writing process from 2016
- About the book
- Who it's for
- Why it should be read
- Provocative tidbits (para 3, p. 1)
- Quitting and giving up????
- Issues with approval from Department