



**A Submission by the  
Youth Affairs Network of Queensland  
in opposition to**

**Brisbane City Council's Application  
to grant Move-On Powers to Police in  
King George Square, Kurilpa Point  
and New Farm Park**

**October 2005**

# Table of Contents

<b>ABOUT YANQ.....</b>	<b>3</b>
<b>INTRODUCTION.....</b>	<b>3</b>
Discrimination.....	3
Criminalisation of Harmless Behaviour.....	4
Potential to Increase Crime.....	4
Divert Resources Away from Meeting Young Peoples' Needs.....	4
Isolate Young People from Services.....	5
<b>ALTERNATIVE ACTIONS THE COUNCIL COULD TAKE.....</b>	<b>5</b>
<b>REFERENCES.....</b>	<b>6</b>

## About YANQ

The Youth Affairs Network of Queensland Inc. (YANQ) is the peak community youth affairs organisation in Queensland. YANQ represents young people and youth organisations across the State of Queensland. YANQ advocates on behalf of young people in Queensland, especially disadvantaged young people, to government and the community. The interests and well being of young people across the state are promoted by YANQ in the following ways:

- disseminating information to members, the youth sector, and the broader community
- undertaking campaigns and lobbying
- making representations to government and other influential bodies
- resourcing regional and issues-based networks
- consulting and liaising with members and the field
- linking with key state and national bodies
- initiating projects
- hosting forums and conferences
- input into policy development
- enhancing the professional development of the youth sector

## Introduction

This submission opposes the Brisbane City Council's (Council's) application to grant move-on powers to police in King George Square, Kurilpa Point and New Farm Park. YANQ's opposition to the Council's application is based on our view that move-on powers:

- are applied in a discriminatory manner against young people, indigenous people and people from culturally and linguistically diverse backgrounds.
- criminalise otherwise legal and harmless behaviour ('hanging out' for instance)
- have the potential to increase crime by exacerbating feelings of isolation and exclusion.
- divert resources away from addressing the socio-economic reasons for marginalisation, and instead encourage a legal/criminal response to young people and thus reduce the chances of them accessing appropriate support services
- isolate homeless and otherwise disadvantaged people and reduce their ability to access support services

These arguments are laid out in more detail below.

## Discrimination

Since the introduction of move-on powers in Queensland, YANQ has received a considerable amount of information from members which suggests that the powers are applied by police in a discriminatory and racist fashion. Research by Spooner (2001) that was conducted with YANQ's assistance in 2001 also found that young indigenous people are subjected to 'move-on' orders at a higher rate than non-indigenous young people. Thirty-seven percent of Spooner's subjects were

indigenous, although indigenous people (at the time of the study) represented just 4% of the general youth population in Queensland.

More recent research undertaken by YANQ in 2005 ('Sudanese Young People and Public Space' to be published in 2006) also suggests that young people from culturally and linguistically diverse (CALD) backgrounds are often subject to unfair scrutiny and coercion by police.

On several occasions during the last three years, the Youth Justice Coalition (YJC), of which YANQ is a member, has sent written requests to the Queensland Police Service for statistics on their use of move-on powers in Queensland. As at the time of writing, the QPS has not provided YJC with these figures and has provided no credible reason for not doing so. Without these statistics, we can only assume that the anecdotal evidence YANQ hears through its membership, and the research done by Spooner in 2001 are an accurate reflection of the discriminatory and racist fashion in which move-on powers are applied to young people, particularly young indigenous people.

### ***Criminalisation of Harmless Behaviour***

The outcome of such discrimination against young people, whether from CALD or indigenous backgrounds or not, is that harmless behaviour is criminalised. As the Council is aware, police are able to enforce move-on powers if they consider that a person's presence causes "anxiety" to others. It is a sad fact that the mere sighting of a group of young people, especially a group of Indigenous or African young people, will cause some members of our community to feel anxious. However, the prejudices of some members of our community should not be used as a basis for the use of coercive police powers against young people.

### ***Potential to Increase Crime***

The effect of this discrimination against and criminalisation of young people is that they feel alienated and excluded (Spooner, 2001). Ongoing discrimination and criminalisation may lead to an increase in youth crime. Some young people may react to unfair treatment by police and authorities by 'acting out' the very behaviours that authorities are attempting to suppress. This process begins with young people forming an identity based on their unfair and unreasonable exclusion from public spaces. For example, White (2003) argues that,

"The institutional racism and economic marginalisation experienced by ethnic minority young people is directly linked to group formations ... that privileges loyalty and being tough ... in the face of real and perceived threats."

In other words, move-on powers have the potential of encouraging young people to identify with others based on their shared experiences of exclusion and thus to form 'gangs' that emphasise toughness and loyalty. A member of YANQ's recently summarised this point succinctly in saying that "young people I work with have commented that, 'well, if I'm going to get in trouble for doing nothing, I might as well do something to earn it.'"

### ***Divert Resources Away from Meeting Young Peoples' Needs***

While YANQ argues that move-on powers will unfairly bring otherwise law-abiding young people into conflict with police, we acknowledge that there is a small number of young people who take part in anti-social, threatening and, at times, criminal behaviour in public areas. However, we argue move-on powers are not the answer to sporadic events of anti-social behaviour by young people.

The time and money spent by police in moving-on young people in public areas would be better spent on youth services that can respond to the needs of the small number of young people taking part in anti-social behaviour. Some of the factors that are associated with young people engaging in anti-social behaviour (such as illicit drug use, assaults and harassment) are family breakdown, homelessness, non-attendance at school, bullying and physical/emotional/sexual abuse, to name a few. Move-on powers do nothing to address these issues for young people. Rather the use of move-on powers will amplify the feelings of alienation and exclusion within young people, and, as argued above, increase the likelihood that they will take part in anti-social or criminal activities.

Rather than diverting police time and money in moving young people away from public areas, the community could be investing in a range of youth services that provide positive activities for young people and address their welfare needs. Sadly, YANQ's members and colleagues in the Brisbane area often report to us that they have insufficient resources to meet the levels of demand for their services<sup>1</sup>. We believe that it is likely that the application of move-on powers in more public areas in Brisbane will only increase the current levels of demand for their services.

### ***Isolate Young People from Services***

Finally, while we have argued that move-on powers will increase the feelings of isolation within young people, they will also have the effect of physically isolating them from services that can meet their welfare needs.

A constant challenge faced by youth services is making sure that young people know that their services exist. One strategy to raise awareness among young people, particularly highly marginalised young people is through reach out programs. The Council's application for move-on powers covers areas that are regularly used by young people as areas to hang-out. Consequently they are also areas that youth services use to make contact with young people. It is likely that the use of move-on powers will force young people (particularly those who have the highest needs) away from these areas, either to areas that youth services cannot access (e.g. because they don't know about them or they are too dangerous for workers) or into suburban areas of Brisbane not presently covered by outreach services. This will mean that young people experiencing difficulties will be unable to receive the support they need. It will also increase the costs to youth services (greater travel expenses).

## **Alternative Actions the Council could Take**

YANQ shares the Council's concerns around the increase in disputes, assaults, harassment and other offensive behaviour in King George Square, Kurilpa Point and New Farm Park. Nevertheless, we disagree with the Council's proposed action for dealing with this apparent increase in anti-social behaviour.

There is little doubt that the small number of young people displaying these behaviours would benefit from a more inclusive approach that emphasises greater access to welfare and recreational services. This approach would not have the effect of increasing young people's sense of isolation nor the chances that they would take part in anti-social behaviour. YANQ urges the Council to:

- work with local youth services and the State Government with a view to increasing the accessibility of youth services to young people congregating in the areas under application
- increase resources for Council's Youth Team to support young people in the planning and staging of youth-focused recreation activities in the areas

---

<sup>1</sup> Services such as, crisis accommodation, drug and alcohol counselling, family support, alternative education, reachout, emergency relief etc.

- join with YANQ in urging the Federal Government to raise social security payments at or above the poverty line (i.e. to enable young people to participate economically in public areas).

Further advice on reducing anti-social behaviour in public spaces and including young people in activities in those public spaces is available from a number of sources including (full citations provided in the references section):

- White, 1998. *Public spaces and young people - a guide to creative projects and positive strategies*.
- White, 2001. *Hanging Out: Negotiating young people's use of public space*.
- International Youth and Public Space Network – <http://www.yspace.net>.

## References

- Spooner, P. 2001. *Moving in the Wrong Direction: An analysis of police move-on powers in Queensland*. In Youth Studies Australia, Vol.20 (1), pp.27-31.
- White, R. 1998. Public spaces and young people: A guide to creative projects and positive strategies. Commonwealth Attorney General's Department, Canberra.
- White, R. 2001. Hanging Out: Negotiating young people's use of public space. Commonwealth Attorney General's Department, Canberra.
- White, R. 2003. *Street Policing and Regulation of Public Space*. Paper presented at the Juvenile Justice: From Lessons of the Past to a Road Map for the Future Conference. Australian Institute of Criminology, 1-2 December 2003, Sydney.
- White, R. 2004. *Police and Community Responses to Youth Gangs*. In Trend and Issues in Criminal Justice, No. 274. Australian Institute of Criminology, Canberra.
- Youth Affairs Network of Queensland, unpublished. Sudanese Young People in Public Space in Queensland. YANQ, West End.