



Human Rights Report

Alternative First
Responders

**ALTERNATIVE
FIRST RESPONDERS**

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Acknowledgements



The National Justice Project acknowledges that we live and work on unceded sovereign First Nations land, with our office on Gadigal Country. We pay our respects to Elders past and present and celebrate First Nations’ continuation of a living spiritual, cultural and social connection with the land, sea and sky. Always was, always will be, Aboriginal and Torres Strait Islander land.



The National Justice Project is committed to embracing diversity and eliminating all forms of discrimination in the provision of its services. We welcome all people irrespective of ethnicity, disability, faith, sexual orientation and gender identity.

The *Alternative First Responders* campaign is supported by a growing number of organisations and advocates, we extend our gratitude and appreciation to our coalition for their advocacy and support of the campaign as we work together to drive change. We acknowledge that this report does not reflect all experiences and that the ways in which laws disproportionately affect different communities are diverse and intersect across various personal lived experiences and identities. Our intent is not to diminish the experiences of other groups not specifically addressed, but to highlight the broad issues and illustrate how implementing rights-based, alternative first responder models can safeguard human rights and contribute to more just outcomes.

Acronyms

ACT	Australian Capital Territory
AHRC	Australian Human Rights Commission
Basic Principles	Basic Principles on the Use of Firearms by Law Enforcement Officials
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CERD	International Convention on the Elimination of All Forms of Racial Discrimination
Code of Conduct	Code of Conduct for Law Enforcement Officials
CRC	Convention of the Rights of the Child
CRPD	Convention of the Rights of Persons with Disabilities
Disability Royal Commission	Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
MMFNWC	Senate inquiry into Missing and Murdered First Nations Women and Children
NDIS	National Disability Insurance Scheme
NSW	New South Wales
QLD	Queensland
Rules and Standards	International Rules and Standards for Policing
The Committee	Committee on the Rights of the Child
UDHR	Universal Declaration of Human Rights
UN Principles	Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care
UNCAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
VIC	Victoria
WHO	World Health Organisation

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When we consider human rights as a foundation of protection, it becomes clear that what we need is a holistic response rooted in care, dignity, and support, rather than force and punishment.

Executive Summary

Human rights are inherent to all individuals and form the foundation of a life free from discrimination, harm, and injustice. They safeguard key values that contribute to a fair, equal, and inclusive society, including the rights to life, health, dignity, and support. Alternative first responder models offer a practical and effective way to realise these rights beyond policy and theory.

Much of our understanding of these rights is shaped by international human rights instruments, which establish universal frameworks for safeguarding individuals. These include protections from police violence and excessive force, as well as broader rights that speak to care-focused first responses that uphold dignity, choice, agency, and wellbeing.

When we consider what human rights seek to achieve, it becomes clear that people need holistic responses grounded in care and support, not force and punishment: an alternative.

It is imperative that Australia upholds its obligations under international human rights law. However, Australia has repeatedly fallen short in doing so, drawing national and international criticism. Prioritising and investing in alternative first responder models are a meaningful and necessary investment in upholding human rights obligations and addressing ongoing systemic shortcomings.

Introduction

Community safety is central to ensuring communities can truly thrive.

Community safety is central to ensuring communities can truly thrive. When we consider who is responsible for delivering this safety, the policy answer is often policing and law enforcement. Across Australia this has been the ad hoc approach, however when we look at outcomes, human rights standards, and safety, this approach is mismatched and often creates more harm. Despite this, the role and presence of police continues to expand, while investment into alternative models and community support is insufficient and falling behind. More than ever people are having to interact with police when they need support. The higher presence of police is not only failing to fulfil the intention of safety, but these interactions and over-policing give rise to a growing number of human rights concerns, all of which are exacerbated by the continued reliance on a police-led model.

When we look beyond the glass ceiling of current possibilities, we uncover the most robust and biggest opportunities for change. By widening the scope for how to provide community safety, we begin to challenge the idea of police as the go-to solution. So, when people ask, “if not police, then who?” – we say alternative first responders. In the alternative, we have the opportunity to come much closer to fulfilling people’s human rights.

An alternative first responder is unarmed, appropriately trained, resourced, and positioned to address the specific needs of individuals within a model rooted in care and connection, rather than crime and punishment.

“When it comes to community-based care.... it’s most important that the response is locally relevant. With responders who are embedded in the community and know the community.”¹

Within this ecosystem, the responder can address the immediate emotional and material needs of individuals whilst working within long-term care frameworks that tap into wider support networks outside of emergency care. In the *Alternative First Responders* campaign, these roles are categorised under the umbrella term of alternative first responders. The position paper is available here: [Alternative First Responders Campaign Position Paper](#).²

Drawing upon research, data, and human rights obligations, the imperative for a different response becomes obvious. However, Australia is yet to address the systemic and institutional frameworks that perpetuate harm by continuing to rely on police and failing to employ courageous policy that prioritises community-based responses. While elements of human rights exist across different levels of domestic law, they are neither adequate nor consistent. This gap places Australia at odds with international standards and expectations around rights-based approaches to social and health needs.

To understand the consequences of the current police-first approach, this report first examines relevant international frameworks and explores Australia’s obligations under these sources of human rights.

This paper then highlights five policy focus areas in Australia, drawing on international frameworks, commentary, and case studies of alternative first responder models to demonstrate the failures of the current default, police-first approach. These case studies highlight how alternative first responder models achieve community and individual safety, address shortcomings of police responses, and adhere to human rights obligations.

Ultimately, this report argues that the facilitation of and investment in alternative first responders offers a clear pathway for Australia to better adhere to international human rights obligations, standards, and norms. It concludes by emphasising the need to critically assess how we create community safety and the urgent need to invest in alternative first responses that embed community safety beyond a police-first response.

Sources of Human Rights and Australia's Obligations

International Conventions and Declarations

International human rights law is centred on the protection and promotion of rights through frameworks such as treaties and jurisprudence. These frameworks set out obligations of Member States to respect, protect, and uphold human rights. To understand how international human rights laws effect and shape society, it is important to understand what rights are protected.

There are three core instruments collectively referred to as the International Bill of Human Rights:

- *Universal Declaration of Human Rights (UDHR)*,³
- *International Covenant on Economic, Social and Cultural Rights (ICESCR)*,⁴
- *International Covenant on Civil and Political Rights (ICCPR)*.⁵

Together, they establish the foundational principles intended to safeguard universal human rights.⁶

This report will investigate these core instruments and the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*,⁷ and how they promote the need for Member States to implement an alternative first response to law enforcement.



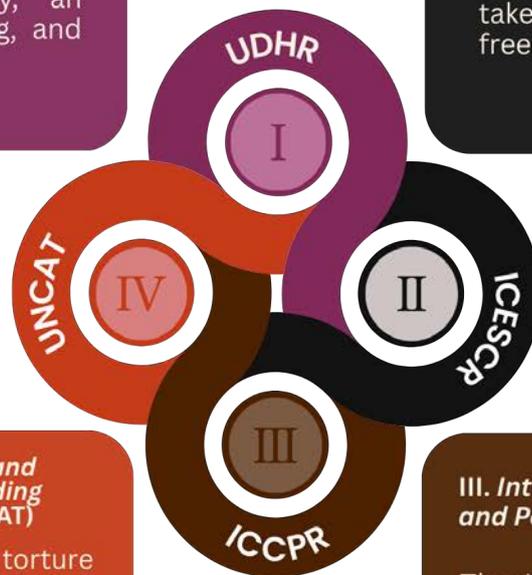
International Bill of Human Rights

I. Universal Declaration of Human Rights (UDHR)

The first formal recognition of universal human rights, the UDHR sets the foundation for all international human rights laws to follow. It sets out basic civil, political, economic, and cultural rights for all human beings to enjoy. These include the rights to life, liberty, and security, an adequate standard of living, and others.⁸

II. International Covenant on Economic, Social and Cultural Rights (ICESCR)

The ICESCR expands upon the foundational principles of the UDHR, focusing on the protection of economic, social, and cultural rights. The Covenant safeguards the right to health, education, an adequate standard of living, to take part in cultural life, and freedom from discrimination.⁹



IV. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)

The UNCAT aims to prohibit torture and ensure that no one is subjected to cruel, inhumane, or degrading treatment. The Convention includes the right to protection from ill-treatment, access to justice and redress, and requires states to prevent, investigate, and punish acts of torture, ensuring accountability and respect for human dignity.¹¹ Additionally, the UNCAT sets out obligations that education and information regarding the prohibition against torture are included in training of public officials, including law enforcement.¹²

III. International Covenant on Civil and Political Rights (ICCPR)

The ICCPR elaborates on civil and political rights from UDHR, focusing on freedom from State interference with a person's life by incorporating key rule of law principles. The Covenant includes the right to life, liberty and security, self-determination, humane treatment, and freedom from discrimination.¹⁰

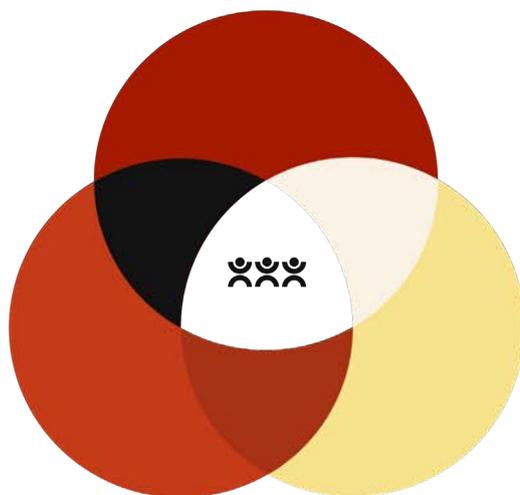
International Standards and Norms

Complementary to conventions and declarations are international standards and norms. These frameworks provide global guidelines of best practice and Member States are held to these standards by other Member States and international institutions. However, they are not binding, and thus their effectiveness depends on a Member State's commitment to engage and implement the frameworks domestically. There are several international instruments that are relevant to understanding why investing in an alternative first response is a human right imperative – ones Member States should prioritise with urgency.

01

Code of Conduct for Law Enforcement Officials (Code of Conduct)

The Code of Conduct requires law enforcement officials to respect and protect human dignity and uphold human rights. It promotes baseline human rights standards for policing by outlining key conduct principles. They include restrictions on the use of force, the protection of health and human dignity, and prohibition of cruel, inhuman, or degrading treatment of punishment.¹³



02

Basic Principles on the Use of Firearms by Law Enforcement Officials (Basic Principles)

The Basic Principles are non-binding international guidelines designed to ensure that the use of force by law enforcement complies with human rights standards. They set out core principles such as necessity and proportionality, minimisation of harm, and accountability, with the aim of safeguarding the right to life and preventing unnecessary harm.¹⁴

03

International Rules and Standards for Policing (Rules and Standards)

The Rules and Standards aim to ensure that law enforcement officials uphold fundamental human rights and adhere to the rule of law. They reaffirm the core principles of legality, necessity, proportionality, and accountability. The Rules and Standards underscore the duty for law enforcement to safeguard individual's right to life and dignity, while outlining the State's obligation to respect, protect, fulfil, and ensure human rights, without discrimination.¹⁵

Australia's Domestic Obligations

To ensure international rights, standards, and norms are afforded to Australians, the government is required to act and make them law in Australia. This can be done through a variety of ways, including ratifying conventions and implementing them into domestic legislation, or embedding international standards and norms through the development of policies, procedures, and regulations.

In Australia the right to an alternative first response is not explicit; however, certain elements are indirectly protected under various jurisdictions. Federal legislation prohibits multiple forms of discrimination,¹⁶ complemented by state and territory laws that provide additional protections against discrimination and uphold the right to equal opportunity.¹⁷ Despite this, Australia remains the only liberal democracy to not have a federal human rights act or constitutional charter. As a result, the broader recognition and protection of human rights rely on policy efforts at the state and territory level. The ACT, VIC, and QLD have enacted a Human Rights Act or Charter, safeguarding further and more extensive rights such as the protection from torture, cultural rights, and freedom of movement.¹⁸ These state and territory Human Rights Acts or Charters further indirectly support the need for an alternative first response to police.

I. Anti-Racism Framework

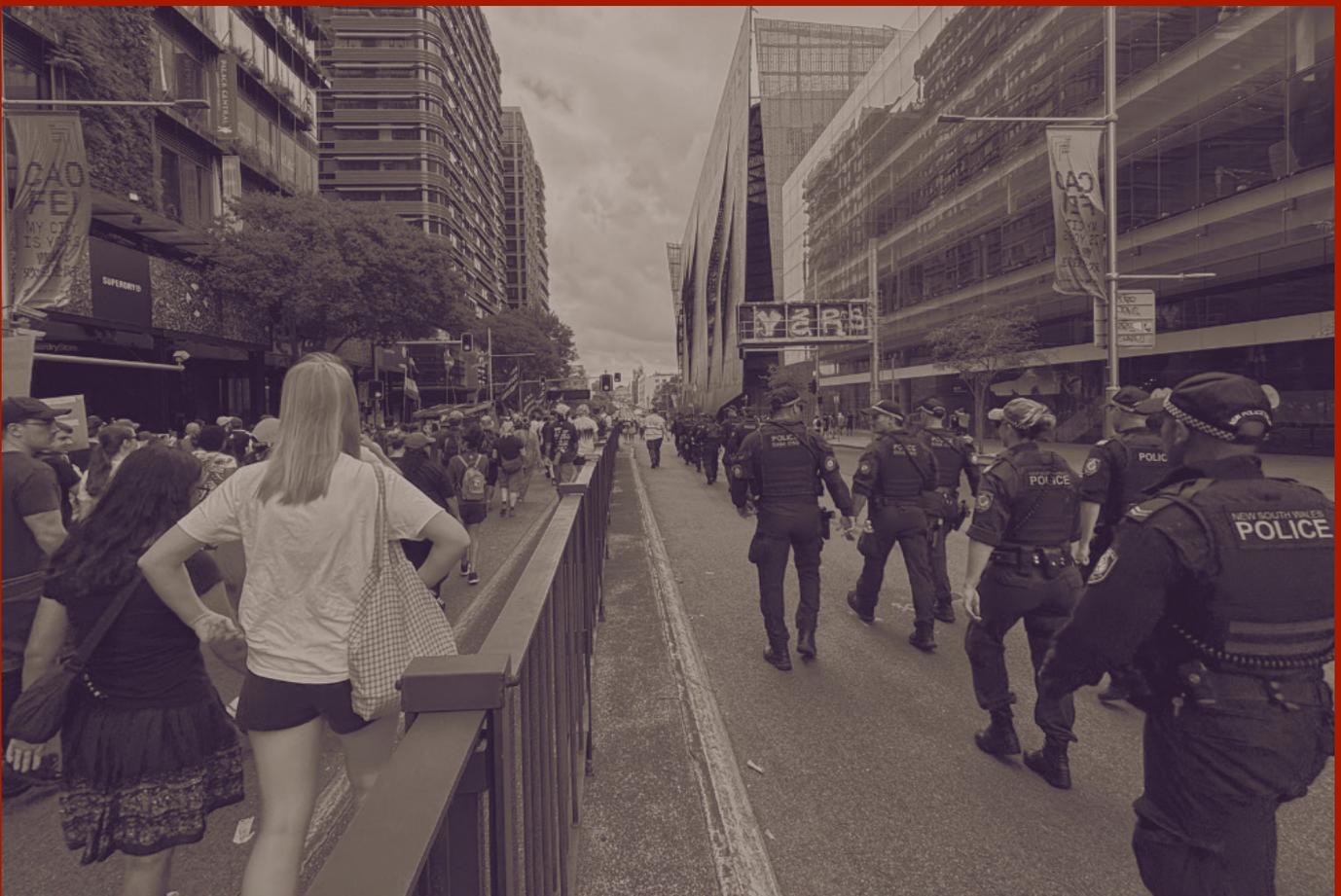
In Australia, racism is systemically embedded within institutional frameworks. These structures are built on colonial perspectives and continue to operate to the detriment of marginalised communities. Structures include the criminal justice system, policing, education, healthcare, and social services.¹⁹ Institutional frameworks are inherently exclusionary due to their eurocentric and assimilationist nature, which disregards the cultural values, histories, and lived experiences of marginalised groups.

This systemic bias not only shapes policy but restricts access to critical support systems, perpetuating cycles of disadvantage and contributing to ongoing inequality. These frameworks continue to affect policing responses today.

Discriminatory practices such as racial profiling, over-policing, and the under-resourcing of culturally appropriate legal and social supports have led to disproportionate rates of incarceration and unjust outcomes for marginalised communities.²⁰ These outcomes are not incidental; they are the result of institutional frameworks that fail to respond to the rights and diverse needs of all Australians. A recent study by the Centre Against Racial Profiling found that Aboriginal people, people perceived to be African, people perceived to be Middle-Eastern and people perceived to be Pacific Islander were all significantly more likely to be searched than White people - the highest statistic being for Aboriginal people who were fifteen times more likely to be search by police than White people.²¹ This data is evidence of this critical issue.

In recognition of the widespread racism entrenched within Australian society and its detrimental impacts, there has been growing demands for anti-racism frameworks to be implemented through policy and schemes across all sectors²². Even though Australia is party to the *International Convention on the Elimination of All Forms of Racial Discrimination (CERD)*²³, and has domestic frameworks to safeguard people's rights against racial discrimination²⁴, the current approaches have been insufficient in adequately addressing societal attitudes and cultural values of institutions. As a result, we continue to see the harm these frameworks perpetuate on individuals and the disproportionate effects on accessing support and redress for harm.

To ensure fair and just service delivery, it is imperative that public and private institutions embed these international principles into their core operations. Doing so not only ensures that services are appropriate and culturally responsive, but also helps to build trust with communities, fosters inclusive participation, and ultimately, improve social and health outcomes.



Protective Rights of Specific Groups

International human rights law sets out universal rights for all people, yet there is a recognition that legal systems and policy frameworks still create barriers that infringe upon the rights of marginalised communities. In response to these systemic barriers, the international community has developed instruments aimed at safeguarding the rights of specific groups to promote fair and equal outcomes.

The result: governments must implement proactive laws that protect the rights of marginalised groups. These human rights instruments set important expectations for States under international norms, laws, and standards. When examined closely, it becomes clear that alternative first responder models often come closer to meeting these requirements than police-led responses. The following section highlights five policy focus areas in Australia, including mental health, disability, women, children and young people, and First Nations peoples and outlines examples of alternative models that operate from a human-rights based framework.

Mental Health

Mental health is a global public health priority and human right imperative.²⁵ The World Health Organisation (WHO), defines health as “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity,”²⁶ reinforcing the importance of mental health for people’s overall health and wellbeing. However, mental health outcomes can be affected by a wide range of social, economic, and environmental determinants. To effectively address these determinants, human rights standards assert that mental health policy must be a coordinated, whole-of-government approach encompassing comprehensive strategies such as promotion, prevention, treatment, and recovery.²⁷ In the context of Australia, calls for government action has included alternative first responders.²⁸

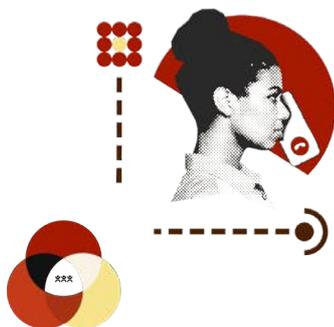
While international conventions broadly support the right to adequate mental health,²⁹ there is a growing recognition of the need to address mental health more explicitly. The adoption of the *Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care* (UN Principles) addresses this,³⁰ placing obligations on States and expanding upon existing frameworks to establish specific protections including, the right to be treated with humanity and respect, have access to the best available mental health care, and to be protected from exploitation, abuse, degrading treatment, and discrimination.³¹

As a human rights issue, mental health requires a human rights response. The WHO has developed several guiding documents aimed to uphold individual rights and promote access to rights-based responses: an alternative response. The WHO Comprehensive Mental Health Action Plan offers a framework for national strategies and outlines key objectives, including the provision of comprehensive, integrated mental health and social care services in community-based settings.³² Furthermore, the WHO has published two guiding reports that offer rights-based frameworks for reform. Both documents call for coordinated policy and legislative changes aimed at closing care gaps, eliminating coercion, and building systems rooted in dignity, autonomy, and inclusion.³³ Australia needs to significantly invest in implementing these standards and focus on shifting mental health support and responses away from law enforcement to community-based services.

Despite the availability of international standards and guiding principles, there is a severe mismatch with how mental health is being responded to in the first response. This is extremely evident when we look at police call-outs and statistics of harm. An example being, in NSW, a mental health incident is attended to or recorded by NSW police every nine minutes.³⁴

Supplementary research reveals that people experiencing mental health distress face significantly higher risks of serious harm or death at the hands of police in NSW.³⁵ Similar patterns have been noted in other states, including Victoria, where people who access mental health services are six times more likely than average to be fatally shot by police.³⁶ The severe mismatch in responses are echoed by people with lived experience, those working in the sector, and an array of research which underscores the lack of appropriate mental health training police receive,³⁷ and the biased perceptions held within police culture.³⁸ Even with evidence of the harm, Australia continues to rely on police first responses. These non-health and non-community-based responses often fail to address social and structural determinants, and are inconsistent with international human rights obligations.

These concerns of harmful police practices are not new. In 1992, the now Australian Human Rights Commission (AHRC) expressed that “legislation in every Australian jurisdiction breaches the standards prescribed in the UN Principles in number of ways. In some jurisdictions these breaches constitute fundamental violations of basic human rights.”³⁹ The report explicitly highlights the inconsistency of police powers and discretion across several jurisdictions in Australia in upholding the UN Principles.⁴⁰



Case Study

The Urgent Mental Health Care Centre is a government-funded initiative based in Adelaide, South Australia, open 24 hours a day, 7 days a week. Informed by leading international research, the centre offers a multi-disciplinary, evidence-based recovery model that has been co-designed with people with lived experience including individuals, families, carers, and professionals.

The centre provides an alternative for people experiencing mental health distress to the emergency department, combining peer-led recovery support with clinical care to identify individuals' immediate needs and develop a tailored care plan for long-term support.⁴¹



The move towards a consumer-led and lived experience future for mental health is rights-based practice and structural justice. There are still significant gaps remaining to ensuring equality, social inclusion, and dignity. Efforts must, with urgency, continue to transition from institutional responses to community-based care – vital for an alternative first response. In all these efforts, peer and diverse leadership must lead the way.

“This is not a matter of system improvement, it is a matter of dignity, safety and survival.”⁴²



Disability

Disabilities are diverse, meaning the care and support required can vary significantly from person to person. However, instead of receiving appropriate care and support, people with disabilities frequently experience multiple and aggravated forms of human rights violations, including limited accessibility, insufficient support systems, exclusion from decision-making processes, and a lack of accessible information.⁴³

This is extremely prevalent in policing and the first response. Human rights violations often occur and are intensified by police responses because of police bias, systemic discrimination, limited training, and a crime-focused mindset, that often ignores or resists recognising disability. On the other hand, alternative first responder models have the ability to offer holistic, person-centred support with disability justice at the centre – not punishment. This is a rights-based imperative.

The *Convention of the Rights of Persons with Disabilities* (CRPD) affirms that persons with a disability are entitled to full and equal enjoyment of universal human rights and fundamental freedoms.⁴⁴ The Convention includes and upholds rights-based principles for people with disabilities that centre autonomy, opportunity, and accessibility.⁴⁵ Despite the availability of these principles, there remains a general lack of focus on disability justice within national frameworks relating to first responses. Keeping disability rights and justice at the centre creates greater possibilities for an alternative first response that is grounded in care, support, and human rights.

Policing fails to recognise or adequately respond to the complex needs and experiences of people with disability. The lack of community safety provided in a police-first response was highlighted by the *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* (Disability Royal Commission), which concluded that police responses are inadequate and often damaging.⁴⁶ The *Disability Royal Commission* produced several recommendations to the Australian Government relating to police, these include creating alternative pathways for reporting and shifting towards rights-based responses.⁴⁷

Additionally, research concludes that for people with disabilities, concerns about inadequate police responses are not accidental or random, but systemic.⁴⁸

Case Study

The Cognitive Impairment Diversion Program was a two-year pilot funded by the National Disability Insurance Scheme (NDIS) to increase the diversion of people with a cognitive impairment from the criminal justice system into appropriate community-based services. It also offered a more holistic approach in supporting individuals to access NDIS and other services.⁴⁹

An evaluation of the pilot highlighted the positive results produced, such as achieving diversion and reducing the likelihood of interactions with the criminal justice system.⁵⁰ The program was able to operate beyond the two-year pilot, receiving additional short-term government funding. However, the program ultimately ceased operation in June 2020 due to conclusions that the program could not be sustained or expanded.



While this case study exemplifies this important shift, inherent limitations remain, as the entry point for support and advocacy occurs only after the first response. With no alternative, a police response continues the hyper-exposure to force, criminalisation, and systemic discrimination. When we listen to people's lived experiences and the harm they have faced at the hands of police, it becomes clear that the government must take further action to safeguard rights within the first response.

Women

International human rights law has long recognised the need for specific protections to address the systemic inequality and discrimination experienced by women. The *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) is a key international framework which aims to eliminate gender-based discrimination and promote equality across all aspects of life.⁵¹ Under CEDAW, Member States are obligated to implement substantive equality measures to eliminate all forms of discrimination.⁵² Since its adoption, supplementary frameworks have been established that reinforce and expand upon the rights and obligations set out under CEDAW.⁵³

Despite international commitments under CEDAW, the Australian Government continues to fall short in addressing and protecting women from violence and discrimination. The *Committee on the Elimination of Discrimination against Women* noted several areas of concern regarding Australia's domestic implementation of CEDAW,⁵⁴ including legislative gaps, limitations of oversight bodies such as the *Parliamentary Joint Committee on Human Rights*, and funding for community-based legal services.⁵⁵ Additionally, the United Nations Special Rapporteur on violence against women, its causes and consequences, Dubravka Šimonovic, repeatedly noted concerns of systemic failures observed during her mission to Australia, including the deep mistrust and fear of law enforcement, particularly among women of marginalised communities.⁵⁶

Australian advocacy and support organisations have detailed the inadequate and harmful impacts of police-led responses, such as misidentification, racial targeting, and the minimisation or dismissal of safety concerns.⁵⁷ These shortcomings are often exacerbated by a policing culture that fails to reflect the diversity of the communities it serves, with research indicating that police responders are overwhelmingly white, cisgender men.⁵⁸ This lack of diversity within police can pose significant barriers to recognising and effectively responding to the complex and intersectional realities of women's experiences.

This disconnect has tangible consequences. One critical issue is the misidentification of women as perpetrators rather than victims-survivors of domestic and family violence. This is a direct result of rigid, police-led responses that lack the cultural competency and trauma-informed understanding necessary to assess nuanced situations.⁵⁹

Another factor is discrimination in policing responses. These concerns were raised time and time again in the *Senate Inquiry into Missing and Murdered First Nations Women and Children* (MMFNWC Inquiry),⁶⁰ with evidence of delayed and inadequate responses, as well as discriminatory and racist attitudes by police. The MMFNWC Inquiry heard deeply troubling evidence of First Nations women and children not seeking assistance due to distrust of police.⁶¹ Community-based advocacy organisations have also highlighted this distrust, noting that women are increasingly avoiding support due to the impact of police failures to protect them, and are seeking alternative avenues of support. These organisations have called for alternative first responders to domestic and family violence situations.⁶²

In responding to the urgency of systemic failures and deep distrust of law enforcement, the case for alternative responses that are community-based, culturally safe, and trauma-informed is clear. These approaches will move Australia closer to fulfilling its human rights obligations to protect women from violence and discrimination.



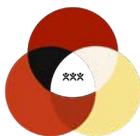
Case Study

Based in Victoria, inTouch is a specialist organisation that provides culturally specific, integrated services to support migrant and refugee women affected by family violence. The organisation delivers compassionate, culturally appropriate support through case management, legal assistance, learning and development programs, and tailored recovery initiatives. This holistic approach, combined with cross-sector collaboration, provides a comprehensive, wraparound response for clients.

The strength and success of inTouch lies in its culturally diverse workforce, comprising of staff with lived experience and cultural knowledge. With team members from twenty different countries and communities, inTouch is uniquely equipped to meet the complex and varied needs of their clients.⁶³



Alternative entry points for critical supports such as inTouch illustrate that achieving substantive equality demands a fundamental structural transformation, dismantling the entrenched power dynamics within the criminal justice and policing systems that continue to disadvantage women and shifting to rights-based services that offer personalised support and community safety.



Children and Young People

Every child is born with the same universal human rights. Yet, many children around the world are denied or deprived of their rights due to a range of factors including poverty, discrimination, and systemic inequality.⁶⁴ In Australia, the ‘tough on youth crime’ agenda and reactionary policy approaches has led to the expansion of police powers and discretion across several jurisdictions. These approaches uphold carceral and punitive policing practices that are at odds with governments international human rights obligations and create long-lasting harm. Alternative first responses provide a better avenue for addressing community safety by offering children and young people holistic services that address root causes and provide support during their developmental stages.

The *Convention of the Rights of the Child (CRC)* recognises the complex and unique needs and vulnerabilities of young people.⁶⁵ It emphasises the importance of special protections that are tailored to the developmental circumstances young people, and outlines the responsibilities of families, caregivers, and the state to uphold these rights.⁶⁶ The CRC affirms the right for children and young people to participate in decisions affecting their lives and sets clear standards of treatment, particularly within the criminal justice system.⁶⁷

Despite being a signatory to the CRC, Australia has continuously failed to uphold the rights and obligations set out in the Convention. These systemic failures have gained international criticism over Australia’s treatment of children and young people, particularly First Nations children. The *Committee on the Rights of the Child (The Committee)* expressed concerns regarding the government’s level of cooperation with civil society organisations.⁶⁸ It recommended strengthening support for First Nations organisations through capacity-building and increased resource allocation, while also prioritising their role as key services providers.⁶⁹ The Committee further highlighted concerns regarding the age of criminal responsibility and treatment children and young people in detention.

The Committee urged the Australian Government to address disparities in service availability for marginalised communities and to establish a national mechanism for the prevention of torture and other forms of cruel, inhumane, or degrading treatment.⁷⁰ Similar concerns had been raised during Australia's most recent Universal Periodic Review in 2021, where several states expressed concerns about Australia's unacceptably low age of criminal responsibility and overall failures to ratify key international instruments.⁷¹

These concerns were reiterated earlier this year by United Nations Special Rapporteur on the rights of Indigenous Peoples, Albert Barume, and United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Alice Edwards, who stated that "various criminal legal systems operating in Australia appear to be in crisis nationwide" and that children "are suffering undue harm to their safety and well-being, as well as to their educational and life prospects as a result of short-sighted approaches to youth criminality and detention."⁷² They further stated that these practices amounted to violations of Australia's international obligations to protect children from torture and other forms of cruel, inhuman, or degrading treatment or punishment, to always treat them with dignity, and to prioritise their best interests in all decisions affecting them. In response, the Special Rapporteurs urged Australia to adopt a child-centred approach grounded in international law and informed by best practice.⁷³

The AHRC echoed international concerns, condemning Australia's shift towards a punitive, 'tough on youth crime' rhetoric.⁷⁴ In a recent report, the AHRC highlighted the voices of children and young people who shared their experiences with police, many of which described negative interactions, including abuse, mistreatment, racial profiling, illegal searches, and a general lack of support.⁷⁵ Children and young people also expressed a clear preference for programs run by community, not police.⁷⁶ More recent advocacy has highlighted data and evidence of discriminatory police practices and called for alternative models.⁷⁷

Case Study

Marra Worra Worra Aboriginal Corporation launched a pilot community-based youth initiative in the remote region of Fitzroy Crossing, Western Australia, called the Night Place. The program provides a safe and welcoming space for young people, regularly hosting an average of forty children each night. Beyond offering a safe space, the Night Place delivers structured workshops on important life lessons such as cooking, substance abuse awareness, legal education, and employment readiness. The program also connects young people with services to gain work skills and employment opportunities.⁷⁸

The Night Place shows the power of culturally appropriate, community-based approaches in driving meaningful change. The program not only sparked youth re-engagement in education and reduced youth crime rates but has also created job opportunities and strengthened community ties. Its success has been recognised and afforded long-term state funding, with a government spokesperson noting that "Aboriginal-led programs play a key role in delivering crucial services to support vulnerable young people in regional WA and keep them and the community safe at night."⁷⁹



Human rights commentary and the above case study present a compelling argument that the current system is failing to protect children and young people. Implementing alternative first responder models offers a meaningful way to help reduce the rates of youth interactions with the criminal justice system and the harmful consequences that can follow these interactions. More importantly, these models act as a positive measure to ensuring community safety, prevention, and early intervention through a holistic rights-based model rooted in care and support, producing positive outcomes for entire communities.

First Nations Peoples

In Australia, First Nations peoples continue to experience deeply entrenched discrimination and disadvantage across most aspects of life. These injustices are underscored by the ongoing impacts of colonisation, systemic racism, and further compounded by intersectionality. Rather than prioritising care and culturally safe support, governments have relied on punitive measures that disproportionately impact First Nations communities, such as over-policing and surveillance. For decades, First Nations peoples have been calling for action to address the disproportionate rate of police interventions and naming the harm these interactions have caused.⁸⁰

International human rights law sets standards that safeguard rights of First Nations peoples. The CERD defines and prohibits racial discrimination,⁸¹ while the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) affirms the right to self-determination, freedom from discrimination, and participation in culturally appropriate decision-making processes.⁸² Additionally, UNDRIP further emphasises the right to maintain and develop political, economic, and social institutions,⁸³ as well as actively develop and determine health, housing, and other economic and social programs through these institutions.⁸⁴ Despite these standards, and Australia's formal commitments, there remains significant gaps between policy promises and action.

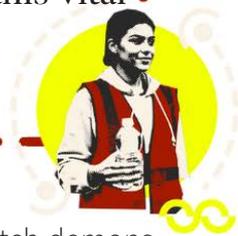
Former United Nations Special Rapporteur on the rights of Indigenous Peoples, Victoria Tauli-Corpus, noted in her report on her mission to Australia that domestic policies do not adequately respect First Nations communities' rights to self-determination and effective participation.⁸⁵ Furthermore, her observations highlight the effectiveness of First Nations community-based initiatives, "which all have the potential of making immediate positive changes in the lives of Aboriginal and Torres Strait Islanders."⁸⁶ Similar deep concerns and condemnations, have been made by peak advocacy bodies who state that the current policy investment is increasing violence and harming communities. They are calling for government to invest in frameworks that are non-punitive and address national targets towards closing the gap.⁸⁷

These critiques and international frameworks illustrate that community-based responses deliver effective, just, and culturally safe approaches that are grounded in care, support, and are trauma-informed. The following case study is just one of many initiatives that demonstrates the success and value of alternative first responder models.

Case Study

Murri Watch is a community-led organisation based in QLD that delivers a range of services, including the Community Patrol Program. This program offers personal support and transport for homeless and intoxicated people in public spaces, helping to reduce the vulnerability of First Nations people sleeping rough by connecting them with a safe alternative. Murri Watch also delivers outreach and referral services to First Nations peoples in the Townsville and Mackay regions.

Providing culturally informed and community-based support, Murri Watch plays a critical role in promoting community safety and wellbeing. Its impact has been widely recognised, with long-term state government funding secured to ensure the continuation of this vital service.⁸⁸



The success of programs like Murri Watch demonstrates the importance of government investment in community-based, culturally appropriate alternative responder models to policing. Supporting and expanding such initiatives is not only a matter of appropriate community safety, but a necessary step towards meaningful, systemic reform that upholds international human rights principles.

I. UNDRIP - principle of self-determination

Self-determination is central to First Nations justice and it must be equally central to the development of community-based alternatives to police. Self-determination is explicit within UNDRIP, and is intended serve as a “standard of achievement to be pursued in a spirit of partnership and mutual respect.”⁸⁹ Despite Australia’s formal endorsement of the UNDRIP, limited progress has been made in ensuring that the principles are implemented domestically in Australia.⁹⁰ This lack of action has received criticism on an international scale,⁹¹ and these critiques underscore the urgent need for Australia to move beyond symbolic gestures and commit to meaningful, systemic change. In the context of alternative first responders, self-determination can be demonstrated through localised decision-making that empowers First Nations communities to design and lead solutions specific to their needs, priorities, and cultural contexts. In Australia, a clear example of this is the response of Aboriginal Community Controlled Health Organisations (ACCHOs) during the COVID-19 pandemic.⁹² The ACCHOs developed emergency health strategies that were culturally informed, community-centred, and highly effective.⁹³

While this example relates specifically to health services, it illustrates the broader value of First Nations-led approaches in achieving positive outcomes across a range of other health and social situations. It shows that when decision making is self-determined by First Nations peoples, community safety and wellbeing can be significantly improved. The following cases study highlights this on an international level.

Case Study

In Canada, there are several community-based programs that focus on wellness and prevention, grounded in local traditions and self-determination. The Kwanlin Dun First Nation Community Safety Officer Project delivers an alternative first response, frontline support, and services to meet the immediate needs of community, while also providing referrals to long-term support resources. The project fosters the community’s ability to collaboratively identify risks, take collective action to reduce threats and to facilitate healing and wellness.

Within Kwanlin Dun First Nation community, the project is seen as a powerful and culturally relevant justice initiative that aligns with key calls to action, including those from Truth and Reconciliation Commissions.⁹⁴



These national and international examples illustrate the strength and resilience of First Nations peoples to create better outcomes for their communities. They show how self-determined decision-making can effectively address the needs of community because they understand what the needs are. It is imperative that the government consider calls for systemic reform to allow for self-determined decision-making to be nationally implemented.

Conclusion

The choice by state and territory governments to continue investing in police-first responses undermines a human-rights-based approach. Currently, there are no policy commitments to redirect funding into alternative first responses. This ongoing policy direction has increasingly raised concerns about government's willingness to uphold human rights and deliver responses that are appropriate, effective, and rooted in community care. The status quo fails to protect people's rights and is perpetuating harm. International human rights law makes it clear that investing in alternatives brings national policy significantly closer to the standards and principles set out in international law.

Community safety must be redefined through a rights-based lens that prioritises prevention, care, and support over punitive and carceral responses. The critiques explored in this report provide valuable insight into the inefficiencies of the current model, and the further implications for individuals and communities who are frequently underserved and over-policed. Countless and damning international observations, expert commentary, and case studies highlight the urgent need for alternative first responders.

While steps have been taken to safeguard people's rights and to consider alternative first responder models, the lack of investment and evaluation by state and territory governments has placed limitations on the shift from police responses to alternative models. The case studies examined in this report illustrate the diversity and adaptability of alternative first responder models, each tailored to the unique needs and priorities of the communities they serve.

Despite no formal commitment to alternative first responses, some programs have gained recognition and long-term government support. Yet governments are still failing to adopt, fund, evaluate, and expand these models at the scale required, broadly reflecting a lack of innovative and courageous policy to rights-based community safety.

By examining international law and standards, national concerns, and existing successful community-based models, it becomes clear that human rights lead us to policy that puts alternative first responders as the status quo. It's not only viable but essential. Moving forward requires bold, rights-based reforms by investing in evidence and community-based alternatives to deliver safe, informed, and supportive responses. International law holds governments to this standard – it is time to meet it.

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