




Speech By
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MEMBER FOR MOGGILL

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YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Dr ROWAN** (Moggill—LNP) (4.38 pm): I rise to address the debate on the Youth Justice and Other Legislation Amendment Bill 2021. At the outset I acknowledge Nicholas Rowan, who is in the public gallery today. Nicholas is a University of Queensland arts/law student currently undertaking some work experience at MinterEllison. I know that Nicholas will be following this debate with significant interest, particularly given the violent death of one of his close school friends in the past couple of years.

Ensuring the safety of our communities right across Queensland with appropriate evidence based laws and penalties as well as sufficient police and law enforcement resources is one of the central service delivery elements of any state government. It is unfortunate that over the last several years of this Palaszczuk state Labor government this core pillar of state government responsibility and delivery has been progressively reduced to the point where in this House today we must again consider and debate further legislation to specifically address youth crime in our state.

I say it is unfortunate because too often over the last several years of this government there have been a number of tragic instances coupled with raw, hard data that illustrates the growing youth crime problem in our state and the devastating impacts this is having on families and communities across Queensland.

In contrast to the Palaszczuk state Labor government, the Liberal National Party has maintained a consistent policy approach when it comes to law and order and policing in Queensland and, more specifically, to addressing youth crime in Queensland. That is why the Liberal National Party shadow minister for police and corrective services, the member for Burdekin, Dale Last MP, made clear in his contribution to this debate that the Liberal National Party will not be opposing this legislation.

In fact, the LNP opposition has introduced its own amendments to further strengthen this legislation and protect Queenslanders from youth crime. These amendments are focused squarely on the Bail Act and restoring breach of bail provisions to apply to all offenders regardless of their age. The LNP firmly believes that it is imperative to amend section 29 of the Bail Act in order that it equally applies to both adults and young offenders. This is imperative because it sends the clearest message that when a person is afforded bail they have been granted a privilege that comes with responsibilities and there must be penalties for breaching these responsibilities and not adhering to the great privilege that has been afforded to that person.

The Liberal National Party has been unequivocal in wanting to see our laws and police resources in Queensland strengthened to protect our community from young offenders which is why we support this legislation before the House today, but not without some concerns. That is why the Liberal National Party wants to see this legislation pass with the right measures in place. For the safety of all Queenslanders, we simply cannot afford to be back in this House in a matter of months to yet again debate ongoing and continued youth crime in Queensland and consider yet more amendments from the Palaszczuk state Labor government simply because the Labor government cannot deliver a comprehensive multifaceted approach. That is why I am encouraging all members of the Palaszczuk state Labor government to genuinely consider and support the amendments as introduced by the

Liberal National Party. This is important because youth crime is an issue that is affecting each and every community right across Queensland, including in the electorate of Moggill where, following my electorate-wide community survey released last month, a growing number of residents are telling me that they want to see crime tackled decisively across Queensland.

I now wish to turn more broadly to the specific detail of this legislation. On 25 February 2021 Labor's Minister for Police and Corrective Services and Minister for Fire and Emergency Services introduced the Youth Justice and Other Legislation Amendment Bill and the bill was subsequently referred to the Queensland parliament's Legal Affairs and Safety Committee for further consideration and consultation. Throughout the consultation period, 84 submissions were received by the committee in addition to hearings conducted in Mount Isa, Cairns, Townsville, Brisbane and the Gold Coast. I briefly take this opportunity to thank all who took the time to provide their considered views to the committee as well as those who participated in any of the seven public hearings.

On 16 April 2021 the committee tabled its report No. 7 in the Queensland parliament with one recommendation—that the Youth Justice and Other Legislation Amendment Bill 2021 be passed. As per both the explanatory notes and the committee's report, amendments will be made to the Youth Justice Act 1999 to address serious recidivist youth offenders and amend the youth justice bail framework in addition to a number of amendments being made to the Police Powers and Responsibilities Act 2000 in relation to knife crime and hooning offences.

Whilst the LNP shadow minister for police and corrective services has addressed in greater detail the core specifics of the bill's policy objectives and amendments, I acknowledge that principal amongst those objectives is the provision of a legislative framework to trial the use of GPS electronic monitoring devices as a condition of bail for some offenders aged 16 and 17 who have committed a prescribed indictable offence and have been previously found guilty of one or more indictable offences, with a review after 12 months.

I also acknowledge that a number of issues and concerns have been raised by many stakeholders and others with respect to the Palaszczuk state Labor government's limited trial of electronic monitoring devices, including their limited application and effectiveness in halting recidivist behaviour and ultimately capacity of such devices to improve community safety. These are issues which the Palaszczuk state Labor government must be ultimately held accountable for and Labor must ensure they are adequately addressed.

As the Liberal National Party's shadow minister for education, I also want to take this opportunity to reiterate and again draw to the attention of the government the positive role that ensuring regular school attendance and maintaining the provision of education to young Queenslanders can play in addressing and limiting youth crime and youth crime behaviour. Additionally, the provision of education should equally be met with enhanced parental responsibility in order to achieve these positive outcomes. Such sentiments were echoed by many stakeholders to the Legal Affairs and Safety Committee and included in the committee report was this statement from the Queensland Mental Health Commission with respect to the ongoing wellbeing of young people who offend and are remanded in custody. It states—

While under remand young people will experience disruptions to schooling, training, employment, and social and familial connections. The continuation of social, educational, and vocational engagement and participation are important protective and rehabilitative factors which should not be undervalued.

Again, the value of providing and maintaining school education programs, particularly to some of our most vulnerable and at-risk young Queenslanders, cannot be underestimated and appropriately designed, funded and resourced programs can help break the cycle of youth offending. I also want to take this opportunity to draw to the attention of the Palaszczuk state Labor government the considered statements provided to the committee with respect to the influence of fetal alcohol spectrum disorder, FASD, in contributing to antisocial behaviour by young Queenslanders, and I do so as a specialist physician in addiction medicine. As Professor Sue McGinty, adjunct professor of education at James Cook University, advised the committee—

... fetal alcohol spectrum disorder, FASD, is an underacknowledged condition that is really staring us in the face. Firstly let me say that FASD is not just an Aboriginal problem. It is caused by mothers drinking during pregnancy. The symptoms along the spectrum are poor impulse control, cognitive impairment, the inability to see right from wrong, aggressive behaviours as sometimes exhibited in ADHD et cetera. I believe that all children who come before the justice system need to be assessed for their level of FASD before they are sentenced so that appropriate services or sentencing are provided.

The health promotion charity NOFASD has publicly expressed similar views and in particular is drawing attention to the published results of a comprehensive global study looking at the prevalence of FASD in youth detention in Western Australia. This study found a 38 per cent prevalence rate of FASD in youth detainees and found the presence of severe neurodevelopmental impairment at 89 per cent. With respect to this study, as this organisation stated—

The results of this WA study are relevant to every Australian state and territory government and community.

Given the significant scientific evidence of FASD and the impacts of substance misuse leading to neurological injuries and the associated link to criminal behaviour, it is important that the state Labor government considers whole-of-government strategies to reduce substance misuse and abuse. Whilst the Queensland Mental Health Commission has been progressing vital work in this area, there certainly needs to be greater assistance in implementing these measures through various state government departments including across education, child safety, health, police and corrective services.

I had a number of conversations with the former Labor member for Stafford, Dr Anthony Lynham MP, and we were both of the view that a parliamentary select committee of the Queensland parliament would be of benefit in addressing a broad range of substance misuse issues on behalf of all communities in Queensland. In concluding today I want to state how absolutely critical it is that the Palaszczuk state Labor government provides sufficient police and enforcement resources that are required to tackle crime in communities across Queensland.