

Queensland Community Safety Bill 2024

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Every Queensland
community deserves
to be a liveable one

16 May 2024

Committee Secretary
Community Safety and Legal Affairs Committee
Parliament House
George Street
Brisbane QLD 4000

Email: CSLAC@parliament.qld.gov.au

Dear Committee Secretary

RE: Queensland Community Safety Bill 2024

The Local Government Association of Queensland (LGAQ), as the peak body for Queensland's 77 councils, appreciates the opportunity to provide a submission to the Community Safety and Legal Affairs Committee on the Queensland Community Safety Bill 2024 (the Bill) introduced on 1 May 2024.

The LGAQ understands the primary objective of the Bill is to 'enhance community safety by implementing comprehensive measures to optimise and strengthen law enforcement capabilities and efficiencies, improve crime prevention strategies and address key issues affecting public security and well-being'.

As the closest level of government to the community, Queensland councils are acutely aware of the impact of crime, including youth crime, on the victims, business owners and local communities right across the state. While local governments do not have a direct role in providing policing services, councils are keen to represent the concerns of their community and to be constructive in partnering with the State Government to address these concerns.

The LGAQ Policy Statement¹ contains the agreed positions of local government, and includes the following of relevance to the scope of the Bill:

- 7.2.2.1 Councils will work in cooperation with the Queensland Police Service and communities to address crime, fear of crime, and injury prevention.
- 7.2.2.2 Local government will work with the State Government and all sectors of the community to assist with the identification of issues of local and regional concern and negotiate appropriate responses that contribute to a sense of safety and wellbeing. Local government will actively seek to engage stakeholders as part of planning and development processes as a contribution to building communities in which people feel safe.
- 7.2.2.3 Local government will incorporate Crime Prevention Through Environmental Design (CPTED) principles in their assessment frameworks within the planning development process.

Since 2021, Queensland councils have passed multiple resolutions at LGAQ Annual Conferences calling for action to address the impact of crime, and in particular youth crime, on local communities. In response, the LGAQ released a *9-point Juvenile Crime in Queensland Action Plan*² at the 2023 LGAQ Annual Conference, following a period of member consultation.

The solutions contained within the Action Plan are informed by Annual Conference resolutions passed

¹ LGAQ Policy Statement (2023) – available [here](#).

² LGAQ 9-point Juvenile Crime in Queensland Action Plan (October 2023) – available [here](#).



by Queensland councils, and aim to represent the concerns of communities, offering the State Government constructive ideas to address these concerns.

During consultation on the Action Plan, the LGAQ also sought stories, case studies and quotes from members to use as part of the campaign following the Plan's launch – to help demonstrate the impact of the issue on communities, as well as the importance of local, place-based solutions.

Given the extremely short 10-day consultation timeframe on the Bill, the LGAQ has not been able to consult fully with all Queensland councils, however, we have drawn on the agreed policy positions of local government as contained in the *9-point Juvenile Crime in Queensland Action Plan (Attachment 1)*, the LGAQ Policy Statement and previous LGAQ Annual Conference resolutions (**Attachment 2**).

This submission also follows the LGAQ's submission in early 2023 on the Strengthening Community Safety Bill 2023³, which outlined six key recommendations to address the impact of youth crime on local communities. Where relevant, previous recommendations have been carried forward in this submission.

Overall, many of the proposed amendments contained in the Bill align with the calls of Queensland councils for improved community safety outcomes.

In particular, the LGAQ welcomes the proposed changes to the *Police Powers and Responsibilities Act 2000* relating to the removal of criminal online content and advertising offences, including:

- a new framework for authorised officers to require the provider of an online service to remove material depicting unlawful content from the service;
- a new offence for publishing material depicting a prescribed offence; and
- increases to the maximum penalties for a range of offences through the amendment of existing, and introduction of new, circumstances of aggravation where an offender has published material of their offending behaviour on social media.

This is consistent with Resolution 31 passed by Queensland councils at the 2023 LGAQ Annual Conference, calling for new legislation that will compel social media platforms to expeditiously remove content of people committing alleged crimes and remove the posts from the relevant platform.

At the 2023 LGAQ Annual Conference, Queensland councils raised concerns that the principle of 'last resort' contained in the *Youth Justice Act 1992*, Schedule 1 Charter for Youth Justice Principles, was leading to increases in youth crime and recidivist youth offenders, and also passed resolution 33 seeking removal or amendment of principles 18 and 19 of the Charter of Youth Justice Principles.

The LGAQ notes this Bill contains provisions to amend the Charter to align with the policy intent, as referenced in the Explanatory Speech made on the Bill's introduction, to "make it plain that a child may be detained where necessary for community safety".

As with the proposed amendments relating to the removal of criminal online content, the LGAQ suggests it is important to review legislative provisions after a period of implantation to ensure they are achieving the original policy intent that is focussed on delivering improved safety outcomes for Queensland's local communities.

In total, the LGAQ makes the following 3 key recommendation for consideration of the Committee:

Recommendation 1: The LGAQ recommends the State Government adopt the actions contained in the LGAQ's 9-point Juvenile Crime in Queensland Action Plan (**Attachment 1**), in full.

Recommendation 2: The LGAQ supports the proposed changes contained in the Bill relating to the removal of criminal online content and recommends that these provisions be reviewed after a period of implementation to ensure they are meeting the policy intent.

³ LGAQ Submission (February 2023): Strengthening Community Safety Bill 2023 - available [here](#).



Recommendation 3: The LGAQ recommends that clause 132 of the Bill relating to the *Youth Justice Act 1992* be reviewed after a period of implementation to ensure it is meeting the policy intent.

Please do not hesitate to contact Jim Boden – Lead, Community Development and Social Policy (jim_boden@lgaq.asn.au) or Crystal Baker – Manager, Strategic Policy (crystal_baker@lgaq.asn.au) or call 1300 542 700 should you wish to discuss any aspect of this letter.

Yours sincerely,

Alison Smith
CHIEF EXECUTIVE OFFICER

Juvenile crime in Queensland



Every Queensland community deserves to be a liveable one



Community suggestions to address juvenile crime in Queensland

Many Queensland communities are feeling the impact of juvenile crime. Councils are calling for immediate action and partnership with the State Government to ensure our state's unrivalled reputation as a safe place to live, work and visit is preserved.

Queensland's 77 councils want immediate, evidence-based action to urgently address these pressing law and order issues. In 2022 and 2023, councils united to pass several resolutions at the LGAQ Annual Conference to curb crime. The below nine points comprise a Local Government Action Plan that offers constructive solutions that directly address the concerns of Queensland communities.

1

Local diversionary strategies designed and implemented to keep young people out of the juvenile justice system.

2

Audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure they are responsive to local needs, meeting intended outcomes and are fit-for-purpose.

3

Development of place-based, culturally appropriate pre-vocational, employment and further education pathways and outcomes.

4

A local government 'seat at the table' to inform engagement strategies that capture and support young people who are disengaging or have disengaged from the education system or other relevant institutions.

5

Increased support for victims of crime, including the establishment of a State Government funding program where money and property forfeited as proceeds of crime is reinvested into impacted communities.

6

The establishment of a collaborative taskforce to facilitate a coordinated and consistent response across State Government stakeholders.

7

The provision of additional State Government operational, maintenance and capital funding for CCTV infrastructure, upgraded high-definition colour CCTV for existing facilities and Wi-Fi nodes in all tourism hotspots and vulnerable communities.

8

Funding to enable local government and the Queensland Police Service (QPS) to work in partnership to implement place-based crime prevention strategies.

9

Better State Government support for the Indigenous Recruit Preparation Program to increase the numbers of fully sworn Indigenous police officers and implement a community policing model in all First Nations council communities.

Local government does not have law and order responsibilities. These sit with the Queensland Police Service (QPS). However, local leaders strongly wish to represent the concerns of their communities and be constructive in partnering with the State Government to offer ideas to address these concerns.

Member councils of the LGAQ have proposed these solutions, informed directly by their grassroots observations, as a set of urgent priorities to bolster the safety of communities across our state.

As the level of government that is closest to the community, councils are acutely aware of the impacts of youth crime – on victims, business owners and neighbourhoods across Queensland.

Local government leaders stand ready to support initiatives that recognise the proven value of early intervention and other diversionary programs, but they must be place-based.

Direct consultation with First Nations communities is vital to ensure culturally appropriate solutions – and policies that do not disproportionately impact First Nations communities.

The challenges in Mount Isa are different to those in Townsville, or in Brisbane, and understanding this dynamic within a statewide policy framework is fundamental to effectively responding to the broader issue.

Local diversionary strategies designed and implemented to keep young people out of the juvenile justice system. Resource and expand the reach of culturally appropriate, place-based diversionary programs to engage young people and divert them away from the juvenile justice system.

Audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure they are responsive to local needs, meeting intended outcomes and are fit-for-purpose.

Development of place-based, culturally appropriate pre-vocational, employment and further education pathways and outcomes. Fund youth specialist workers within, and supported by, councils to enable the creation of local solutions. Support this measure with the allocation of appropriate resources to expand the capacity of local service providers – via tools like Local Government Community Safety Plans (CSPs), allowing them to design and implement local solutions that empower and provide young people with opportunities to be actively engaged in their futures.

A local government 'seat at the table' to inform engagement strategies that capture and support young people who are disengaging or have disengaged from the education system and/ or other relevant institutions. Fund and allocate resources to implement statewide, wraparound support systems for students who are 'at risk' or actively disengaging from the education system.

Increased support and/or compensation for victims of crime.

Undertake a review of the impact of crime on small businesses and, accordingly, develop and implement compensatory and supportive strategies that meet identified need and gaps in current structures. Consider the establishment of a local government-funded program derived from the *Criminal Proceeds Confiscation Act 2002 (CPCA)*, to fund initiatives that prevent or minimise criminal activity or support the victims of crime.

The establishment of a collaborative taskforce to facilitate a coordinated and consistent response across State Government stakeholders.

Work collaboratively and in partnership with key stakeholders to review and streamline the current youth justice framework and judicial responses to youth crime in order to establish a coordinated and consistent whole-of-government response at the State and local levels, including a review of the *Youth Justice Act 1992*.

The provision of additional State Government operational, maintenance and capital funding for CCTV infrastructure,

upgraded high-definition colour CCTV for existing facilities and Wi-Fi nodes in all tourism and hotspots and vulnerable communities. This will boost and promote safety, whilst also improving visitor amenity and opportunities

Funding to enable local government and the QPS to work in partnership to implement place-based crime prevention strategies, encompassing funding for councils to employ youth development officers to work with a diversity of stakeholders on reducing youth crime and its long-term impacts upon communities.

Better State Government support for the Indigenous Recruit Preparation Program to increase the numbers of fully-sworn Indigenous police officers and implement a community policing model in all First Nations council communities. This will pave the way for increased QPS engagement with communities, and improved relationships between the QPS and First Nations community members through positive role models for First Nations youth – and more community members adopting positive views of the role of police officers.

For further information contact:

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Cairns Regional Council

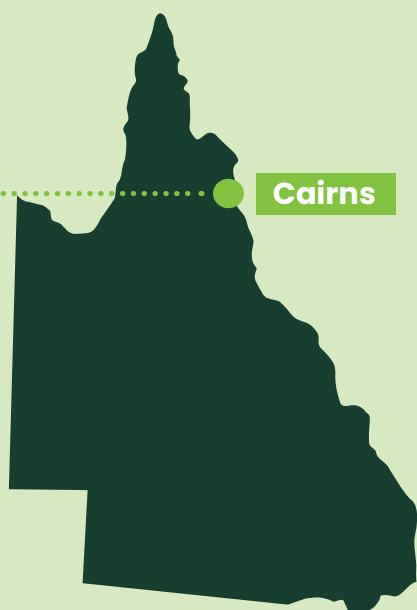
Youth focus in Cairns CBD safety pilot

Cairns Regional Council's Community Safety Plan - CBD Pilot 2022-2026 is providing a framework for Council to proactively engage with service providers to connect with young people and address at-risk behaviour in its CBD.

Cairns' unique combination of factors stemming from its location, demographics and positioning as a tourism hotspot make it vital that place-based solutions are considered and implemented.

The pilot aims to strengthen the Cairns CBD as an inviting place where people feel safe, amenity encourages visitation, and economic activity and diversity is supported.

It encompasses, in part, a focus on informal engagement via funded service providers, with the implementation of place-based and mobile Police Liaison Officers engaging with all at risk groups including young people in the Cairns CBD.



Cairns

Palm Island Aboriginal Shire Council

Palm Island night patrol finds success with local solution

A community night patrol engaging with local youth at risk of anti-social behaviour has found success reducing incidents of property crime on Palm Island.

The community-driven solution has seen Palm Island Aboriginal Shire Council partner with residents to deploy a team of locals, including local elders, to patrol the town centre and surrounds, talking with young people out of home and moving them on.

Palm Island Aboriginal Shire Council Mayor Mislam Sam said the initiative's success showed what happens when community voices are heard and local solutions implemented.

"The success we've had with our night patrol shows greater community control works."

"We as a community have been calling for greater support for grassroots solutions like these - it's the only way to address the root cause of some of these issues our young people are facing."



Palm Island

Townsville City Council Commitment to a Safer Townsville

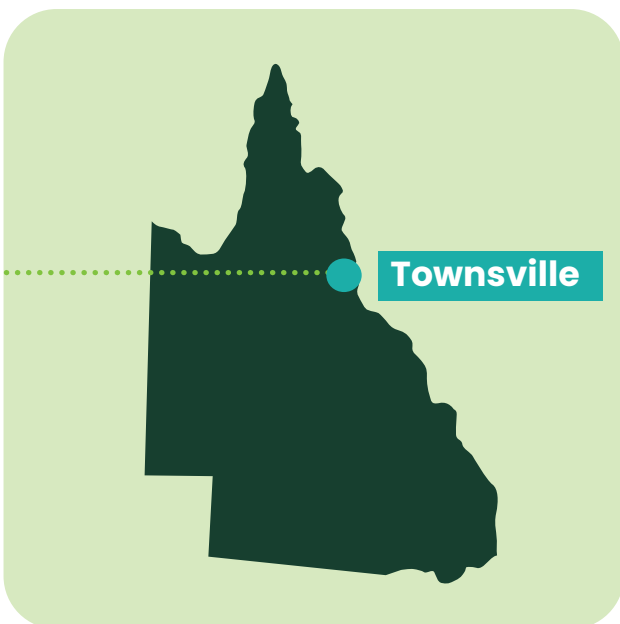
Townsville, like many other cities and towns across Queensland, has not been immune to the prevalence of property-related crime in its communities.

Townsville City Council has taken the stance that locally targeted and practical solutions are necessary to tackle these types of crimes – even though addressing this issue does not fall within the legislative authority of local governments.

In recognition of the significance of fostering a safe and secure environment for its residents and visitors, Council has embarked on an ambitious journey with their 'Safer Places Townsville Action Plan'.

The initiative focuses on several key areas, including a Community Safety Advisory Committee which includes representatives from Council, the Queensland Police Service (QPS), Queensland Fire and Emergency Services (QFES) and various state agencies and NGOs – and community safety audits.

Key outcomes of community safety audits have included investment in programs and opportunities tailored to youth offering positive outlets and opportunities, improved street and park lighting and optimising the use of public spaces for community benefit.

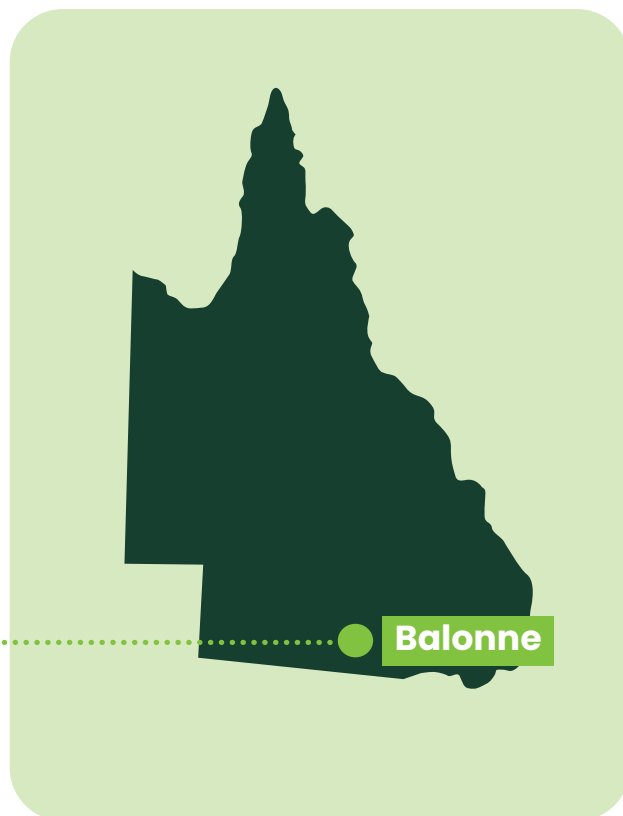


Balonne Shire Council Balonne builds capacity and opportunity for local youth

A push to drive reform in local primary and secondary schools via a proactive partnership between Balonne Shire Council and Education Queensland has led to increased resourcing and a focus on behaviour management in the outback shire.

Council's proactive approach to curbing poor behaviour and anti-social activity in the student population has also led to the establishment of the Country University Centre.

The Centre employs an Indigenous advisor to engage with the next generation of First Nations leaders and encourage further education opportunities.



City of Gold Coast

“ Our lifestyle and liveability on the Gold Coast is our calling card – and what attracts our millions of visitors each year from Australia and across the globe to our shores. We need to ensure we protect our iconic liveability now – and well into the future – by listening to the voices and concerns of our communities around the drivers and impacts of youth crime. Local solutions must be heard and supported if we are to see lasting change.”

- Mayor Tom Tate

Mareeba Shire Council

“ Council provides secretariat support for ongoing community collaboration with the inaugural meeting convened with Assistant Commissioner for Police, Cheryl Scanlon, and community and government service agencies. The ‘Mareeba Collaborating for Community Safety’ network is focussed on improving co-ordination between agencies, pooling resources to fill gaps (especially for night-time diversionary program) and identifying other gaps and finding collaborative solutions.”

- Mayor Angela Toppin

Toowoomba Regional Council

“ The safety and security of our community is of paramount importance. As the closest level of government to the people, councils see firsthand the impact youth crime has on the liveability of our cities and towns. A State Government crime forum held earlier this year in Toowoomba showed the scale of the problem – and its impact on victims and our residents. As a result of the forum, we have seen positive results from implementing local solutions. Additional support and greater collaboration is welcomed to tackle the root cause of our issues with young people.”

- Mayor Geoff McDonald



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Attachment 2: Relevant LGAQ Annual Conference Resolutions

2023 LGAQ Annual Conference Resolution 33 – Amendments to the Youth Justice Act 1992

The LGAQ calls on the State Government to further amend the *Youth Justice Act 1992* to remove or amend Schedule 1 - Charter of Youth Justice Principles no. 18 and 19 relating to detention of a child in custody, for an offence, being only as a last resort.

2023 LGAQ Annual Conference Resolution 31 – Regulation of social media to expeditiously remove content of people committing alleged crimes

The LGAQ calls on the Federal Government to introduce new legislation that will compel social media platforms to expeditiously remove content of people committing alleged crimes and remove the posts from the relevant platform.

2023 LGAQ Annual Conference Resolution 32 – Community Safety Funding from Criminal Proceeds Confiscation Act 2002

The LGAQ calls on the State Government to establish a local government funding program derived from the *Criminal Proceeds Confiscation Act 2002* (CPCA) where money and property forfeited to the State as proceeds of crime is sold and returned to the State's consolidated revenue fund, a portion to be redirected to be reinvested in the community, through a local government community safety funding program.

2022 LGAQ Annual Conference Resolution 133 – Review of the Juvenile Justice Act 1992 (Qld) and the Youth Justice Framework

The LGAQ calls on the State Government to coordinate a review of the *Juvenile Justice Act 1992* and the Youth Justice Framework in partnership with key expert stakeholders (consisting of, but not limited to, Queensland Police, Members of the Queensland Judiciary, relevant State Government departments and members of Victims of Crime groups) to address the following concerns:

1. Lack of support and compensation for victims of juvenile crime
2. Limitations in police powers
3. Level of supervision for offenders under restraint or community release
4. Consistency in the interpretation of the legislation by Magistrates dealing with young offenders.

2022 LGAQ Annual Conference Resolution 80 – Youth Diversionary Facilities

The LGAQ calls on the State Government to introduce diversionary facilities on more remote State-owned properties across Queensland where young people who have started falling foul of the law can be sent to gain both social and vocational skills and accreditation so that they can pursue employment opportunities rather than be sent to youth detention facilities.

The LGAQ calls on the State Government to:

1. Utilise State owned regional and remote properties to establish Youth diversionary projects for youth who are at risk of entering the Juvenile Justice system.
2. Deliver diversionary projects in place, that provide young people who are disengaging or have disengaged from the education system with alternative pathways into further education, employment and social engagement that is culturally appropriate and inclusive.

2021 LGAQ Annual Conference Resolution 84 – Youth Crime

The LGAQ calls on the State Government to address youth crime and anti-social behaviour in our communities in the following ways:

1. Increase penalties and consequences for criminal acts by youth offenders.
 2. Introduce legislation and increase funding that:
 - a) Allows state and community service agencies to provide targeted intensive support to identified families where there is a lack of parental care or threat, that reinforces parental responsibilities to enable children to feel safe and cared for by their family.
 - b) Reinforces and supports parents to provide adequate care for children/youth and provide mechanisms to deal with those parents who cannot or will not.
 3. Provide additional funding to agencies to deliver support and facilities where youth can be safely housed and provided guidance and help in situations when living at home is not a safe option. This includes education and trade skill opportunities.
 4. Engage with councils, via the LGAQ, on how to address these issues.
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