



Inquiry into the Youth Justice (Electronic Monitoring) Amendment Bill 2025

Queensland Police Service Departmental Briefing

Contents

Introduction.....	3
Background.....	3
Youth Bail Laws and ConsiderationS.....	3
Electronic Monitoring Trial	4
Role of the QPS.....	4
Device fitting and removal.....	4
Responding to alerts.....	5
Youth bail monitoring.....	5

Introduction

The Queensland Police Service (QPS) has been invited to provide a written briefing to the Inquiry into the Youth Justice (Electronic Monitoring) Amendment Bill 2025 (the Bill) to inform its deliberations and findings in accordance with the Terms of Reference.

The briefing responds to the particular matters of interest identified in correspondence from the Education, Art and Communities Committee (the Committee) received by the QPS on 14 January 2026.

The Commissioner of Police appreciates the opportunity to contribute to the Inquiry by providing information regarding the role of the QPS in the trial enabling electronic monitoring as a bail condition for eligible offenders, including responding to breaches of bail notifications and engaging with young people to reduce the risk of re-offending and strengthen community safety.

BACKGROUND

The QPS is the primary law enforcement agency for the State of Queensland, with a focus on prevention, disruption, response to, and investigation of crime, to deliver high quality and responsive policing services to make Queensland safer.

Section 2.3 of the *Police Service Administration Act 1990 (Qld)* (PSAA) mandates the functions of the QPS, which include the preservation of peace and good order, the protection of all communities in the state and all members of those communities, the prevention of crime, the detection of offenders and bringing of offenders to justice. Police have a broad range of powers available to carry out their functions.

The QPS plays a critical role in the youth justice system by working to prevent youth crime, responding to incidents involving young people, and supporting their rehabilitation and reintegration into the community. Under the *Youth Justice Act 1992* (YJ Act), police officers are empowered to respond to youth offending, including through diversionary measures such as cautions and restorative justice conferencing, to address youth offending in a way that is proportionate.

YOUTH BAIL LAWS AND CONSIDERATIONS

A police officer or a court decides whether to grant bail. They consider factors like the seriousness of the offence, the youth's history, and whether they are likely to follow the bail conditions.

The decision maker assumes the youth should get bail unless the youth is in particular categories which trigger higher thresholds for getting bail. However, in certain circumstances the presumption for bail is reversed. This is sometimes referred to as a 'show cause' circumstance. In those circumstances, the starting position is that the youth must show why their detention in custody is not justified. This 'show cause' circumstance applies where a youth is in custody in connection with a charge of a prescribed indictable offence, if the offence has been alleged to have been committed whilst the child was released, with or without bail, for another indictable offence.

A youth must be kept in custody if there is an unacceptable risk they will commit an offence that would endanger the safety of the community or the safety or welfare of a person. This applies where that risk cannot be adequately mitigated by imposing conditions on bail.

A youth may be kept in custody if there is an unacceptable risk that they will not surrender into custody, commit an offence, interfere with a witness or otherwise obstruct the course of justice.

In considering the circumstances, bail conditions must be necessary to mitigate the risk that the youth poses. The risk is about the risk to the community, other people, failing to appear in court when required, committing offences, interfering with a witness or obstructing the course of justice. It is not possible to

completely eliminate risk, so the purpose of bail conditions is to lower the level of risk from “unacceptable” to “acceptable”.

Police Prosecutors may make submissions about electronic monitoring as a condition of bail in the same way other bail conditions are submitted to the Court.

ELECTRONIC MONITORING TRIAL

Electronic monitoring as a bail condition for young offenders was introduced in 2021 as a two-year trial. Children aged 16 and 17 years who had been found guilty of a previous prescribed indictable offence and charged with an additional prescribed indictable were eligible for EM.

The trial was later expanded on two separate occasions, the first being in the *Strengthening Community Safety Act 2023* to include 15-year-olds and extend the trial period to 30 April 2025 and on the second occasion, in the *Queensland Community Safety Act 2024* to expand the list of prescribed indictable offences.

The Bill proposes to:

- make electronic monitoring as a condition of youth bail permanent
- expand the legislation to be deployed statewide (unless the court is advised the child does not live in a location with services to support the condition)
- remove eligibility criteria whereby the child must be at least 15 years of age, charged with a prescribed indictable offence, and previously charged with certain offences
- amend the matters a court must consider when determining if an electronic monitoring condition is appropriate.

ROLE OF THE QPS

DEVICE FITTING AND REMOVAL

The QPS is responsible for fitting children with Electronic Monitoring Devices (EMDs), usually at police watch-houses.

The Officer-in-Charge of a watch-house is responsible for managing the storage and charging of EMDs, as well as maintaining a skilled base of trained fitters within their watch-houses. To increase the number of trained fitters in watch-houses, the State Custody Unit has recently commenced training new civilian watch-house officers to fit EMD's.

The fitting process involves assembling five components, including: smart tag, strap, tracker beacon, on-body charger, and charging dock. This process typically takes one to two hours, primarily due to the time required to establish satellite connection. Fitters must walk with the young person in an open space to achieve this connection, which can require multiple attempts.

Fitment can only occur when the EMD is connected to a serviceable mobile phone and network, which must be supplied by the child, their family or support person. When a mobile phone cannot be initially sourced, the Department of Youth Justice and Victim Support (DYJVS) and Youth Co-Responder Teams (YCRTs) attempt to locate a device through extended family networks so the child can be released from custody as soon as practicable.

Initial fitment and removal generally occur through three pathways:

1. Following in-person court appearances when young people return to watch-houses;
2. Via appointment after video-link court appearances at youth detention centres, with transport typically provided by Youth Justice; or

3. Through emergent community requests for replacement or adjustment, which are usually coordinated through third parties such as solicitors, parents, DYJVS, or YCRTs.

All fitments and replacements require completion of relevant paperwork that is forwarded to Queensland Corrective Services (QCS) for record-keeping purposes.

RESPONDING TO ALERTS

QCS is responsible for youth EMD monitoring, ensuring every system alert is recognised and actioned appropriately. The QPS is responsible for responding to certain alert notifications from QCS and will determine an appropriate priority response commensurate to the type of alert and a child's level of presenting risk.

A shared Alert Protocol supports the flow of information between QCS and the QPS where the alert requires a police response. There are a range of alert types, from high priority, which includes a device tamper or unauthorised removal and inclusion or exclusion zone, to low priority, which includes low battery or other technical device issues.

For any alert types, QCS will contact, or attempt contact, the subject child and/or their support person via mobile phone. If this is unable to resolve the issue, QCS raises an alert and notifies Policelink. The Police Communications Centre details a job to the relevant police district.

YCRTs are a collaborative initiative between the QPS and DYJVS, designed to connect and work responsibly with at-risk youth to prevent or reduce offending and increase community safety.

YCRTs respond to the majority of youth EMD alerts, in locations with substantive YRT capability, including low priority alerts for issues such as a low battery, where QCS has been unable to reach a resolution. For high priority alerts or if the situation is assessed as higher risk, such as a device removal, frontline officers may be required to respond, similar to adult electronic monitoring programs. A YCRT may be tasked to respond in these instances where frontline police are unavailable.

YCRTs currently operate across all 15 police districts. In 2025, YCRTs became a permanent function of the QPS, supported by a government investment of \$78 million over four years.

In some circumstances, additional travel may be required by YCRTs to respond to alerts and proactively engage with youth subject to EM within districts with large geographical coverage. For example, the YCRT based in Cairns may be required to travel to Mareeba or Atherton to contact youth subject to EM. Where travel is not feasible for the YCRT, the response is managed by local officers.

YOUTH BAIL MONITORING

Police bail compliance enforcement and supervision is paramount in safeguarding the community. Through programs such as Intensive Bail Supervision and the Youth Bail Framework and Response pilot, QPS bail monitoring provides opportunities to address underlying issues, through referral to support services and programs, prevent recidivism, and intervene with young people who continue to be a risk to the community.

The Youth Bail Framework and Response is a pilot program, operating in five police districts, designed to enhance the QPS response to young people on bail. It provides a consistent and evidence-based framework for monitoring and supporting young people on bail, enabling police districts to better prioritise resources and improve outcomes. YCRTs play a crucial role in QPS bail compliance enforcement by identifying and closely monitoring high-risk and high-harm young people on bail. Through this risk-based approach, the QPS can address underlying issues, support young people to comply with bail, prevent recidivism, and identify those who continue to be a risk to the community for timely intervention.