

Youth Justice (Electronic Monitoring) Amendment Bill 2025

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Youth Justice (Electronic Monitoring) Amendment Bill 2025

PeakCare's Submission to the Education, Arts and Communities Committee

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Introduction

PeakCare is committed to evidence-based youth justice responses that enhance community safety while upholding the safety, wellbeing, and rights of children, young people, and their families. PeakCare has previously made submissions to the Queensland Parliament in relation to the Youth Justice (Monitoring Devices) Amendment Bill 2025, which sought to extend the trial of electronic monitoring devices.¹ In that submission, PeakCare raised fundamental concerns about the effectiveness of electronic monitoring in reducing reoffending, the significant impacts on children's rights and wellbeing, and the risk that surveillance based responses divert attention and resources away from evidence based supports that address the underlying drivers of youth offending.

Those concerns remain relevant, unresolved and acknowledged in the Nous Group *Evaluation of the Electronic Monitoring Trial: Final Report*.² While the current Bill proposes to make electronic monitoring permanent and significantly broaden its application, PeakCare maintains that electronic monitoring has not been demonstrated to be an effective standalone intervention and that any limited benefits identified are contingent on the presence of intensive wrap-around supports. The Nous Evaluation found that not a single respondent from the Queensland Government's Department of Youth Justice and Victim Support or Queensland Police Service "strongly agreed" that the current EMD monitoring system works effectively.³

PeakCare holds serious concerns about the broadening of eligibility criteria, which could see children as young as 10 included under the proposed legislation, as well as the impact on children who lack stable housing or family support, are exposed to domestic and family violence, and the disproportionate impact on Aboriginal and Torres Strait Islander children. In determining the use of EMD's the Nous evaluation found that "monitoring can contribute to improved short-term outcomes, but that EMDs are fundamentally a compliance tool. They do not, on their own, address the complex drivers of youth offending. Multiple studies have recommended that EMDs be used in conjunction with wrap-around supports".⁴

This submission builds on PeakCare's earlier position and responds specifically to the proposal to entrench electronic monitoring within Queensland's youth justice framework. It urges careful consideration of the long-term implications of expanding surveillance-based measures for children, and the importance of prioritising approaches that are demonstrably effective, rights respecting, focused on rehabilitation rather than control. PeakCare emphasises that taxpayer funded resources should be directed toward interventions that demonstrate clear evidence of effectiveness and value for money, particularly those that reduce reoffending by addressing the underlying drivers of youth offending. In this context, the submission calls for a focus on rehabilitation, support and prevention, rather than the ongoing investment in costly measures that risk delivering limited long-term benefit.

¹ PeakCare Queensland Incorporated. (2025). [Submission to the Justice, Integrity and Community Safety Committee on the Youth Justice \(Monitoring Devices\) Amendment Bill 2025](#).

² Nous Group (2025). [Evaluation of the Electronic Monitoring Trial: Final Report](#) Queensland Government, Department of Youth Justice and Victim Support

³ Nous Group (2025). [Evaluation of the Electronic Monitoring Trial: Final Report](#) Appendix H, Queensland Government, Department of Youth Justice and Victim Support

⁴ Nous Group (2025). [Evaluation of the Electronic Monitoring Trial: Final Report](#) page 12, Queensland Government, Youth Justice and Victim Support

About PeakCare

PeakCare is Queensland's peak body for child and family services, providing an independent voice representing and promoting matters of interest to the non-government sector. Across Queensland, PeakCare represents small, medium, and large local, state-wide and national non-government organisations which provide prevention and early intervention, generic, targeted, and intensive family support to children, young people, families, and communities. Member organisations also provide child protection services, foster care, kinship care and residential care for children and young people who are at risk of entry to, or who are in the statutory child protection system and youth justice systems.

A large network of associate members and supporters also subscribe to PeakCare. This includes individuals with an interest in child protection, youth justice and related services, and who are supportive of PeakCare's policy platform around the rights and entitlements of children, young people and their families to safety, wellbeing, and equitable access to life opportunities.

PeakCare's Submission

PeakCare does not support the proposal to make the use of electronic monitoring devices permanent or to substantially broaden their application within the youth justice system, in particular the introduction of EMD's for children as young as 10 years old. While the explanatory notes accompanying the Bill assert that electronic monitoring is associated with improved bail completion and reduced reoffending, PeakCare remains concerned that these conclusions overstate the effectiveness of electronic monitoring as an intervention in its own right and understate the risks and unintended consequences for children and young people.

The independent evaluation of the Electronic Monitoring Devices (EMDs) Trial makes clear that electronic monitoring does not operate as a standalone mechanism for behaviour change.⁵ Any positive outcomes identified could not be assessed for their effectiveness independent of the intensive bail support, wrap-around supports and case management provided. This reinforces longstanding evidence that it is the quality and consistency of human support, not surveillance technology, that contributes to reduced offending and increased compliance. PeakCare is concerned that making electronic monitoring permanent and expanding eligibility risks embedding a highly intrusive measure without guaranteeing the parallel investment in services that the evaluation itself identified as critical to its overall effectiveness.

PeakCare is particularly concerned about the removal of existing eligibility thresholds, including age and offence type. These thresholds were originally included to limit the use of electronic monitoring to a narrow cohort where proportionality could be more clearly justified. Their removal represents a significant shift in the balance between community safety and children's rights, increasing the likelihood that younger children and those charged with less serious offences may be subjected to an intensive surveillance measure while on bail. This risks normalising electronic monitoring as a default condition rather than a measure of last resort. PeakCare holds significant concern that these changes could see children as young as 10 eligible for electronic monitoring. PeakCare believes punitive measures should always be sought as a last resort to respond to offending for young children and that providing support to children and families to address the underlying causes of offending should be the priority.

While keeping community safety a priority, we must remain aware that children, more than any other age group, constitute the majority of crime victims. Many of the children who find themselves interacting with youth justice have been the victims of crimes far more serious than the offences

⁵ Nous Group. (2025). [*Electronic monitoring outcome evaluation final report*](#). Queensland Government, Department of Youth Justice and Victim Support.

they have committed. The Australian Childhood Maltreatment study 2023 found over 60 per cent of the Australian population have experienced more than one type of maltreatment before the age of 18 years.⁶

PeakCare places significant weight on the voices of children and young people with lived experience of the youth justice system. Through the Young People's Voices 2023–24 report,⁷ PeakCare heard consistently that young people do not view electronic monitoring as inherently rehabilitative and many experience it as embarrassing, stigmatising, and intrusive. Young people spoke about feeling labelled and judged in public, particularly where monitoring devices are visible, and expressed concern that such measures reinforce negative identities rather than supporting change. At the same time, PeakCare acknowledges that some young people indicated they would be willing to engage with electronic monitoring if it was offered as a genuine alternative to time in custody, particularly where it enabled earlier release and was accompanied by appropriate support. Consistent with these views, PeakCare supports the limited use of electronic monitoring only where a child or young person actively chooses this option, fully understands its implications and where it is used as a less restrictive alternative to detention rather than a default bail condition. Young people interviewed by Nous Group indicated "EMDs reduced their contact with peers who encourage them to offend (e.g., due to these peers' own fears of surveillance)".⁸

The proposed amendments also raise serious human rights concerns. Electronic monitoring constitutes a significant interference with a child's right to privacy, freedom of movement, and presumption of innocence. These impacts are heightened by the visibility and stigma associated with wearing a monitoring device, particularly for children who are still embedded in school, family, and community settings. Noting that 10-year-old children are still in Primary School, and at risk of increase stigma and limited pro-social participation (including in education). As a preventative focus, government should be working to increase school attendance as a preventative support. Children may be more inclined to engage in school refusal due to the stigma and social isolation associated with wearing an EMD. PeakCare is not satisfied that the Bill demonstrates these limitations on rights are necessary and proportionate in all the circumstances in which electronic monitoring may now be applied.

PeakCare also notes the effective operation of electronic monitoring relies heavily on the availability of stable housing, reliable access to power and telecommunications, and the presence of a supportive adult. Many children who come into contact with the youth justice system do not have these conditions in place. The Nous Group found that unintended negative consequences included some YJ staff holding a view that lawyers may also progress legal matters less urgently (because young people with EMDs are not in custody). Some stakeholders expressed concern that heightened monitoring through EMDs could increase the likelihood of young people being charged with additional offences.⁹ In these circumstances, electronic monitoring may increase the risk of technical breaches rather than support compliance, potentially drawing children deeper into the justice system for reasons unrelated to new offending.

⁶ The Prevalence and impact of child maltreatment in Australia 2023 [The prevalence and impact of child maltreatment in Australia: Findings from the Australian Child Maltreatment Study: 2023 Brief Report - The Australian Child Maltreatment Study \(ACMS\)](#)

⁷ PeakCare Queensland Incorporated. (2024). [Young people's voices: Submissions 2023–24](#). PeakCare Queensland.

⁸ Nous Group [Evaluation of the Electronic Monitoring Trial: Final Report](#) page 29 Queensland Government, Youth Justice and Victim Support

⁹ Nous Group [Evaluation of the Electronic Monitoring Trial: Final Report](#) page 32 Queensland Government, Youth Justice and Victim Support

Conclusion

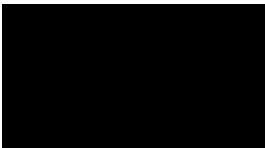
PeakCare urges the Committee to consider the Youth Justice (Electronic Monitoring) Amendment Bill 2025 with significant caution. While community safety is a legitimate and important objective, it cannot be achieved through surveillance measures alone, particularly where those measures carry significant risks to children's rights, wellbeing, and long-term rehabilitation.

While the available evidence indicates electronic monitoring may have limited value when used in conjunction with intensive, well-resourced support services and in very narrowly defined circumstances, making electronic monitoring permanent and significantly expanding eligibility, without embedding strong safeguards and guaranteed access to support, risks causing more harm than benefit.

PeakCare strongly encourages the Committee to prioritise investment in evidence-based alternatives that are proven to reduce reoffending, including enhanced bail support, stable and supported accommodation, culturally appropriate programs for Aboriginal and Torres Strait Islander children, and early intervention services that address trauma, family instability, and disengagement from education.

Children who come into contact with the youth justice system remain children first and foremost. Responses to their behaviour must be developmentally appropriate, proportionate, and focused on long-term outcomes rather than short term control. PeakCare stands ready to work with government and the sector to advance youth justice reforms that genuinely enhance community safety while upholding the rights and dignity of children and young people.

Yours sincerely,



Tom Allsop
Chief Executive Officer