

Youth Justice (Electronic Monitoring) Amendment Bill 2025

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Submission: Youth Justice (Electronic Monitoring) Amendment Bill 2025

To: Education, Arts and Communities Committee
Queensland Parliament
Date: 20th January 2026

Submission from: Reuben Richardson – Witness Appearance Requested

Introduction:

I welcome the opportunity to provide this submission on the **Youth Justice (Electronic Monitoring) Amendment Bill 2025**, introduced on 10 December 2025. The Bill aims to make electronic monitoring (EM) a permanent, statewide bail condition for children, removing age and offence eligibility criteria based on an independent evaluation of the 2021–2025 trial.

While I support evidence-based measures to enhance community safety and reduce reoffending, the Bill represents a significant expansion of a restrictive intervention with insufficient safeguards, limited evidence of broad efficacy, and potential disproportionate impacts on vulnerable children. My concerns draw directly from the Bill, Explanatory Notes, Statement of Compatibility, and the trial evaluation, as well as recent data on youth justice overrepresentation.

Key Concerns

- Expansion to younger children (including ages 10–14) without any trial evidence:**
The trial was strictly limited to serious repeat offenders aged 15+. No data exists on the developmental, psychological, or practical impacts of ankle monitors on primary school-aged children. Imposing a visible, restrictive device on very young children risks stigma, trauma, and interference with rehabilitation.
- Complete absence of data on school attendance and educational outcomes:**
The evaluation provides no metrics on school engagement during the trial. Anecdotal stakeholder feedback (including from earlier reviews) highlights risks of bullying, stigmatisation, and reduced attendance due to device visibility or network issues. Expanding EM without understanding its impact on education undermines reintegration and long-term desistance from crime.
- Skewed trial data and likely failure for overrepresented First Nations children:**
Aboriginal and Torres Strait Islander children make up around 60–65% of Queensland's youth detention population, despite comprising only about 8% of the 10–17 age group. Representing massive overrepresentation (e.g., detention rates of 42 per 10,000 Indigenous youth vs. national averages). Yet the trial evaluation found Indigenous youth had lower participation rates, lower bail completion (e.g., smaller reductions in reoffending), and were less likely to comply with conditions like curfews or monitoring. The positive overall results appear skewed toward more compliant, non-Indigenous participants from urban areas, not reflecting the demographic reality of the youth justice system where Aboriginal and Torres Strait Islander children dominate custody numbers. Removing eligibility limits risks worsening outcomes for this group.

4. **Disproportionate burden on families and failure to address state care overrepresentation:**
The EM framework shifts significant responsibility to families for compliance (e.g., enforcing curfews, managing devices), adding stress and stigma without supports. Yet it does not adapt for children in out-of-home care (OOHC/state care), who commit a high proportion of youth offences (e.g., over 100 of ~388 serious repeat offenders live in state care). Many state care children are Indigenous and face barriers to EM, leading to higher remand rates rather than bail. This creates inequity: Families bear EM burdens, while state care providers face limited accountability for duty-of-care failures (e.g., no direct penalties for offending under their supervision, despite ongoing inquiries into systemic issues). The Bill misses an opportunity to mandate tailored supports or accountability measures for OOHC, perpetuating cycles of criminalisation.
5. **Very small evidence base – only 116 participants over five years:**
After multiple extensions and narrow criteria, the trial involved just 139 episodes. Positive findings (e.g., reduced reoffending) are encouraging but are drawn from a tiny, non-representative cohort concentrated in South East Queensland. Permanency and universal eligibility on this basis appears premature.
6. **High costs with no detailed justification for statewide rollout:**
Trial costs were \$578 per child per day. This is 51% higher than standard community supervision. Scaling statewide (potentially hundreds more devices) represents a significant unfunded commitment, handled only via "normal budget processes." Greater transparency on projected costs and value-for-money is needed.
7. **Excessive administrative power for the Chief Executive:**
New s52AA(1A) effectively gives the CEO a veto over court-imposed EM based on vague "service availability." The Explanatory Notes acknowledge this may breach fundamental legislative principles (insufficiently defined/reviewable power). Judicial discretion should not be overridden administratively without appeal mechanisms.
8. **Insufficient attention to lived experience and practical burdens:**
Feedback from youth and families noted discomfort, stress, recharging demands, alert noises, and restrictions on activities (e.g., sport). These were downplayed in the evaluation but could exacerbate non-compliance or mental health issues, especially for younger or vulnerable children.
9. **No mandatory wrap-around supports:**
The evaluation repeatedly emphasised that EM works best (or only) when paired with intensive services (e.g., Youth Co-Responder Teams, bail supports). The Bill includes no requirement or funding for these, risking poorer outcomes at higher cost.
10. **No future review mechanism:**
After a trial marred by low uptake and limitations, permanency should include a mandatory independent review (e.g., in 3–5 years) or sunset clause to assess real-world impacts statewide.

Recommendations

- **Amend** - To retain a minimum age (e.g., 15) and/or phase in younger cohorts with pilot evaluation.
- **Require** - Regulations mandating cultural/mental health supports for vulnerable groups (including Indigenous and state care children) and contents of suitability reports.
- **Insert** - A five-year review clause and ongoing data collection on education, wellbeing, subgroup outcomes, and family/state care impacts.
- **Add** - Judicial review of Chief Executive advice on service availability.
- **Mandate** - Linkage to wrap-around supports where EM is imposed, with specific adaptations/accountability for state care placements.
- **Enhance** - Accountability in out-of-home care through integrated youth justice reforms, addressing failures in preventing offending.

This Bill has potential but requires stronger safeguards to balance community safety with rehabilitation of youth.

Thank you for considering this submission.

Reuben Richardson