

Executive Summary

On 28 November 2024, the Hon David Crisafulli MP, Premier and Minister for Veterans, introduced the Making Queensland Safer Bill 2024 (Bill) into the Queensland Parliament. The Bill was referred to the Justice, Integrity and Community Safety Committee (the committee) for urgent consideration.

The primary objective of the Bill is ‘to hold young offenders who commit offences (particularly serious offences) to account by ensuring that courts are considering the impacts of offending on victims and can impose appropriate penalties that meet community expectations’.¹

Stakeholders were invited to make written submissions on the Bill and the committee received and accepted 176 submissions including 7 submissions which were confidential (and not published on the committee’s webpage).

The committee received a written briefing on 29 November 2024 and public briefing on 2 December 2024 from the Department of Justice and the Department of Youth Justice and Victim Support.

The committee also heard from stakeholders at public hearings in Brisbane on 2 December 2024 and Townsville on 3 December 2024.

The key issues raised during the committee’s examination of the Bill included:

- impacts of the wider ‘opening’ of Childrens Court proceedings on young offenders and victims
- how the removal of the principle of ‘detention as a last resort’ from the *Youth Justice Act 1992* (YJ Act) will change how children are sentenced and the number of children in detention
- implementation of the new sentencing regime for children who commit prescribed serious offences (known as ‘adult crime, adult time’)
- elevation of the impact on victims as the primary consideration when sentencing children under the YJ Act
- expansion of the historical information included in a child’s criminal history and the use of such history when making sentencing decisions for adult offending
- amendment to the ‘status quo’ process for the transfer of young offenders from youth detention centres to adult correctional facilities when they reach the age of 18 years old
- the significance of the change to an ‘opt out’ system for victims to receive updates regarding the young person who committed an offence against them.

The committee is satisfied that the Bill gives sufficient regard to the rights and liberties of individuals and the institution of Parliament as required by the *Legislative Standards Act 1992*.

Further, the committee is satisfied that:

- limitations of human rights, as set out in the *Human Rights Act 2019* (HRA), are reasonable and justifiable
- exceptional circumstances give rise for the HRA to be overridden as the following provisions are incompatible with human rights:

¹ Department, written briefing, 29 November 2024, p 1.

- the sentencing principles outlined in amended section 150 of the YJ Act
- the new adult sentencing regime for prescribed serious offences in new section 175A of the YJ Act.

The committee made 1 recommendation, found at page 16 of this report, which recommended that the Bill be passed.