

Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025

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15th April 2025

Chairperson
Justice, Integrity and Community Safety Parliamentary Committee
Parliament House
George Street
Brisbane Qld 4000

Dear Mr Martin Hunt MP,

I hereby tender this letter my submission to the Justice, Integrity and Community Safety parliamentary Committee on the Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025.

With respect to the Adult Crime, Adult Time and Making Queensland Safer initiatives of the government, CJAG is favourable to the inclusion of higher adult penalties being applied in the proposed 33 offences in the Youth Justice Act.

These policies and proposed legislative changes are consistent with our long-standing crime prevention plan - priorities and policies. In particular priority 5 - "Justice for Individual Victims". Our policy is as follows;

"5.1 Deliver in law the definition of "serious offence" for youth offenders modelled on the existing Criminal Code for adult offenders, serving as a necessary deterrent for youth offenders committing indictable unlawful entry of a home or business, unlawful use of motor vehicle, assault causing grievous bodily harm, sexual assault, rape, armed robbery, manslaughter and murder."

This policy has been derived from contributions and feedback from our extensive reach with supporters and members in regional Queensland, including the 36,000 members on our social media platforms, hundreds of ordinary members, surveys of over 500 victims of crime and the consistent and committed leadership of the CJAG Management Committee.

Further reference to the priorities and policies of our crime prevention plan can be obtained at the following website:

<https://cjag.org.au/our-crime-prevention-plan/>

Our management committee has championed these proposed changes to the criminal code for serious youth offenders for over 4 years.

We are pleased that the government has listened to the voices of our members and the leadership team by introducing legislation that acknowledges our priority of justice for individual victims.

However, an increased penalty deterrent alone is not enough. The sentencing provision in law are needing further amendment to those proposed in the parliamentary committee's briefing paper and explanatory notes.



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That's why CJAG's public service and parent accountability priorities, and youth rehabilitation priority, needs legislative responses from government as keys to a broader strategic framework of youth justice reforms to make Queensland safer.

In particular, our Youth Restoration and Rehabilitation Academy (YRRA) policy goes hand in glove with the higher adult penalty and sentencing standards for serious youth offenders.

Within the context of this youth rehabilitation policy, two further amendments are needed in our opinion. And they are; the adoption of a "presumptive maximum penalty" or "alternative maximum sentence" in section 150 of the Youth Justice Act, and the implementation of the "Little Scandinavia" program model, a responsibility-centred offender re-entry model designed for modern detention facilities and education programs.

This detention education and rehabilitation model is a relatively fail-safe rehabilitation program that eliminates the recidivism risk of community-based court orders applicable to indictable offences.

Community safety is structurally designed into the presumptive maximum sentencing provisions, instead of being an aspiration in the definition of sentencing principles currently applied by judges, many of whom have lost the confidence of the ordinary person, that the presumption of certainty would be favourable to the public interest.

A substantial body of public interest comments pertaining to magistrates, judges and justices' sentencing decisions can be found at the following website:

<https://www.facebook.com/cjagnq>

The YRRA program also aims to maximise transformative behaviours in serious youth offenders as a mitigation to recidivism, upon the inevitable re-entry of the detainee into community, at the conclusion of their sentence.

The YRRA Program also provides a safeguard to children that would otherwise put themselves at risk in community under supervision of the courts, prescribed officers and corrective services staff implementing orders of the court. With youth recidivism rates quite high in Queensland, the current rehabilitation approach is either ineffective, especially under remand conditions, or lacks a prescriptive regime of diagnostics, coaching and mentoring in an adequately controlled yet progressively expansive domestic environment, that is empowering of individual responsibility.

It is anticipated that the controversial role of parole boards would become minimised with an emphasis on a new or enhanced administrative model of parole, or engagement of sentencing mitigation assessors, being carried out by local responsibility-centred detainee review panels.

It is a sad indictment on the parliament and the legal fraternity, but every Commissioner appointed by parliament to review the parole board have criticised the previous commissioner's undertakings for reform, including the latest review carried out by Mr Walter Sofronoff QC in November 2016.

In this progressively hard to soft detention rehabilitation model, reduced sentences and mitigated penalties are goal settings for detainees based on strict performance criteria across a spectrum of objective psycho-social and scientific measures focused on rewards and positive reinforcements. Yet the deterrent factor from an inbound offender's perspective towards a maximum sentence presumption presents a powerful pull factor in driving better crime prevention outcomes.



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Complex health supports must be concentrated in the program to treat patients with mental and physical health constraints and afflictions, to the determination of the proposed local detainee review panel, that the offender must meet the safeguards and fail-safe standards in qualifications for re-entry into community, and yield the rewards of progressive accommodations within the detention centre through the course of education.

Provision for a new court order, applicable to a serious repeat offender and the offences listed in 175a, should be added in Section 175 and 176 pertaining to a responsibility-centred rehabilitation order in detention empowered by the presumptive maximum sentencing option for magistrates and judges.

(See attached briefing letter to the Director General of youth Justice and Victim Support on the Little Scandinavia Program)

As this multi-functional reform program requires highly skilled and effective resourcing in corrective services, youth justice, DJAG, police, housing and health public services, the threshold of accountability within the various Public Service Acts should be changed from a "negligence" to a malfeasance standard.

In the absence of private enterprise managing youth detention (which we do not recommend), this public service reform is necessary to meet the overwhelming challenge of supervising serious youth offender behaviours within a secure rehabilitation framework that ensures community safety and treats detainees with optimum compassion, dignity and respect.

This responsibility-centred sentencing model must apply high standards of assurance that the core mentoring, coaching and discipline is delivered within the detention facility and education programs architecture.

A robust public service performance management framework is essential, backed up by a pathway of accountability to independent judicial oversight, where the threshold for civil proceedings better meets the public interest at a malfeasance standard, while the current parliamentary committee and public service protection chamber presents unsatisfactory risks of jerrymandering, filibustering and gaslighting corruption.

I trust this outlines a quick summary of the Community Justice Action Group's priority areas and policy positions for your information, which we hope could help in our advocacy for victims of crime, CJAG members and the community for whom we support voluntarily to improve safety and liveability in our neighbourhoods.

If you seek clarification or wish to discuss our submission, please let me know so I can be of further assistance.



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4th March 2025

Robert Gee
Director General

Department of Youth Justice and Victim Support
Queensland Government

Re: Little Scandinavia Prison Program

Dear Mr ~~Gee~~, *Bob,*

Thank you for your time meeting with myself and the Honourable Minister Laura Gerber in Cairns on 2nd March 2025.

As discussed, I am writing to present an overview of the "Little Scandinavia" prison program that I referenced at my deputation meeting with you at Brother Leagues Club in Cairns.

We believe this prison program is an innovative correctional initiative originating in the United States, inspired by Norway's penal systems where recidivism is dramatically lower than our youth justice system in Queensland.

This letter outlines, to the extent that public data is available, the program's hypothesis, background, purpose, scope, features, benefits, strengths, weaknesses, threats, opportunities, roles, responsibilities, budget, and current performance, with comparisons to community safety outcomes.

In our opinion, justice reform to sentencing legislation needs to provide underpinning judicial enforcement such that a key principle be adopted of a presumptive maximum or "alternative maximum" for designated serious recidivist offenders who have a history of violent offending.

My aim is to provide you with actionable insights that may inform Queensland's approach to youth justice and victim support, drawing on this pioneering model, and our own anecdotal engagements by the Community Justice Action Group in North Queensland, working pragmatically and respectfully with victims and offenders who themselves are survivors of criminal behaviour.

Hypothesis

The "Little Scandinavia" program is grounded in the thesis that adopting Scandinavian correctional philosophies—emphasizing rehabilitation, human dignity, and normality—can transform the prison experience in a punitive system like that of the United States. It posits that humane conditions, autonomy, responsibility and positive staff-resident relationships can reduce misconduct, enhance wellbeing, and ultimately improve community safety by preparing incarcerated individuals for successful reintegration.



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Background

Conceived in 2019, "Little Scandinavia" emerged from a collaboration between the Pennsylvania Department of Corrections (PA DOC), Drexel University, the University of Oslo, and correctional services in Norway (Kriminalomsorgen), Sweden (Kriminalvården), and Denmark (Kriminalforsorgen). Inspired by Scandinavia's low recidivism rates—approximately 20% in Norway and 30% in Sweden within three years, compared to over 65% in the U.S.—and humane prison conditions, the program sought to adapt these principles to a medium-security facility, State Correctional Institution (SCI) Chester, near Philadelphia. Launched in May 2022 after COVID-19 delays, it reflects a response to the U.S.'s high incarceration rate (629 per 100,000) and punitive culture, contrasting sharply with Norway's rate of 15 per 100,000.

Purpose

The program's purpose is to pilot a rehabilitation-focused model within a U.S. prison, aiming to reduce recidivism, improve staff and resident wellbeing, and provide evidence for broader reform of demonstrated responsibility for community reintegration. It seeks to align with Norway's vision of returning individuals as "good neighbours," enhancing community safety through rehabilitation and responsibility rather than punishment alone.

Scope

"Little Scandinavia" operates within a single housing unit at SCI Chester, accommodating up to 64 male residents (currently 55 as of 2023). Its timeline spans two phases: Phase 1 (2018-2022) involved planning and international exchanges, while Phase 2 (2022-2025) focuses on operations and evaluation. Residents, selected via lottery from the general population, represent diverse backgrounds, ensuring the model's applicability beyond specialised cohorts. Research, led by Drexel University and the University of Oslo, evaluates its impact on prison climate and community outcomes.

Features

The unit features single cells with Nordic-style furnishings, a communal kitchen, a grocery program, laundry facilities, and green spaces with amenities like a fish tank. Operationally, it maintains a high staff-to-resident ratio (1:8 vs. 1:128 in typical units), with officers trained in conflict resolution and rehabilitation support. The "normality" principle underpins daily life, granting residents autonomy in cooking and scheduling, mirroring external community living.

Benefits

For residents, the program fosters responsibility and skills for reintegration, reducing stress and enhancing safety perceptions. Staff report higher job satisfaction and lower stress due to improved interactions. Systemically, it offers potential cost savings through reduced recidivism and a model for reform, contributing to safer communities by lowering re-offense rates.



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Strengths

The program's strengths lie in its innovative design, blending physical and cultural changes, and its evidence-based approach, supported by international expertise. Notably, no violent incidents have occurred since its inception, despite residents' access to kitchen tools. Its adaptability to the U.S. context demonstrates resilience, offering a replicable framework.

Weaknesses

Its small-scale limits broader applicability, and cultural differences—such as the U.S.'s higher crime rates and punitive attitudes—pose challenges. Long-term recidivism data is unavailable due to residents' lengthy sentences (many serving life), and the resource-intensive model may strain scalability without significant investment.

Threats

Funding uncertainties threaten sustainability, with Pennsylvania lawmakers advocating permanence amid budget constraints. Political resistance to perceived "soft" approaches, prevalent in the U.S., could undermine support. Higher U.S. social issues, like poverty and violence, complicate replication, and staff burnout risks emerge from increased responsibilities.

Opportunities

Positive early results suggest opportunities for expansion within Pennsylvania or beyond, potentially influencing Queensland's youth justice strategies. It could professionalise correctional staff training and reduce community crime through lower recidivism, aligning with victim support goals by minimising future harm.

Roles and Responsibilities

The PA DOC oversees implementation and training, while Scandinavian partners provide mentorship. Drexel University and the University of Oslo drive research, collecting data via surveys and observations. Residents participate actively, some as mentors, and funders like Arnold Ventures and the Nordic Research Council support operations and evaluation.

Budget

Initial costs included unit redesign (estimated in the hundreds of thousands) and international exchanges (approximately \$100,000+ for 20+ staff). Ongoing expenses reflect a higher staff ratio, likely exceeding the U.S. average of \$31,000 per inmate annually, approaching Norway's \$93,000 model. Exact figures remain undisclosed, funded by the PA DOC and external grants.

Current Performance Data

As of March 2025, "Little Scandinavia" shows promising results. Serious rule violations (e.g., violence, drug use) have nearly halved compared to control groups, per Synøve Nygaard Andersen's 2024 findings. Qualitative data indicates improved resident focus and staff morale,



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with no violence reported. Recidivism data is pending due to ongoing incarceration, but Pennsylvania's baseline (65% within three years) contrasts with Norway's 20%, suggesting potential community safety gains.

Comparison to Community Safety Results

In Scandinavia, low recidivism correlates with safer communities—Norway's crime rate has remained stable or declined despite reduced incarceration. In the U.S., high recidivism drives persistent crime; Pennsylvania's broader system sees 65% reoffending, impacting victim safety. "Little Scandinavia's" early misconduct reductions hint at safer prison environments, potentially translating to community benefits if scaled, though long-term data is needed.

Academic References

Key studies include:

- Pratt, J. (2008). "Scandinavian Exceptionalism in an Era of Penal Excess" (British Journal of Criminology).
- Andersen, S. N., & Hyatt, J. M. (2022). "The Scandinavian Prison Project" (Nordic Research Council).
- Hyatt, J. M., et al. (2021). "Transforming Correctional Culture" (National Institute of Justice). These works provide foundational and evaluative insights into the program's design and impact.

Conclusion and Recommendation

"Little Scandinavia" offers a compelling case for rethinking incarceration, tackling the re-entry challenge and balancing rehabilitation with community safety.

For Queensland, I recommend considering a pilot adapting these principles—single cells, staff training and detainee autonomy with a responsibility-centred assessment framework—for youth justice detention facilities, preferably in a rural or semi-remote setting.

Partnering with researchers to evaluate outcomes could align with your department's goals of reducing reoffending and supporting victims through your Making our Community Safer Plan.

I welcome the opportunity to discuss our initiatives further in the context of the policy position of the Community Justice Action Group for a Youth Restoration and Rehabilitation Academy (YRRA) outlined in our Crime Prevention Plan.



Aaron McLeod
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