

Youth Justice (Monitoring Devices) Amendment Bill 2025

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Submission to the Justice, Integrity and Community Safety Committee Regarding the Extension of the Electronic Monitoring Trial under the *Youth Justice Act 1992* from Voice for Victims advocacy group

To the Justice, Integrity and Community Safety Committee, Voice for Victims (VfV) community advocacy group thanks you for the invitation to submit our position to the Inquiry into the *Youth Justice (Monitoring Devices) Amendment Bill 2025*.

VfV acknowledges that while a relatively small number of serious recidivist offenders are responsible for a significant proportion of crime, their impact has prompted the government's amendments to the *Making Queensland Safer* legislation. This legislation aims to reduce reoffending through strong legal measures and steadfast judicial support.

While some critics argue that a tough-on-crime approach worsens outcomes, VfV contends that relying *solely* on punitive measures—without addressing the root causes of crime or implementing deterrent and rehabilitative strategies—will lead to negative consequences.

VfV strongly supports the government's proposal to extend the electronic monitoring trial period by an additional 12 months. We believe that this extension on the trial period will provide the necessary time to conduct a comprehensive review of the electronic monitoring program to inform future government decisions on its effectiveness, particularly in the context of serious repeat youth offenders. Our submission outlines the rationale for supporting the extension of the trial, while emphasising the importance of ensuring that electronic monitoring remains a tool to enhance the safety of the community as well as deterrence and rehabilitative opportunities for young offenders.

As we understand it, section 52AA of the *Youth Justice Act 1992* (YJ Act) was introduced in 2021 to facilitate a trial of electronic monitoring as a condition of bail for children aged 15 and above, who met certain criteria related to their offending history with specific locations identified in the *Youth Justice Regulation 2016*; notes on the Youth Justice website outline these changes in fuller detail, and specify that after 12 months this 2021 amendment was to be reviewed¹.

This trial was introduced under the “Working Together Changing the Story: Youth Justice Strategy 2019-2023” that was underpinned by the *Youth Justice and Other Legislation Amendment Act 2021*. The aim was to assess whether electronic monitoring could help reduce the likelihood of reoffending among serious repeat youth offenders, thereby enhancing community safety.

While the initial trial revealed mixed results, particularly due to the low number of children subject to electronic monitoring, it highlighted the need for more research with a larger and more culturally and gender diverse sample size to draw conclusive findings. The subsequent review of the trial in 2022 indicated that further investigation into the program's effectiveness is essential as limited data was garnered at this time².

A final report which provided an update on the trial in August 2024³ identified 13 trial sites across Queensland and had a notable decrease in age of eligibility from 16 years to 15 years for the identified young person. This final update also identified that the trial would be reviewed prior to its expiry, which it wasn't.

As such, VfV supports the proposed one-year extension of the trial period as it is both timely and necessary for assessing whether electronic monitoring can be a more effective tool for rehabilitation and deterrence in conjunction with other methods of rehabilitation and intervention including the Staying on Track and Regional Reset programs.

¹ <https://www.youthjustice.qld.gov.au/our-department/our-legislation/changes-act#2021-amendments-35429-339>.

² https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/6b522584-ba05-4631-95c7-6d56dda265bc/17200_yjolaa-factsheet.pdf?ETag=c910a7203617221d709f276bd9f8406f

³ <https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/e1737d6a-72a2-469e-baf7-e21de32f52cb/electronic-monitoring-trial-factsheet.pdf?ETag=28f54dc7b13e3035451bcdbe612cf0c3>

Additionally, VFV would support additional legislative changes and future funding initiatives aimed at addressing dysfunctional family systems, providing structured pathways for graduated and supervised release, and offering education, vocational training, and reintegration opportunities. These measures would help offenders who are committed to change by providing the necessary supports to turn their lives around.

Support for the Extension of the Electronic Monitoring Trial:

- 1. Expanded Research Scope:** The proposed extension would allow for the collection of a larger dataset, including more children subject to electronic monitoring. The additional time would ensure that sufficient evidence and longitudinal data is gathered to evaluate the true impact of monitoring devices on reducing reoffending rates among youth offenders, particularly in the context of more serious offences.
- 2. Targeting Serious Repeat Offenders:** Electronic monitoring under the YJ Act was designed to address youth who are serious repeat offenders. Expanding the criteria and including those who have committed violent crimes or offences involving threats of violence (as under the *Strengthening Community Safety Act 2023*) ensures that the trial focuses on the most problematic offenders. This approach is essential in evaluating the effectiveness of the program in deterring recidivism in high-risk individuals.
- 3. Enhanced Community Safety:** The safety of our communities is of utmost importance. As an advocacy group, we support measures that strike a balance between rehabilitation and protection for the public. Electronic monitoring provides an opportunity to closely monitor high-risk youth offenders while still allowing them to engage with rehabilitation programs. This level of oversight may prevent reoffending during the period of release on bail and provide an effective deterrent for those who may otherwise be at risk of reoffending.
- 4. Potential for Rehabilitation:** Electronic monitoring should not be seen solely as a punitive measure, but as part of a broader strategy to assist youth offenders in addressing the underlying causes of their behaviour. It can serve as a form of supervision that allows for better management of offenders while ensuring they have access to educational, therapeutic, and rehabilitative services. The extension of the trial period will allow time to explore these rehabilitative aspects further and refine the program to ensure it serves both protective and rehabilitative functions.

Concerns Addressed: While we acknowledge that the initial trial results were not conclusive in demonstrating the overall effectiveness of electronic monitoring, it is important to highlight that the low numbers of children subject to monitoring is a key factor in this outcome. The broader expansion of the trial to include larger sample size, along with more diverse trial sites, will provide clearer insights into the utility of electronic monitoring and its efficacy.

Additionally, we urge that the comprehensive review scheduled to follow the extended trial period should be robust, transparent, and consultative. It should take into account not only quantitative data regarding reoffending rates but also qualitative feedback from stakeholders, including youth offenders, their families, legal representatives, and community members.

Recommendations for the Extension of the Electronic Monitoring Trial:

- Extend the electronic monitoring trial for an additional year, as proposed and include more diverse trial locations to support efficacious data.
- The removal of an 'opt-in' for juvenile offenders when it comes to electronic monitoring.
- For electronic monitoring to be considered on all relevant orders as deemed suitable including those where offenders are undertaking rehabilitation and interventions such as Staying on Track and Regional Reset programs.
- Ensure that the comprehensive review includes both quantitative and qualitative data to assess the trial's effectiveness.

As both a member of Voice for Victims, a victim survivor of youth crime, and someone who has previously presented to the Committee, I wish to express my support for the initiative under consideration for inclusion in the YJ Act. I believe this measure could have been a positive impact on the incident in which I was involved.

I strongly feel, had the monitoring of serious repeat youth offenders through the use of electronic monitoring been in place at the time, it could have provided police and first responders with crucial real-time information about the offender – who was on bail and a known repeat offender. This could have enabled police and possibly other first responders, to intervene earlier, preventing greater harm and reducing the risk to innocent members of the public.

While my incident is not isolated, I urge the Committee to consider this, along with the many other examples of how the electronic monitoring can be an effective tool in managing serious repeat youth offenders. Implementing such measures will proactively assist police and other emergency services in dealing with this small but significant cohort.

As outlined, VFV fully supports the extension of the electronic monitoring trial for youth offenders, as proposed under the YJ Act. We believe the additional time will allow for a more thorough assessment of the program's effectiveness in achieving its intended outcomes. Extending the trial period is a crucial step in ensuring that government decisions regarding the use of electronic monitoring for youth offenders are informed by comprehensive evidence and that the ultimate goal of reducing reoffending while safeguarding community safety is met.

We look forward to the continued development of this trial and the opportunity for further consultation as the program evolves.

We appreciate your consideration of this submission and look forward to ongoing discussions on this important matter.



Natalie Merlehan
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Voice for Victims

