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Committee Secretary  
Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
Brisbane Qld 4000

By email: [lacsc@parliament.qld.gov.au](mailto:lacsc@parliament.qld.gov.au)

**Queensland Ombudsman**  
ABN 257 657 579 00

Level 18, 53 Albert Street  
Brisbane Q 4000

GPO Box 3314  
Brisbane Q 4001

**P** 07 3005 7000  
1800 068 908  
(outside Brisbane)

**F** 07 3005 7067

**E** [ombudsman@ombudsman.qld.gov.au](mailto:ombudsman@ombudsman.qld.gov.au)

**W** [ombudsman.qld.gov.au](http://ombudsman.qld.gov.au)

Dear Committee

**Submission from the Queensland Ombudsman: Youth Justice and Other Legislation Amendment Bill 2019**

Thank you for the opportunity to make submissions in respect of the Youth Justice and Other Legislation Amendment Bill 2019 (the Bill).

I share the generally held view that a watch house is no place for a child. It should not be the case that children spend any extended period in a watch house beyond that which is the absolute minimum necessary.

I support any attempts to reduce the remand or detention of young people to levels which are the minimum necessary to achieve the aims of the youth justice system.

In that light, I provide the following submissions in respect of the Bill.

*Improving the timeliness and priority of youth justice proceedings*

My Office conducts visits to youth detention centres in Queensland each year. In recent years, I have noted the very high proportion of young people in detention centres that are remanded in custody and not sentenced.

Anecdotally, my officers have been advised that the uncertainty of release dates and regular court appearances results in unsettled behaviours. Further, where the responsibility for behaviour has not been determined at Court, there is a reduced scope for interventions targeted at criminogenic factors affecting the young person.

Legislative measures that require police to promptly contact parents and a legal aid organisation, together with timely production of pre-sentence reports and a requirement to bring young people before the Court within 24 hours improves the prospects that matters will be ready for disposition at the earliest opportunity.

Hopefully the rate of disposition of matters by the Courts can be increased through these measures. However, additional resourcing for Courts may be required to reduce the time to finalisation of matters. Prescribing the timeframes in which youth justice proceedings must be concluded is a further measure that could provide direction about how proceedings should be prioritised. The establishment of key timeframe targets for the youth justice

system and regular reporting against these targets would also be useful in ensuring adequate resources are maintained in all elements of the youth justice system.

*Clarification and variation of bail framework and additional youth justice principles*

Increasing the likelihood of a young person being released on bail accords with the principle that detention of a young person is a last resort.

I support the view that young people should not be remanded in custody simply because they do not have adequate accommodation arrangements. If no accommodation exists, then it will be incumbent on the child protection system to operate expeditiously to ensure safe and suitable accommodation to support an affected young person, in the absence of a parent or guardian, is available.

Engaging the relevant child protection services as soon as it is identified that a young person may not have appropriate accommodation will be critical to the implementation of this amendment. The information sharing provisions proposed in the Bill will also support that communication between government and non-government entities that may be able to support the needs of a young person.

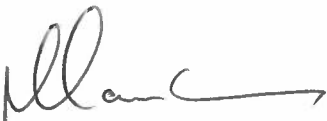
*Body worn cameras*

In March 2019 I published *The Brisbane Youth Detention Centre report*. In that report I recommended the use of body worn cameras in the youth detention centre environment. I am pleased that this Bill proposes the authorisation of body worn cameras and hope to see their effective operation in youth detention centres as soon as possible.

Ultimately, the long-term aspiration for the youth justice system in Queensland must surely be that the current tragic circumstances of young people held in watch houses must never recur.

Should you wish to discuss this submission, I can be contacted on (07) [REDACTED].

Yours faithfully



Phil Clarke  
Queensland Ombudsman