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Youth Justice (Boot Camp
Orders) & Other Legislation
Amendment Bill 2012
Submission 052

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Submission to: Legal Affairs and
Community Safety Committee re
Juvenile Crime (Boot Camp)

A Brief Introduction of myself:

I present the following views from many years of experience:

- facilitating writing parenting courses (with attention to drug and alcohol abuse and impacts on family)
- fostering abused children
- High School chaplaincy
- Working with students at risk and marginalised children and youth both in High Schools and the Community.
- Advocacy for child protection
- Working with State and Federal Governments on Youth Issues
- Working with local Child protection and Family Violence Network

Preamble:

I write this submission out of a real concern my family and I and our community have concerning the level of juvenile Crime and what appears to be an arrogant disrespect on the part of many youth, towards their parents, other community members, all authority and the Legal system itself.

From Attorney General Jarrod Bleijie's introduction of the amendment Bill, it is clear that the key priority of the Boot Camp Legislation is to "stop the cycle of youth crime and give young offenders a real chance at rehabilitation and the opportunity to make positive life decisions." This Legislation is also aimed as an early intervention model to prevent youth entering the revolving door of youth crime and detention.

While I agree in principal with the goal of this Legislation, I wish to comment on some of the legislation and a belief that I have that it will take some time to actually change a youth culture that that has developed out of a break down in the fabric of the family home and the community. Many of the youth committing various degrees of crime in today's communities are the product of broken and 'not so blended' families. Many of these youth are left unsupervised, have never learned boundaries and have little or no respect for either themselves or community.

So while I agree strongly with the concept of Boot Camp, I believe also that the time element is vital in delivering effective outcomes. For many, bad behaviour, and little or no understanding of right and wrong, have been embedded into children's lives from a very young age, and it will not change in too short of a period of time. Some of these youth facing courts for both petty crime and more serious offences, actually 'know no other way'. Many have watched as parents or those in charge of them, consistently broke the law in front of them (particularly roads rules), and made disrespectful comments and signs at Police, and don't know morals or values in life. These kids know no respect!! Of course some will have been raised in seemingly respectful families but will face the Courts for the first time as angry young people who have venting their anger in criminal ways.

There must be a means of teaching our youth that with criminal offences there are consequences. There is a cost!

No doubt the issues of what turns beautiful babies into hardened youth criminals could be discussed at length and I guess this is not the place. However if ever we are to have any real impact on the outcomes of youth crime, we do need to understand and find some preventative models.

Boot Camp must never be seen as an easy way out for youth or the answer to families and communities that have failed society, and their responsibility to raise children to be good citizens.

Over a number of years I have both attended and facilitated Youth and Community Forum and written several follow up manuals on Youth Issues and the way forward for Communities. It is interesting to note, that over the last 10 the years, little has changed except that the Crimes have become more violent, criminal activity starts at a younger age, media shows more of the bad behaviour, communities hold youth forums and little has been done to actually initiate actions that will deliver real outcomes. I am very hopeful that we may be moving forward with these initiatives.

Interestingly Boot Camp actually came up at most Youth forums and suggested out comes were:

- Discipline
- Strict regimes and work ethics
- Restore self-confidence and self-esteem
- A sense of achievement
- Training and education for workforce
- Re-entry programs

Submission:

I have always appreciated the thoughts behind the “Broken Windows” and Alternative Crime policies that were written about by James Wilson and George Kellingⁱ. The theory states:

“if the first broken window in a building is not repaired, then people who like breaking windows will assume that no one cares about the building and more windows will be broken.

Soon the building will have no windows...”

I feel this is so appropriate in dealing with Juvenile Crime and the proposed Boot Camp. A statement must be made to youth, to communities to say we will no longer tolerate the “broken windows of their crime,” they must be repaired, and whatever it takes, then that will be the cost of changing the youth culture of the 21 century. We do not tolerate the crime and allow it become a way of life.

While generally I accept the proposal of Booth camp, one of my greatest concerns is as I have mentioned: the time element in changing a “culture”

It was my experience when fostering abused children and then in Chaplaincy in High School and leading a Students at Risk High School Program, that change does not come quickly.

Many of today’s Youth Criminals have been living in un-disciplined and abusive circumstances for many years. They have deeply imbedded behavioural problems and often psychological, mental issues, health problems, various addictions and no respect for themselves or anyone else.

I realise from reading this proposed Legislation, that it is not necessarily seen as a ‘one fits all’ plan, however I believe there needs to be 2 very clear levels of Boot Camp:

1. Dealing with the somewhat petty crime. Even though opinions may differ, any crime needs to be nipped in the bud. This would sound a firm warning and act as an intervention prior to youth progressing into hardened behaviour.
2. A camp that is just a little less than jail. This would be a place where the more serious crimes are dealt with, however this would be for those juveniles who will respond to the program and then make their way in the community. IT would certainly need to have much harsher rules and deterrents. Here they learn about the consequences of their behaviour.

(Clause 17 and 18)

I notice through reading this proposed Legislation that child complying is a key issue. I feel that, if a crime has been committed, while we want the best possible future outcome for the child, there still needs to be an understanding that he/she has committed a crime and an impact and somebody has to “pay” for the crime. *(Clause 17 and 18) of course a non-complying child would be difficult to change.*

I notice also *(Clause 19 f and 226 c)* the child consenting to boot camp. There must be some form of punishment whether the child consents or not. If he/she is old enough to commit crime, the person or property the crime was committed against does not get to say they ‘consent “to the crime, this crime must be punished in some way or Boot Camp just becomes a “good sounding idea.” Too much leniency is no doubt at the very roots of the crime, once a child has committed a crime, there must be a way found to punish, not a tap on the fingers and hope they won’t do it again.

226D Boot Camp Order.

As mentioned previously the culture that leads to crime will not change “over night” I believe that while this is all very well intentioned, I believe that the time could be the key factor leading to change.

I would like to see (1) changed to read: A boot camp order must be for a period of at least 6 months and up to 12 months.

In the Introduction I notice page 2 and third paragraph: *“It comprises of one month residing in a boot camp centre followed by the remaining period of the order in the community supported by intensive supervision.”* (And family involvement) I do not believe that 1 month could be sufficient time to initiate real change in a young life. I am however pleased to see emphasis on parental involvement. This of course may not be suitable either.

Thank you for taking time to read this. It would be good to have more time as there certainly is much at stake when we are dealing with young lives and the hope of initiating real change. I sometimes think that one night in a cell (not a regular goal) could have profound impact on turning around (young would be criminals)

I look forward to hearing from you and seeing a Legislation that is effective and empowering for the youth of our State.

Sincerely
Beryl Spencer

ⁱ www.cjck.org/pubs/windows/windows.html