

From: [REDACTED]
To: [Legal Affairs and Community Safety Committee](#)
Subject: Submission for Youth Justice and Other Legislation Amendment Bill 2016
Date: Monday, 9 May 2016 2:49:18 PM

Dear Director,

I wish to make a submission about the Youth Justice and Other Legislation Amendment Bill 2016.

The explanatory notes for the Bill talk about youth offenders being more likely to commit crime because their minds are not fully developed but then uses this as a justification to reduce the punishment of all crimes committed by all youth offenders, even the violent, sexual and repeat offenders. Why should diversion from prison or serious punishment be available to anyone other than first time offenders? No justification is given for limiting the changes by the Bill to first time offenders. Why on earth should youth justice conferences be available instead of punishment for violent and sexual offences? It makes no difference to the victim of a violent or sexual crime that the offender was a teenager or an adult. Expecting the victim of a serious or sexual crime to attend a conference and see their attacker get off without proper punishment simply creates more victims without faith in our society and justice.

Catching violent men when they are young is far better than trying to change them after years of learning there is no real punishment for their crimes. Surely it is obvious that such young offenders are also the same people who going on to contribute to the scourge of domestic violence in our communities.

Why should punishment be taken away from the courts and given to public servants who are not psychologists or lawyers? Where is the separation of powers if the government can punish (or not) offenders convicted by a court with that court having control or oversight? The Bill inappropriately removes judicial oversight for punishment of youth offenders.

Why is it the explanatory notes talk about research saying it is better to have conferences than punish young offenders but gives not references to this research? I would seem that the chief executive is not limited to conferences and there is no limit as to how lenient he can be on an offender. Why are there no statistics showing the number of offenders given conferences that go on to re-offend? Who are the 'targeted stakeholders' the department consulted in developing the Bill? If the creation of this Bill is any indication of transparency I don't not have faith in the transparency about how offenders are dealt with by the chief executive under their new powers.

The explanatory notes say the changes will cost \$23 million. This is a staggering amount that does nothing to help stop crime or support victims of crime. The money is not even being spent on front-line services like nurses, welfare officers or police, but public servants (in Brisbane?) to hold more conferences. This is a big kick in the teeth to

organisations that work with victims and disadvantaged children who work on a fraction of that budget. Basically this is \$23 million to help offenders and the public service jobs that will be created. Surely there is a better use of that much money, especially when many of our northern communities suffering from alcohol abuse and domestic violence!

The costs above do not seem to cover the costs to victims and witnesses. It costs victims and their support to attend conferences. and what about the police who are to attend? Are they to be taken away from regular policing duties to attend these conferences?

The explanatory note says that victim participation is vital but on page 19 of the Bill, the section 35 say that only some degree of victim participation is required for a conference (which can be anyone, not the actual victim). There seems to be no requirement for the alternative program to require victim participation.

First time offenders deserve a chance, and they are the best candidates for help and changing their ways. Why does this Bill not limit the new options to first time offenders? The public service (government) should not be free to punish offenders instead of the courts. The biggest beneficiaries of the changes in this Bill seem to be more empowered public servants and definitely does not help victims. I urge the committee to reject this Bill as it applies to changes to youth justice punishment and consider spending that money on better health and welfare services protecting disadvantaged children.

thank-you

J Robinson