

QUEENSLAND COUNCIL FOR CIVIL LIBERTIES

Protecting Queensland's individual rights and liberties since 1967

Watching Them While They're Watching You

Legal Affairs and Community Safety Committee

By email: lacsc@parliament.qld.gov.au

Dear Madam

Re: Youth Justice and other Legislation Amendment Bill 2016

Thank you for the opportunity to make a contribution regarding this Bill.

The QCCL agrees with the fundamental objectives described in the Bill which are:

1. To divert children and young people from further involvement when they first come into contact with the youth justice system
2. Rehabilitate children and young people during their involvement in the you justice system
3. To support successful transition from the youth justice system into a crime free life in the community.

We fully support a focus on the rehabilitation of young people and we support the mandatory diversion of young people from the Criminal Justice system to restorative justice processes.

Given the contemporary overcrowding situation in youth justice detention in Queensland, and especially – the continuing massive over representation of Indigenous you in Queensland juvenile detention, Mandatory restorative Justice diversion before sentencing, - if enshrined in Queensland's legislation would at least allow the potential of restorative Justice to be more realistically tested.

We fully support the removal of the possibility to incarcerate 17 year old prisoners in the adult population as this was in breach of the United Nations Convention on the Rights of a child.

In relation to specific sections within the bill we recommend the following:

1. Insertion of new section 20

Subsection (3) (c) (i) a representative of the media should only be allowed provided this will not have a detrimental effect on the child.

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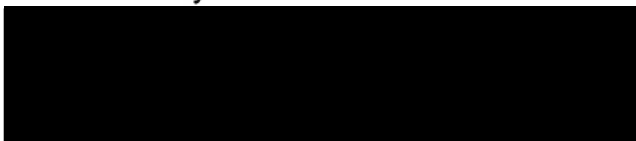
[@LibertyQld](https://twitter.com/LibertyQld)

2. Insertion of new section 37 – Amendment of conference agreement by chief executive

(2) The chief executive may, if the child agrees amend the conference agreement to the extent to make the agreement workable, provided the new agreement is in no way harsher than the original.

We trust that this is useful in your review of the proposed bill.

Yours faithfully



Michael Cope
President
For and on behalf of the
Queensland Council for Civil Liberties
9 May 2016