

From: Janice Bradley [REDACTED]
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To: Legal Affairs and Safety Committee
Subject: SUBMISSION Youth Justice and other Legislation Amendment Bill 2021
Categories: Submission

SUBMISSION: Youth Justice and Other Legislation Amendment Bill 2021

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10th March, 2021

Dear Sir/Madam,

As a mother of a son who was killed in a Hit and Run, in Mossman Qld, 2016, I would like to see our communities made safer with the implementation of stronger deterrents. Send a message to the crims of all ages, that they cannot keep repeating the same offences and keep getting away with it. Too many innocent lives are being lost. The most recent being that of young Jennifer Board in Townsville (22) and Matt, Kate and their unborn baby Miles, killed in Alexandria Hills.

The youth crime is escalating way beyond control, with 17 Stolen Vehicles and 44 break and enters in the past week in Townsville. Some youth are now carrying weapons. The drivers of stolen cars are deliberately ramming Police vehicles and playing chicken with other road users, clearly with intent to harm. We have the same issues on the increase across Cairns and the Tablelands.

The courts currently have a revolving door, with juveniles who have committed very serious criminal offences. i.e. Burglary, Break and Enter with Intent, Dangerous Driving, Unlawful Use of Motor Vehicle, Robbery, Assault etc. These are the same offences that adults would do jail time for. Youth must have a deterrent for such total disregard for laws and community safety.

Youth Crime is becoming a huge issue across Qld.

We had 5 Hit and Run deaths in Qld in 2 years, 3 which were here in Far North Qld. Scott Robert BRADLEY (24), Sharon Cuthbert (39), Ken Altoft (56), Michael Bowden (20) and Harley Amos (18). If at the time there were harsher penalty's and the courts were not so lenient e.g. giving another slap on the wrist and a restricted licence, our loved ones would still be alive. All killed by a recidivist driver. The Legal system has been failing to protect the communities and still is.

[REDACTED] just lost his licence again for drug driving. He has never stopped or learnt to follow the law, even after leaving my son to die alone. After yet another stint in Court (not jail) he will be back on the roads again soon.

The Government has a duty of care to citizens and as such this reform is urgently needed to protect the communities. I am worried that the youth are going to become just like [REDACTED], a recidivist driver, who even after hitting and running over my son, leaving him to die alone, continues to rack up more and more traffic offences (not to mention his lengthy criminal record). Because the jails are full and the courts are lenient, the communities are going to be at a higher risk, day after day. Our communities are living in fear. They cannot go shopping without fear of being assaulted, robbed or car-jacked. This is the sad reality now happening on a regular basis.

The current laws have failed many families, with the perpetrators walking free, while many victims, family and friends have a life sentence.

I would like to make the following submissions to the Youth Justice and other Legislation Amendment Bill 2021

1. Breach of Bail as a Criminal offence
 - *A fundamental principle of law is that bail is a privilege, NOT a right.*
 - *Without a deterrent, the child is not learning that their bad behaviour has to stop.*
 - *Can be arrested without a warrant*
 - *Minimum period of detention 6 months (Include rehabilitation/On Country programs to address the root causes of their criminal behaviour).*
2. Presumption against bail apply to all juveniles charged with ANY indictable offence who have been granted bail / breached bail regardless of whether a conviction has been recorded or not.
 - *Some offenders have already committed several offences before they end up with any actual conviction.*
 - *Unlawful Use of Motor Vehicle (Section 408A Criminal Code) presumption against bail only relates to the driver. The youth are travelling in groups, with multiple driver options, so the person on bail can avoid being charged by allowing another to be the designated driver.*
3. Three strikes policy in Court
 - 1st offence show leniency
 - 2nd offence probation/suspended sentence
 - 3rd offence detention
 - Further offences should incur increasing minimum periods of detention/imprisonment
4. Lower Age of youth to 16yrs for all serious crimes.
 - Sadly some Youth are career criminals as young as 12 years old.
5. Tracking devices should be for youth from 10 years and older
 - It is the younger kids who are stealing cars.
6. Allow identification Information when youth breach bail
 - Quicker for Police to apprehend perpetrators.
7. Curfew for 16yrs and under
 - This will help Police to stop the youth from offending, which would reduce the huge amount of money/resources wasted on finding the perpetrators and taking up court time.
 - Stopped before they can offend.

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