

Submission to the Queensland Legal Affairs & Safety Committee
re amendments to the Youth Justice Act.

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Personal Experience

About ten years ago, during the Christmas period, the house next door (No 5) was broken into and robbed three times in a five day period. Myself and my wife were away at the time. The thieves access the house via my yard and the back fence common to both properties. On the first time they stole alcohol, jewellery and money. The alcohol was consumed in my back yard with empty containers left in the yard. After the second break in the neighbours installed CCTV. On the third break in the thieves were identified on CCTV as aboriginal brother and sister, habitual thieves and well known to the police. The police advised my neighbours that there was little they could do to prevent this sort of behaviour, and to strengthen house security and insure everything. The door on my garden shed sustained damage at this time presumably with the thieves pulling on it in an unsuccessful attempt to get in.

As a result my wife and I keep the house locked day and night with all round motion activated security lighting at night and keep the car doors locked when driving around town

Current Situation

I do not need to reiterate the current situation as is it well documented by the media, police and community groups. Suffice to say that when a teenager has been bailed more than 80 times the system is broken and must be recognized as broken.

Bail

At the moment in Townsville the automatic granting of bail with no consequences for breaking bail conditions only reinforces thrill seeking criminal behaviour in the cohort of juveniles in question and at great cost to the community, both physical and emotional. Bail must not be automatic. The juvenile in question must be able to demonstrate to the court that;

1. they have a stable household in which to reside,
2. in that household there is a responsible adult that will supervise bail conditions, and
3. they (the juvenile before the court) will abide by bail conditions.

Breaking Bail Conditions

At the moment there are no consequences for breaking bail conditions as demonstrated by the juvenile who has broken bail more than 80 times. As a **MUST**, breaking bail must result in the individual be immediately remanded in custody. No three strikes nonsense.

Legally Responsible Supervising Adult

At the moment there is no expectation that the juvenile on bail will be supervised by a responsible adult, being a parent or guardian. The Youth Justice Act must be amended to place a **legal responsibility** on to the adult supervising the juvenile on bail. In the case of the juvenile on bail being recalcitrant and uncontrollable and breaking bail conditions the legally responsible adult must, by law, immediately advise police that bail conditions have been broken. Failure on the part of the legally responsible supervising adult to make such a report should be a breach of an undertaking to supervise and an offence under the act for which they will be charged. Currently there is widespread intergenerational failure of parental responsibility.

The Way Forward

The way forward is to break the intergenerational failure of prenatal responsibility. On any school day in Townsville, children, predominantly but not exclusively indigenous, can be seen wandering the streets during school hours, invariably not in school uniform indicating that they were not sent to school in the first place.

Regular interaction with teachers and the wider school community will go some way to counter the negative effects of a poor parenting.

All parents in Queensland must be compelled to send their children to school, every day from Prep to Grade 12. Not only that, the children must be sent to school;

1. properly fed,
2. rested, and
3. resourced to learn.

It is clear that there is a cohort of parents who are neglecting their children's education without penalty. Such neglect must attract a penalty.