**North East Community Support Group Incorporated**

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Zillmere Community Centre

Zillmere Young Peoples Support Service

Zillmere Family Accommodation Program

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12<sup>th</sup> March 2021

Dear LAS Committee,

**Youth Justice and other Legislation Amendment Bill 2021 ('the Bill')**

Thank you for the opportunity to provide feedback on the Bill. Zillmere Young Peoples Support Service submission responds to aspects of the proposed amendments to the *Youth Justice Act 1992 (Qld)*. We make no comment about amendments relating to knife crime and hooning offences at the current point in time.

Zillmere Young Peoples Support Service (ZYPSS) is a youth support service that provides information, advice, referrals and case management support for young people 12–21 years of age who are at risk (including risk of: disengagement from education and employment; disconnection from family and community; homelessness; harm) and experiencing challenges in their lives. The proposed changes to this Bill will impact the lives of the clients who we have supported in the past and who we continue to support in the future.

ZYPSS does not support the Bill for the following reasons:

**The *most* vulnerable children in Queensland are targets of this law reform**

The target group for this law reform proposal are 'the most serious recidivist youth offenders' – the 10% - nearly 400 children who persistently offend in Queensland. Research consistently shows that these children experience profound social disadvantage including extreme poverty, histories of familial offending, exposure to family violence, unstable accommodation or homelessness, alcohol and substance misuse and disrupted education. Many are 'cross-over kids' who enter the youth justice system after first having contact with the child protection system. A disproportionate number are Indigenous. These are *the most vulnerable* of all Queensland children caught up in the juvenile justice system.

**Key protected human rights have been overlooked**

This Bill creates significant limitations on the human rights of Queenslanders.

The Statement of Compatibility does not identify all of the protected human rights of children engaged by the Bill. A number of key human rights have been overlooked. These include:

1. Protection from cruel, inhuman or degrading treatment or punishment.
2. Children charged with a criminal offence have the right to a procedure that takes account of their age and the desirability of promoting their rehabilitation.
3. Children in the criminal process who have been convicted of an offence must be treated in a way that is age appropriate.

**The Bill is not compatible with the Human Rights Act**

To demonstrate that a limitation on human rights is justifiable, a rational connection must be made between the law or action causing the limitation and a legitimate purpose.

There is insufficient evidence that putting GPS trackers on children and removing the presumption against bail will make the community safer (the purpose of the proposed Bill). Instead, there is evidence that investing in services to assist children when they are charged with an offence and supporting families when they need it will reduce crime and result in a safer community.

Also in a practical sense, we're not entirely sure how the proposed ankle bracelets work, however if the bracelets require charging and the young person is homeless, how is the young person meant to keep the bracelet charged?

**Sticking with what works**

Youth justice is a complex field that requires integrated, sustained, well-funded, community-based services that are evidence-based. The Bill does nothing to address the root causes of youth crime in Queensland.


Following are some examples of services and/or supports that work:

- Investing in youth support programs that provide case management support for at risk young people to engage with workers to work towards making positive improvements in the young peoples lives, which in turn aims to reduce the young peoples contact with the youth justice system.
- Investing in the Braking The Cycle or Drive For Life Programs to assist young people to gain a provisional drivers licence which then gives the young people a greater opportunity to secure employment.

ZYPSS acknowledges that the current issues with youth justice require continued funding of proactive youth programs and a long-term focus. We argue that more consultation needs to occur with organisations who are supporting the young people who are engaged with the youth justice system and with the young people themselves.

We ask that the LAS Committee rejects the Bill.

Yours sincerely,



Joel Schneider.  
Program Coordinator.

