

**From:** [DAVID FLETCHER](#)  
**To:** [Legal Affairs and Safety Committee](#)  
**Subject:** [REDACTED] Youth  
Justice and Other Legislation Amendment Bill 2021  
**Date:** Thursday, 25 March 2021 1:02:08 PM  
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25 March 2021

Committee Secretary  
Legal Affairs and Safety Committee  
Parliament House  
George Street  
Brisbane Qld 4000

By email only: [lasc@parliament.qld.gov.au](mailto:lasc@parliament.qld.gov.au)

Dear Secretary,

Submission: **Youth Justice and Other Legislation Amendment Bill 2021**

I acknowledge the hard work done by many to foster a connection to community and country with a fulfilling and happy life for our children and families. There is no shortage of effort and good will in this area.

I know the intent of the current legislation is not to criminalise children, in terms of simple economics and the value of human life, this is a noble and worthy endeavor. I acknowledge that the crime statistics for the broader community are improving but for the at risk demographic and their victims, the outlook and impacts are actually getting worse. The current legislation is criminalizing children younger and younger and more and more violently.

I reject assertions of diminishing human rights, these assertions by some are part of the problem and whilst well intentioned, do not reflect the reality and conditions for at risk children and are infact in large part to blame for the current appalling situation.

The government is failing in its duty of care to provide a safe, caring and nurturing environment for at risk children. The law is failing to provide any consequence for children's actions to the point that antisocial behaviors escalated over time leading to inevitable substantial incarceration as the only solution of last resort.

I acknowledge there are successful outcomes with the current legislation but it fails to recognise where it is not effecting positive change in children at risk of reoffending and restricts the ability of the community, police and judiciary to act in a meaningful and constructive way. Many of the current outcomes are destructive in the longer term.

Trying to try fix problems in teenagers is too late. Some children are abused sexually, physically and mentally from birth by their close family members or community . An inability to act effectively appears to stem from the stigma associated with the stolen generation and this is now producing a neglected generation.

The community, police and judiciary know well who the at risk individuals are but in many cases are prevented by the legislation from acting in a common sense effective manner.

I make the following recommendations

- Children should not be able to roam the streets unsupervised at night.
- When left in the care of a person or organization they must be compelled to remain there.

- The responsibilities of guardians should override the wishes of children.
- Repeat offenders and breaches of bail should rapidly escalate punishments.
- Prescriptive mandatory sentencing is not preferred however stern and custodial punishments should be available at the discretion of the judiciary, police and community to deal with the reality of individual cases.
- Offenders or their guardians should make full restitution to victims.
- Children should be relocated from risky situations like prisons to caring, learning and healing environments in culturally appropriate rural locations when ever possible.
- I support relocation sentencing.
- The issue of blue cards should be resolved.
- Electronic tracking, monitoring of phones and prohibition of phone use should be available in the management of offenders and at risk children.
- A multi functional prison and healing centre should be built in NW Queensland near Mount Isa.

Thank you for examining this very important and difficult issue. Whilst not prevalent broadly in our society, the impacts on victims is disproportionately large and exists as a festering cancer in our community.

I wish you well.

Yours Faithfully

David Fletcher  
Mount Isa, Queensland