

Youth Justice Reform Select Committee inquiry into youth justice reform in Queensland

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Good Morning,

Please find attached our submission for the youth justice reform select committee.

An example of the targeted mediation program noted is proposed by Carl and Zac from Passing the Knowledge. An interview from a few weeks ago is included [here](#).

<https://youtu.be/thaEVLcgWbE?si=MNYuMV-yiiocb5IF>

Regards,

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27 November 2023

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To whom it may concern,

I am a director of a small engineering firm based in Townsville. I recently represented our region at the National Leading Australian Resilient Communities Program in Canberra where we spoke on the youth crime issue in our region along with 10 other groups from around the country where these issues came up a few times as a common theme.

In Townsville specifically, we have close to twice the incarcerations of the Australian average and Grand Theft Auto of 10 cars a day is becoming the norm. Whatever we're currently doing. It's not working.

I am going to share a story that illustrates a number of ways as a society we are enabling this behaviour. The story has been woven together from multiple accounts and stories we have heard over the last 12 months.

Story

Imagine for a second you are a 12-year-old child living in a broken home.

My parents are split up, I don't know who my dad is. My mum is using welfare payments for alcohol and drinking to all hours with men flitting in and out of my life.

My stomach is rumbling regularly, but there is never enough money left for good food and the men make me feel uneasy - so I just leave those nights. Does my mum care where I am? Well... what do you think?

I go to school. I am doing grade 2 work in grade 6. It's not my fault that I never grew up with books in the house and parents to read me bedtime stories. Or is it? It's not my fault that my mother can't get me to school on time with a packed lunch and the things I need. I can't focus on my schoolwork because my mum was partying all night with her friends, and I couldn't sleep. My behaviour at school is poor and I make fun of the other kids to keep the focus away from how stupid I feel. I have been suspended and expelled too many times to count.

The only sense of belonging I have is my friends who live a life like mine. We form a gang. This is my family. The older leaders in the group who are around the age of 16 provide direction and teach us skills. And it is fun. Life is a party.

We break into people's homes, steal money, alcohol, vapes, cans for chroming and car keys. I break into this one house looking for keys. I hear a door open, I turn around, and I'm face to face with a young lady. She's shocked and starts yelling. I quickly put my hand in my jumper, feeling for the knife but then look past her and see two young kids through a doorway... An alternate life flashes through my eyes in this home... I bolt.

We get more cred for boosting a car when people are home. Our leaders teach us to drive, we race them through the streets sometimes in convoy. Make TikTok videos of our adventures to show our rival gangs in Cairns and then for the finale – we light the cars on fire near Office Works.

Who cares? Society thinks I am a delinquent anyway so public opinion doesn't matter to me.

The police are a joke, they can't touch us – we feel invincible - so we taunt them. We chase police cars through Townsville - throwing rocks at them and they run away! What a rush!

This is Grand Theft Auto come to life.

I just held up an old granny and boosted her car, then 5min later it all came crashing to a halt, literally - into a pole.

Suddenly, I find myself caught up in the system and off to Cleveland (this will be good for my cred). Apparently, this is meant to be punishment. But it

doesn't feel that way. I am safe. I've got my own room with a bed, a TV and 3 meals a day. Surrounded by people who want to change the course of my life.

I try... but it is easier said than done. My friend just arrived and he's angry. He spits in my favourite youth workers face. He got caught following a crash into a motorbike, dude had a bone hanging out of his leg. I felt a bit bad, but all I could say to my friend was "Deadly".

I notice one day my favourite youth worker has Romans 8:38-39 written on his arm. I ask what that is and he tells me it's a Bible verse about God's Love for us all. Sounds nice... But that can't include me? Can it?

Times up...I'm outside those walls and on my own. Those people that cared inside? Where are they?

My support system crumbles. I try hard for a few weeks, I love football, but there is no one in my life who shows love and care consistently. I am made fun of by my 'family' of gang members for wanting to "do the right thing". One day, one of my boys rolls up on me in a new stolen Porsche and offers to take me for a spin. I can't help myself and I eventually fall into the same cycle as before.

I'm at school again and I hate it. A kid calls me dumb - so I stab him with scissors to show him who's boss.

My mum gets called to pick me up from school...again. She's angry and looks like she's having a breakdown. She wants me gone. I am too much of a problem for her, cramping her style. She says "I wish you were never born". My heart sinks. Even my own mother doesn't love me.

I find myself in a state care home for disowned kids like me. Maybe here I will get the love and care I so desperately need. I soon realise that I am just being babysat until I reach 18 and am someone else's problem. They said it was only for a month but now they're saying 1 year, maybe more?

I am encouraged to get a job... but soon realise, why get paid minimum wage when I can make more money stealing with minimal consequence?

I know what I am doing is wrong. But I am surviving. If you walked in my shoes, could you do anything different?

Reflections

What observations did you make as the reader? A few examples:

- Family Unit --> Broken.
- Parents Drinking all night --> Not safe at home, out on streets.
- Up all night on the streets --> Poor school outcomes.
- Disengaged at school --> Acting Up Issues as school for teachers, falling behind and leads to breakdown of families.
- Stealing Cars --> Gets me to Jail which is better than home and is fun in the process.
- Not catching the kids quickly --> The kids are having fun and people are getting seriously hurt / killed.
- Soft Policing --> The kids think its a game.
- Nice Jail --> Better then Home, I'd prefer to be in Jail...
- No one looking out for them, same family problems? --> Fall into the same cycles.
- Parents give up --> Kids in "state care" where there are no rules and they commit crimes anyway.

Proposed Changes

We need a multipronged targeted approach, and we need to be empowering those with a vision and a passion for these kids. We are respectfully asking that multiple avenues be explored with KPI's and reviews completed to ensure positive outcomes. A few examples:

1. KAP Relocation Sentencing- They are asking for a Pilot. Why not give it a go? We would add we need to ensure they are not going back to the same family unit problems. So, this should be addressed at the same time. We would also recommend this should be relatively close to Townsville.
2. I was shocked to hear that the closest thing to the above rehabilitation program run by Geoff and Vicki Toomby was defunded by the government a few years ago. This program was working successfully with young offenders for 4 years. Stories of kids who said 15 years on "their life started when they walked into the Toomby Farm". Why is our government not actively supporting these people?
3. We should not be letting kids "have fun" driving cars around. They should be stopped asap before they hurt someone.
4. Soft on crime needs to stop. Kids committing GTA should not be getting out quickly. They need to be rehabilitated.
5. Small 20 bed Remand Centres at Regional Cities so they are not kept at watch house and not flowing down Townsville / Brisbane.
6. Domestic and Family Violence Co-Response Trial currently for Cairns – We want it here but localised for Townsville.
7. A Curfew for kids - 10pm - 12pm? to 5am? With sweeps to lighthouse or equivalent. We need to be giving these kids a safe space and understanding what's going on. Where are their parents? What's going on at home?
8. Plan B for Schooling. An alternate Pathway option for kids (with parent approval) that don't fit the system."

9. We are proposing targeted mediation programs for these kids with their families (homes).

Imagine a day where youth crime in Townsville is no longer a significant issue. The intergenerational cycle has been broken. Where kids are no longer trying to find a way to get back into Juvie, where they know it is “safe” and they get 3 meals a day.

What we as a group and I believe each one of you here today would like to see in the coming years is the Children of Townsville, across the board, growing up in loving, caring environments, that are conducive to learning and growing as proud citizens of Townsville.

Regards,
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Date: **2/08/2023**

Dear Senators,

RE: Senate Observations –1st August 2023 - Evening

Last night 3 delegates from a cohort of 200 graduates from the Leading Australian Resilient Communities (LARC) Program being run by the Australian Rural Leadership Foundation got to sit in on your debates from approx. 5:30pm to 7:45pm on the 1st of August 2023. Thank you for having us. We had only planned to stay for 20 minutes but it was an extremely engaging experience and couldn't peel ourselves away.

For your interest, the [LARC program](#) is a national pilot program supporting regional communities to meet challenges and collectively drive positive changes in their respective region. We wanted to thank all sides of the federal government for supporting this initiative. For allowing us to undertake professional development to further lead our communities across Australia. Please see the attached booklet which provides additional information as required.

I will also mention that we appreciated Senator Perin Davey who took the time to come and listen to some of our presentations yesterday and speak to us as a group during her busy schedule. We were grateful that we got to return the honour and hear her speak in person.

The 3 delegates included everyday Australians, business owners, professionals and third and fifth generation farmers from Tasmania, WA and QLD.

We got to sit in on the following debates:

- Rural and Regional Affairs and Transport References Committee – Transmission Tuesday
- Environment and Communications References Committee
- Community Affairs References Committee
- Royal Commission into the Robodebt Scheme
- China Communist Party
- Australian Public Service

A few thoughts:

- We understand that you are all very busy people but we did note that only ~20% of the senators were present in the chamber while we were there.
- Without actively listening, and being present, how do Senators make an informed decision when it comes time to vote on the issue?
- There appears to be a lack of mutual respect to actually listen to each other across party lines and engage on these issues to create positive change for Australia as a whole.
- While still protecting democracy and differences of opinion, we think it would be great to see a more constructive and collaborative approach, that puts party politics aside when in the national interest. Directly engaging with the relevant stakeholders will enable you all to get to the heart of the issue, for the betterment of Australia.

Rural and Regional Affairs and Transport References Committee – Transmission Tuesday

- It was great to see people debating and supporting our farmers. Which all Australians rely on for sustenance.
- It was disappointing to hear about the subversion of our system by Lily D’Ambrosio with the demand for Option 5a, a more expensive proposition with generational effects for Australian land owners.
- The lack of care or concern by the greens and labour senators with respect to farmers, indigenous people and the environment regarding these issues was surprising and disappointing. Why not support an enquiry on the proposed land acquisition and access for the major renewable developments? Why not let the people effected have a voice? Where is the transparency? It would be good to see you all take careful consideration with matters that are irreversible, ensuring all sides are heard fairly.

Environment and Communications References Committee

- These books are not appropriate for children and appropriate steps should be put in place to protect children. It seems to be common sense to treat this material similarly to movies and video games. It was surprising that Senator Hanson-Young would accuse the opposition of “...directly imported from the fascist right-wing arguments carried out in the United States”. Where do you think this inappropriate material is coming from? This a rewrite of very similar material being spread across Canada and the USA [here](#). Also of note through Europe the support for “gender affirming care” for minors is pulling back as they have realised how damaging this is to their societies (see [reference](#)).
- It appears that family households are being eroded from many angles. The breakdown of the family unit, the most important level of governance in society, is causing a deterioration of the fabric of our communities and linked to many of the issues we are currently seeing on the rise in regional Australia including:
 - Youth Crime (Townsville, Cairns, Alice Springs etc.)
 - Youth behaviour Issues (Leading to teacher burnout at schools)
 - Gender Dysphoria
 - Mental Health
- I would submit that all these issues may be linked to some extent. That these problems weaken Australia as a whole. As Senator Antic mentioned the CCP appears to use many avenues to do this. The most blatant being the CCP do not allow the same TikTok content for their citizens as what is spread to the western world. Why is there a lack of concern for this? We have the potential to be undermined by a foreign power. James Lindsay had a good speech on these issues [here](#). He puts forward the hypothesis that all these ideologies are linked and effectively species of Marxism.

Youth Disengagement and Youth Crime

Problem

Following on from the above concern on the breakdown of the family unit, in Townsville, and we heard from many other regions of Australia yesterday at the LARC presentations, that Youth Crime is a rampant problem. From our review of the issue during the leadership program, we concluded that one of the main causes is the breakdown of the family unit and the lack of accountability or support of the parents. The voices we heard through the stories that people shared were heartbreaking. We heard children crying out for help. Multiple stories of children turning to crime as it was safer in juvey than at home. We heard firsthand accounts of parents having alcohol fuelled all night parties 3 nights a week, during the work week, with the kids out wreaking havoc through the community till the early morning. Last weekend in the early afternoon I had a stolen Toyota Prado doing a burnout in front of our home filled with children. 1km away from our home cars are burnt out after doing donuts on the local "burn out pad". And finally, I heard yesterday that one of the ARLF Alumni was stabbed and died during a robbery at or near his home in Townsville.

Solution

To break the cycle, parents need to be held accountable, and or given support for how they are raising their children. Parents should not continue to get welfare payments for their children when it is being spent on alcohol and cigarettes instead of being used to raise their children. We should not be financing damaging habits using welfare payments that cause these issues to continue and become intergenerational.

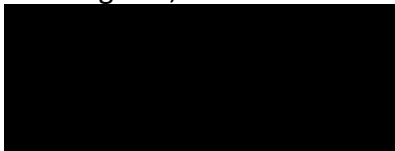
All our children are the next generation no matter their ancestry. As a society we are not adequately protecting, loving and mentoring these children.

It is my opinion, the NIAA could be reviewed and refocused to bring about real change and be "the voice" for the indigenous people spearheading these issues. No divisive referendum required. It is the easiest existing vehicle for "FNP People to find FNP Solutions to address FNP Problems". There are currently ~1300 employees and ~250 indigenous nations. There could be two representatives from each nation on a rotating basis, democratically selected by their tribe. The leadership of the NIAA should be held accountable to their people and Australian society for the execution of their vision.

There should be a vision and roadmap and goals to close the gap with an agreed upon end date by all parties. For example, the NIAA will have 10-20 years to bring about change and close the gap and then the funding tap will be turned off. No more excuses. All Australians will be treated as equal and we will be able to move forward as one cohesive multicultural society.

Thankyou for your time and all the best for the rest of the year!

Best Regards,



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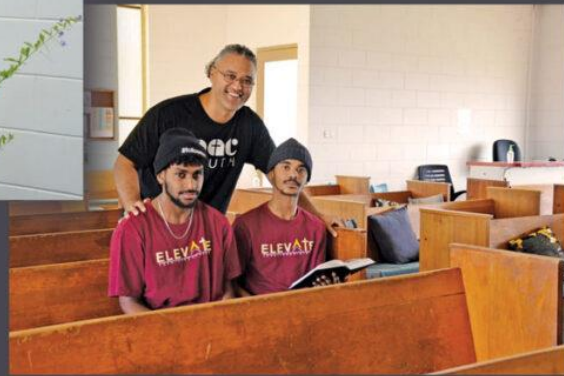
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Faith for a better life

- [Ellie Fink](#) September 14, 2023



Parties, drinking, drugs and breaking into homes—Brett Wason Deshong and Murphy Morris were addicted to the dopamine hit, yet were facing depression and anxiety, before finding peace within the Seventh-day Adventist Church.

Their troubled youth, in their opinion, was a direct result of “hanging in the wrong circle” during high school and as their grades slipped and their motivation to learn turned cold, they turned to substance abuse and Brett turned to stealing.

Breaking into people’s homes, his mentality at the time was “I have no job . . . man if I want something I will get it myself.



“I was wagging school and stealing a lot . . . I did a lot of breaking and entering and it was just bad,” he said.

“I don’t even like talking about it because it makes me feel bad. Murphy one time asked me ‘Why do you steal? These people work for this stuff and when you go in there, people see a black person in their house and that makes us all look bad.’

“At the time I was like ‘nah, that’s their fault for leaving the door unlocked’ but after a while it really started to kick in.”

Brett knew what he was doing was wrong. He knew he had to stop but he grew so dependent on the feeling drugs, alcohol and stealing gave him, it felt impossible to change.

It wasn’t until he began looking for love that he realised it was time for a new direction.

“I was looking for a relationship, romance really, and then I began having all these dreams of my family and friends dying in front of me—even one of Murphy dying,” he said.

“Man, I cried in my dream and so much that when I woke up I was still crying and all I thought was I’m going to lose my brothers and for me, God came to me and said ‘Why do you need a relationship when you already have a relationship with Murphy and you can have a relationship with Me?’

“That’s the moment I decided to give my heart to God.”

When talking to Murphy about his dreams and his experience with God, Murphy was shocked. He knew if Brett was talking about religion this much, he had to be serious about it and that was the moment they both decided to make the big change.

“Growing up, I had talked about God but more about other people’s experiences with Him and just religion in general. . one day Brett started talking about Jesus and to see another brother even mention religion and diving into it opened my eyes, so I followed him for the journey,” he said.

They decided to go to church and see what it was like and although their first time felt silly, they persisted, determined to change their lives around.



Walking into the church, shielding their anxiety and uncertainty with their nervous giggles and cheeky commentary during a regular Bible study, they stood up and demanded change within themselves.

“It was a tough time for us and there were a lot of emotions, but I guess we had each other and we could keep each other accountable,” Murphy said.

“When we came to church, it was all new, but we had watched videos online, so we had a little glimpse of what to expect.

“It felt kind of silly at first. We thought how could something this simple have such a drastic change in our lives and gradually we kept coming and we could start seeing the shift in our lives. It was the best decision I have ever made, and I have never looked back.”

That was September 2022 and since then, the duo have changed drastically, turning away from substance abuse and crime for good.

Brett and Murphy were baptised recently and are now studying ministry through Mamarapha College, Perth, WA, with aspirations to become ministers within the Church.

Murphy has also taken up a position as a chaplain at Cairns Adventist College in Gordonvale every Friday, supporting and teaching young people, something he never thought he would do in his life.

"I never liked kids but throughout my journey I guess my heart has softened," he said. "I really love children now and just everyone in general. Sometimes it's the little things in life that have the biggest impact—it's beautiful."

Mareeba Seventh-day Adventist Church senior pastor Sean Tavai has watched the duo flourish and become a major part of the church community.

"I have watched them come so far and so quickly," he said.

"Their growth is just a whole other level and what has contributed to their keenness is wanting to give this walk of life a shot.

"They are always asking when the Bible study is or when they can start preaching and that sort of thing."

Looking back at where they were only 11 months ago, so much has changed in Brett and Murphy's lives, filling their days with positivity and happiness—something they never knew existed.

They encourage anyone who may be in a rough patch in life to seek help, whether it be in good people or the church.

"I get to meet so many beautiful people and this journey has really changed my perspective on life," Brett said.

"I get to go on lots of camps and be a part of events and activities that I couldn't originally go on because I never knew it existed and now, they do exist in my life, I feel a lot happier.

"The advice I would give to anyone, in the simplest form I can put it, you have to believe in yourself and it's not up to me to change you, it's up to you to change yourself.

"Nobody could change me (as a teenager) but there was a lot of good advice that helped me think about change."

The Seventh-day Adventist Church is open to anyone, particularly youth who wish to get involved and channel their creativity and make new friends.

"Our young people are crazy creative and talented and we as their elders tend to forget that and I truly advise young people to express their talents," Pastor Sean said.

"I want to help create those opportunities for them to do that and get behind them and support them and influence them in a positive way."

Ellie Fink is a Journalist for *The Express*. This article has been reprinted from *The Express* newspaper with permission. *The Express* covers the Far North Queensland region.

KATTER'S AUSTRALIAN PARTY

Relocation Sentencing

A policy to address youth crime



KATTER'S
AUSTRALIAN PARTY

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Executive Summary

Key Points

The Katter's Australian Party (KAP) Relocation Sentencing Policy is built on four main pillars:

1. Remote location.
2. Mandatory.
3. Fixed term.
4. Intensive rehabilitation.

Relocation Sentencing would be a specific option available to the courts when sentencing eligible, repeat youth offenders.

Remotely located facilities would be established to accommodate youth sentenced under this judicial option.

Rationale

Current sentencing/detention models for young offenders are not meeting community expectations. They fail to act as a deterrent for re-offenders and are failing to rehabilitate most young offenders largely due to a lack, or the inadequate duration, of, appropriate rehabilitation programs and training. Detention, in its current form, fails to protect the community. Diversion programs aimed at serious repeat offenders have a high failure rate because of low participation due to no practical mechanism being available to force an offender to engage.

KAP's Relocation Sentencing Policy is a ground-up rethink of addressing Queensland's youth crime problem. The purpose of the policy is to reduce the high incidence of recidivist offending by introducing a new sentencing option to deter re-offending and address the shortfalls in current rehabilitation. If the rate of youth offending were successfully addressed, we could see:

- Up to a 50% drop in all car thefts.
- Up to a 70% drop in all burglaries.
- Up to a 50% drop in all unlawful entries.¹

Policy outline

Relocation Sentencing requires a commitment from the Queensland Government to first trial a pilot program with the intention of rolling out the policy across the state if successful. This would require State departments to work in synergy and a commitment of resources for remote detention-based facilities to detain offenders who are identified as suitable for the Relocation Sentencing option by the courts.

1. Ownership, oversight, and service provision

The facilities are to be government-owned and administered, and remain the responsibility of the Department of Youth Justice.

2. Eligibility

The Relocation Sentencing option is suitable for children aged 10 to 17 who are deemed recidivist offenders. Offenders ineligible for Relocation Sentencing are those convicted of sexual or serious violent offences, those who display other at-risk behaviours that could pose a risk to others, or any youth offenders identified by the courts or department.

3. Size and staffing

Centres would have no more than 30 detainees per facility with the staff-to-detainee ratios of 1:4 in line with existing Queensland youth detention centres.

4. Scope and site

Initially, a pilot detention facility would be constructed. The location can be determined from viable options and locations within North and Far North Queensland.

Favoured locations are rural and remote, and replicative of an agricultural setting.

5. Sentence duration

Sentences would be a minimum of six months and a maximum of 12 months.

6. Accommodation style

The detainees would live in secure, demountable building (donga) accommodation. Breaches of security or absconding would be dealt with on a case-by-case basis and may result in a loss of privileges or a lock-down/grounding order.

7. Education and training

Formal schooling facilitated by qualified teaching staff will be provided. Vocational training will be facilitated as part of the on-site functions of the centre, providing the practical aspect including but not limited to mechanical, fabrication, agriculture/horticulture, hospitality, and other areas as appropriate. Drug and alcohol rehabilitation, mental health and cultural/life skill programs would be integrated into the therapeutic components of the facility.

8. Other activities

Detainees will be embedded in the day-to-day functioning of the centre with their routine to include basic roles such as cooking, cleaning, general maintenance, and animal husbandry. Regular physical activities will be available including bush walking, camping, cultural activities, and sports would be worked into monthly programming.

9. Release

Each child will undergo full psychiatric and skills-based assessment at the six-month milestone to ascertain if they are suitable to be released. If not, they will complete their full twelve-month sentence. Upon release, each detainee would be under a strict community re-integration plan while on a twelve-month parole timeframe. To reduce the risk of re-offending, departmental support would be extended to families and carers to ensure each child is either engaged in school, completing a training course/apprenticeship or is participating in paid employment. Any breach of their parole conditions or re-offending will trigger a court order that will return the offender back to a relocation facility for a full twelve-month sentence.

2.

Queensland's Youth Crime Crisis

The state is in crisis, and youth crime is having a profound impact economically and socially, across Queensland.

In the 2021-22 period, the number of youth crime matters heard in Queensland courts reached a record high of almost 40,000, committed by 3,400 distinct offenders.

There has been a doubling of car thefts committed by young offenders, a 30% increase in unlawful entry offences, and a 40% increase in assaults (see Table 4).

75% of offenders committing property crime in Townsville are youth.²

i. Current State

Youth justice in Queensland has received significant attention from state and federal governments, policy makers, academics, the courts, police, and the media in recent years. Numerous reports, inquiries and legislative amendments have been made aimed at combatting the problem. Efforts made have had very little effect on those “hard nut” recidivist youth offenders that tend to engage in crimes such as unlawful use of a motor vehicle, break and enter and robbery.

Making it even more difficult to combat, the nature of youth offending is constantly changing in the modern world. Social media now plays a central role in the lives of children and youth

crime. Many offences are being committed by youth seeking notoriety for their criminal behaviour which they obtain through online platforms such as TikTok and Instagram. Adding another layer of complexity, there are anecdotal reports of an alarming trend of younger children being recruited by older peers to commit offences in exchange for rewards in the form of social status, money, alcohol, or drugs.³

ii. Youth Crime Statistics

Queensland Police Service statistics show that the police commenced criminal proceedings against 52,742 young offenders in 2021-22, an increase of 13.7% from 2020-21.⁴

The vast majority of crimes committed by young people are theft and related offences.

In this respect, young offenders stand well out from their adult peers.

While young offenders make up about 16% of Queensland's criminal population, they commit:

- 54% of all robberies.
- 53% of all motor vehicle thefts.
- 50% of all unlawful entries.⁵

The 15- to 19-year-old age bracket is by far the worst group of offenders across all offence types, more than double that of the 20- to 24-year-old cohort.⁶

Not all child offenders get charged; according to police data, 14,589 cautions were issued in 2021-22, an increase of 6.6% over the previous year (see Table 1).

In 2021-22, there was a total of 6,773 finalised appearances of child defendants in all Queensland criminal courts, an 8% increase from the previous year, with 3,341 distinct defendants convicted.⁷

The latest data from the Bob Atkinson review of the Government's 2021 legislative reforms indicate that the number of offenders defined as Serious Repeat Offenders has grown by 25% over the last three years.⁸

“

The QPS proceeded against 52,742 young offenders in 2021-22, a 13% increase from the previous year.

Table 1: Select Police Cautions

Offence	2020-21	2021-22
Acts Intended to Cause Injury	1,542	1,501
Sexual Assault & Related Offences	732	813
Motor Vehicle Theft	1,204	1,340
Unlawful Entry with Intent	1,553	1,679

Source: QPS data cited in Childrens Court of Queensland Annual Report, 2021-22

Table 2: Convicted Distinct Child Offenders

2018-19	2021-22
4,125	3,341

Source: QPS data cited in Childrens Court of Queensland Annual Report, 2021-22

Table 3: Finalised Charges: 2011-2 vs 2021-2

2011-12	2021-22
19,077	39,904

Source: Government Statistician's Office, Courts Database, cited in Childrens Court of Queensland Annual Report, 2021-22

Table 4: Percentage change in most common offence type by finalised charges, 2011-12 vs 2021-22

Offence	2011-12	2021-22	% Change
Acts intended to Cause Injury (assault)	1,112	1,747	57%
Theft of Motor Vehicle	2,655	4,685	76%
Unlawful Entry with intent	2,910	6,275	115%
Theft (except vehicle theft)	3,311	5,181	56%
Road Traffic Offences	1,270	1,833	44%

Source: Cited in Childrens Court of Queensland Annual Report, 2021-22

iii. Offences by Region

The nature and prevalence of young offending varies by location.

While theft is the most common offence committed in the Brisbane area, theft in regional and remote places is less common overall.

However, offences such as entering or being in premises and committing indictable offences as a proportion of all offences gets significantly higher the more remote you go, as is burglary and unlawful use of a motor vehicle.

Table 5: Most Common Offence Type Remoteness, as a Proportion of Youth Offences

Offence	Major City	Regional	Remote
Stealing	18.9%	20%	13.7%
Enter/Committing an Indictable Offence	11%	19.5%	35%
Unlawful Use of Motor Vehicle	11%	14.1%	16.2%
Public Nuisance	11.9%	12.4%	15.2%
Shop Lifting	15.1%	8.6%	2.7%

Source: Sentencing Advisory Council, Kids in Court, p31

iv. The Cost of Youth Detention

According to the Australian Productivity Commission's Report on Government Services 2023, it costs more than \$2,000 a day, or more than \$750,000 a year, to keep a child in detention.⁹

The Queensland State Government has recently committed to building two new detention Centres by 2026, with Cairns in Far North Queensland flagged as one possible location.

The Queensland Government spends more than \$300 million a year on the Youth Justice portfolio with \$140 million allocated to detention services.¹⁰

The financial burden on the community of the ongoing youth crime crisis is difficult if not impossible to calculate. According to the RACQ, vehicle theft cost Queenslanders more than \$130 million in 2019.¹¹ That number would be significantly higher today, with young offenders responsible for about half those offences.

The financial burden to Queensland taxpayers is more easily calculated. Youth Justice services alone consume well over \$300 million a year, with questionable results.

The current detention model attracts enormous capital costs, while the ongoing costs of detention have proved to be excessively expensive with little cost-benefit to the community. With high rates of recidivism, including a re-offending rate of 95% at Townsville's Cleveland Detention Centre*, Queenslanders are not receiving value for money. The return on investment in the youth justice space is manifestly inadequate, particularly so when it comes to community safety and correcting the behavioural patterns of offending children.

*Response to a Question on Notice, No. 859, asked on August 18, 2022 by Member for Hinchinbrook, Nick Dametto, MP.

The capital cost of each Queensland detention centre (2021)

- Cleveland Youth Detention Centre located in Townsville: **\$248.712 million**
- Brisbane Youth Detention Centre: **\$170.025 million**
- West Moreton Youth Detention Centre: **\$161 million**

The estimated annual ongoing services costs for each facility (2021)

- Cleveland Youth Detention Centre:- **\$43.377 million**
- Brisbane Youth Detention Centre:- **\$36.665 million**
- West Moreton Youth Detention Centre:- **\$16.903 million**

Source: 2021 Estimates Pre-Hearing Question on Notice, No.12.



v. Profile of a Young Offender

The Youth Justice Census is an annual survey of young people under supervision in the youth justice system on any given night, either in detention, on remand, participating in restorative justice conferences or still under an active community-based youth justice order.

According to the census from 2018-2021:

- More than 50% of young people under active supervision are disengaged from education and training.
- Almost 10% have been diagnosed or are suspected to have

Foetal Alcohol Spectrum Disorder (FASD).

- 30% live in unstable or unsuitable accommodation.
- 20% have ADHD.
- More than 30% have at least one behavioural disorder.
- Between 50 and 60% have been impacted by domestic and family violence.

vi. Young Offender Sentencing Options

Part 7 of The Youth Justice Act 1992 (QLD) sets out the options that are available, and principles that must be applied, when it comes to sentencing youth offenders. Sentencing orders can include a wide range of sanctions including probation, community-based orders, conditional release orders, graffiti removal orders, and detention orders.

Data from the Childrens Court of Queensland shows that only 309 of the 4,650 young offenders sentenced in a Queensland court in 2021-22, were sentenced to a detention order (see Table 6).

When sentencing a young offender, the legislation requires that the sentencing judge consider all alternative options before imposing a period of detention. Should judges consider detention the most suitable option, they must provide substantive reasons as to why detention is the best course of action. A sentence can be over-turned on appeal if the court fails to adequately justify why a young offender should not have been given an alternative, non-custodial sentence.

Restorative Justice

Court ordered Restorative Justice is an alternative sentencing option. It requires mutual agreement by the offender and the victim (or the Department of Youth Justice on behalf of the victim) to participate in a conference. The rationale for Restorative Justice is to provide victims a platform to express directly to the offender how their offending behaviour impacted upon the victim. It is a relative newcomer to the sentencing regime.

According to an evaluation by KPMG in 2016-17, a total of 510 Restorative Justice orders were made. In the 6 months following a restorative justice conference, of the 510 court-ordered attendees:

- 59% (300) did not re-offend.
- 41% (210) re-offended (with most of those re-offending at an equivalent or substantial increase in seriousness of offences.¹²

Detention

Queensland youth detention centres have been the subject of extensive media reporting and controversy in recent years.

The conditions, for both staff and detainees, in Queensland youth detention centres appears to be not fit for purpose, to

the extent that they are now catching the eye of sentencing judges, who are mitigating sentences as a result.

The reality is that Queensland's capacity to care for and rehabilitate the State's troubled youth has not come all that far from the conditions which gave rise to the Commission of Inquiry into Abuse of Children in Queensland Institutions, the so-called Forde Inquiry in 1998-99. It is rare that anyone would set out to lock up children, but for some children, whether it be for their own safety or that of the public, detention is a necessity.

As Judge McGuire of the Children's Court of Queensland stated:

[i]f such offenders are detained in a detention centre they are out of harm's way for the time being and cannot commit crimes against society. However, detention will not work, if when they come out, they are more criminally inclined than when they went in.¹³

Re-Offending Rates and Serious Repeat Offenders

The most significant issue with the traditional youth detention model is the lack of rehabilitation. For example, as stated earlier, 95% of detainees at Cleveland Youth Detention Centre go on to re-offend within 12 months of their release.

There are insufficient mechanisms in place that appropriately and effectively deter young criminals away from a life of crime. Sadly, under the current system many young people will continue to cycle through the youth justice system before eventually, in the Youth Justice Department's own terminology "age out" and become adult offenders. At that point, the much harsher and true reality of punitive adult imprisonment will become their life, but it may be far too late for them to turn things around. This is not only an undesirable outcome for our State's youth, who could have potentially lived a different life, but it is also an unacceptable outcome for the community in terms of personal safety and the immense economic expense.

Table 6: Highest Penalty, Comparison 2010-11 vs 2021-22

Penalty	2010-11	% of whole	2021-22	% of Whole	% Change in Proportion	Trend
Total Number of Penalties	5,435		4,650			
Detention Orders	133	2.4%	309	6.7%	179%	UP
Immediate Conditional Release	320	6%	299	6.4%	6.6%	UP
Community Service	951	17%	452	9.8%	-42%	DOWN
Probation	977	18%	1,483	32%	77%	UP
Good Behaviour	904	16%	527	11%	-41%	DOWN

Source: Queensland Government Statistician's Office, cited in Children's Court of Queensland Annual Reports, 2010-11/21-22

Sentence Durations

According to long-term research by the Sentencing Advisory Council, the average head sentence for children sentenced to detention is four months. In cases where a conditional release order was given, the average sentence duration was about three months. Community Service Order

durations average 90 hours. Probation, as the most common penalty, averaged 17 months.

Under **The Youth Justice Act 1992 (QLD)**, juveniles sentenced to detention need only serve 70% of their head sentence.

Table 7: Detention Sentence Duration in Days

	2018	2019	2020	2021
Average Sentence (days)	38	37	34	40
Median	25	28	24	32
Maximum	169	173	108	139

Source: Cited in Atkinson, Youth Justice Reforms Review, p143

Table 8: Detention Sentence Duration (months) Motor Vehicle Theft

Penalty	Number	Average Duration (months, hours)	Max (months, hours)
Detention	288	3.6 months	18 months
Conditional Release Order	213	3 months	12 months
Boot Camp Order	37	3.7 months	6.1 months
Community Service Order	1,855	52 hours	200 hours

Source: Sentencing Advisory Council Spotlight on UUMVO, 2005-2019, p17

“ Queensland locks up more kids than any other state. We also have the highest re-offending rate in the nation. ”

Source: 2023 Productivity Commission Report of Youth Justice Services.

3.

International Youth Detention Models

Other countries have developed successful models to manage youth crime with impressive results.

i. “The Missouri Model”

The most widely cited alternative to traditional detention hails from the United States of America, so-called Missouri Model.¹⁴

A key feature of the Missouri model is the limit of no more than 30 beds with most facilities having about 15 beds.

While still mostly urban-based, the facilities are spread throughout the state, often located in re-furbished schools and large residential buildings. Offenders, when sentenced, are sent to whichever is closest. Rather than individual cells, detainees live in dorms.

The results speak for themselves. Within three years of release, the re-offending rate was just 33% and the transition rate to

adult prison was 3.8%.

Importantly, the Missouri Model also boasts at least a quarter of youth exiting the department’s care by their 16th birthday having completed secondary education. Three quarters of all youth advance at least as fast as a typical student in public school.

The success of the Missouri Model demonstrates that rehabilitation of recidivist youth offenders is possible, if done so with a strictly defined, yet modified approach.

ii. European Models of Youth Detention

Other youth justice systems across the globe also have very low rates of recidivist youth offenders.

The Diagrama Model hailing from Spain is a welfare-based system in which detainees spend an average of nine months in secure detention precisely because it is recognised that short term detention is ineffective. The long sentences are a recognition that change takes time.

Detainees are initially sent to ‘closed’ facilities but as time goes on, offenders are sent to more open facilities and spend time back in the community. The other key aspect of the Spanish model is that the detention centres are run by non-government organisations, an option that doesn’t currently exist in Queensland.¹⁵

4.

“Sending ‘em Bush”: Australia’s History

The KAP’s proposal to detain young offenders in the outback is not a novel idea, and most jurisdictions across Australia have looked to the bush to solve the problem of youth offending at some point in time.

Australia’s longest-running remote sentencing facility was the Wildman River Wilderness Work Camp, in the Northern Territory, approximately 90 minutes from Darwin. The facility which ran from the early 1980s until 2004, originally had no buildings meaning the staff and detainees lived in tents. The young inmates and staff spent the first two years building toilets, showers, and accommodation.

The short-lived “boot camps” program, the last of which closed in 2016, is the closest Queensland has come to integrating mandatory remote sentencing into Queensland’s youth justice regime.

Alternative structural arrangements for youth detention represents a road not generally taken in contemporary youth justice initiatives. However, both the Northern Territory and Western Australia have recently renewed interest in outback sentencing programs. In fact, the Western Australian Government has taken the next step by announcing a \$15 million commitment in the State’s 2022-23 Budget to establish

an on-country residential facility at a Kimberley cattle station.

The aim of the facility is to reduce the high rate of youth crime and re-offending which has had a devastating effect on tourism and community safety across the Kimberley region. Tourists, residents and even police have all been victims of youth crime and any attempt to curb the crisis proved fruitless.

The intention was for youth offenders from Banksia Hill Youth Detention Centre to be diverted to the cattle station facility where they can participate in farm work with Indigenous-led health, cultural, and educational services on hand for support.

The facility was intended to commence operation in the second half of 2023 but due to extensive flooding earlier in the year, the start date as well as the exact location was still under consideration at the time of writing this policy.





Rethinking Rehabilitation: the KAP's Model

The term 'Buje-ka' is a First Australian term meaning banishment, a form of punishment administered to those who broke the rules or tribal laws of the time. The Hon. Bob Katter, who hails from Kalkadoon country and has been recognised as one of the most dedicated Aboriginal and Torres Strait Islander Ministers in Australian modern history, says this term and the place it came from is the birthplace of the Relocation Sentencing policy.

As summarised earlier, KAP's Relocation Sentencing policy is founded on four main pillars:

- Remote location
- Mandatory
- Fixed term
- Intensive rehabilitation

This policy seeks to put into practice recommendations from youth justice reviews as recently as the Atkinson Report, which among its recommendations for alternative sentencing, stated that:

[S]hould the construction of additional detention centre infrastructure be required, that consideration be given to designing facilities that are different from the current large-scale institutions. They should ideally be small in size, built in multiple locations across Queensland and potentially specialised and therapeutic in focus, to meet the circumstances of different cohorts of children, for example ... serious and high-risk offenders, or offenders with challenging behaviours.¹⁶

The report went on to say that this is because:

Smaller more therapeutic facilities provide greater opportunity to address children's problem behaviour, improve and strengthen connections with culture and community and facilitate their positive transition back to the community.¹⁷

In calling for smaller, purpose-built and place-based facilities, the report also had specific locations in mind:

The primary locations where need appears greatest are Far North Queensland, followed by Mt Isa and surrounds, then South-East Queensland. Locating custody facilities in these locations would avoid significant transport and dislocation costs for children from these areas, and provide opportunity for better connections with families, communities and local services and therefore better support for a child's transition back into the community.¹⁸

The Relocation Sentencing Policy provides a comprehensive approach to addressing incarceration which is intended to act as a deterrent and keep our community safe while offering

youth offenders a true pathway to rehabilitation. Through its four foundational pillars and a series of well-defined operational guidelines, the policy lays the foundation for a comprehensive and thoughtful approach to youth detention and rehabilitation.

If implemented, this policy could potentially pave the way for a more effective and holistic approach to juvenile justice. By supporting young offenders to realise they have great potential beyond committing criminal offences will lead to a transformation from a young offender to a capable young person who can make a meaningful contribution to society.

For Relocation Sentencing to become a reality, a significant commitment from the Queensland Government is required. This commitment entails a system-wide redeployment of resources toward the establishment of remote detention-based facilities. These facilities would house offenders who have been identified as suitable candidates for the Relocation Sentencing option by the courts.

This policy offers foresight into the specifics of ownership, oversight, and service provision. The proposed facilities would be government-owned and administered under the responsibility of the Department of Youth Justice. To foster community ties, create employment opportunities, and establish post-detention pathways, the policy suggests engaging local community groups and organisations to deliver programs in collaboration with relevant government departments.

The introduction of a remote location stands out as the key component within the policy framework. By placing detainees in remote locations, the distractions and negative influences that often hinder rehabilitation efforts can be minimised. This approach not only supports offenders in focusing on their rehabilitation but also provides them with the therapeutic and psychological benefits of being immersed in nature, away from the temptations of technology and substance abuse.

Critical to the success of this policy is the customisation and diversity of the remote facilities. KAP envisions detention centres that are tailored to the needs of the region, with variations in size, security level, and programs on offer. Further, the policy underscores the importance of community engagement by fostering collaboration with First Australian Elders and youth workers in order to develop meaningful connections that will promote change within the detainee.

Eligibility criteria for the Relocation Sentencing option are outlined, with a focus on housing young people of similar ages together whenever possible. This approach aims to ensure better consistency and age-appropriate care and programming. However, a case-by-case approach is proposed to address individual circumstances. Additionally, the facilities would be segregated by sex, and the option would not be

available to offenders convicted of sexual offences or serious violent offenders.

The proposed centres would accommodate a maximum of 30 detainees each, with staff-to-detainee ratios mirroring those of current youth detention centres at 4:1. Staff members, including management, security, education, maintenance, and guidance officers from First Australian communities, would be involved in the operations.

The policy places particular emphasis on the significance of education and training within the remote facilities. Formal schooling led by qualified teachers and support staff would be complemented by vocational training in fields such as mechanical, agriculture, horticulture, and hospitality. This multi-faceted regime aims to equip detainees with both academic knowledge and practical skills that will contribute to their future employment and training prospects.

The holistic approach extends to the daily routines within the centres. In addition to education and vocational training,

detainees would be required to participate in basic tasks such as cooking, cleaning, maintenance, and animal husbandry. The policy also has provisions for physical activities, including bushwalking, camping, cultural experiences, and sports, all of which would be assessed on a case-by-case basis.

As detainees approach their release, the policy requires the implementation of a strict community reintegration plan. This plan is designed to reduce the risk of re-offending by providing ongoing support and guidance to offenders as they transition back into society. By addressing the challenges of reintegration, the policy demonstrates a commitment to the ongoing care needed to keep young offenders on the right path.



Conclusion: A Choice to Make

KAP's Relocation Sentencing policy would see a transformative and innovative shift in Queensland's youth justice system. This policy would be a departure from current traditional youth detention models and would offer a more effective system that addresses some of the underlying causes of youth offending.

The existing youth justice system, for a multitude of reasons, often leads to a cycle of re-offending and evidentially perpetuates the very issues it is intended to resolve. The novel approach outlined by the KAP's Relocation Sentencing policy offers a refreshing departure from this paradigm. By focusing on rehabilitation, education, and holistic support, the new youth detention model and option has the potential to break this cycle and steer young individuals toward a path of positive change. This cannot be achieved by leaving young offenders in their existing environments or geographical location which makes the pillar of remoteness an essential element of the Relocation Policy.

We are often referred to the science and evidence behind government approaches to youth crime. Here we have a policy that aligns with what we are told is the science behind juvenile psychology and behaviour. One of the most unique aspects of this policy is its recognition of the diverse needs of young offenders. Instead of applying a one-size-fits-all approach to all young offenders across Queensland, the system is tailored to address the unique circumstances of individuals, taking into account their backgrounds, experiences, challenges and geographical connections.

Implementing a new youth justice regime will require support from all stakeholders. The road ahead may be challenging, with potential obstacles and scepticism to overcome. Nevertheless, the potential long-term benefits in terms of reduced recidivism rates and increased community safety make KAP's alternative approach a beacon of hope for Queensland.

Endnotes

1. Queensland Treasury, Crime Report, 2021-22, pp59-61. <https://www.qgso.qld.gov.au/issues/7856/crime-report-qld-2021-22.pdf>
2. <https://www.abc.net.au/news/2023-01-06/youth-property-crime-police-arrest-juvenile-offenders/101830780>
3. <https://www.townsvillebulletin.com.au/truecrimeaustralia/police-courts-townsville/youth-crime-task-force-boss-reveals-insights-on-tackling-juvenile-offending-in-townsville/news-story/447e88aa36e9250febf05de624c181cc>
4. Queensland Treasury, Crime Report, p39.
5. Ibid, p59.
6. Queensland Treasury, Crime Report, p61.
7. Childrens Court of Queensland, Annual Report, 2021-22, p16.
8. Bob Atkinson, Youth Justice Reforms Review, 2022, p144.
9. Productivity Commission 2023, Report on Government Services 2023, Part F, section 17: released on 25 January 2023, Table 17A.21.
10. Productivity Commission 2023, Report on Government Services 2023, Part F, section 17: released on 25 January 2023, Table 17A.10.
11. <https://www.insurancebusinessmag.com/au/news/breaking-news/racq-urges-the-queensland-government-to-rejoin-a-motor-vehicle-theft-reduction-initiative-162258.aspx>
12. <https://www.townsvillebulletin.com.au/truecrimeaustralia/police-courts-townsville/report-finds-youth-crime-program-less-effective-in-northern-queensland/news-story/c582699f2a1522930d53b9ea884c366a>
13. Childrens Court of Queensland, Annual Report, 1995-96, p50.
14. See: Annie E. Casey Foundation, the Missouri Model Reinventing the Practice of Rehabilitating Youthful Offenders, 2010. <https://www.aecf.org/resources/the-missouri-model>.
15. RMIT Centre for Innovative Justice, A European alternative approach to juvenile detention, 2018. <https://cij.org.au/news-and-views/a-european-alternative-approach-to-juvenile-detention/>
16. Bob Atkinson, Report on Youth Justice (Atkinson Report), 2018, p65.
17. Ibid, p62.
18. Ibid, p62.



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