

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

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Every Queensland
community deserves
to be a liveable one

Youth Justice Reform in Queensland

Submission to the Queensland Parliament Youth
Justice Reform Select Committee.

January 2024

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About the Local Government Association of Queensland (LGAQ)

The Local Government Association of Queensland (LGAQ) is the peak body for local government in Queensland. It is a not-for-profit association established solely to serve councils and their needs. The LGAQ has been advising, supporting, and representing local councils since 1896, enabling them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and providing them with the means to achieve community, professional and political excellence.

Partners-in-Government Agreement

The LGAQ on behalf of all 77 Queensland local governments is a signatory to a three-year partners-in-government agreement with the State of Queensland.

The Agreement details the key principles underlying the relationship between the state and local governments and establishes the foundation for effective negotiation and engagement between both levels of government.

The Agreement acknowledges that local government is the closest level of government to the community, affecting the lives of everyday Queenslanders and acknowledging Local Government as a genuine partner in the Australian government system.

The intent of the agreement was to continue the tradition of working in genuine partnership to improve the quality of life for all Queenslanders to enjoy. By identifying the roles and responsibilities of each party, it provides a solid foundation for effective negotiation and engagement between both levels of government.

The LGAQ is committed to working with the Queensland Government and will continue to be a passionate advocate for councils, to serve our joint jurisdiction for the people of Queensland.

Rural and Remote Councils Compact

The Rural and Remote Councils Compact¹ signed on 25 June 2021, complements the existing Partnership in Partners-in-Government agreement in place between the LGAQ and the Queensland Government to provide a platform to ensure issues of priority for these communities are properly considered by the Government when developing policies, programs, and legislation.

¹ <https://knowledgebaseassets.blob.core.windows.net/images/9c61cdc2-3cfa-eb11-94ef-002248181740/Rural%20and%20Remote%20Councils%20Compact%20-%20signed%20copy.pdf>

Submission to the Inquiry into Youth Justice Reform in Queensland

Executive Summary

The LGAQ welcomes the opportunity to provide feedback to the Queensland Parliament Youth Justice Reform Select Committee (the Committee) on Youth Justice Reform in Queensland.

Local government is well-placed to provide examples of successful local and place-based initiatives supported by councils to combat crime. As the closest level of government to the community, Queensland local governments are acutely aware of the impact of crime, in this case youth crime, on the victims, business owners and local communities right across the State.

Local government leaders stand ready to support initiatives that recognise the value of early intervention to keep young people out of the juvenile justice system to break the cycle of crime early.

While local governments are not responsible for youth justice, local leaders are keen to represent the concerns of their community and be constructive in partnering with the State Government to address these concerns. It is in that spirit that Queensland's local leaders approach the issue of how best to tackle youth crime.

The LGAQ's policy statement, which is the definitive statement of the collective voice of local government in Queensland, confirms that councils will work in cooperation with the Queensland Police Service and communities to address crime, fear of crime, and injury prevention.

It further states that local government will work with the State Government and all sectors of the community to assist with the identification of issues of local and regional concern and negotiate appropriate responses that contribute to a sense of safety and wellbeing. Local government will actively seek to engage stakeholders as part of planning and development processes as a contribution to building communities in which people feel safe.

Councils from across Queensland combined to back measures including tailored local solutions, diversionary strategies designed to keep young people out of the juvenile justice system, and increased support for victims of crime through the release in October 2023 of the LGAQ's *Community suggestions to address juvenile crime in Queensland* nine-point action plan².

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<https://cdn.intelligencebank.com/au/share/g11L/RZWj/8yVV9/original/Community+suggestions+to+address+Juvenile+crime+in+Queensland>

Member feedback informed the development of the plan³, which offers constructive solutions to directly address the concerns of Queensland's local communities, as did resolutions passed by Queensland councils at recent LGAQ Annual Conferences.

The passage of such resolutions at successive annual conferences -- 2021, 2022 and 2023 -- demonstrates the motivation of local government to inform policy for the better.

It is critical, however, that any measures are properly funded by the State Government and do not simply become another unfair cost-shift onto local communities and councils.

Recommendations

The LGAQ has included feedback from member councils on the impact of youth crime and has made seven recommendations, summarised below:

- **Recommendation 1:** The LGAQ recommends the adoption of the nine-point *Community suggestions to address juvenile crime in Queensland* action plan.
 - **Recommendation 2:** The LGAQ recommends the Youth Justice Reform Select Committee engage with local council leaders from communities across Queensland as part of its inquiry.
 - **Recommendation 3:** The LGAQ recommends the State Government further amends the *Youth Justice Act 1992* to remove or amend Schedule 1 - Charter of Youth Justice Principles no. 18 and 19. relating to detention of a child in custody, for an offence, being only as a last resort.
 - **Recommendation 4:** The LGAQ recommends the State Government strengthens consultation with local government on strategies and solutions to address youth crime in Queensland, tailoring policy frameworks to local challenges where possible.
 - **Recommendation 5:** The LGAQ recommends the State Government conducts an audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure funding is directed to those that are responsive to local needs, meeting intended outcomes and are fit for purpose, including additional programs developed in partnership between local government and Queensland Police Service that addresses gaps in service or assist better integration of outcomes for local communities.
- Recommendation 6:** The LGAQ recommends the State Government better supports the First Nations Recruit Preparation Pathway to increase the numbers of fully sworn Indigenous police officers, as well as the implementation of a community policing model in all First Nations communities.

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<https://cdn.intelligencebank.com/au/share/g11L/RZWj/8yVV9/original/Community+suggestions+to+address+Juvenile+crime+in+Queensland>

- **Recommendation 7:** The LGAQ recommends the State Government amends legislation in relation to the Blue Card system to not preclude people who have historic offences that would not endanger children or put anyone at risk, to allow people to take up jobs at council, volunteer for emergency services, or take on Kinship Carer roles in their communities.

Introduction

On behalf of our member councils, the LGAQ strongly welcomes action to address the youth crime issues impacting local communities across Queensland.

As the level of government closest to the community, Queensland councils are acutely aware of the impact crime, including youth crime, has on victims, business owners and local communities right across the state.

The LGAQ welcomed the introduction of the *Victims of Crime Assistance and Other Legislation Amendment Bill*, introduced by then Police and Corrective Services Minister and Minister for Fire and Emergency Services Minister, Hon. Mark Ryan MP in October 2023.

Further, the LGAQ was pleased to be invited to participate in State Government forums to help inform policy development in this critical area, including the Youth Justice Strategy Reference Group.

The Association looks forward to representing the views of our members and their local communities through these forums.

While councils are not first responders who deal with local crime in their communities, the liveability of Queensland communities is fundamentally important to all our members.

Councils deal with the impact and cost of crime in their communities – from damage to public infrastructure, to business and investment confidence through to economic development strategies, planning policy and supporting social cohesion, so they know well how important it is to ensure all Queenslanders are safe no matter who they are or where they live.

It is through this lens that Queensland's 77 councils are calling for immediate, evidence-based action to urgently address these pressing law and order issues. Queensland's local government leaders stand ready to support the State Government to address youth crime.

This is demonstrated through resolutions passed by Queensland councils at the 2021, 2022 and 2023 LGAQ annual conferences calling for local government to have a strategic involvement in assisting to curb youth crime. These resolutions form the basis of the nine-point *Community suggestions to address juvenile crime in Queensland* action plan.⁴

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<https://cdn.intelligencebank.com/au/share/g11L/RZWj/8yVV9/original/Community+suggestions+to+address+Juvenile+crime+in+Queensland>

This council-led nine-point action plan is evidence-based and backed by community suggestions and council case studies. The plan is designed to advocate for the adoption of constructive solutions to address the concerns of Queensland communities.

In releasing the nine-point action plan, councils are seeking opportunities to work more closely with the State Government and agencies like the Queensland Police Service to ensure our state's unrivalled reputation as a safe place to live, work and visit is preserved.

While local government is not responsible for policing, local leaders are keen to represent the concerns of their community and be constructive in partnering with the State Government to address these concerns.

Local government leaders are keen to support place-based initiatives that recognise the value of early intervention and other diversionary programs.

The challenges in Mount Isa are different to Townsville and to Brisbane. Listening to councils is vital to understanding that dynamic within a statewide policy framework, and fundamental to responding to the broader issue. The primary concern of the LGAQ and our member councils is the safety of residents and the liveability of Queensland's local communities.

It is critical that any measures are properly funded by the State and do not simply become another unfair cost-shift onto local communities and councils.

Recommendation 1: The LGAQ recommends the adoption of the nine-point *Community suggestions to address juvenile crime in Queensland* action plan.

Recommendation 2: The LGAQ recommends the Youth Justice Reform Select Committee engage with local council leaders from communities across Queensland as part of their inquiry.

Submission

The LGAQ has prepared the following detailed comments in relation to each of the [Committee's terms of reference](#):

1a - Ongoing reforms to the youth justice system

Queensland councils have a strong interest in the continued reform of the youth justice system because as the level of government closest to the community, they feel the impacts of crime on their local communities, local economies and local infrastructure and assets.

Council passed a resolution at the 2021 LGAQ Annual Conference calling for the State to increase penalties for juvenile offenders, and potentially also their guardians, while at the same time increasing funding to allow state and community service agencies to provide targeted intensive support to families to address systemic issues known to lead to juvenile crime including safe housing and better access to education and employment opportunities.

At the following LGAQ Annual Conference in October 2022, a resolution was passed by Queensland councils seeking a review of the *Youth Justice Act 1992 (QLD)* and the Youth Justice Framework.

That resolution called for the review to be conducted in partnership with key stakeholders including the Queensland Police Service, members of the Queensland Judiciary, relevant State Government departments and members of Victims of Crime groups.

Councils were seeking the following outcomes from the review:

- Incorporating greater considerations for victims of juvenile crime;
 - Enhancing police powers to adequately deal with juvenile offenders;
 - Implementing greater consequences and penalties for repeat juvenile offenders;
 - Exploring potential consequences for nominated caregivers and guardians where there is a lack of adherence to parental responsibilities;
 - Providing additional community supervision for offenders under restraint or community release to ensure ongoing compliance with court orders;
- Consistent interpretation of the legislation by Magistrates dealing with youth offenders that is reflective of community expectations and needs.

Councils have also requested strengthened consultation with local government on policy changes under consideration to address youth crime to ensure these solutions are place-based and effective.

Queensland councils then passed a subsequent resolution in 2023 calling for the *Youth Justice Act 1992* to be amended in order to remove the principle of detention being a last resort.

Recommendation 3 The LGAQ recommends the State Government further amend the *Youth Justice Act 1992* to remove or amend Schedule 1 - Charter of Youth Justice Principles no. 18 and 19. relating to detention of a child in custody, for an offence, being only as a last resort.

Recommendation 4: The LGAQ recommends the State Government strengthen consultation with local government on strategies and solutions to address youth crime in Queensland, tailoring policy frameworks to local challenges where possible.

1b - Support for victims of crime

Ensuring victims of crime receive adequate support is of concern to Queensland councils,

The LGAQ welcomed the introduction of the *Victims of Crime Assistance and Other Legislation Amendment Bill*, introduced by then Police and Corrective Services Minister and Minister for Fire and Emergency Services Minister, Hon. Mark Ryan MP in October 2023.

When supporting victims of crime, the State Government should leave no stone unturned to support victims and ensure community safety is the number one priority. Every Queensland resident deserves to feel safe in their home and their community.

The effects of crime felt by Queensland councils and their communities are both diverse and far reaching across the state.

Damaged buildings, smashed windows, stolen council vehicles, damaged plant and equipment along with damage preventing community events are all some of the effects felt by Queensland councils from youth crime.. There is an intangible cost to the community where the victims of crime in Queensland don't feel safe in their own homes or communities.

As outlined in the *Community suggestions to address juvenile crime in Queensland* nine-point action plan, Queensland councils seek increased support and/or compensation for victims of crime as well as a review of the impact of crime on small businesses in order to develop and implement compensatory and supportive strategies that meet identified need and gaps in current structures.

This follows a resolution passed by LGAQ member councils at the 2023 Annual Conference calling for the establishment of a funding program drawn from money and property forfeited to the State as proceeds of crime under the *Criminal Proceeds Confiscation Act 2002* to fund initiatives that prevent or minimise criminal activity, support the victims of crime and/or improve community safety.

Recommendation 1: The LGAQ recommends the adoption of the nine-point *Community suggestions to address juvenile crime in Queensland* action plan.

2a - The prevention of entry and diversion of youth offenders from the justice system with specific consideration of risk and protective factors that reduce crime;

Queensland councils recognise the value of diversionary strategies to help address and reduce instances of youth crime.

A motion moved by Mareeba Shire Council in Far North Queensland and passed by Queensland councils at the 2022 LGAQ Annual Conference called on the State to resource and expand the reach of place-based diversionary programs to engage young people and divert them away from the juvenile justice system.

Councils believe that by ensuring the existence of local diversionary strategies, designed and implemented to keep young people out of the juvenile justice system, in partnership with local government, would be a step in the right direction to address youth crime.

In addition, adequate funding and allocation of resources to implement statewide, wraparound support systems for students who are 'at risk' or actively disengaging from the education system should also be provided.

The prevention of entry to the criminal justice system for young people, requires early intervention strategies in the first instance, rather than embedding further disadvantage and potential long-term criminal behaviour.

Local communities support programs that impart both social and vocational skills and accreditation so that they can pursue employment opportunities rather than be sent to youth detention facilities.

The implementation of place-based capacity building programs and activities that are linked to pathways that enable young people to re-engage with family, community, education and/or employment opportunities provide a platform that addresses individual need – for example: family breakdown, homelessness, drug and alcohol and other addictions.

Recommendation 5: The LGAQ recommends the State Government conduct an audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure funding is directed to those that are responsive to local needs, meeting intended outcomes and are fit for purpose, including additional programs developed in partnership between local government and Queensland Police Service that addresses gaps in service or assist better integration of outcomes for local communities.

2b - Effective ways to stop recidivism and protect the community from offending and the opportunity for community-controlled organisations with specific reference to the role of First Nations peoples to provide support solutions and services;

Direct consultation with First Nations communities is vital to ensuring culturally appropriate solutions and policies are implemented that do not disproportionately impact First Nations communities.

First Nations communities are themselves working on place-based, culturally appropriate solutions.

A good example of a community-based crime prevention initiative is the Palm Island Aboriginal Shire Council night patrol. A community night patrol engaging with local youth at risk of anti-social behaviour has found success reducing incidents of property crime on Palm Island.

The community-driven solution has seen Palm Island Aboriginal Shire Council partner with residents to deploy a team of locals, including local elders, to patrol the town centre and surrounds, talking with young people out of home and moving them on.

Palm Island Aboriginal Shire Council Mayor Mislam Sam said the initiative's success showed what happens when community voices are heard, and local solutions implemented.

"The success we've had with our night patrol shows greater community control works."

"We as a community have been calling for greater support for grassroots solutions like these – it's the only way to address the root cause of some of these issues our young people are facing."

Further, Queensland councils moved a resolution at the LGAQ's 2022 Annual Conference calling for increased support for the First Nations Recruit Preparation Pathway program in order to increase the number of fully sworn Indigenous police officers, as well as the implementation of a community policing model in all First Nations communities.

This would pave the way for increased QPS engagement with communities, and improved relationships between the QPS and First Nations community members through providing positive role models for First Nations youth. It would also help communities to adopt more positive views of the role of police officers.

Support for a community policing model would also help ensure the Palm Island Night Patrol Initiative can continue and potentially be mirrored in other communities.

Recommendation 6: The LGAQ recommends the State Government better support the First Nations Recruit Preparation Pathway to increase the numbers of fully sworn Indigenous police officers, as well as the implementation of a community policing model in all First Nations communities.

2ci. -The efficacy of justice programs including on-country programs, education, health and housing services; and 2ciii -Evidence-based early intervention and prevention programs;

As referenced above, councils are supportive of evidence-based early intervention and prevention programs including On Country programs.

There is a need for On Country programs to be accessible to more Queensland communities as where On Country programs are available, they can be excellent tools to address youth crime prevention.

With millions of dollars coming into local communities every year in the form of Federal and State Government funding to not-for-profit agencies, it is difficult to know who to approach or contact about services when helping constituents. It is suggested that there is a review into where the funding is going, where there are overlapping services and where there are none.

An audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure they are responsive to local needs, meeting intended outcomes and are fit-for-purpose should be conducted to ensure money is being spent on the best possible programs, and the right outcomes are being achieved.

Queensland councils have also called for changes to the blue card system to ensure kinship carers are not being unfairly stopped from fulfilling their role, and to prevent children from being denied more appropriate care.

Specifically, councils supported a resolution at the 2023 LGAQ Annual Conference calling on the State Government to review the Blue Card framework so historical offences of a non-serious nature and not involving children are not taken into account.

Without a system that has the capacity to take into account rehabilitation, blue cards have the potential to impose 'life sentences' on individuals who have already been punished for their prior crimes.

The issues with the Blue Card system are also preventing people in communities taking up kinship care roles for children in communities and as such contributes to the over representation of Aboriginal and Torres Strait Islander children in the child protection system. This can have a perverse outcome if a willing and able family member is unable to undertake

kinship care due to an adverse Blue Card outcome meaning children can end up in the foster care system.

The Queensland Family and Child Commission (QFCC) has considered this issue and recently published its report 'Blue Card negative notices for kinship carers: A thematic analysis of provisionally approved kinship carers who receive a subsequent Blue Card negative notice'.

The QFCC's report states that the current Blue Card system "has a disproportionate impact on Aboriginal and Torres Strait Islander peoples" and continues to "perpetuate the displacement of children away from their kin, culture and Country".

The QFCC report recommends the requirement for Aboriginal and Torres Strait Islander kinship carers to hold a Blue Card to be removed, allowing more children to be raised safely with family and retain their connection to Country and culture.⁵

This report supports the views of Queensland councils.

Recommendation 7: The LGAQ recommends the State Government amend legislation in relation to the Blue Card system to not preclude people who have historic offences that would not endanger children or put anyone at risk, to allow people to take up jobs at council, volunteer for emergency services, or take on Kinship Carer roles in their communities.

2cvi - detention and other consequences of offending;

The current system of either sending youth offenders to formal youth detention centres, where young people often become further criminalised by the fellow inmates or are given some form of community service is not working for many of these vulnerable young members of society.

As referenced above, Queensland councils support the expansion of diversionary facilities with a 2022 LGAQ Annual Conference resolution passed by members calling on the State Government to introduce diversionary facilities across Queensland.

Rather than punishment, communities support programs that impart both social and vocational skills and accreditation so that they can pursue employment opportunities rather than be sent to youth detention facilities.

Recommendation 5: The LGAQ recommends the State Government conduct an audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure funding is directed to those that are responsive to local needs, meeting intended outcomes and are fit for purpose, including additional programs developed in partnership between local government and Queensland Police Service that addresses gaps in service or assist better integration of outcomes for local communities.

⁵ https://www.qfcc.qld.gov.au/sites/default/files/2023-12/A%20thematic%20analysis%20of%20provisionally%20approved%20kinship%20carers%20who%20receive%20a%20subsequent%20Blue%20Card%20negative%20notice_updated.pdf

2cvii - the most suitable infrastructure used for custody, detention or residential components necessary to reduce crime; and

As referenced above, Queensland councils support the establishment of diversionary facilities on State-owned land to help address youth crime. This was demonstrated through the passage of a resolution at the 20232 LGAQ Annual Conference.

In cases where young individuals have begun engaging in minor offences or have come to the attention of police, early intervention can be beneficial to gain both social and vocational skills and accreditation so that they can pursue employment opportunities rather than be sent to youth detention facilities.

In addition to current land holdings, the State in recent times has acquired several large properties across Queensland and it is proposed that small centres be developed on some of these, where these young people can be given a chance in life. This can be done by providing them with both social and accredited vocational skills in a safe environment away from the negative influences they currently live in.

These facilities can be set up across the state and while it is envisaged they be multicultural in nature, should specific groups wish to establish culturally specific facilities, this should be accommodated. These facilities should not be seen as places of punishment but rather places where young people, who have often missed out on opportunities because of the environment they are in, could develop the necessary skills to succeed in life.

Our members seek the State Government to conduct a review of the ownership of their regional and remote properties that might be suitable to establish youth diversionary projects for youth who are at risk of entering the Juvenile Justice system.

These regional and remote youth diversionary projects would be able to provide young people who are disengaging or have disengaged from the education system with alternative pathways into further education, employment and social engagement that is culturally appropriate and inclusive.

We are aware that many young people are going through the court system after succumbing to negative influences and committing crimes. The current system of either sending them to formal youth detention centres, where they often become further criminalised by fellow inmates or are given some form of community service is not working for many of these vulnerable young members of society.

Recommendation 5: The LGAQ recommends the State Government conduct an audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure funding is directed to those that are responsive to local needs, meeting intended outcomes and are fit for purpose, including additional programs developed in partnership between local government and Queensland Police Service that addresses gaps in service or assist better integration of outcomes for local communities.

2cd - Systems and processes to provide immediate and ongoing support for victims of crime.

Queensland councils support increasing help for victims of crime.

As mentioned above, councils from across the State passed a resolution at the 2023 LGAQ Annual Conference calling for the State Government to establish a funding program derived from the *Criminal Proceeds Confiscation Act 2002* (CPCA) where money and property forfeited to the State as proceeds of crime is reinvested in the community, through a local government community safety funding program.

Mareeba Shire Council in their own submission to the Committee's Inquiry stated: "All too often victims of crime are forced to carry the financial burden through no fault of their own."⁶

Recorded offences against persons and property in Queensland have increased in 2021-22 when compared with 2020-21. Offences against the person recorded a 46.3 per cent increase and offences against property recorded a 12.9 per cent increase (QGSO).

The LGAQ acknowledges the State Government has ongoing budgetary and policy initiatives that are focused on keeping communities safe including additional policing resources, home and vehicle security, and responding to victims of crime.

The Association welcomes the increase to funding for victims of crime announced by the State in September 2023.

This additional initiative, included in the LGAQ's the nine-point *Community suggestions to address juvenile crime in Queensland* action plan⁷ would provide an additional avenue for local governments, QPS and community in response to the public safety issues that the community considers a priority.

Recommendation 1: The LGAQ recommends the adoption of the nine-point *Community suggestions to address juvenile crime in Queensland* action plan.

Case Studies

Goondiwindi Regional Council:

The severity and frequency of juvenile crime has significantly impacted our community. The overwhelming majority of property related crime experienced by our community is due to a small number of repeat juvenile offenders, as evidenced by the near non-existent property related crime whilst these repeat juvenile offenders are incarcerated. Legislative changes need to occur to break the cycle of crime.

The current system results in the repeat juvenile offenders almost immediately reoffending upon release. The behaviour of these repeat juvenile offenders is becoming more brazen and

⁶ <https://documents.parliament.qld.gov.au/com/YJRSC-6004/YJRSC-54D8/submissions/00000009.pdf>

⁷

<https://cdn.intelligencebank.com/au/share/g11L/RZWj/8yVV9/original/Community+suggestions+to+address+Juvenile+crime+in+Queensland>

violent, with serious assaults and intimidation of local community members reported and sadly visitors to our town are targeted in local accommodation.

Legislated change to ensure consequences for actions for repeat offenders with the overriding principle of community safety being put first. Parents/guardians and those responsible for community supervision must also be held to a higher expectation. We are advocating for greater deterrents and interventions to prevent ours and other communities having to deal with the ongoing consequences of repeat juvenile offenders.

Our local police have the full support and confidence of Council, and are very efficient within the powers they have, but they are let down by the law that directs the courts towards non-custodial sentences for juvenile offenders regardless of criminal history. The police require appropriate resources and enhanced powers to deal with repeat juvenile offenders including those who have been released into the community on court orders.

Council has actively been engaging with relevant cross border (NSW & QLD) stakeholders. Council's leadership team have communicated directly with several State Government Ministers about the concerns raised by stakeholders and the community at large.

Livingstone Shire Council:

Residents and business owners within the Livingstone community have often expressed concern at the apparent lack of consideration given to victims of juvenile crime within the Juvenile Crime legislation. These are victims whose property has been stolen and often damaged in the conduct of the crime. The question of fairness and justice is prominent within the legislation, but how is "fairness" to be extended to victims of crime.

There appears to be no compensation requirement for juvenile offenders, however insurance costs rise as a result of claims against the crime. Council is seeking the LGAQ's support for the residents and business owners of Livingstone Shire Council and other councils in Queensland which suffer from heightened juvenile crime. The legislation is lacking in its consideration of victims of crime and needs expert input in developing amendments to facilitate this consideration.

Balonne Shire Council:

A push to drive reform in local primary and secondary schools via a proactive partnership between Balonne Shire Council and Education Queensland has led to increased resourcing and a focus on behaviour management in the outback shire.

Council's proactive approach to curbing poor behaviour and anti-social activity in the student population has also led to the establishment of the Country University Centre.

The Centre employs an Indigenous advisor to engage with the next generation of First Nations leaders and encourage further education opportunities.

Townsville City Council:

Townsville, like many other cities and towns across Queensland, has not been immune to the prevalence of property-related crime in its communities.

Townsville City Council has taken the stance that locally targeted and practical solutions are necessary to tackle these types of crimes – even though addressing this issue does not fall within the legislative authority of local governments.

In recognition of the significance of fostering a safe and secure environment for its residents and visitors, Council has embarked on an ambitious journey with their 'Safer Places Townsville Action Plan'.

The initiative focuses on several key areas, including a Community Safety Advisory Committee which includes representatives from Council, the Queensland Police Service (QPS), Queensland Fire and Emergency Services (QFES) and various state agencies and NGOs – and community safety audits.

Key outcomes of community safety audits have included investment in programs and opportunities tailored to youth offering positive outlets and opportunities, improved street and park lighting and optimising the use of public spaces for community benefit.

Palm Island Aboriginal Shire Council

A community night patrol engaging with local youth at risk of anti-social behaviour has found success reducing incidents of property crime on Palm Island.

The community-driven solution has seen Palm Island Aboriginal Shire Council partner with residents to deploy a team of locals, including local elders, to patrol the town centre and surrounds, talking with young people out of home and moving them on.

Palm Island Aboriginal Shire Council Mayor Mislam Sam said the initiative's success showed what happens when community voices are heard, and local solutions implemented.

"The success we've had with our night patrol shows greater community control works."

"We as a community have been calling for greater support for grassroots solutions like these – it's the only way to address the root cause of some of these issues our young people are facing."

Mareeba Shire Council

Council provides secretariat support for ongoing community collaboration with the inaugural meeting convened with Assistant Commissioner for Police, Cheryl Scanlon, and community and government service agencies. The 'Mareeba Collaborating for Community Safety' network is focussed on improving co-ordination between agencies, pooling resources to fill gaps (especially for night-time diversionary program) and identifying other gaps and finding collaborative solutions.

Conclusion

The LGAQ appreciates the opportunity to make this submission to the Youth Justice Reform Select Committee. The LGAQ strongly welcomes action to address the youth crime issues impacting local communities across Queensland.

Many Queensland communities are feeling the impact of youth crime. Councils are calling for immediate action and partnerships with the State Government to ensure our state's unrivalled reputation as a safe place to live, work and visit is preserved.

It is therefore imperative, as recommended above, that the Youth Justice Reform Select Committee engages with local council leaders from communities across Queensland as part of their inquiry.

Queensland's 77 councils want immediate, evidence-based action to urgently address these pressing law and order issues. Local Government stands ready in partnership to offer constructive solutions that directly address the concerns of Queensland communities to implement place-based solutions that address the underlying causes of crime.

Preventing crime and increased early intervention will improve the liveability of Queensland's communities, and in turn improve community safety for its residents.

In doing so, we support a properly funded, evidence-based approach that reduces crime, reduces re-offending rates and rehabilitates offenders.

Every Queensland community deserves to be a safe and liveable one.

Contact Details

Please do not hesitate to contact Sarah Vogler, Head of Advocacy via email [\[REDACTED\]](mailto:) or phone [\[REDACTED\]](tel:) should you wish to discuss any aspect of this submission.

LGAQ Policy Statement

The LGAQ Policy Statement⁸ is a definitive statement of the collective voice of local government in Queensland. The relevant policy positions of local government in the context of community safety are as follows:

7.4.2 Community Safety

7.4.2.1 Councils will work in cooperation with the Queensland Police Service and communities to address crime, fear of crime, and injury prevention.

7.4.2.2 Local government will work with the state government and all sectors of the community to assist with the identification of issues of local and regional concern and negotiate appropriate responses that contribute to a sense of safety and wellbeing. Local government will actively seek to engage stakeholders as part of planning and development processes as a contribution to building communities in which people feel safe.

7.4.2.3 Local government will incorporate Crime Prevention Through Environmental Design (CPTED) principles in their assessment frameworks within the planning development process.

⁸ <https://www.lgaq.asn.au/downloads/file/183/2019-lgaq-policy-statement>

Annual Conference resolutions

The LGAQ is committed to member-driven advocacy and working with members to build stronger local government and more resilient local communities. Relevant Annual Conference resolutions have been listed in this submission.

2023 Annual Conference Resolutions

#13 The LGAQ calls on the State Government to review the blue card framework so historical offences of a non-serious nature and not involving children are not taken into account.

#32 The LGAQ calls on the State Government to establish a local government funding program derived from the Criminal Proceeds Confiscation Act 2002 (CPCA) where money and property forfeited to the State as proceeds of crime is sold and returned to the State's consolidated revenue fund, a portion to be redirected to be reinvested in the community.

#33 The LGAQ calls on the State Government to further amend the Youth Justice Act 1992 to remove or amend Schedule 1 - Charter of Youth Justice Principles no. 18 and 19. relating to detention of a child in custody, for an offence, being only as a last resort.

#34 The LGAQ calls on the State and Federal governments to conduct an audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure funding is directed to those that are responsive to local needs, meeting intended outcome and are fit for purpose, including additional programs developed in partnership between local government and Queensland Police Service that addresses gaps.

2022 Annual Conference Resolutions

#30 The LGAQ calls on the State Government to better support the Indigenous Recruit preparation Program to increase the numbers of fully sworn indigenous police officers and implement a community policing model in all Indigenous Council communities.

#80 The LGAQ calls on the State Government to introduce diversionary facilities on more remote State-owned properties across Queensland where young people who have started falling foul of the law can be sent to gain both social and vocational skills and accreditation so that they can pursue employment opportunities rather than be sent to youth detention facilities. The LGAQ calls on the State Government to:

1. Utilise State owned regional and remote properties to establish Youth diversionary projects for youth who are at risk of entering the Juvenile Justice system.
2. Deliver diversionary projects in place, that provide young people who are disengaging or have disengaged from the education system with alternative pathways into further education, employment and social engagement that is culturally appropriate and inclusive.

#133 The LGAQ calls on the State Government to coordinate a review of the Juvenile Justice Act 1992 (QLD) and the Youth Justice Framework in partnership with key expert stakeholders

(consisting of, but not limited to, Queensland Police, Members of the Queensland Judiciary, relevant State Government departments and members of Victims of Crime groups) to address the following concerns:

1. Lack of support and compensation for victims of juvenile crime
2. Limitations in police powers
3. Level of supervision for offenders under restraint or community release
4. Consistency in the interpretation of the legislation by Magistrates dealing with young offenders.

2021 Annual Conference Resolution

#84 That the LGAQ calls on the State Government to address youth crime and anti-social behaviour in our communities in the following ways:

1. Increase penalties and consequences for criminal acts by youth offenders
2. Introduce legislation and increase funding that: a) Allows state and community service agencies to provide targeted intensive support to identified families where there is a lack of parental care or threat, that reinforces parental responsibilities to enable children to feel safe and cared for by their family; b) Reinforces and supports parents to provide adequate care for children/youth and provide mechanisms to deal with those parents who cannot or will not;
3. Provide additional funding to agencies to deliver support and facilities where youth can be safely housed and provided guidance and help in situations when living at home is not a safe option. This includes education and trade skill opportunities.
4. Engage with councils, via the LGAQ, on how to address these issues.

Juvenile crime in Queensland



Every Queensland community deserves to be a liveable one



Community suggestions to address juvenile crime in Queensland

Many Queensland communities are feeling the impact of juvenile crime. Councils are calling for immediate action and partnership with the State Government to ensure our state's unrivalled reputation as a safe place to live, work and visit is preserved.

Queensland's 77 councils want immediate, evidence-based action to urgently address these pressing law and order issues. In 2022 and 2023, councils united to pass several resolutions at the LGAQ Annual Conference to curb crime. The below nine points comprise a Local Government Action Plan that offers constructive solutions that directly address the concerns of Queensland communities.

1

Local diversionary strategies designed and implemented to keep young people out of the justice system.

2

Audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure they are responsive to local needs, meet intended outcomes and are fit-for-purpose.

3

Development of place-based, culturally appropriate pre-vocational, employment and further education pathways and outcomes.

4

A local government 'seat at the table' to inform engagement strategies that capture and support young people who are disengaged or have disengaged from the education system or other relevant institutions.

5

Increased support for victims of crime, including the establishment of a State Government funding program where money and property forfeited as proceeds of crime is reinvested into impacted communities.

6

The establishment of a collaborative taskforce to facilitate a coordinated and consistent response across State Government stakeholders.

7

The provision of additional State Government operational, maintenance and capital funding for CCTV infrastructure, upgraded high-definition colour CCTV for existing facilities and Wi-Fi nodes in tourist hotspots and vulnerable communities.

8

Funding to enable local government and the Queensland Police Service (QPS) to work in partnership to implement place-based crime prevention strategies.

9

Better State Government support for the Indigenous Recruit Preparation Program to increase the numbers of fully sworn Indigenous police officers and implement a community policing model in a First Nations council communities.

Local government does not have law and order responsibilities. These sit with the Queensland Police Service (QPS). However, local leaders strongly wish to represent the concerns of their communities and be constructive in partnering with the State Government to offer ideas to address these concerns.

Member councils of the LGAQ have proposed these solutions, informed directly by their grassroots observations, as a set of urgent priorities to bolster the safety of communities across our state.

As the level of government that is closest to the community, councils are acutely aware of the impacts of youth crime – on victims, business owners and neighbourhoods across Queensland.

Local government leaders stand ready to support initiatives that recognise the proven value of early intervention and other diversionary programs, but they must be place-based.

Direct consultation with First Nations communities is vital to ensure culturally appropriate solutions – and policies that do not disproportionately impact First Nations communities.

The challenges in Mount Isa are different to those in Townsville, or in Brisbane, and understanding this dynamic within a statewide policy framework is fundamental to effectively responding to the broader issue.

Local diversionary strategies designed and implemented to keep young people out of the juvenile justice system. Resource and expand the reach of culturally appropriate, place based diversionary programs to engage young people and divert them away from the juvenile justice system.

Audit of all existing place-based youth justice programs, including diversionary and other specific initiatives to ensure they are responsive to local needs, meeting intended outcomes and are fit for purpose.

Development of place-based, culturally appropriate pre-vocational, employment and further education pathways and outcomes. Fund youth specialist workers within, and supported by, councils to enable the creation of local solutions. Support this measure with the allocation of appropriate resources to expand the capacity of local service providers via tools like Local Government Community Safety Plans (CSPs), allowing them to design and implement local solutions that empower and provide young people with opportunities to be actively engaged in their futures.

A local government 'seat at the table' to inform engagement strategies that capture and support young people who are disengaging or have disengaged from the education system and/ or other relevant institutions. Fund and allocate resources to implement statewide, wraparound support systems for students who are 'at risk' or actively disengaging from the education system.

Increased support and/or compensation for victims of crime.

Undertake a review of the impact of crime on small businesses and, accordingly, develop and implement compensatory and supportive strategies that meet identified need and gaps in current structures. Consider the establishment of a local government funded program derived from the *Criminal Proceeds Confiscation Act 2002 (CPCA)*, to fund initiatives that prevent or minimise criminal activity or support the victims of crime.

The establishment of a collaborative taskforce to facilitate a coordinated and consistent response across State Government stakeholders.

Work collaboratively and in partnership with key stakeholders to review and streamline the current youth justice framework and judicial responses to youth crime in order to establish a coordinated and consistent whole of government response at the State and local levels, including a review of the *Youth Justice Act 1992*.

The provision of additional State Government operational, maintenance and capital funding for CCTV infrastructure,

upgraded high definition colour CCTV for existing facilities and Wi Fi nodes in all tourism and hotspots and vulnerable communities. This will boost and promote safety, whilst also improving visitor amenity and opportunities

Funding to enable local government and the QPS to work in partnership to implement place-based crime prevention strategies, encompassing funding for councils to employ youth development officers to work with a diversity of stakeholders on reducing youth crime and its long term impacts upon communities.

Better State Government support for the Indigenous Recruit Preparation Program to increase the numbers of fully-sworn Indigenous police officers and implement a community policing model in all First Nations council communities. This will pave the way for increased QPS engagement with communities, and improved relationships between the QPS and First Nations community members through positive role models for First Nations youth and more community members adopting positive views of the role of police officers.



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Cairns Regional Council

Youth focus in Cairns CBD safety pilot

Cairns Regional Council's Community Safety Plan – CBD Pilot 2022–2026 is providing a framework for Council to proactively engage with service providers to connect with young people and address at-risk behaviour in its CBD.

Cairns' unique combination of factors stemming from its location, demographics and positioning as a tourism hotspot make it vital that place-based solutions are considered and implemented.

The pilot aims to strengthen the Cairns CBD as an inviting place where people feel safe, amenity encourages visitation, and economic activity and diversity is supported.

It encompasses, in part, a focus on informal engagement via funded service providers, with the implementation of place-based and mobile Police Liaison Officers engaging with all at risk groups including young people in the Cairns CBD.



Cairns

Palm Island Aboriginal Shire Council

Palm Island night patrol finds success with local solution

A community night patrol engaging with local youth at risk of anti-social behaviour has found success reducing incidents of property crime on Palm Island.

The community-driven solution has seen Palm Island Aboriginal Shire Council partner with residents to deploy a team of locals, including local elders, to patrol the town centre and surrounds, talking with young people out of home and moving them on.

Palm Island Aboriginal Shire Council Mayor Mislam Sam said the initiative's success showed what happens when community voices are heard and local solutions implemented.

"The success we've had with our night patrol shows greater community control works."

"We as a community have been calling for greater support for grassroots solutions like these – it's the only way to address the root cause of some of these issues our young people are facing."



Palm Island

Townsville City Council Commitment to a Safer Townsville

Townsville, like many other cities and towns across Queensland, has not been immune to the prevalence of property-related crime in its communities.

Townsville City Council has taken the stance that locally targeted and practical solutions are necessary to tackle these types of crimes – even though addressing this issue does not fall within the legislative authority of local governments.

In recognition of the significance of fostering a safe and secure environment for its residents and visitors, Council has embarked on an ambitious journey with their 'Safer Places Townsville Action Plan'.

The initiative focuses on several key areas, including a Community Safety Advisory Committee which includes representatives from Council, the Queensland Police Service (QPS), Queensland Fire and Emergency Services (QFES) and various state agencies and NGOs – and community safety audits.

Key outcomes of community safety audits have included investment in programs and opportunities tailored to youth offering positive outlets and opportunities, improved street and park lighting and optimising the use of public spaces for community benefit.



Balonne Shire Council Balonne builds capacity and opportunity for local youth

A push to drive reform in local primary and secondary schools via a proactive partnership between Balonne Shire Council and Education Queensland has led to increased resourcing and a focus on behaviour management in the outback shire.

Council's proactive approach to curbing poor behaviour and anti-social activity in the student population has also led to the establishment of the Country University Centre.

The Centre employs an Indigenous advisor to engage with the next generation of First Nations leaders and encourage further education opportunities.



City of Gold Coast

“ Our lifestyle and liveability on the Gold Coast is our calling card – and what attracts our millions of visitors each year from Australia and across the globe to our shores. We need to ensure we protect our iconic liveability now – and well into the future – by listening to the voices and concerns of our communities around the drivers and impacts of youth crime. Local solutions must be heard and supported if we are to see lasting change.”

- Mayor Tom Tate

Toowoomba Regional Council

“ The safety and security of our community is of paramount importance. As the closest level of government to the people, councils see firsthand the impact youth crime has on the liveability of our cities and towns. A State Government crime forum held earlier this year in Toowoomba showed the scale of the problem – and its impact on victims and our residents. As a result of the forum, we have seen positive results from implementing local solutions. Additional support and greater collaboration is welcomed to tackle the root cause of our issues with young people.”

- Mayor Geoff McDonald

Mareeba Shire Council

“ Council provides secretariat support for ongoing community collaboration with the inaugural meeting convened with Assistant Commissioner for Police, Cheryl Scanlon, and community and government service agencies. The ‘Mareeba Collaborating for Community Safety’ network is focussed on improving co-ordination between agencies, pooling resources to fill gaps (especially for night-time diversionary program) and identifying other gaps and finding collaborative solutions.”

- Mayor Angela Toppin



Every Queensland community deserves to be a liveable one