

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

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I have been working for some days on these thoughts and suggestions. I trust they are of value to you. If they are not appropriate, could you please forward them to the relevant office or person?

These ideas could be of considerable potential application when approaching an election in the present manner that youth crimes are being perceived by our citizens.

Thank you, sincerely!!!!

D'Arcy Watson



TOWARDS REDUCING CRIME — some thoughts towards a better society

“ . . . Houston, we’ve had a problem,, . . . ”

That third mission in the Apollo program to land men on the moon encountered a major problem following the explosion of a liquid oxygen tank in April 1970. The astronauts were nearing orbit around the moon when this problem arose. This incident was discovered following a loud explosion and a blinking warning light indicating an equipment malfunction.

Some problems are insignificant; some are potentially deadly. Clearly, if the critical problems are not recognised, they cannot be successfully remedied.

Australia, We Have a Problem

Among the many challenges facing our nation today, very few Australians could be unaware of the tragic increase in juvenile crime. From disrespect in the home, to bullying and violence in schools, and theft of property and vehicles, to bashing people, often aided with weapons of various kinds and in company with multiple offenders.

Further, rather than attempting to hide such behaviours, many of these individuals quite brazenly boast of their deeds on social media displaying these ‘accomplishments’. Television news program also reveal these criminal performances, showing blatantly dangerous driving in stolen high powered cars, which frequently conclude with multiple crashes. Police cars, it seems, are often targets of these drivers. Commonly, these cars contain other teens (and even pre-teens), who are influenced by both the excitement of the crime, and the ‘bravery’ of their peers. If the cars are not wrecked, then they are commonly set alight to destroy any evidence

of their involvement. That the lives of many members of the public are placed at risk appears to be of no real consequence nor concern.

Adults are even attacked in their homes, when intruders break in to steal whatever they fancy. Valuables of all kinds are taken for personal use, or for resale to others. High-end cars are stolen and wrecked. Or burnt. Streets are unsafe for women, children, and seniors, if they are walking after dark. As a result, people are traumatised with emotional scars that will linger for perhaps decades. What amount of money could possibly compensate those effected by these crimes?

Increasingly we see people genuinely angry with these socially disrespectful and dangerous behaviours, and demonstrations are visible on the nightly news. Demands are made repeatedly for government authorities to prevent the juvenile behaviours that are deemed to be out of control.

Did we mention the cost of these offences?

- Have you checked your car insurance renewals recently?
- Are your house and contents insurance premiums rising only at the rate of inflation?
- What about the cost of home security systems that many are having to
- Or is there a Neighbourhood Watch program patrolling your suburb?
- Are you concerned about your elderly parents, and the conditions existing here they live?
- install?
- Do you have security doors and screens fitted?
- Is the value of your home dragged down by the youth crime in your suburb?
- Who today can afford to insure their home, their belongings and their vehicles with the recent spate of floods and fires?
- That is, if they can afford to own or rent a dwelling. And, heaven help those living tents and shelters who don't have the luxury of security doors and screens, deadlocks and burglar alarms guarding them at night!

Juvenile crime is pervasive: apart from the above mentioned areas, we have not even considered shoplifting, graffiti, vandalism, using vehicles to smash an entry into stores, drug usage, holding up food outlets, senseless violence continues; injuries increase; police frustration mounts; parents don't know what to do to help their children; . . . and so the list continues.

You don't need to be persuaded of the magnitude of the problem confronting the police and parents, courts, magistrates, teachers. You know it exists: and how many friends do you have who have become victims of these types of crime?

In one of the most famous speeches of all time, U,S, President Abraham Lincoln in The Gettysburg Address, November 19, 1863, said:

“ . . . this nation, under God, shall have a new birth of freedom and that government of the people, by the people, for the people, shall not perish from the earth”

As you can plainly see, this does not apply to Australia in 2024! Because it seems that our governments are incapable of providing freedom for its citizens — from its own children and youth. We hardly need to fear an attack from an enemy without as we are clearly losing the battle from within.

What do we hear authorities saying? What do 'experts recommend as a new theory to provide for the needs of these troubled teens, to help keep them out of trouble's way?

Just the same old:

- “we are organising a conference to discuss ideas,
- “we need more police;
- “and bigger watch houses, detention facilities, more jails,
- “and more trained staff to divert those with minor offences away from becoming enmeshed more deeply;
- “We have inherited the errors of the previous government, and that’s why, . . . “

Or, we could try what ancient Rome did: provide free entertainment and food at the Colosseum to deflect the mobs from rioting. (Sorry, ~~not the Colosseum~~, I intended to say the venue was to be at the rebuilt Gabba)

Now, look through all the above strategies and excuses and SEE HOW MANY ARE PRECISELY TARGETING THE ACTUAL CAUSE OF JUVENILE CRIMES.

None of the above are!

Because none of these methods confront the real problem:

THESE TEENAGERS DON'T CHOOSE TO STOP THEIR WRONG BEHAVIOURS!

THEY WOULD RATHER CONTINUE COMMITTING THEIR CRIMES!

WHY IS THIS?

Because their lifestyle is providing them with precisely what they are seeking.

EXCITEMENT:

- The thrill of stealing and riding in high performance cars.
- No hire costs to pay, and no fuel either.
- The thrill of (~~the chase~~) being chased by the despised Police.
- Terminate your escape with the bonfire and thrill of incinerating the stolen car!.
- Or, crash the car, and then scatter — and see if ‘they’ can catch you.
- Stand before a magistrate, and the statistics are that you will receive a ‘slap on the wrist.’ Not a real slap: just one that is absolute token ‘slap’.
- Then go out spy a new car to joyride and write-off in one way or another.
- Far more excitement than a racing game on a play station!
- Breaking into homes is so easy!
- You get no real penalty from society; so why not continue this ‘game’?

FUN:

- Getting into someone’s house is so exciting. Because your adrenaline is flowing and you are pumped up, if you have to get out, you can do so quickly before any sleepy oldie can react.

- And, what can be better than driving someone else's car — at way over the speed limit, and overtaking other cars? Look at how they stare at you changing lanes and swerving!
- But, the real good times are when you drive into oncoming traffic! What a hoot!!

POPULARITY: (or is it NOTORIETY?)

- Among their peer group, such actions, attitudes (as well as any 'trinkets n treasures' gained) can only add to their credibility and acceptance.
- Their exploits followed on social media expand their area of influence widely.
- And, they may even gain the best possible exposures of their deeds on television news. (Being a topic on the talk shows on radio is not a valuable).
- Their disdain for the norms of our society has an appeal for turned-off teens, especially when the judicial system is perceived as largely ineffectual.

POSSESSIONS:

- Sneaking or breaking into homes is just like going on a Treasure Hunt: if you see it, and want it; then you just take it!
- Shoplifting is so easy: if you are thirsty, just stop in and grab a drink or whatever you like. Drink it as you go through the store, and simply put the empty bottle back on some shelf, and walk out.
- Clothing is easy to swipe too. Especially when there are several mates with you, the staff cannot pick out who grabbed what clothing items and you all quickly leave the store.

TO SUMMARISE:

- These juveniles can have too much fun and excitement and notoriety and the 'riches' gained by stealing to bother stopping.
- **They are happy to 'let the good times roll on'.**

"BUT THEY MUST FACE THE COURTS WHEN THEY ARE CAUGHT!"

- And what a genuine deterrent are our present courts?
- The sad truth, to these young offenders, is that the courts are sadly like toothless tigers, too commonly released them swiftly.
- And by the time the courts are going to seriously sentence these offenders, they have become so deeply entrenched with their associates in crime, that their likelihood of recidivism is very high.
- Whether the next step is a juvenile detention facility or a jail, the end result is hardly likely to be desirable from society's viewpoint..
 - It is rather like placing a person with a cold into a locked environment surrounded by dozens of people with HIV, Aids, and Covid-like attitudes.
 - Could you seriously expect them to eventually leave there in a healthy condition, with socially desirable attitudes?
- By this time, it is too late for intervention to really turn their lives around. What a

waste of young lives!

Of course, the problem is neither new nor unique to Australia. Fifty years ago, a police official told me that, on the average in the San Fernando Valley of California, the average youth stole 33 cars before the courts seriously dealt with them!

Then they would progress (??) to jail to cure them. Really??

Is this the solution. Or could there be a better way?

A continuation of the present policies will only produce results similar to the present ones. A change is essential if the nation is to progress towards realising its potential.

But, are we willing to try some thinking from 'outside the square we are in' to attempt to rectify this tragic, frightening and costly situation?

This paper has to this point surveyed this serious problem, but will now move to examine an alternative approach which could provide a partial solution. And not only to juvenile crime.

But before that, let's try to envisage what would be a perfect solution to the dilemma we face.

SOME CHARACTERISTICS OF AN IDEAL DETERRENT TO JUVENILE CRIME

The best solution is to NOT have the crime occur in the first place, rather than after the crime to attempt to rectify the situation. However, our society is far away from this utopian environment.

- Once a crime has occurred, and the perpetrators apprehended, they should be brought speedily to court for the appropriate verdict.
- The offenders should:
 - Apologise for their crime;
 - agree to undertake some form of suitable compensation to the victim;
 - or if this is not viable, to undertake some form of community service.
- The presiding authority should determine:
 - mercy or warnings — where is fitting, and
 - decree whatever punishment applies (with consideration of the age, gender, health, mental limitations, and the history of the individuals).
- The penalty is applied immediately.
- The issue is then concluded,
 - (except for the compensation or community service to be suitably carried out as speedily as possible).

How close can we come to ultimate level of dealing with juvenile crime?

Is there some means by which we can get closer to this ideal than we have at present?

ONE POSSIBILITY — 'ADVANCE BY GOING BACK'

One nation that has strict standards but a low crime rate, and low juvenile crime, is Singapore,

One deterrent they use is caning.

If you were honest with yourself right now, there is a high likelihood that you would be thinking that such an idea is barbaric, primitive, unenlightened, cruel and inhumane. And perhaps way beyond even those things! That such an approach befits those Asian cultures that place little real value on human life.

- Did you know that caning as a form of corporal punishment for criminals was introduced by the British to Malaya and Singapore in the 19th century?
- And that it is effective?
- Both in reducing crime and recidivism, and in rehabilitating the offenders?
- And, guess whether it is more or less costly than our present strategies?

Before we dismiss the idea, consider the alternative:

- to stay with what we are now doing, floundering while we sink deeper and deeper into crime and lawlessness increasing in Australia.
- Our approaches are clearly too often failures. Very expensive ones! Ones with tragic consequences for all involved!
 - Offenders. Police. Ambulance officers. Traumatized victims and their families. Grieving parents and their families. School teachers trying to deal with surly, arrogant and disruptive pupils. Citizens living with rising costs and insurance premiums. Overloaded hospitals trying to cope with people who have been unnecessarily injured.
- Different approaches are tried, and eventually they fail, because they don't deal with the control problem.
- **that juveniles, entrenched in their lifestyle, don't want to change their ways, anymore than a train wants to jump off the rails.**
- **These juveniles must be motivated sufficiently to decide to change their own behaviours!**

Before we examine what is involved with caning in Singapore, consider some quotations from the leaders of Singapore:

Judicial caning is purportedly meant to serve as a humiliating experience for offenders and as a strong deterrent to crime. In 1966, when Singapore's first [Prime Minister, Lee Kuan Yew](#), introduced caning as a mandatory punishment for vandalism, he said in [Parliament](#), "[...] if (the offender) knows he is going to get three of the best, I think he will lose a great deal of enthusiasm, because there is little glory attached to the rather humiliating experience of having to be caned." [Singapore Parliamentary Debates, Official Report, 26th August 1966; Vol 20 at cols 291 - 305]

In a 2004 interview with [China Central Television](#), Lee explained why caning should continue in Singapore with reference to the [1994 Michael Fay incident](#): "Every country has its own problems to face, we know, certain things. You put a person in a prison, it makes no difference. He will not change. Because you observe certain rules, there's enough food, enough exercise, fresh air, sunshine ... But if you cane him, and he

knows he will be given six of the best on his buttocks, and it will hurt for one week that he can't sit down comfortably, he will think again." ["Conversation with LKY (CCTV) Part 1/2 (June 2004)". Youtube. 7 October 2011. Retrieved 7 February 2018.]

A multitude of other quotations could be included, but suffice it to say that while there are detractors in Singapore to caning, the majority realise it is effective, and the better available option.

So, let's examine caning more closely.

While Singapore implements caning in prisons, institutions and also permits it in homes, this paper does not advocate the use of caning in anything but when appropriate in dealing with juvenile with proper safeguards in place.

In the video below the initial speaker was caned as a prisoner several times. Listen to what is said.

- Did it help reform him?
- Was he unable to move about when he received a caning after a the third time?
- And consider for yourself: would caning similar to this be a genuine deterrent to juveniles — or anyone?
- Yet, it only takes a little time to administer, and few resources (compared to prisons, parole officers, psychologists, etc).

Notice too that there are people who don't agree with this method, but the government of Singapore has persisted with this for one reason.

It works! Not every time nor with every person. But its benefits outweigh the negative aspects.



RECOMMENDATIONS

- The use of caning for juvenile crime be implemented after a trial period that would include public education.
 - Implementation could be trialed in one part of the state before be adopted statewide.
 - Parliament would decide what ages of males could receive this punishment, and whether it would be wise to include one warning to an offender, or not.
 - If an offender is deemed suitable to receive a warning, perhaps they should be shown a screening of an actual caning (with audio as well as video) to help impress on them graphically the consequences of further infractions.
 - Further, Parliament would need to consider the threshold of strokes of caning for multiple reoffences, and whether this would be increase by how many: e.g.; 5; 10; 15 strokes, or whatever.
 - Staff would need to be trained, and facilities provided in close proximity to the court, so that following consultation with the victims, and restitution details being finalised, the punishment would be carried out.
 - Staff would need to devise means of ensuring that the restitution was properly supervised and completed, and to report back to the court (and to the victims) of this.
 - Schools would need to attend either to local courts to see a video of caning to adequately ensure they understand the consequences of juvenile crime, or this could be viewed at school accompanied by a suitable discussion with a teacher.
 - Consideration could be given to how individuals or groups could perform tasks of restitution for the community: would they be dressed in a particular uniform, as they remove graffiti, or chewing gum, or whatever.
 - For repeat offenders, thought be given to placing them after their caning with adults who could assist them to learn certain skills, such as feeding young animals, working in an orchard, a market garden or a farm.
-
- If the program is deemed successful, **further thought be given to implementing the use of caning into schools.** As you should know, one of the biggest problems facing teachers is that of discipline and inappropriate attitudes. Caning could be successful in reducing the rate that teachers leaving the service because of this problem. In introducing caning into the schools, it would need to be implemented at first by senior male head teachers. Applied fairly and consistently, caning can produce calmer, more respectful and more productive classrooms, as I have experienced.
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- Again, Singapore uses caning in prisons where certain behaviours such as aggression and disrespect towards the prison officers is not be tolerated. **Similar usage in our prison system could produce beneficial results in the medium term.** If the behaviour of prisoners improves, should we not see a parallel improvement in beneficial outcomes and a lowering in recidivism?
-
- A major problem that Police repeatedly face is that of **domestic abuse.** Usually of a man towards his wife, (but occasionally of a large teenager towards an older [and smaller] adult). It would seem apparent that, if applicable, the threat of or the use of caning would reduce this problem considerably. This is another area of potential

application of caning for the benefit of our society. Homes would be more harmonious, less alcohol abuse would occur and the Police would not have to face so many domestic problems.

CONCLUSION

One of the biggest obstacles to the introduction of caning of those committing juvenile crimes will be the general attitudes of society. Many will think this is a barbaric practice. Others will think it intrudes on their human rights. Or, that these are merely children and too young and tender to have caning inflicted upon them.

Their views are obviously important and valid for them.

However, would they rather remain with the present (and deteriorating) rate of crime, theft, assaults, and fear, along with every persons' loss of freedom as these teens roam about as citizens who are somehow above the law — because of their age?

It is my considered opinion that as this paper suggests, our whole society would be better off with offenders learning early in their lives to obey the laws of the land. Straighten out the tender young plant before it becomes a bent tree.

One final thought: These Australian graves are but a few of the thousands of brave defence personnel who have fought and died for our nation: so our people of all ages can live their lives in peace. Harmony and prosperity.

Should one segment of our society be allowed to make the sacrifices pictured below a total waste because of personal selfishness?

D'Arcy Watson



- The following pages contain examples of only some news items of juvenile crime reported this week on Channel 90 in Brisbane.
- After that is the report of a person who has undergone caning in Singapore

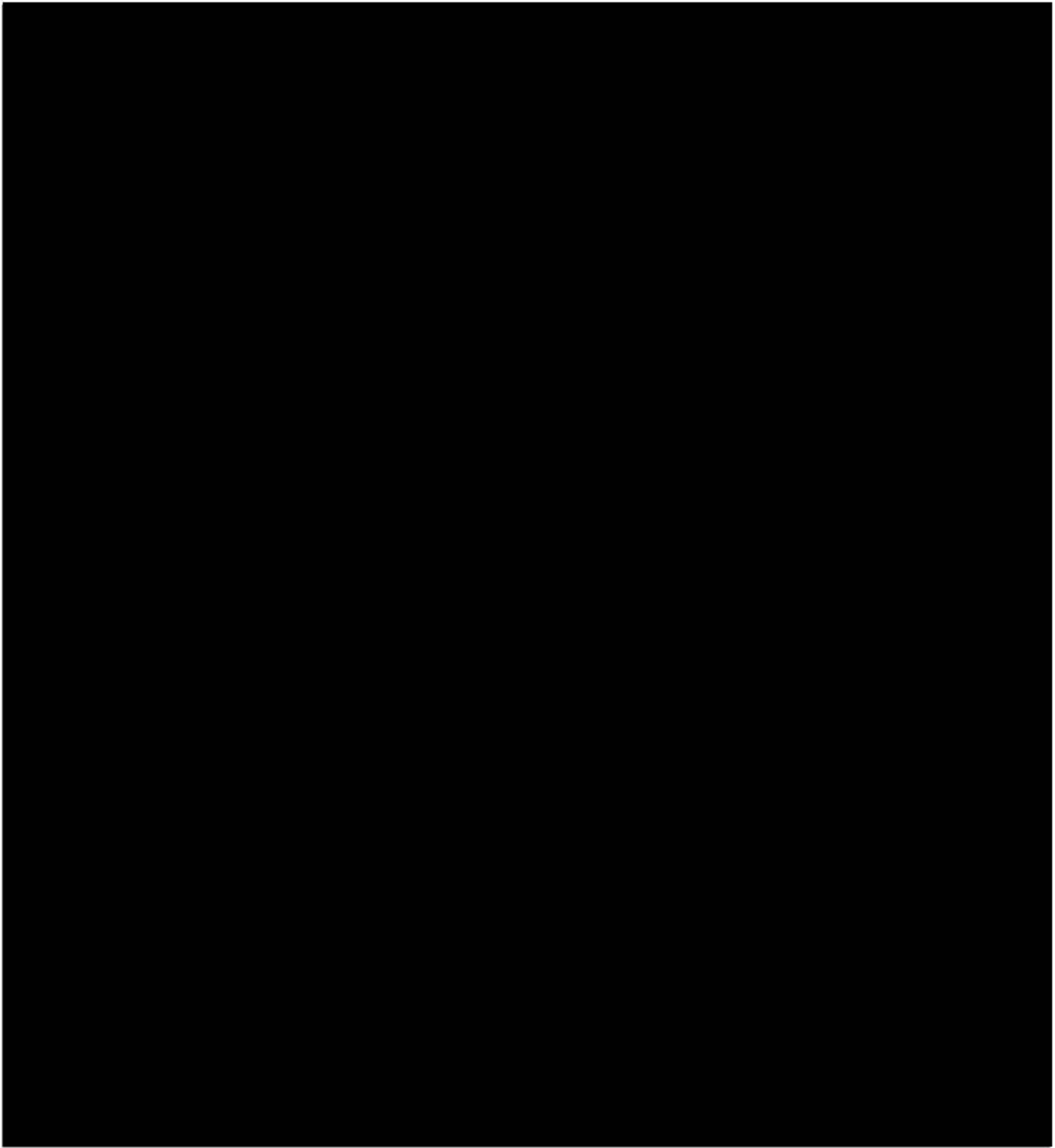
NEWS ITEMS FROM ONE NIGHT THIS WEEK

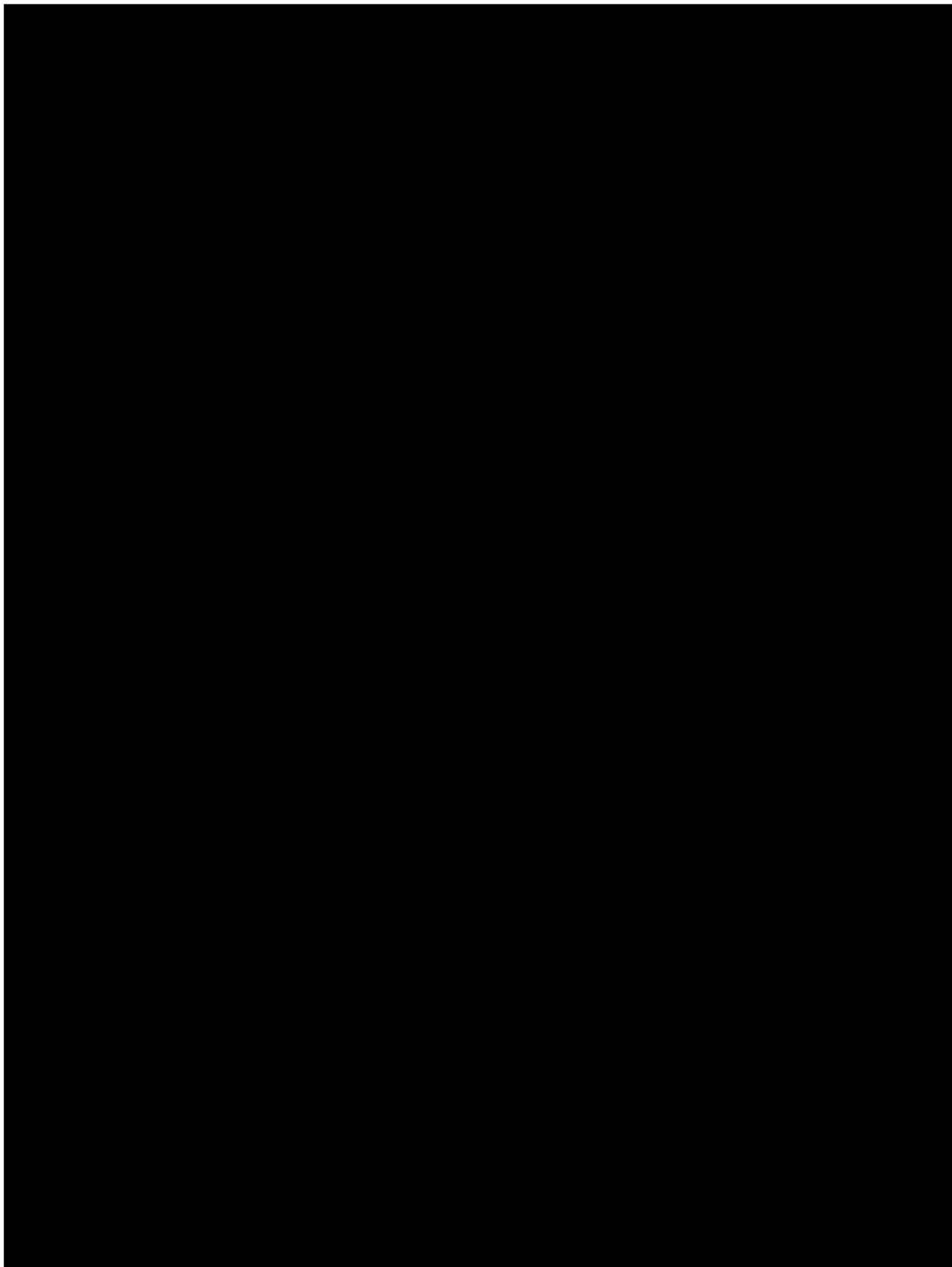
Reported from the Channel 90 News last night in Brisbane:

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