

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

**Submission No:** 145  
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6 February 2024  
Committee Secretary  
Youth Justice Reform Select Committee  
Parliament House  
George Street  
Brisbane Qld 4000

via - youthjustice@parliament.qld.gov.au

**Re: Youth Justice Reform in Queensland Inquiry**

Dear Committee Secretary,

Thank you for the opportunity to share my views about the Youth Justice Reform in Queensland Inquiry. I have over 45 years of experience as a Queensland Police Officer and had responsibility for numerous operations over the years to target youth offending and programs to divert at risk youths.

I was committed to lead and championing activities in support of community safety across regional Queensland.

In 2021 as a Deputy Commissioner for the Queensland Police Service (QPS) I shared my expertise with attendees at the Queensland Police Union National Youth Crime Symposium. Along with a panel of experts I shared my experiences on the frontline and inside the QPS around youth offending in Queensland particularly in remote and regional Queensland.

As a candidate in the upcoming 2024 Council Election I am committed to sharing my experiences to benefit my local community and to help inform best practice to manage anti-social behaviour and support community safety.

I have had a chance to review the submission made by the LGAQ and have attempted to augment and expand on issues that I believe local government can better manage to address youth offending.

Local Government role in crime prevention

In my experience local government lacks a consistent approach to community safety, some communities are well served by proactive local government and others rely on state and federal intervention to protect their communities. In Queensland we have the Queensland Police Service responsible for community safety as a central point, however the urban environment of each community which forms the remit of law enforcement is unique to different parts of Queensland. Local governments build the urban infrastructure, community facilities and plan the environment which local law enforcement will have to operate inside of. The need for local government to consider the impact of offending and take steps to support crime prevention activities has an ad hoc application in Queensland. Within the context of funding, local councils are restrained in what actions they can take to fund such programs of work and are at the whims of political will and appetite.

Fundamentally there is a clear link between community safety and the functions that local councils are responsible for. Local Government designs and administers spaces that can proactively disincentivise or provide the perfect environment for offending to occur. How local councils administer and design parks and other amenities can reduce or increase the risk of offending occurring. There are limited guidelines for directing the nexus of planning and development of our cities and towns and how that supports communities. Local Governments should view planning activities through a community safety lense to deliver safer environments.

In Cairns almost all community sport occurs on land that council owns or operates. The linkages between sport and reduction in offending is well established. There is a place for councils to conceptualise this reality better and to consider how local government can facilitate the environment that supports courts and police to manage offending in a more constructive, location specific way. Whilst unconventional there is a degree of buck passing that occurs largely because local government does not have the appetite or capacity to see itself as part of a broader ecosystem. Our cities and towns must be designed to suit the needs of our community, that includes managing youth offenders.

### Court to Field Pipeline

As a police officer for 45 years, I regularly saw fantastic local initiatives inside communities to manage at risk youth and use sport or other community activities to engage potential offenders and manage their offending. Yet at the same time there was a complete gap inside the youth justice system for courts to recognise this work and channel offenders into programs inside their communities to arrest their descent into criminality and build a wider network of supporters and positive mentors. We have seen programs like the Street University administered by the Ted Noffs Foundation fulfil a function in the NSW youth justice system to divert youth offenders into a drug diversion program outside of the youth detention industry. Locally, examples including programs facilitated through the JT Academy in numerous locations across this state. The evidence and examples that such programs provide demonstrates that in some instances diversionary programs can reduce reoffending and teach youth offenders responsibility for their actions. In this environment there is a role for local government to help to facilitate and increase capacity in this environment.

Innovation inside local courts in our region could be supported if local governments prioritised and supported at risk programs. This could simply be a bricks and mortar preposition, instead of looking at the funding needed to promote social workers and other diversionary, restorative justice models our local councils could help provide the sheds, fields and buildings that the NGO sector could use to increase diversionary programs.

Local councils assisting in fostering this ecosystem could support the Courts and police in our local communities to make decisions about diversionary programs at earlier stages in the criminal careers of youth offenders.

### Conditions of Bail

It must be mandatory in Queensland for school attendance or equivalent as a bail condition. The community and the government must do more to ensure that youth offenders are learning when they are on bail. We need to see capacity in the sector to ensure that these youth offenders are not released on bail and able to commit offences when they should be at school. If youth offenders do not go to school or an equivalent then they need to face the consequences for their offending, whether through incarceration or monitoring programs. Local government can leverage off technology and sharing of information to support increased capacity to monitor youth offenders and ensure that any breach of bail can be identified across a whole range of checkpoints and swift action can be taken by police.

### *Banning Orders*

The Youth Justice Act needs to be amended to give police the power to make banning orders for youth offenders. We know that youth offenders congregate in certain locations and we need to be able to address this behaviour with tough actions. Local Government can then assist in the development of infrastructure that can monitor these locations and ensure that banning orders can be enforced and evidence can be provided that demonstrates breaches of banning orders. Youth offenders are increasingly causing panic and fear in our communities and the Government must consider actions outside of the usual realm to keep our regional communities safe and protect victim survivors.

### *Social housing*

Provision of social housing should be seen as a privilege which should be conditional on tenancy behaviour. Tenancy conditions supporting the enrolment and engagement of school aged children participation in education would create responsibility in maintaining such privilege.

### Cost of Anti-Social Behaviour

In Cairns and other regional communities in Queensland tourism and travellers make up a large amount of revenue that is raised. Our communities rely on tourists coming to our region to make money and support regional economies. The risks that increased youth offending presents to tourism in our region cannot be understated. Local Government undertakes work that facilitates high tourism numbers and relies on tourist dollars coming into the region to sustain itself. Government has to consider the reputational harm that youth offending brings to regions and the possible financial risks such conduct puts on tourism. This should be a driver for greater collaboration from regional councils and must be one of the levers of collaboration that the state government should use to encourage greater coordination across local governments to manage youth offending.

People want to feel safe in our community and that has a direct impact on whether people will stay for a long time and spend their money in our shops and venues. There must be greater consideration of this risk in encouraging more support from our local, state and federal governments.

### Local Council Infrastructure and Development Applications

There is a huge opportunity in how we build and evolve our communities to manage the risk of offending in our community. Local Governments need the power to build community safety aspects into their regional planning and require development applications of a certain size to install CCTV and other community safety improvements. If council cannot afford to build the network we should be able to provide the infrastructure that developers can feed data into as they expand the network of cameras and intelligence across our community. Whilst some people see this as big brother it is important that commercial developments that will house the equipment and other assets are proactively supporting safer communities. The committee should consider the planning laws and how local councils can be encouraged to plan safer communities and encourage developments to support the expansion of safety and surveillance equipment. Larger councils can then support smaller councils through a cost sharing arrangement to monitor CCTV and provide required support to police and the courts.

Local Government could utilise technology to support the GPS tracking of youth offenders as well as identifying breach of bail and banning orders. Community safety can be better enhanced by the appropriate digital infrastructure and the internet of things should be part of the bodies of work local councils undertake to support police and the courts whilst enhancing community safety.

#### Question of Mandatory Sentencing

The community is desperate for youth offenders to be held responsible for their actions and for consequences to be ascribed to illegal behaviour. There is a clear expectation that courts should be able to compel youth offenders to undertake programs or attend school, but that power does not exist. The concept of mandatory sentencing is divisive in our communities but the principals that the community want addressed are the concept that actions have consequences and youth offenders must take responsibility for their behaviour. As we design the youth justice system to meet the needs of our community the Government must consider mandatory sentencing as it pertains to compelling diversionary programs or attendance of school. There has been a point at which the outcome the community desires must be achieved by any practical means available.

#### Parental Responsibilities

Time and time again police witness youth offenders returning into the care of parents or caregivers that take no responsibility for the behaviour of the offender. There is a clear need for a broader conversation about the home environment that exists for youth offenders. Community expectations around how people parent vary across communities but a serious conversation needs to be about the homes that repeat offenders are returning too. It seems reasonable that alcohol management programs need to be considered to manage the home environments of youth offenders. We need to have a conversation as a community about the right environment that youth offenders operate in and how we can use programs to manage the behaviour of the whole household to divert potential offenders and provide support to the family unit. Community services are the ideal outcome to provide support to at risk families and the families of youth offenders but legal considerations and programs should be used to restrict alcohol abuse and ensure that youth offenders are not returned to poor

environments. Guardianship comes with clear responsibilities and as a society we have to get real about what that responsibility looks like when we are dealing with serious youth offenders. The parents or caregivers need to be part of the court process and should be accountable for any identified neglect in that role.

I am happy to continue to share my experiences with the community. I am available for further contact on [REDACTED] and will be in attendance during the Cairns sittings.

Regards

Paul Taylor APM