

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

**Submission No:** 177  
**Submitted by:** [REDACTED]  
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**Submitter Comments:**

I retired as a Magistrate in 2022 after 15 years on the Court. Prior to my appointment I was in private legal practice for 35 years. Both in private practice and particularly in my time as a Magistrate, be it sitting in Youth Justice or Child Protection jurisdictions, it became very clear to me, as it is to the community in which I live, that in most cases a child offender is more than likely to be the product of a dysfunctional family, eg exposed to domestic violence, single parent/cared for by a non parent, alcohol and drug abuse, itinerance, mental health issues etc.

I would like to address my submission to the steps that can be taken by way of preventative justice.

Various programmes are in place to help young offenders address their offending, eg probation, community service and parole supervised by the Youth Justice Office. Booyah is a programme supervised by the Queensland Police Service. However a child has to be in the “criminal justice system”( Booyah requires 50% of the cohort to have a criminal history) before being able to access this help.

In my view potential offenders can be identified in the education system long before they come to the adverse attention of the police. I am referring to children aged 5 years and upwards. Below are some examples which are red flags to the likelihood that there is a problem at home:-

1. Disruptive and violent children. Their conduct may be explained by lack of parental supervision, mental health issues or behavioural disorders which may emanate from foetal alcohol or drug conditions.
2. Children changing schools. While not all such children are potential offenders, those with a background of misbehaviour at a previous school are likely to prove problematic.
3. Children who are suspended/expelled from school and do not return.
4. Children being cared for by a non parent, regularly not having had breakfast, family member in the criminal justice system, domestic violence and drug abuse at home and a parent suffering mental health issues.
5. Children playing truant.

School teachers work very hard. They should not have to do anything more than identify the relevant child and provide a brief summary of relevant issues.

A specialist government agency should be established separate from QPS and the Youth Justice Office to which these children and their families are referred.

The Agency will likely have to work with the school authorities and the Child Protection Office. The children and their home circumstances should be investigated by appropriately qualified agency personnel and support and counselling provided.