



Speech by

Hon. ANNA BLIGH

MEMBER FOR SOUTH BRISBANE

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JUVENILE JUSTICE LEGISLATION AMENDMENT BILL

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Families, Youth and Community Care and Minister for Disability Services) (12.21 p.m.), in reply: I will address some of the issues raised by the member for Indooroopilly and answer some of his questions. I will start with the central issue that was at the heart of his contribution to the second-reading debate, that is, the rationale behind the move being proposed by this amendment Bill. That was clearly spelt out in the second-reading speech, but, for the benefit of the member, I will go through it in summary one more time.

Under the previous system, juvenile justice in Queensland was being administered by four departments: the Department of Families, Youth and Community Care, the Department of Justice, Q Corr and QCSC. It would not matter whether those four departments were delivering juvenile justice or any other important program of Government; it simply makes no sense to have the administration of a major Government program spread across four administrative units. It inevitably leads to problems with coordination, problems with resource allocation and the efficient use of resources and administrative time. The evaluation of this system that was done under the previous Government drew to the attention of the former Government many drawbacks with that structure. The former Minister says that he was unaware of any concerns that the system was chaotic. It is little wonder that he was unaware of it. The people who were doing the evaluation were expressly directed not to raise the matter of difficult administration across the four departments and not to make any recommendations about the better administration of the system. The evaluation went through three drafting processes. I understand that the initial process produced a two-volume report. The then Minister, the member for Indooroopilly, said that the two-volume report was not satisfactory, so they had to go back and do it again. They came back with a 12-volume report. I do not blame the former Minister for sending back the 12-volume report. A discussion paper was finally put forward, but he did not have the opportunity to release it. All of those documents are available. Those people with an interest have been informed of their availability so that the full evaluation can be assessed by the community sector.

If we reach the conclusion—as I think is the reasonable conclusion to reach—that administering this very important function of Government across four departments is unsatisfactory and inevitably will lead to problems in that administration and that the program is best delivered by one single administrative unit—which is the view of the Labor Government—the question that next arises is: in which administrative unit is this program appropriately located? It is the view of our party, which we made clear in the lead-up to the election campaign, that the justice system that provides for juveniles and children should be separate from the adult system. We do not move away from that view. In fact, in that respect, we share the views of all of the other States, except Western Australia.

Families, Youth and Community Care offers to the Juvenile Justice Program of the Government links with a number of important services that will enhance our response. Firstly, it means that the Juvenile Detention Program is linked with the protective services provided by the department. It is a well-known fact that a number of the children who come into the detention system unfortunately are children with whom the department has had some contact in the past, either formally through care and protection orders or through concerns raised about their families of origin. To break that link diminishes our rehabilitative efforts. The Department of Families, Youth and Community Care administers a Youth Program that provides many opportunities for young people across the State. Some of those opportunities provide a chance for young people who are in the juvenile justice system to make a difference. For example, in the past six months, for the first time, the Duke of Edinburgh Awards, which

are administered through my department, have been made available in the John Oxley Youth Detention Centre. A number of young people in that centre are currently working towards Duke of Edinburgh Awards. I think the member for Indooroopilly would agree that that is something to be promoted. The department also administers a range of other non-detention juvenile orders. Many young people who end up in detention centres are often subject to such orders.

The move also provides an opportunity for staff in detention centres to access some career opportunities that they lack in the adult system. I have spoken to a number of staff who work in those centres. They have told me consistently that they see their skills as relating specifically to juveniles. They do not see themselves as ever having an opportunity in the adult system, nor do they wish to move into that system. Bringing this program back to my department will provide opportunities for those staff to make career movements between the community orders section and the detentions section. I acknowledge the patience of those staff over the past couple of months while they have waited for this transfer to occur. With a level of uncertainty about their future, it has not been an easy time for them. They have faced that uncertainty with a great deal of patience and forbearance.

The former Minister spoke about the record of the Department of Families, Youth and Community Care and some concerns that he had about the capacity of that department to administer this program in a way that provides for the security of the public and the security of those people detained in detention centres. I would like to stress here that I share, as does our Government, the member's concerns that we never again see a time in Queensland when some of the problems that emerged out of Westbrook would ever come to the fore again. I think we need to consider this matter on the facts. I would have no interest in bringing a program back into my department if I did not have confidence that the department could administer it well, effectively and safely. I have taken this matter into account. A number of indicators could be used. If we looked only at the absconding rates over the past couple of years, we would see a pattern. In 1992, when this program was under this department's administration, there were nine escapes. In 1993, there were 12 escapes. In 1994, when the Westbrook riots happened, when the centre closed down, when people who were in that centre were moved into places that were inappropriate, there were 114 escapes. It is an absolutely unacceptable record. Nobody would try to defend it. However, the department did then take action and put in place a specific Office of Juvenile Justice. Those rates of absconding immediately came down. The following year, in 1995, there were 31 escapes. In 1996, there were seven escapes. In 1997, there were eight escapes. In fact, there were more escapes when the program moved to Corrective Services than there were in the year before when it had been administered by my department.

The member for Indooroopilly also correctly identified that security includes not only providing physical security but also ensuring that there are adequate programs to meet the needs of young people. The funds that were put into the administration of juvenile justice in Corrective Services were increased significantly on what had been provided to the Department of Families to administer the same program. I am pleased to say that under this transfer those funds will all be returned to my department. All those programs will be retained, and enhanced where possible.

In relation specifically to safeguards, I would like to reassure the House that I have taken steps to make sure that the security issues remain at the forefront of the administration of this program. We are in the process of negotiating a memorandum of understanding with Corrective Services and having that drafted by Crown law, which will ensure that there is an ongoing agreement between the two departments that will see Corrective Services providing contract specialist services to the department. Those services will relate specifically to security audits, tactical interventions when there are any security incidents and staff training. So I hope that that addresses the concerns of the member for Indooroopilly. In relation to staff training, that will continue to operate out of QCSC and Q Corr.

There are a range of other initiatives that we are undertaking. In my view, the juvenile justice community centres about which I have spoken at length in the Estimates committee will place the focus where it really should be, and that is on early intervention with young offenders who are still offending at the relatively minor end of the scale and who are on court orders but are yet to commit crimes that would warrant their detention. It is my view that if we focus some resources and some strategic intervention on them, then our ability to decrease the number of children offending at serious levels and ending up in detention will be enhanced.

I have to say to the member for Indooroopilly that I found it quite extraordinary that he would stand here and claim credit for the urban renewal programs that have had such success in reducing crime in those areas where they have been put in place. The urban renewal programs were an initiative of the Goss Government. Under the coalition the funds available to them were cut back savagely, and it has been under the Labor Government that the \$15m required for those programs has actually been allocated in the Budget. I thought that was a cheeky attempt on the part of the member to claim credit for that initiative.

However, I believe that the member is entitled to claim credit for the community conferencing initiative, and I am happy to acknowledge that. As the member for Indooroopilly outlined, the program

has had a very high level of success. The evaluation that was put in place by the former Government shows that the level of satisfaction among victims who have participated in the processes is, in fact, in the vicinity of 90%. I congratulate those programs on the success that they have achieved and in that regard recognise the credit that should go to the former Minister.

However, I think that it is useful to point out to the former Minister that the one thing that the evaluation showed was that the rate of uptake of the community conferencing program in Queensland compares very, very poorly with the uptake rate of similar programs operating in other States. In that regard, the explanation that the evaluation has determined for that is that the juvenile justice amendments that the member for Indooroopilly so proudly trumpeted some time ago in the House are, in fact, mitigating against young people and their families participating in these conferences because, of course, to do so means that young people end up with a criminal record. Not surprisingly, in many cases the lawyers and advocates who are assisting young people are advising them against taking that option.

Community conferencing is a very effective method of diverting young people from the detention centres. I am very pleased to say that last week in Cairns I announced that we would be establishing a community conferencing facility in Cairns. I look forward to having an opportunity to make sure that those programs are operating right across the State. However, that will take some time, and I would be hesitant to do so before we address the perhaps necessary amendments to the Act.

The member sought some guarantees and assurances about the infrastructure and the construction of a new detention centre. Again, I thought that was a very cheeky gibe by the member for Indooroopilly, because the facts are that in 1996 when Labor left Government, there was a site for a juvenile detention centre, there was a budget allocation for a juvenile detention centre, there was a design in place, an architect had been employed and there was a tender to go to Project Services. Over the time that the coalition was in Government, the budget allocation for it was retained, but it was never spent. The site that had been specified for a juvenile detention centre was reallocated to the new women's prison. When Labor came into Government we knew that we had a budget allocation, but we are yet to find a site. However, I reassure the member for Indooroopilly and other members of the House that when this Bill is passed by the Parliament and I have responsibility for this area they can be in no doubt that we will be fast-tracking the construction of a new detention centre as quickly as possible. In that regard, over the past couple of months officers of my department have been working with officers of Corrective Services. We will not be putting that on the backburner; we will be fast-tracking it.

The member asked specifically about the senior staff who would be administering the program. All of the senior staff who are currently administering the program in the adult system will transfer to the employment of the Department of Families, Youth and Community Care and the same people will administer the program in my department as are currently administering it.

I have to say that I was a little confused by the concerns that the member raised about a possible conflict that might arise between the responsibilities of the director-general in relation to child protection and juvenile justice. I would be happy to talk to him about that. I actually do not understand the member's concerns. However, let me say that I am confident that the director-general's duties will not be compromised. As I said, this is an issue that has been faced in the past by many directors-general under Governments of all political persuasions and currently happens in other States. I am certainly confident that my current director-general will be able to resolve those matters.

The current arrangements in relation to the operation of the register of concerned persons will continue unchanged. There is no intention in this Bill for any of that to be altered. I can assure the member absolutely that that will continue in its current form.

I would like to conclude by saying that, in my view, on the one hand this Bill could be seen as simply a machinery-of-Government issue. If it had not been for the way in which the current legislation is drafted, the transfer of this program as an election commitment would have been done by an administrative order within the first 24 hours of Labor coming to Government. It was not able to be done like that because of the legislation. However, on the other hand, I think it is fair to recognise the point that the member for Indooroopilly made, and that is that this is more than a machinery issue; there is a philosophical difference between us. As I said, we on the Labor side of the House are philosophically committed to having a justice system that deals with young people and children differently from the way in which we deal with adults. We believe that the only way in which this can be done is to separate the administration of those systems. I commend the Bill to the House.
