



Speech by
Grace Grace

MEMBER FOR BRISBANE CENTRAL

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JUVENILE JUSTICE AND OTHER ACTS AMENDMENT BILL; JUVENILE JUSTICE (SENTENCING PRINCIPLES) AMENDMENT BILL

Ms GRACE (Brisbane Central—ALP) (7.48 pm): I rise to support the Juvenile Justice and Other Acts Amendment Bill and participate in this cognate debate. As many speakers before me have said in this House, juvenile justice is indeed a difficult issue and one that has to be addressed sensibly, bearing in mind that we are talking about children aged 10 to 16 who commit or are alleged to have committed offences.

Currently in this state the youth justice system comprises a range of prevention, detention, supervision, rehabilitation, diversion, police and court services to deal with young offenders. However—and I do not know if other members of the House saw the *Four Corners* program—recently the *Four Corners* program on juvenile detention interventions stressed that interventions must be strengthened if we are to achieve any real changes and improvements in this difficult area. It was clearly portrayed in that program that simply detaining young people without the added support is not working and we need to change the manner in which we view the detention of young people in our society. We must recognise, for example, that many of these offenders have dysfunctional families, a situation which I find hard to understand coming from a very loving Italian family. They have poor educational attainment. Some have mental health needs, drug and alcohol problems and limited access to health, legal and social services, particularly young Indigenous people who are 15 times more likely to be detained than non-Indigenous young people.

Community input is essential if we are to strike the right balance. I was very glad to have seen many submissions on the issues paper with regard to this issue and, in particular, early intervention, prevention and assistance. I commend the workers in this area who do a wonderful and dedicated job. I refute the comments made by the member for Southern Downs when he said that a lot of these programs are not working. I see them firsthand. Go and visit the Youth Emergency Services, the Brisbane Youth Service, Open Doors, CityCare, PCYC and Mission Australia in Fortitude Valley and see the work that these dedicated community based organisations do with young people. They do a marvellous job. They have turned many of these young people's lives around. Without their assistance and without their work in the community the rate of youth detention would be far worse than it currently is in this state. Any time the member for Southern Downs would like to come into the Brisbane Central electorate I will gladly show him around. He will have the ability to look at some of these organisations at work and see how they are assisting the young people at risk in our community.

I also welcome in this bill the honouring of this government's 2009 election commitments in the following areas: firstly, giving courts specific powers to place curfews on juvenile offenders. This is aimed at reducing the chance of them reoffending. The main issue in this bill is to reduce the chances of young people reoffending. We have heard speaker after speaker say that it is like a revolving door, that the same people are caught up in the system. We have to look at ways in which we can break that cycle and assist these young people out of that revolving door system.

I also welcome widening court powers in relation to naming juvenile offenders, of course, if considered in the best interests of justice to do so. The bill will broaden guidance to the courts by directing

them to particular relevant matters in their determination, and I welcome this. I think that it is most definitely a step in the right direction. I also welcome increasing the minimum mandatory detention period for multiple murders from 15 years to 20 years imprisonment. I think that goes to also demonstrate that, where clearly they are serious offences that have been committed, this government is about sending a clear message that multiple murders, for example, require mandatory detention. An increase in imprisonment is also what I view as saying to society, 'These are serious matters that must be seriously addressed.'

The bill also provides stronger police powers to arrest young people who do not comply with conferencing requirements. We have seen the benefits of conferencing. Under this bill if they breach an agreement or fail to attend a drug assessment session it may be treated by the courts as a breach of a sentence order and the offenders will be duly treated according to the level of the breach.

I welcome the updated contemporary name of the Youth Justice Act 2009. I think it also demonstrates that Queensland is leading Australia in this area. I also welcome the fact that it talks about 'youth justice' and not about 'youth offenders'. This also requires a court to consider what the likely sentence will be when deciding whether to release a young person on bail. This is aimed at preventing young people being remanded in detention unnecessarily, thereby reducing remand levels.

Also in the bill there is a provision that young people should not be refused bail simply for welfare reasons and assistance should be offered where possible to these young people. This is all about ensuring that we are not remanding young people unnecessarily. Once again, I welcome the change. I think it is a definite step in the right direction as is setting a date for transfer from youth detention to adult prison. Currently some offenders remain in youth detention until they are 21 years old. I believe this matter being rectified by the amendment in the bill is very much welcome.

I also welcome—and I, too, have constituents who have spoken to me about this issue—the privacy protection for the child victim of a crime. A provision to automatically prohibit publication of information which identifies a child is definitely well accepted and very much wanted in the community. Any family whose child is the victim of a crime would definitely welcome this part of the bill.

I do not support changes, as introduced by the member for Southern Downs, to the bill which will place the Queensland government in breach of international law. In particular, I refer to Article 37 of the UN Convention on the Rights of the Child 1989. The current wording is in line with this convention, which aims to only use detention, arrest or sentence as a last resort, and this should be retained. The evidence is irrefutable. Lengthy detention is not helping young offenders. In fact, in some cases it is making the matter worse for many involved in juvenile crime. Quite clearly, as demonstrated even in the *Four Corners* program, it is not a deterrent. Evidence based responses for effectively assisting juvenile offenders include specialist programs to tackle offending behaviour by young people, engaging them in educational and diversion programs and linking them with various community programs aimed at solving the root of their problems. These are much more effective than locking them up and throwing away the keys. I welcome any steps—and the combining of those services in the one department—that would assist those young people with those programs.

I have witnessed many young people change their lives through these programs. I have also seen those who have achieved very little because they were not afforded the same opportunities and support.

The changes in this bill go a long way to improve service delivery and ensure our state has a responsible, robust youth detention system. I congratulate the minister and her staff on the work undertaken with the community to develop this bill. I think young offenders will be better off. I think young people in our society will be better off. I commend the bill to the House.