



Speech by

Hon. Judy Spence

MEMBER FOR MOUNT GRAVATT

Hansard Wednesday, 11 February 2009

JUVENILE JUSTICE (SENTENCING PRINCIPLES) AMENDMENT BILL

Hon. JC SPENCE (Mount Gravatt—ALP) (Minister for Police, Corrective Services and Sport) (7.44 pm): I understand the opposition's desperate attempt to whip up a law and order debate as we go into an election year. But the difficulty for the opposition is that we have a very good story to tell in Queensland in terms of our crime figures. What we have seen in the last seven years is a 24 per cent reduction in crime in the state. In the last year alone we have seen a five per cent reduction in crime. That reduction in crime did not happen in just the adult area but also happened in the juvenile area. It is disappointing that the opposition has chosen to use juveniles and juvenile crime as its punching bag as it goes into this law and order debate. It is trying to engage with the lowest common denominator out there who believe that we are soft on juveniles and soft on crime.

The facts are that crime is down and our prison population is up. Our adult prison population has increased by 140 per cent in the last 15 years. Our juvenile detention rate has also increased. Just five years ago when I was the minister responsible for juvenile detention we averaged about 80 kids a day in detention in Queensland. Today we are averaging 120 to 130 kids a day in detention in Queensland.

We are locking more kids up. Maybe that makes the opposition happy. It certainly does not make me happy. What I know and what researchers worldwide will tell us is that putting kids into prison does not do them any good. I acknowledge that we do have to detain kids who have done heinous crimes. We have to give them a period of detention. But if members think we are getting good results out of it then they are very wrong.

In 2003 the CMC did a very good report called *Youth justice: criminal trajectories research project*. It studied recidivism of juveniles over a seven-year period in Queensland. It found that 79 per cent of juvenile offenders progressed into the adult correctional system. Some 89 per cent of male Indigenous juveniles will go on to reoffend and end up in adult detention centres. Some 91 per cent of those subject to care and protection orders will go on to adult detention. The CMC said that most serious juvenile offenders will continue a criminal career into adulthood. They are alarming statistics.

They are backed up by statistics in every other country in the world. A large body of research in the United Kingdom reported that 88 per cent of young people reoffended within two years of release from custody. In North America research reported recidivism rates as high as 96 per cent of people leaving custody. The belief that a short period of remand in custody acts as a short, sharp shock and deters offenders from further offending has also been disproved. In fact, a British study found that this can lead to significant increases in subsequent offending. The study showed that 64 per cent of young people held in custody on remand reoffended. It is all bad in terms of our very good attempts, our courageous attempts to provide some rehabilitation when we send young people to detention.

That is one reason we do not want to use detention as a first resort, which is the proposition being put to us by the opposition tonight. There are lots of other reasons though. Firstly, it does not work. Secondly, let us consider the cost. At the moment, this government is expanding the Cleveland Youth Detention Centre in Townsville. We are expanding it by 48 beds at a cost of \$180 million. That works out at \$3½ million a bed. That is just the built-in infrastructure. If we are going down the path of building more

prisons for kids and for adults then people clearly have to understand the cost to taxpayers of that course of action.

Only this morning I read in the paper that in California—the place in the world that has the biggest prison population—the judges have got together and demanded that people be released from prison because of the overcrowding in the prison population. I have visited those prisons in California and it is a shocking state of affairs. But the premise behind what the opposition is putting to us tonight is that prison works and that prison rehabilitates kids, and clearly that is not the case. Having said that, we should be very proud of the fact that in this state we have youth justice conferencing, which we know works and which is used to great effect by the police and by members of the community who want to sit face to face with the juvenile in order to get some restitution and explanation for the juvenile's actions. We also fund many youth organisations around the state that look after juveniles and supervise them on community based orders. I do not think any government anywhere else in Australia has given so much attention to this vexed problem of how we can assist juveniles who offend to turn their lives around, but I know for sure that jailing more of them is not a solution.

We are the only state in Australia that has 17-year-olds in the adult prison system rather than the juvenile prison system, as happens in every other state. We are tougher on juvenile offenders than any other state in Australia, and I know that that makes some people happy and hopefully it makes the opposition happy. But at the end of the day it is going to be very hard for the opposition to conduct this law and order auction on this Labor government being soft on crime when every single figure we can present to the people of Queensland shows the reverse. We are proud of our record of achievement in the adult prison system and in the juvenile prison system. I stand here proudly as the minister and say that we have not had an escape from secure custody in the 10 years of the Labor government. The last time anyone escaped from a Queensland prison was under a National Party government.

I am proud of the fact that we are investing in our infrastructure and that we have built first-class prisons in Queensland in both the adult and the juvenile detention systems, and we should all be proud of the fact that we have provided those good conditions for people who are incarcerated. I am proud of the fact that we continue to put money into programs for juveniles and for adults in our prisons and we continue to provide them with the skills and employment opportunities that hopefully will make them worthwhile citizens when they are released from detention. So in no way, shape or form do I believe that the Nationals are going to be successful in whipping up this law and order debate as they embark on this election year, because if we can get out there and honestly and sincerely explain the juvenile detention philosophy that we have in this state most thinking Queenslanders will appreciate that locking up every 15-year-old graffiti artist or shoplifter or egg thrower really is not the way to turn their lives around.

Most of the kids who end up in detention come from poor homes. Most of them are Indigenous. Most of them have literacy and numeracy problems, and throwing them into jail is necessary unfortunately if they have committed a crime that warrants that, and we do not walk away from that. But making it a first resort, which is the opposition's proposition here tonight, is certainly not the way any thinking people would have us behave. I talk to our police on a daily basis, particularly police who deal in the juvenile area of our police force. They are all volunteers and most of them are good-hearted people who joined that part of policing because they want to make a difference in kids' lives. That is why they would rather sit them down at a youth justice conference or give them a caution and try to turn their lives around. Most police do not see sending our children to prison as a solution to enhance these children's lives or to reduce crime in our society.

So if members opposite think that their daft idea has the support of the law and order officials in this state, then they are wrong, because the police that I talk to are smart people. They are deep-thinking people who are smart enough to know—unlike the opposition—that these are tough problems and there are no easy solutions. Jailing every kid is an easy solution. It might be saleable out there in the marketplace that those opposite talk to, but it is certainly not a smart solution for pushing down the rates of crime in this state. I would urge all members to proudly vote down this nonsense here tonight.