



Speech by

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MEMBER FOR MORAYFIELD

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

Mr RYAN (Morayfield—ALP) (4.26 pm): I rise in support of the Juvenile Justice and Other Acts Amendment Bill. This bill amends the Juvenile Justice Act 1992. The amendments fulfil a number of purposes. The first one is to fulfil a number of election commitments taken to the last election by this government. It also sends a message to the community that this government is not only tough on crime but also addressing community expectations about justice and the rehabilitation of young people. It also reinforces the fundamental belief in the potential of young people to reform, the potential of young people to be rehabilitated, the potential of young people to accept responsibility for their actions and the potential of young people to be valuable contributors to our community.

This bill is about continuing the good work of youth justice services and the good work of investing in young people and communities by limiting reoffending of young people and also sending clear and positive outcomes to the community generally about the value of young people. This bill is also supporting victims and recognising the potential for the rehabilitation of young offenders.

Youth offending is a complex issue. An effective youth justice system requires a holistic approach to youth offending. This system draws on the expertise and collaboration of both criminal justice services and human services agencies. On a day-to-day basis both government and non-government agencies are working together to deliver a range of youth justice services, policing, youth justice conferencing, court related services, community supervision and detention. These youth justice services are supported by a range of services aimed at supporting young people, families and communities to address the causes of offending. Some of those services include the treatment of young people for drug and alcohol problems and anger management problems, access to health services and access to educational opportunities.

Some of the initiatives currently being progressed focus on information sharing between agencies and reducing the rate of young people remanded in custody. The aim is to make sure young people can move through the criminal justice system as quickly as possible and address a range of factors contributing to their offending behaviour. Evidence clearly shows that by focusing on support services and by focusing on diversionary programs the recidivism rate of young people is dramatically reduced.

Currently, youth justice services around Queensland are supporting young people, building partnerships in local communities and reducing the incidence of juvenile crime. The amendments in this bill continue the great work of Queensland youth justice services and will build upon strategies which are reducing the incidence of juvenile crime in our communities. In Queensland youth justice services are facilitated by the Department of Communities and a number of service centres are located throughout Queensland. I am honoured and pleased that in the Morayfield state electorate the Caboolture Youth Justice Service is helping young people stay on the right side of the law. I note that this service was officially opened by the state member for Pumicestone over five years ago. I must say what a great legacy the member for Pumicestone has left for the people of Morayfield by officially opening that service.

The Caboolture Youth Justice Service supervises young people on community based court orders and works with other departments, community agencies and families across the Caboolture, Redcliffe and Pine Rivers areas to address offending behaviour through programs and services that focus on reducing youth crime. The programs run by the Caboolture Youth Justice Service include a flexi-school for young offenders that provides an opportunity for young offenders to graduate in year 10 English and maths; a motor vehicle offenders program involving young people in responsible decision making, training in first aid and responding to simulated vehicle accidents in the role of emergency service response personnel; and the Youth at Risk Network, which involves government and community agencies in early intervention and prevention programs, connecting young people and parents to support agencies. A youth justice conferencing program that receives referrals from the police and the courts is also operated by the Caboolture Youth Justice Service.

Youth justice conferencing is about bringing people together who are affected by a crime committed by a young person. The conference not only holds the young person accountable for their actions but also provides an opportunity for the young person to take responsibility for their actions and to make reparations to the people affected. People affected by the young person's behaviour are included in and empowered by the process as those people have an active role in how the young person may make amends for their behaviour. Figures show that youth justice conferencing actively discourages further offending by the young person and thereby protects the community.

Successful youth conferencing agreements have been achieved at the Caboolture Youth Justice Service for 98 per cent of all conferences held, and the satisfaction rates are outstanding. In particular, I note that the police have a 98 per cent satisfaction rate, victims have a 97.6 per cent satisfaction rate and the young offenders have a 98.9 per cent satisfaction rate. It goes to show that youth justice conferencing is not only reducing crime in the Morayfield state electorate but also leaving participants empowered and feeling positive about the process. This bill builds on the success of the youth justice services facilitated by the Department of Communities.

I also want to flag two additional services that are operating in and around the Morayfield state electorate. One is the South Pacific Youth Justice Service, which is assisted by Theresa Butler and Veve Campbell. In addition to other members of the South Pacific community, these two ladies provide support to young South Pacific offenders and are able to guide them through not only the court process but any other process associated with their offending behaviour. The other service is the Murri Court, which has Auntie Lynne Matsen, a local Indigenous leader, supporting that process. In the Morayfield state electorate there is a lot of support for and a lot of interest in youth justice services and a lot of support for diversionary and preventative early intervention strategies as a priority over and above the primacy of a detention policy.

The amendments contained in this bill are well considered and well respected and researched. In fact, Mission Australia makes a number of recommendations in a recent report titled *Young people and the criminal justice system: new insights and promising responses*. Those recommendations state that governments around Australia should work to reduce the number of young people in detention. The report says that we should focus on early intervention, prevention and rehabilitation. It also says that governments should work with locally based community programs such as South Pacific support services and also says that investment should be made to enhance the ability of community and educational sectors to build the capacity of people and organisations in young people's lives. All of these strategies and recommendations of Mission Australia show a significant decrease in the amount of juvenile offending in our communities. Research clearly shows that early intervention and diversionary programs reduce the prevalence of young people in the criminal justice system. This bill builds on those principles.

I also want to quote a little from the Mission Australia report. It states—

A system that prevents harmful behaviour and keeps society safe is essential for any state that seeks to enable its citizens to lead productive, fulfilling lives. As has been observed around the globe however, there are different ways of responding to the problem of crime. One option is to 'build our way out of crime' through incarceration ... This is the path that appears to have been taken by some jurisdictions in the United States where it has been said that entire subsets of the population are being systematically incarcerated ...

Another option is for society to recognise that contact with the criminal justice system, especially for young people, is an indicator of serious social disengagement and to take action to address this. It suggests the need to work on a number of fronts to prevent young people ending up in the criminal justice system, especially detention, by tackling the underlying causes of offending behaviour. Detention is a form of 'treatment' for offending behaviour that is unfortunately necessary in exceptionally serious circumstances. However, it frequently intensifies the need for significant support, postrelease. This is particularly the case for young people given they are still going through significant developmental changes. The effectiveness of detention is also questionable, given the strong association between early imprisonment and offending behaviour into adulthood ...

Mission Australia captures the principle set out in this amending bill that prevention, early intervention and diversionary programs are critical to young people who come into contact with the criminal justice system. However, it also emphasises—and this is emphasised in the bill—that when young people commit serious offences they need to be accountable for their actions. This bill is by no means soft on crime. In fact, this bill reinforces the government's key message of being tough on crime and making young

people accountable for their actions, but it also recognises that young people need support, especially during the developmental stages of life.

I want to highlight a couple of statements that were made in a recent *Four Corners* program. I want to quote briefly from it because the statements themselves highlight a key focus of this bill and a key focus of youth justice in Australia. *Four Corners* reporter Matthew Carney stated—

Research shows it's—

meaning detention—

not always the best answer—it's just creating a harder and bigger breed of criminal.

He says that in respect of detention. He also stated—

Juvenile Detention centres have become holding houses for the most disadvantaged and marginalised.

He makes those statements in respect of the New South Wales juvenile justice system. Of course, in Queensland the focus that is highlighted in this bill is not on detention per se but on support for young people.

The other statement I want to highlight from that program was made by Hilary Hannam, a magistrate from the New South Wales Youth Drug and Alcohol Court program. She states—

I don't think deep in their hearts most people in the community do like the idea of a revolving door. I think despite all this rhetoric that goes on about tough on crime, I think when the people in the community actually realise that these kids are not that much more different than all other kids, that it is ... just damning them to lock them up. But this way it gives them hope—

and she is referring to diversionary programs—

and they don't usually let themselves down or the community down.

I want to highlight a couple of key amendments in the bill. I think they are outstanding amendments and they continue the great work of building a strong and accountable youth justice system in Queensland. These amendments require a court to consider what the likely sentence would be when deciding whether or not to release a young person on bail. They also ensure that young people are not refused bail simply for welfare reasons. The statistics show that nearly one-third of young people who are remanded in detention spend eight days or fewer on remand, and that less than 10 per cent of those people are actually sentenced to a period of detention. So we have this situation in which young people, for whatever reason, are spending time in the watch-house or in a detention centre and then not receiving a sentence. These amendments are significant for not only welfare reasons but also the wellbeing of young people generally.

The other amendment that I would like to comment on briefly is the requirement for courts to set a date for the transfer of young offenders from a youth detention centre to an adult prison when the young offender is to be detained beyond the age of 18. This, of course, is a sensible amendment. It ensures that young people who are in detention are detained with other young people and are not detained with people who are, in effect, adults. It is also about accountability. If a person is to be detained after the age of 18, to be accountable for their actions they should serve that part of their sentence in an adult correctional facility.

The final amendments that I want to comment on briefly are the amendments that relate to community service orders. They ensure that the court can provide that young people who have to complete a community service order of fewer than 50 hours in 12 months can perform that community service in a shorter period and for those community service hours to be served cumulatively. Of course, that is just another accountability issue.

Before commending the bills to the House, I would like to pay special tribute to the people working in the area of youth justice. In particular, I would like to thank the staff of the Department of Communities' youth justice service for their dedication and their commitment to youth justice services in Queensland. Specifically, I would like to publicly acknowledge the staff of the Caboolture Youth Justice Service, which operates in my electorate of Morayfield. The support of the staff from that centre for young people in the Morayfield electorate is selfless and makes our community a safer and more supportive place. I thank all the staff of the Caboolture Youth Justice Service for all they do in supporting young people, in preventing crime, in limiting reoffending and in assisting young people to achieve their full potential. By supporting young people and young offenders, youth justice workers are making our community a safer place.

A recent article in *About the House* provides an important message about young people and their place in our communities. In that article, Professor Vickers from the University of Western Sydney states—

The whole community is responsible for the wellbeing of our young people ... That responsibility includes being compassionate, respectful and helpful. Assisting young people manage the many transitions along the diverse pathways that eventually lead towards adult lives requires joint efforts from teachers, parents, employers, students themselves and others in their communities.

This bill continues and builds upon the good work of youth justice services in Queensland and I commend it to the House.