




Speech By
Hon. Jarrod Bleijie

MEMBER FOR KAWANA

Record of Proceedings, 18 March 2014

YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (12.14 pm): I move—

That the bill be now read a second time.

The Queensland government is committed to breaking the cycle of repeat youth crime, inherited from Labor, using practical methods to generate positive outcomes from the youth justice system in Queensland. We will no longer tolerate the shallow slap-on-the-wrist approach of those opposite to a generation of our most vulnerable, which has meant that 60 per cent of young offenders have been to court five times or more and that 30 per cent of young offenders in Queensland commit approximately three-quarters of all offences. The system left behind by Labor has failed to address youth offending and has failed to meet the expectations of the communities they represent, that is, those they purportedly work hardest for.

This government's youth justice agenda commenced with the removal of luxury goods from our detention centres, including bouncing castles, gaming consoles and bucking bulls. It has also introduced mandatory graffiti orders, which has resulted in the restoration of businesses and public property across the state. Next, the government commenced a trial of the early intervention and sentenced youth boot camps. To date, 85 young Queenslanders have started a youth boot camp program. Most of those young people, 92 per cent, have either completed or are currently engaged in the community integration phase of the program. Improvements in behaviour, anxiety and depression, parental involvement and the re-engagement in education are just some of the positive outcomes the Queensland government has brought about to address the causes of offending in young people. The third step in the process has culminated in the reforms presently before the House, aimed at realigning Queensland's laws to meet community expectations.

To this end, I thank the Legal Affairs and Community Safety Committee for its consideration of the Youth Justice and Other Legislation Amendment Bill 2014. I note the committee tabled its report on the bill on 12 March 2014. I now table the government's response to that report.

Tabled paper: Legal Affairs and Community Safety Committee: Report No. 58—Youth Justice and Other Legislation Amendment Bill 2014, government response [\[4668\]](#).

The committee made two recommendations, sought a point of clarification and raised a matter for consideration. I note the committee recommended that the parliament pass the bill. I thank the committee for that recommendation, which the government is pleased to accept. The committee also recommended the proposed amendments to the Youth Justice Act 1992 to create a new mandatory boot camp (vehicle offences) order. When I introduced the bill I foreshadowed that I would move those amendments during the consideration in detail, once the committee had considered them. In sentencing a child who usually resides in a prescribed area for the unlawful use of a vehicle under

section 408A of the Criminal Code, the child will be ordered, as part of their sentence, to participate in a sentenced youth boot camp program if they have been found guilty of at least two other unlawful offences in the previous 12 months.

Townsville will initially be prescribed for the purpose of this new order. This will equip the courts to respond more effectively to the alarming level of vehicle related crime by young offenders in that city. I note that in the early hours of yesterday morning a young man was hospitalised after he and three other juveniles were involved in a crash with a fuel tanker after the stolen car they were driving ran a red light. That is just one example of offending that is prevalent in Townsville and the ineffective policies that existed before this government commenced its youth justice reforms. This government has listened to the community in Townsville and is taking a unique approach to address the issues of youth crime. The courts will not be prevented from making additional sentence orders when warranted by an offender's behaviour or criminal history. However, it will ensure that recidivist vehicle offenders from Townsville will be removed from the environments in which they are repeatedly offending and will be engaged in an intensive and tailored program designed to target the causes of their offending. Again, the government is pleased to accept that recommendation from the committee.

In its report, the committee requested the government to consider including in the bill further amendments to the Youth Justice Act 1992 to address, in part, an issue raised by the Chief Magistrate, the Honourable Judge Tim Carmody QC. The Chief Magistrate wrote to the committee as part of its inquiry, proposing that the review and appeal of convictions and sentencing decisions of magistrates in relation to both adult and child jurisdictions be brought into line with those of judges. This would ensure that all lower court decisions were subject to the same level of scrutiny by a higher court. The government believes there is merit in the Chief Magistrate's view that this proposal would enhance the efficient administration of the justice system, allowing the district and childrens courts to focus on the more serious matters before the courts. Also as pointed out by the committee in its report, it is important for an offender, perhaps even more so for a young offender, to have certainty as to the consequences of their actions as soon as is reasonably practical. This proposal will meet that ideal.

The government therefore accepts the committee's request that appropriate amendments to the Youth Justice Act 1992 be included in the current bill. I will be moving these amendments during the consideration in detail of the bill. These amendments will omit sentence reviews from the Youth Justice Act 1992, focusing on appeals under the Justice Act 1986, as applied to decisions of Children's Court magistrates, as the applicable mechanism for providing judicial oversight of magistrates' sentencing decisions. The amendments will also bring magistrates' orders made on finding a child has breached a community based order within the Children's Court's appeal jurisdiction. Amendments to the Justices Act 1886, to complete implementation of the Chief Magistrate's proposal, will be considered at a later time.

The committee also requested that the government include clarification in its response on the programs and sentencing options available to the courts, government and agencies and non-government organisations to divert children away from the youth justice system. At present, supported bailed programs, drug and alcohol counselling, police conferencing, parenting programs, anger replacement training and sexual offender programs are just some of the options available to stakeholders in the justice system.

I am also pleased that the government has had the opportunity to detail in its response the plan we are implementing to address the causes of youth offending and reduce the incidence of children becoming entrenched in a life of offending. To this end, I look forward to releasing the culmination of this government's youth justice agenda—the blueprint for the future of youth justice in Queensland—in the near future. The blueprint is the other key component of the government's comprehensive reform agenda. It will set the direction for transforming the youth justice system to one that addresses the causes of youth offending and reduces the incidence of children becoming entrenched in a life of offending.

The blueprint will involve the implementation of a long-term, evidence based reform and the close engagement of partner agencies and organisations in the delivery of integrated services to at-risk children. I look forward to continuing to work with our partner agencies across government and with non-government organisations in the delivery of innovative and locally responsive services as part of this strategy.

I would also like to foreshadow that I will be moving several small administrative amendments to the bill during its consideration in detail to ensure the measures it contains are able to operate as intended. The first of these will prescribe the process to apply in administering the new offence of committing a further offence while on bail. This process has been developed in consultation with the

police and the courts. By ensuring the new offence is able to be administered simply and efficiently, this prescribed process ensures that children are able to be dealt with quickly and will be able to understand the full consequences of their offending.

The second further amendment I intend to move during consideration in detail will close a small gap which has been identified in the operation of the proposed provisions for the automatic transfer of offenders from detention to adult correctional facilities on reaching the age of 17. The amendment will deal with the situation where an offender is 17 at the time of being found guilty but 18 at the time of sentence, which otherwise falls outside both the existing and the new provisions of the Youth Justice Act 1992.

The final additional amendments I intend to move during consideration in detail will maintain the existing power for the Children's Court to permit media to be present in a closed court. They will also maintain the existing requirement that the Children's Court remain open when constituted by a judge hearing and determining a charge on indictment.

I would like to acknowledge the efforts of those stakeholders who made submissions on the bill to the committee, and particularly those who took the time to give evidence at the committee's public hearing on 3 March. I would also like to reiterate to the House that the measures contained in this bill are critical to our efforts to protect the community from the escalating seriousness and devastation currently being caused by young criminals. A core group of recidivist young offenders are offending more often and are committing more serious offences. This bill targets these young recidivist offenders by making them more accountable for their actions and creating real disincentives to engage in further criminal activity and behaviour. It is this government's mission to make Queensland the safest place to raise a family. This bill will play a real part in realising this mission.

I also thank all honourable members who have had input into the development of this bill. I particularly thank Central Queensland and North Queensland members who have been battling the issues of youth crime. I visited Townsville on numerous occasions and saw firsthand from the community perspective what is going on. A local action group has been set up in Townsville. Torhild Parkinson came down recently and met with the Premier and me and local members. They are very much in favour of the government's action on youth offending. They also recognise that it is not all about this bill, but about the future of youth justice in this state. It is about developing the blueprint.

As I said, we had a clear strategy. The first phase was to make the fun stop in detention centres by getting rid of the bucking bulls, the jumping castles and the Xboxes, which we did. The second phase was setting up the youth boot camps which are an incentive for young offenders to get out of detention, get out of the way of that offending behaviour and start turning their lives around. I am very pleased that the boot camps that are operating are going spectacularly well. Young people are going through them. Parents are giving feedback in relation to the boot camps. Parents are participating in the boot camps where relevant. They have certainly received a lot of local support.

Unfortunately, the PCYC boot camp in Rockhampton, which is going quite well, does not have the support of its local member who is about to stand on his feet and speak. The Rockhampton community certainly supports the boot camp. The member for Keppel and our other members up there certainly support the boot camp. When we have a member of parliament not supporting the local PCYC it shows how out of touch the local member is. I have never known a member of parliament who does not support a PCYC. The member for Rockhampton does not support his local PCYC and does not support boot camps and young offenders getting back on track. Not only is he the local member but he is also the shadow police minister. The shadow police minister does not support the PCYC. Maybe the honourable police minister, Jack Dempsey, ought to give him a brief on who runs the PCYC. It is actually the police. They do an amazing job right around Queensland.

On that note, I thank the PCYC for their contribution to these sorts of things. I was glad that the PCYC in Rockhampton won the tender for running the boot camp. I think they are doing a great job. I thank the local members up there from the government side for supporting those—

An honourable member interjected.

Mr BLEIJIE: I am not sure whether the honourable member for Rockhampton has inquired about visiting the PCYC. I am not sure whether he wants to go and visit and whether he wants to see these young people being turned around.

I remember having many a conversation with the member for Keppel and the publican in his area, Will. He has come out quite strongly on this. I have met him on a few occasions in parliament but also at some of the QHA functions that we go to. He is very supportive of making sure we tackle the issues of youth crime. I live in hope that one day we will live in a world where we have a local

member for Rockhampton who supports the PCYC and a shadow police minister who actually supports the police.

An honourable member interjected.

Mr BLEIJIE: While I am talking about young people, I notice that the Minister for National Parks, Recreation, Sport and Racing, the member for Buderim, is in the chamber. I acknowledge on his behalf the young folk in the gallery from Buderim Mountain State School. In acknowledging the young people in the gallery on behalf of the member for Buderim, what the young folk will not realise is that I am a former student of Buderim Mountain State School.

Mr Stevens: He was there for 16 years.

Mr BLEIJIE: No, no. Thank you for the endorsement of a great local school. I attended Buderim Mountain State School. Not only is your local member glad to see you today, but I feel privileged to have you going around the big House today. I go off track.

These youth justice reforms were a clear commitment from this government to tackle the issues of youth crime. As I was saying, we had a clear strategy. It was to end the fun in detention centres and implement the youth boot camps, which are not supported by the shadow police minister, the member for Rockhampton. The third phase was dealing with the immediate response to the youth justice issues. That is this bill before the House today.

The final phase will be the culmination of all these little plans in a big plan which will be the blueprint for youth justice. I have already started to meet with the not-for-profit sector. I met with the Very Reverend Dr Catt last week to get the not-for-profit community sector engaged in developing this youth blueprint. I think they have a lot to give.

The opposition in a short period of time will stand up here and they will say everything we are doing wrong about youth justice. Whether they support this bill or not is another thing. Let the facts remain: they sat here in the government chairs for 20 years in Queensland and did nothing on this issue. They did absolutely nothing on the issue to deal with juvenile justice.

We recognise that there have to be consequences for the actions of young people who commit crime, but we also recognise that we have to understand that there are some people who have not been blessed with a good family life and the circumstances they come from and we have to try to steer those young folk onto a good path and in a good direction in life so that they can get an education and a job. That has been the government's strategy and plan all along. We have had no assistance, no help, from the opposition in dealing with these issues because they have the same approach now as they had years ago—that is, a head-in-the-sand approach.

When they talk about getting tough on individuals, their position changes from week to week. I am pre-empting the debate that is about to occur—and one should not do that—but I am really looking forward to the member for Rockhampton's contribution because I am really looking forward to finding out where they stand today. If I can guarantee anything—if anyone can guarantee anything in life other than death—it will be that the opposition will have a different response to juvenile justice issues today than they had yesterday. The third guarantee is that what will happen will happen and then they will have a different position tomorrow. We have seen it with the criminal gang laws. I have seen it even this week on dealing with serial sex offenders in the community. They opposed the indefinite detention of sex offenders and they opposed our two-strikes policy, yet yesterday the opposition leader came out and said we should have tougher penalties for sex offenders. So their position on these sorts of issues and the community response change from day to day.

Mr Stevens: They're a flip-flop party.

Mr BLEIJIE: They are a flip-flopping party; I take the interjection from the Leader of the House, who incidentally hosted me a few nights ago at Broadbeach, and I thank the member for that. In talking to the business owners and the restaurateurs who operate along the strip in Broadbeach, they tell me that they are very happy and thrilled and excited that their communities are now safer—no thanks to the opposition but thanks to this government for the laws that we have implemented.

We will hold the same determination and will, as we have done with the criminal gangs, with youth justice. We will sort these issues out. Young people will be held responsible for their actions and know that there are consequences, but we will give all the young people a chance to sort out their lives, to get themselves into a boot camp, to get themselves an education and a job. That helps everyone. That helps the young people and it helps the community because these young people will stop offending in our streets. I commend the bill to the House.