




Speech By
Hon. Cameron Dick

MEMBER FOR WOODRIDGE

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YOUTH JUSTICE AND OTHER LEGISLATION (INCLUSION OF 17-YEAR-OLD PERSONS) AMENDMENT BILL

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (8.15 pm): Whilst a government's success may be measured by its popularity, its character is measured by the quality of its legislation. That is why I am very pleased to rise in the House tonight to support the Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Bill. In our system, there will always be debate about what constitutes good government and there will always be disagreement about individual decisions and policy directions in the political contest of ideas, but great governments are defined by the presence of one quality—that is, courage. Political courage compels us to do what is right rather than what is merely expedient. Before the last election, the Premier promised that if elected her government would move to transfer 17-year-olds to the youth justice system—an action that would bring us into line with every other jurisdiction in the country and satisfy our obligations under the United Nations Convention on the Rights of the Child.

We know the LNP's arguments against this important reform—that it is expensive, that it is administratively difficult, that the cost is disproportionate to the number of people affected. Statistics tell us that the criminal justice system is too often an extension of social disadvantage, with those from lower socioeconomic backgrounds and, most alarmingly, those from Indigenous communities disproportionately represented in it so we punish them for failing in a system that in some ways has failed them. That is not to say that those who break the law should not be punished and incarcerated where that is appropriate. Certainly, that is not what this bill is proposing to do. What it is proposing to do is to remove the inconsistency about what it means to be a child.

We tell our young people that they cannot vote until they are 18 years of age and they cannot drink alcohol. We tell our 17-year-olds that they cannot go to a polling booth or a bar but they can go to an adult prison. We should not forget that these are young people still going through the process of working out who they will ultimately become. We have an obligation to be consistent. While traditional sentencing principles applicable to young people—such as personal responsibility and accountability—are vitally important, the youth justice system must focus on rehabilitation and reintegration and the future prospect of young offenders serving a useful, productive and contributing life in our community. It is hard to see how these objectives could be advanced by experience in the hardened world of an adult prison.

The Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Bill 2016 finally fulfils the intent of the Youth Justice Act passed in this parliament in 1992, which had intended to include 17-year-olds in the youth justice system but was defeated by the complexities then involved. I am delighted to say that our Attorney-General, the member for Redcliffe, and the Palaszczuk Labor government are taking up that challenge. We are committed to transferring 17-year-olds from the adult justice system within 12 months and this bill sets up the transitional pathway to achieve that goal.

Under its terms, a key agency's whole-of-government panel, led by Youth Justice in the Department of Justice and Attorney-General, supported by a stakeholder advisory group and drawing on the expertise of the Childrens Court committee, will oversee the implementation of programs to safely integrate 17-year-olds into the youth justice system. Our plan is evidence based and seeks to engage with a wide variety of agencies—government and non-government—to chart a way forward that is measured, realistic and focused on outcomes that are fair, effective and economically achievable. We recognise that there are risks and that there is a significant difference between a child offender who is 10 or 11 and one who is 17. However, these are risks that have been managed, sometimes for many years in other jurisdictions, and they are a poor excuse to continue to do nothing.

Whilst there are costs involved in this reform there are also savings, with early indications suggesting the transition to success program, which encourages young people at risk of entering the criminal justice system to re-engage with education, training and skills, reduces reoffending rates by up to 85 per cent. That is precisely what we want from our justice system, that any person engaging with the justice system does not reoffend, that they get off the path of recidivism and onto the path of positively contributing to our community.

This is an important and overdue reform whose time has come. It is yet another marker on the road to building a modern, more inclusive, more responsive Queensland and another component of our youth justice reform agenda. It is about leadership and compassion, responsibility and public safety, justice and civil rights. It is about doing the right thing. It is very disappointing that the LNP members of the Education, Tourism, Innovation and Small Business Committee chose to oppose this bill and leave their party trapped in a time warp, chugging along in the ethical slow lane. Whilst this government is pressing on with its program of progressive reform, those opposite remain anchored in the past in an endless nostalgic throwback to the Bjelke-Petersen years when being tough on crime meant being tough on young people.

I was also very disappointed indeed to hear other members of the LNP, including the shadow Attorney-General, condemn previous attorneys-general in previous Labor governments for not taking the steps to progress this reform.

Mr Cripps: What about the Goss government that did nothing about it? What about the Beattie government that did nothing about it and the Bligh government that did nothing about it?

Mr DICK: I will take the interjection from the member for Hinchinbrook.

Madam DEPUTY SPEAKER (Ms Farmer): Order!

Mr Cripps: He took the interjection, Madam Deputy Speaker.

Madam DEPUTY SPEAKER: Order! I warn you under standing order 253A for showing disrespect to the chair.

Mr SEENEY: I rise to a point of order. The minister took the interjection. The member is perfectly entitled to continue if the minister takes the interjection.

Madam DEPUTY SPEAKER: I do not wish to justify my rulings to you. The member has, by the way he spoke to me then, shown disrespect to the chair and that is my ruling. The member for Woodridge has the call.

Mr DICK: I took the interjection because I believe it again demonstrates the ignorance of the LNP when it comes to the history of this matter. The member for Hinchinbrook called out the Goss government, he called out the Beattie government and he called out the Bligh government. During the history of those governments the attorney-general was never responsible for the youth justice system.

Mr Cripps interjected.

Madam DEPUTY SPEAKER: Order! Member for Hinchinbrook, you have already been warned under standing order 253A. I ask you to leave the chamber for a period of 10 minutes.

Whereupon the honourable member for Hinchinbrook withdrew from the chamber at 8.23 pm.

Mr SEENEY: I rise to a point of order. The minister took the interjection. The minister said on the record that he took the interjection.

Madam DEPUTY SPEAKER: I warn the member and the repercussions are clear.

Mr DICK: I want to address my comments to the LNP members in this chamber and outside. During the course of the Beattie, Goss and Bligh governments the attorney-general was never responsible for youth justice. I was so disappointed to hear the member for Mansfield, the shadow Attorney-General, attempt to conflate the idea that the attorneys-general in those governments, including myself, were responsible for youth justice. We were never responsible for youth justice. There was a clear separation in government between the attorney-general responsible for the adult justice

system and, of course, the minister for communities, who was responsible for the juvenile justice system and then the youth justice system. The attorney-general has never been responsible for the corrections system and that is precisely what we are talking about. We are talking about the corrections system, either managed in the juvenile justice space or in the adult system. I find it staggeringly ignorant of the member for Mansfield not because he is a member of this House but because he was a lawyer of very senior standing, a partner in a very large Queensland firm—a very distinguished firm—for decades and yet he does not understand the basis of the juvenile justice system and the criminal justice system.

Thankfully, we have someone of the calibre of the current Attorney-General, who has the capacity, the ability and the skill to bring this legislative reform before the House. It was so terrible of the member for Mansfield to seek to belittle the Attorney-General in his comments in the debate, saying that this had been forced on her by others. It demeans an Attorney-General with great capacity and great skill who has driven a very significant law reform program in this state, and she continues to drive that program through this reform. I commend and congratulate her.

What we are seeing is that government is a practical art. This is a practical bill. It sets out a clear pathway to reform, a transitional road map that will finally, after years of deferral and delay, bring the Queensland justice system, including the youth justice system, into line with other states. One by one, issue by issue, bill by bill the Palaszczuk Labor government is emptying the too-hard basket ignored by our predecessors. This is a government prepared to fight for its principles of fairness and social justice and it is a government that is prepared to stand up for young people. I commend the Attorney-General for her leadership again. What we are doing in this House tonight demonstrates political courage. I commend the Premier and the Attorney-General for bringing this bill forward and I urge all members of the House to support it.