Speech By

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

Mr JANETZKI (Toowoomba South—LNP) (8.30 pm): I rise tonight to contribute to the debate in relation to the youth justice and other legislation amendment bill 2016. The objectives of the bill are to increase the upper age of who is a child for the purposes of the Youth Justice Act 1992 from 16 years to 17 years. The bill also seeks to establish a regulation-making power to provide transitional arrangements for the transfer of 17-year-olds from the adult criminal justice system to the youth justice system. The LNP representatives who have spoken here earlier today, including the deputy chair of the committee, have outlined the reasoning behind the statement of reservation at length so I will not go into that any further.

There are two primary objections to the passage of the bill: firstly, the government cannot guarantee the safety of detainees as young as 10 if 17-year-olds are moved into the system; secondly, the cost of the transition is not able to be determined as a transition plan has not yet been proposed. The failure to properly plan is the most egregious of the objections, but the failure to properly plan for the transition is entirely consistent with the government's failure to stay strong on youth crime. They repealed the LNP's 2014 youth justice reforms, which included making breach of bail an offence and making childhood findings of guilt for which no conviction was recorded admissible in court when sentencing a person for an adult offence. These 2014 LNP reforms were essential to address longstanding concerns around youth justice. We know that they actually made a difference to youth crime in Queensland, and you only need to look at the Childrens Court 2014-15 annual report. President Michael Shanahan reported that Queensland witnessed an 8.7 per cent decrease in juvenile defendants disposed of in all Queensland courts as compared to the previous year. Moreover, the trend year in relation to the 10-year comparison of the number of charges against juvenile defendants continued to rise, although in 2014-15 there was 4.9 per cent decrease from the previous year.

This issue matters to me as the member for Toowoomba South because Toowoomba has historically faced significant challenges when dealing with youth crime and recidivist criminality. Longitudinal research undertaken by the Australian Institute of Criminology in conjunction with Griffith University tracked over 14,000 children born in 1990 who had contact with the justice system between the ages of 10 and 20. This report provided the most comprehensive empirical analysis ever undertaken in Queensland on juvenile delinquency. It highlights that one in four Queenslanders born in 1990 had some contact with the justice system between the ages of 10 and 20, and that includes everything from a caution from the police to appearing in the court system itself. On average, offenders committed 21 offences each and appeared in the court system on seven occasions. This particular research placed Toowoomba, Cairns, Townsville, Strathpine and Cherbourg as most impacted; Toowoomba was at the top of that list. Chronic juvenile criminals operating in Toowoomba between 2000 and 2010 were confirmed to have cost over $14 million, which is the highest level in Queensland. What is most concerning for the Toowoomba community is that the research revealed that each offender was costing

the state approximately $120,000 between those ages of 10 and 20 when factoring in police, courts, medical costs, property damage and other related costs. What is most sad is that such offenders were trending always towards a life of adult crime.

From my discussions with so many who are working in the youth justice system in Toowoomba, including the Queensland Police Service, the Toowoomba Community Justice Group, Indigenous elders and the local legal and court system fraternity, it is clear that they believe in a coordinated, consistent and comprehensive youth justice system. I believe that the system deserves better than a government pulling together a rushed and underprepared piece of legislation that raises more questions than it answers. Has the government considered that day-to-day operational costs associated with including 17-year-olds in the youth justice system will cost the government in the order of $44 million a year? On recent analysis there were 49 17-year-olds accommodated in Queensland Corrective Services, which means that the government proposes to spend $44 million for 49 people.

Given that the current position held by the Labor Party has been their policy for over 20 years, before seeking to change the law I argue that there needs to be a proper review of the justice system that welcomes wideranging consultation with stakeholders from across Queensland. Regional Queensland has lots to say if only the government would listen to it. In Toowoomba I reckon that I could find about 20 stakeholders who would love to provide significant contributions to any review on the youth justice system. This bill and the half-baked approach contained in it is another slap in the face for regional Queensland, and for that reason alone I cannot support the bill.