




Speech By
Jennifer Howard

MEMBER FOR IPSWICH

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

 **Ms HOWARD** (Ipswich—ALP) (4.51 pm): I rise to speak in support of the Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Bill 2016. In Australia, adulthood is defined to commence at the age of 18. Why then does the current youth justice system in Queensland apply only to young people between the ages of 10 and 16? Why are 17-year-olds in this state treated as adults in the criminal justice system? I believe that this approach is inconsistent within our own state and within the rest of Australia. The Palaszczuk government is committed to correcting this issue and to showing leadership with this amendment.

We believe that 17-year-olds must be given proper recognition under the law, which can only be done by ensuring that they are brought into the youth justice system. Seventeen-year-olds are still youths. They are not adults and, as such, they should not be treated as adults in the justice system. The benefits of including 17-year-olds in the youth justice system are nationally and internationally recognised. It is known that children's and young people's neurological and cognitive development is immature and incomplete. That means that they must be included in a criminal justice system that responds to that group in a developmentally appropriate manner. Including 17-year-olds in the youth justice system allows an increased ability to divert them from the court system; gives them access to more age-appropriate education, training and specialised programs; reduces the exposure to adult offenders; allows for more intensive staff support and supervision in custody; and provides the sentencing principles of the Youth Justice Act to be applicable to them, which means that support and rehabilitation in the community is prioritised wherever practicable and appropriate.

This bill ensures that we are doing the right thing by the people of Queensland. It means that we will be in line with the rest of the nation and with international law and standards. Bringing 17-year-olds into the youth justice system will allow them and the victims of offences committed by them to benefit from the reinstatement of the restorative justice program. This reinstatement was made under the Palaszczuk government through the Youth Justice and Other Legislation Amendment Act (No. 2) 2016 and it took effect on 1 July this year.

The transition arrangements to move 17-year-olds into the youth justice system are complex. There are 50 or more 17-year-olds who need to be transitioned from adult custody and 200 or more 17-year-olds on supervision orders who need to be transitioned into the youth justice system. To ensure that the transition process is completed successfully, a key agencies whole-of-government panel, led by Youth Justice within the Department of Justice and Attorney-General, will be convened to oversee the development and implementation of programs to safely integrate 17-year-olds into the youth justice framework. The key agencies whole-of-government working group will be supported by a stakeholder advisory group and can draw on the expertise of the Childrens Court Committee, chaired by the President of the Childrens Court, Judge Shanahan.

With this bill, the Palaszczuk government will establish a comprehensive transition plan to address and correct the issue of having 17-year-olds being treated as adults in the justice system. The plan is light years ahead of anything that the previous LNP government could have thought up. The bill, and the transition plan in it, is an evidence-based multiagency response and will be undertaken in collaboration with non-government service providers and advocates. It will ensure that the needs of 17-year-olds and all other stakeholders are addressed as 17-year-olds are transitioned into the youth justice system.

The transitioning of 17-year-olds into the youth justice system is not only the right thing to do; it is part of a broad reform agenda underway in youth justice. The objective of this ongoing reform is very clear: it is about reducing offending and reoffending; it is about reducing the number of young people in remand; it is about increasing the number of children and young people being successfully supported in the community; and it is about increasing community safety. The reform agenda is based on real evidence that shows that children's and young people's participation in education and training is fundamental to reducing recidivism. The government is doing this by ensuring that vocational education opportunities are available for children and young people in youth detention and in the community. In so doing, we are ensuring that community programs for young people are being funded. The \$325,000 commitment from the Treasurer for funding to be used to support young people in the community of Ipswich is a great example of that.

The bill ensures that the government is making the most of existing resources and investment. It is doing that by mandating that each government agency has to work flexibly to better target their services at the small but complex youth justice cohort. The comprehensive multiagency approach outlined in the bill will deliver reduced costs to government in the long run. It will mean that we can work more effectively with children and young people when they first come into contact with the youth justice system. It will mean that there is a greater likelihood that they can be diverted from a lifetime of involvement in the criminal justice system.

The amendments proposed by this bill do not mean that we are going soft on crime. Children and young people who commit offences will be held accountable for their offending and courts will continue to appraise appropriate outcomes for offending. The difference here is that, unlike the previous LNP government, this government is committed to reducing the number of children and young people who find themselves in the youth justice system and providing the support they need. The reforms in this bill are part of a broad government reform agenda in youth justice. The bill represents a significant and progressive reform for how 17-year-olds are treated in the Queensland justice system. I commend the bill to the House.