




Speech By  
**Joan Pease**

**MEMBER FOR LYTTON**

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**YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL 2015; YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL 2016**

 **Ms PEASE** (Lytton—ALP) (10.28 pm): I rise tonight to contribute to this cognate debate on the Youth Justice and Other Legislation Amendment Bills. These bills are another example of the Palaszczuk government's election commitment being met. They will see the reversal of widely criticised youth justice measures that were instituted by the previous government in 2012 and 2014. I would like to begin my contribution by thanking the committee chair, Mr Mark Furner, my fellow committee members and the secretariat for the great work that they did on this important bill. I would also like to sincerely thank all of those who made submissions and presented at the public hearings and who sometimes heard some very difficult and tragic stories. The Palaszczuk government is committed to reducing youth crime in Queensland. That is why it is repealing the amendments made by the previous government.

The Palaszczuk government is adopting an evidence based approach to youth offending with these measures. The former government promised that its tough-on-crime approach would break the cycle of youth offending by targeting youth offenders. However, data shows that the number of repeat offenders did not decrease; rather, that since 2010-11 the proportion of young people who reoffended within six months of being found guilty had actually increased. This, I would argue, would indicate that the former government's amendments were not effective and did not provide a deterrent for offenders.

Evidence clearly shows that increasing the severity of punishment does not reduce offending. Submissions were received from legal, academic, community and youth groups and government agencies during the review of the bills. An analysis of responses showed that 81 per cent supported the measures being introduced by the Palaszczuk government and that only three per cent were opposed to one or more of the proposed measures. I seek leave to incorporate the remainder of my speech.

**Madam DEPUTY SPEAKER** (Ms Farmer): You confirm you have my approval?

**Ms PEASE:** I have.

Leave granted.

The Palaszczuk government has committed to moving away over time from treating 17-year-olds as adults for the purposes of the criminal justice system. As a significant initial step in this process, the bill will increase from 17 to 18 the age at which young people, who have at least six months to serve in detention, are to be transferred to an adult correctional facility. Furthermore, to ensure the developmental and rehabilitative needs of young people are taken appropriately into account, the bill will empower a court to delay a young person's transfer for up to six months. However, to maintain the safety of youth detention centres, the bill provides a statutory age cap for detention of 18 years and six months. Under the proposed provisions, a person who is 18 years and six months will not be able to enter a detention centre to begin serving or return to complete a period of detention.

Amnesty International supports these changes and states that the Government has a human rights obligation to hold children and young people in facilities appropriate to their age, separate from adults and with programs for their rehabilitation. The QLS also state that it is their firm view that there should be no transfer of 17 year olds to adult facilities.

The QAI state that early incarceration especially for young people has been found to compound anti-social behaviour through secondary labelling and ensures that young people become accustomed to prison culture and to low social expectations.

The bill also proposes to amend parts of the YJ Act to provide restorative justice processes. Evidence supports reintroducing youth justice conferencing. Conferencing is a restorative justice process and an effective diversionary strategy. Evidence shows that conferencing can have a positive impact on a young person's likelihood of reoffending. Evidence also strongly shows there are direct benefits to victims who are involved in a restorative justice process. These include a reduction in post-traumatic stress symptoms, a reduction in the desire for violent revenge and a heightened level of satisfaction. Research also suggests that restorative justice is most effective when it is legislated as a required consideration, rather than on an optional basis.

Amendments to youth justice conferencing reinstate and enhance the pathways for the court to refer matters to conferences and provide greater flexibility to deliver diversionary restorative justice interventions. Those diversionary interventions and conferences are not soft options for young offenders. But rather that young people are required to accept responsibility for their behaviours, confront their victims and undertake a restorative process, which can include community reparations of one sort or another. QAI submit that conferencing provides an opportunity for the young person to admit the offence and accept responsibility for their offending behaviour, to understand in a tangible way the effects of their actions, to repair some of the harm caused by their offending behaviour and to feel proud of their efforts to put things right.

These bills represent an important step in moving towards a more balanced and evidence based youth justice system. The Palaszczuk government is delivering a comprehensive youth justice policy and to set out to reform the youth justice system based on evidence of what works. This policy will have a priority focus on reducing the overrepresentation of Aboriginal and Torres Strait Islander children and reducing the impact of youth offending in our communities by supporting children and young people to make long-term positive changes in their behaviour.

Further, alternative education and vocational training programs are being delivered in a community setting to young people. Through this and other evidence based initiatives, the policy will drive action that ensures the community achieves better value from the investment in youth justice. This will include an increased focus on education, skills training, improved family relationships, enhanced resilience and social outcomes for young people. These bills will build a world-class best practice youth justice system. I commend these bills to the House.