




Speech By
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MEMBER FOR MANSFIELD

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YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Ms McMILLAN** (Mansfield—ALP) (4.53 pm): I stand before the House today to make my contribution to the Youth Justice and Other Legislation Amendment Bill 2019. This is a really complex issue. I discuss the contents of this bill with full respect to all of those young people, those children, whom I have had contact with over many years. I speak about the bill with full respect of not what they have done but of their context, of their personal stories and of the environment in which they have been brought up and in which they have had no say.

Initially, this bill was authored in response to the Queensland government's 2018 Youth Justice Strategy, not the *Four Corners* program as has been alleged. Among other things, the bill aims to reduce the reoffending rates of young offenders as well as provide a more supportive legal structure for our young people. This government takes the issue of youth justice extremely seriously, which is evident in its historic investment of \$550 million in the youth justice system since the transition of 17-year-olds out of the adult system. This significant investment is aimed at reducing reoffending as well as creating a better support system for our children. The youth justice bill will reform several pieces of legislation. However, I will make comment specifically on the amendments to the Youth Justice Act and the Police Powers and Responsibilities Act.

Firstly, the bill will ensure a more supportive environment within the youth justice system by reducing the period in which proceedings are finalised. Importantly, this amendment does not remove judicial or police discretion but intends to strike a balance between community safety and ensuring the appropriate release of a child from custody.

The bill amends the Youth Justice Act by strengthening principle 7 to expressly state that proceedings started against a child for an offence should be finalised as soon as practical. This amendment replaces the former principle 7, which only states that the proceeding should be conducted in a timely manner, which thereby places no urgency on the matter to be resolved. It is critical to ensure efficient court proceedings within our youth justice system as many young people may remain awaiting trial or sentencing for an extended period.

As a former principal I know firsthand the impacts upon children when being held in custody for long periods of time—the impact on their education and the impact on their personal mental health. The psychological impacts of being incarcerated at such a young age for an extended period of time is often irreversible and can also foster a lack of trust among our young people in the Queensland youth justice system.

For some children, intensive and onerous bail conditions are likely to be counterproductive and increase the likelihood of a young person breaching their bail conditions and being remanded in detention for the breach. All too often I have seen young people who have committed a crime and then breached their bail conditions end up in far worse trouble than they had originally been in. I am proud to say that this amendment serves to reduce the impact on our children and create a more supportive environment for them, as well as lower reoffending rates within our youth.

Secondly, the bill will support a decrease in reoffending rates of our youth by introducing a new requirement for police to legally notify or notify a legal aid organisation as soon as reasonably practical. This reform amends the Police Powers and Responsibilities Act and creates a more effective system in reducing a child's time in custody. This amendment has been included due to delays in legal advice and representation contributing to delays in an application for bail being made for a child.

Police can only, and should only, question a child as long as they have a support person present. This has always been the case. As stated previously, a longer time in custody has been linked to higher reoffending rates among young people. By creating a higher sense of urgency to ensure legal representation for our young people, this amendment will drastically cut down the time young people spend in custody. As a result, this reform will reduce the number of times our youth will commit offences.

I congratulate the government for creating the 2018 Youth Justice Strategy and committing to the strategy's key objectives by invoking the implementation of this bill. These key objectives being reducing the reoffending rates of young offenders as well as providing a more supportive legal structure for our young people.

I commend the minister and the work of her department. I know how important these reforms are. They are critical in ensuring a positive behavioural change for our children.