




Speech By
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MEMBER FOR BONNEY

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YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr O'CONNOR** (Bonney—LNP) (6.21 pm): Today I rise to support most of the Youth Justice and Other Legislation Amendment Bill. Like many, I felt sick watching the 13 May *Four Corners* report 'Inside the Watch House'. The cases discussed in the story, plus other reports that followed, are distressing. I found it hard to believe that they were talking about something that is going on in Queensland. There were stories of kids having their fingertips cut off in cell doors; multiple suicide attempts; a 12-year-old girl mistakenly put in a pod with two alleged sex offenders; other children in cells adjacent to paedophiles; a 16-year-old who found out she was pregnant but who was moved only a week later; and a 12-year-old girl who had been in the watch house for over a week and just wanted some shampoo to wash her hair. Queensland's Public Guardian, Natalie Siegel-Brown, summed it up when she said—

The important thing to note is that the vast majority of them have never actually been convicted. They are victims of serious child abuse and neglect, physical neglect, emotional neglect. They've never felt safe in the environment they've grown up in. They've never felt loved.

We should be tough on crime and I wish those kids had never reached the point of being taken in, even if only for minor crimes. We need better preventive measures. Despite that fact, once a child enters our justice system we have an obligation to respect their rights and treat them as children—indeed, as people.

Kids are being kept alone in concrete pens. When someone from the Office of the Public Guardian visits them, they are spoken to through the small slot that is used to pass them their food. They are given no real exercise other than 15 minutes in a slightly larger pen. The lights are on all the time. There is absolutely no stimulus for them. How do we ever expect kids to recover from such experiences? We are traumatising kids who, for the most part, have already been traumatised. It is completely dehumanising.

For nearly three years Amnesty International have been investigating children in watch houses. They have analysed around 200 case notes that came from the Brisbane watch house over a 12-month period. They found over 2,600 individual violations of human rights laws, domestic laws and domestic procedures. That was within just 12 months and it was cases from only the Brisbane watch house. I found the minister's response frustrating to say the least. She acknowledged that certainly this is not an environment that is good for young people. When asked about human rights breaches and state law breaches, her response was, 'Well, we haven't introduced a human rights bill in Queensland yet.' To say there is no alternative is a cop-out. When the transition of 17-year-olds to youth detention happened, surely the government saw this coming? If they did not, that would be a massive oversight in itself.

In addition to these new laws, the government needs to find or build temporary accommodation to get those kids out of the watch houses. Accommodation is a huge issue. I have no faith in the government to provide any in the short term, because I have seen them completely fail in providing long-term accommodation for young people going through a tough time. On my part of the Gold Coast we have a big issue with youth homelessness. Over a year ago the government announced a youth foyer for Southport. The project includes 40 units for at-risk 16- to 25-year-olds. It was meant to be up

and running by December this year. Unfortunately, the block of land it is meant to be going on is still an empty patch of grass. The closest it has come to having accommodation on it was the mattress that someone illegal dumped there. The last update from the minister is that consultation will start soon. That is not good enough. The Southport youth foyer is taking far too long to be built and vulnerable young people on the Gold Coast are suffering because of it.

Whilst the number of children in watch houses has gone down substantially since the airing of the report, it has risen again since the numbers provided during the estimates hearing last month. I am aware that the bill before us today is aimed at reducing the pressure on the system and ensuring that young people are processed as quickly as possible. I support the changes to streamline youth justice proceedings, the new information sharing system to help government and non-government organisations to assess and respond to the needs of young people in the youth justice system, and allowing body worn cameras to be used. Making sure that offenders are brought to the Childrens Court in a timely manner, which in most cases will be 24 hours, is a welcome amendment. The presumption in favour of release is also a good addition. Eighty per cent of children in detention are on remand, yet only 16 per cent of young people on remand go on to receive a custodial sentence.

However, the legislation goes too far in some aspects. When bail is granted the offenders must feel the weight of their release. We do not want kids continuing to reoffend because they do not take the justice system seriously as they do not think their bail conditions mean anything. We need a measured approach that balances the needs and backgrounds of the children with a tough stance on crime and a demonstration that crime will not be tolerated in our society.

I find it most remarkable that, given all of this background, the government has not included in the bill a limit on the time youth spend in watch houses. I stand with my colleagues in strong support of the amendment to restrict the length of time children can be held to 72 hours. We do not hold adults in watch houses for more than 48 hours. Why wouldn't we put a time limit on our kids being in there? Establishing a time limit is supported by the Queensland Human Rights Commissioner, the Office of the Public Guardian and Sisters Inside. Sisters Inside do not support the bill in its entirety. Their representative said—

We acknowledge the intention of the Bill is to clarify the decision-making processes and considerations for children arrested and charged with criminal offences. However, in our view, the Bill does not outline a clear legislative framework that is likely to reduce the extremely high numbers of children remanded in watch houses and youth prisons.

It is a sad state of affairs when our young people and kids are treated with less care and support than adults in our justice system. They are our most vulnerable and they deserve better. We need urgent and appropriate approaches to youth justice to ensure that we give the best prospects possible to the next generation of Queenslanders. They need a more hopeful outlook in life and it is up to us to deliver it.