Speech By

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YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

Ms BUSH (Cooper—ALP) (2.10 pm): I rise to support the Youth Justice and Other Legislation Amendment Bill. Firstly, as a member of the Legal Affairs and Safety Committee, I have to acknowledge my parliamentary colleagues and the secretariat who did an incredible job of coordinating our public hearings in particular and ensuring that people—many of whom had travelled some distances and had never before appeared before a committee—were in fact heard.

I have listened to those opposite harangue the government on our response to youth justice through this bill, and it has become quite clear to me that they are not committed to reducing youth crime. What they want is to continue the politicisation of law and order in this state—and it is appalling. Let us not forget what happened when they had the opportunity to pull the justice policy levers under Campbell Newman. They slashed the Murri Court, cut drug diversion, cut the specialist circumstances court and slashed youth justice conferencing.

What were the impacts of that? Crime went up. It has taken incredible efforts by this government to re-establish the service delivery capability in these areas. If ever you want an example of duplicity, Mr Deputy Speaker, you do not need to look far. Just keep your eyes on the opposite side of this House throughout this debate because I am sure we are about to see some examples of it.

Listening to the community and acting is paramount to good government—that is exactly what this bill is about. As part of the government's record investments in youth justice and policing, our five-point crime action plan is in place throughout Queensland. The plan includes tougher action on bail; a police blitz on bail, appealing court decisions where appropriate; culture based rehabilitation for Indigenous offenders through a trial of on-country initiatives; and empowering local communities in the war on crime with $2 million for community based organisations for local community solutions.

This plan is already making a difference. The number of youth offenders is at its lowest in a decade—down around 30 per cent. This government's approach to youth justice is and has been backed by solid evidence which tells us that keeping communities safe is best achieved through early intervention targeting young people at risk of offending and reoffending. That is exactly what this government has done as part of our $550 million investment in youth justice, rolling out important initiatives like specialist multiagency response teams to give advice to the courts and address underlying factors that contribute to a young person's crime; family-led decision-making, providing a culturally safe decision-making process involving Aboriginal and Torres Strait Islander families; 24/7 co-responder teams, comprised of both police and youth workers diverting at-risk young people from potentially engaging in antisocial activities after hours; a conditional bail program, providing intensive and individual support for young people on bail and those awaiting sentencing; and restorative justice conferencing—a therapeutic justice process that acknowledges the impacts and consequences of crime for victims and the community.

These programs and our five-point action plan have had positive results, but I would like to focus on the small cohort of recidivist youth offenders who represent around 10 per cent of youth offenders but commit around 48 per cent of youth crime—a degree of which is personal crime. The community has a right to be safe and to feel safe which is why the government is making important changes in this legislation.

The committee heard from a range of stakeholders in various locations throughout Queensland and the committee made the recommendation that this bill be passed. I must say how impressed I was by those who attended our public hearings across the state. I would like to extend my thanks to those who attended. Most members of the public recognised that early intervention and diversion away from the criminal justice system is what is required to prevent our young people from committing crime—and I have spoken already to the government's ongoing commitment and investment in this. However, some people were understandably frightened, having experienced personal occurrences of break and enters, hold-ups or dangerous hooning.

During the Mount Isa public hearing, for example, we heard from a local resident Mr Schultz, who provided several personal experiences of crime including that of his mum, who at 93 years of age woke up in her house to a noise in the middle of the night. She went to investigate and was put into a chokehold by someone who had broken in and entered her room.

Victims of crime and community members have the right to be safe and to be protected from this small number of persistent offenders. Our new laws will reverse the onus so that young offenders charged with serious indictable offences while on bail will need to demonstrate to the court why they are not a risk of reoffending and are not a danger to the community before they can be granted bail. They will give the courts power to seek assurances from parents and guardians that they will assist them to comply with their bail obligations when considering the granting of bail. They will enshrine in legislation that when a young offender commits an offence while on bail the court will consider that an aggravating factor. They will allow courts to consider the option of electronic GPS monitoring devices for 16- and 17-year-olds as a condition of bail.

The bill also amends the Police Powers and Responsibilities Act to give police enhanced powers to deal with hooning as well as enabling a trial of metal detector wanding on the Gold Coast to target knife crime. I acknowledge the contribution of Ms Belinda Beasley, founder of the Jack Beasley Foundation. Belinda is also the mother of the late Jack Beasley, who tragically lost his life as a result of an alleged stabbing incident which occurred in public outside an IGA in Surfers Paradise on the Gold Coast. Jack was just three months from turning 18. The alleged offenders were at the time aged between 15 and 18 years of age.

We heard during the Gold Coast public hearing of the practice amongst young people of carrying knives when they are out in public in Surfers Paradise particularly. Angela Driscoll, who operates the Gold Coast Chill Out Zone and who has a 20-year history of working with stakeholders in the area, made the following statement in her verbal submission to the committee—

... nobody in these safe night precincts wants anybody to carry knives. I would say that that would include a very large cohort of the young people who are carrying those knives ... young people will say, 'I carry a knife because everyone else carries a knife. I am protecting myself from other people who are carrying knives.'

Our young people deserve protection. Following the committee's work, I am confident that the amendments to the Police Powers and Responsibilities Act to allow police in prescribed places and circumstances to use handheld devices to scan for knives will interrupt the cycle of people carrying knives throughout the safe night precincts on the Gold Coast.

Finally, I will comment on the opposition's response to this issue, which disappointingly was neither innovative nor evidence based—but simply to return breach of bail as an offence. Some speakers who attended the public hearings did advocate for this position. However, when we spoke to those submitters, ultimately what they said was that they wanted to be safe—which we know is best progressed through effective policy.

Breach of bail never existed under the previous LNP government. There are many ways to breach bail—failure to comply with a curfew or failure to reside at an approved address. None of these breaches were ever an offence under the previous Newman government—only committing an offence while on bail. The fact is that the Newman LNP government introduced an unworkable law called 'committing an offence while on bail'. This law did not work as a deterrent and was not regularly used by the courts given it was so ineffective.

The evidence shows us the LNP's offence did nothing to deter or reduce crime while it was on the legislative books between March 2014 and June 2016. On the contrary, I am advised that, of the 185 young people convicted of the offence in that time, more than 90 per cent reoffended within 12 months and 94 per cent within two years. Contrast this, for example, with the results shown in the

government's Transition 2 Success program—an evidence based program recently evaluated by Deloittes, with the following findings: a completion rate for young people enrolled in the program of 81 per cent and 82 per cent for Aboriginal and Torres Strait Islander young people; 95 per cent of young people completing the program then transitioned into education, employment and training or another T2S course; the overall reoffending rate for all T2S participants who completed a course was down to 25 per cent; and a reduction in the nights spent in custody per month from 2.2 to 0.5 nights in custody per month in the six months after completing the program.

We do have to stay the course on our approach to youth justice because we know it is making a tangible and positive difference to young people, their families and our communities. As a government we are also obligated to adjust the sails when the need becomes clear. That is what this bill will achieve and I commend it to the House.