




Speech By
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MEMBER FOR MACKAY

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YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs GILBERT** (Mackay—ALP) (6.33 pm): Any crime committed in our community is unacceptable. When it is committed by a young person it is even more concerning because it means that we have young people making bad choices for themselves that could have detrimental effects on their lives for many years to come. We need to ensure that we can break the cycle of crime before it becomes entrenched. Experienced police officers in my region tell me that sending a young person to a detention centre should be our last port of call. They tell me that in detention centres young people learn to develop their skills and this is where property crimes rise. The young people learn how not to get caught. That is why across the state we are rolling out support for communities that deliver targeted programs.

Community safety is of paramount concern to this government. That is why we have brought this bill before parliament. The actions we are taking build on our five-point action plan and are making a difference. The number of youth offenders is at its lowest point in a decade. It is actually down by 30 per cent. When youth crime is highly publicised it may not seem like it because it puts things out of perspective. The focus of this bill is on a small cohort of hard-core repeat youth offenders who account for 10 per cent of all the offending.

Our new laws will reverse the onus so that young offenders charged with serious indictable offences while on bail will need to show the court why they are not at risk of reoffending and are not a danger to the community before they can be granted bail. We are giving the courts the 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. Young people need to have support. It also enshrines in legislation that when a young offender commits an offence while on bail the court will consider that an aggravating factor and sentence them accordingly. It will allow courts to consider the option of electronic GPS monitoring devices for 16- and 17-year-olds as a condition of bail.

Communities can help to make a difference in young people's lives. Before I go to some of the programs in our community I would like to give a shout-out to Justin Giblett, a young man in my community who is running an alternate learning centre called the Kutta Mulla Gorinna Special Assistance School. This young man set about getting school status for his school. There are 60 students enrolled at the school at the moment. The school has been going for 18 months. The majority of these children have been through youth justice. These kids are turning up to school every day and are not going back through the court system. If we have people like Justin Giblett in our communities we can keep young people out of our cars, out of our homes and out of the court system. I thank Justin and his team.

Mackay police are actively targeting youth offenders. The CIB and officers from the Child Protection and Investigation Unit are doing great work. We have police working closely with youth justice workers in youth responder teams as part of our five-point action plan. They work together on rotation with night and day shifts from Wednesdays through to Saturdays. Ten at-risk young people are currently enrolled in Project Booyah, an award-winning program aimed at turning young lives around. Operation

Sierra Gorton is up and running and is about intensive case management and monitoring of repeat young offenders to ensure that they comply with their bail conditions. The police are working on a campaign to prevent male-on-male violence. The police are working with local advertising companies on this initiative. They have paper bags in bottle shops printed with the words 'violence-free area'. They are getting that message out wherever they can.

The Mackay District Community Policing Board has representatives from the police, the Domestic Violence Resource Centre, Headspace, Mackay Regional Council, the Mackay Youth Justice Centre, Mackay probation and parole officers, CQ University, the Department of Aboriginal and Torres Strait Islander Partnerships, Northern Australia Primary Health and the Yuwibara elders. All of these people are working together to support our young people.

I would like to focus on the proposed new laws around bail. The best thing about what we are doing with bail for youth offenders is that we are bringing in a better and more effective system. We are reversing the presumption of bail. We are focusing on the serious repeat youth offenders who will need to prove why they should get bail, which means that those offenders will be refused bail unless they can convince the bail decision-makers that they are not a risk to community safety.

Once serious repeat offenders come back before the courts the issue becomes, what happens to them next? It is about ensuring a guardian or a parent is available to support them on release and to ensure that they have the appropriate supports available on release to prevent them from reoffending. We are looking closely at the involvement of parents and guardians in the court process. We want to ensure that those supports are in place to assist parents and guardians to manage those troubled kids because not every adult has the skills that they need to turn those kids around.

The current bail framework provides that youth have a presumption for release on bail. We believe that when a youth offender commits a serious indictable offence while already on bail that presumption should be removed and that it is up to the young offender to show the court why their detention is not justified. That in effect reverses the previous presumption. The type of offences that pose a significant risk of harm to the community include unlawful use of a motor vehicle, robbery, assault occasioning bodily harm and sex offences.

The LNP is being careless with the truth on bail issues. Breach of bail never existed under the previous LNP government. There are many ways to breach bail, including failure to comply with a curfew and failure to reside in an approved residence. None of those breaches were ever an offence under the Newman government. It was only an offence if committed while on bail. The LNP has been loose with the truth. This law did not work as a deterrent and was irregularly used by the courts given that it was so ineffective and unworkable. As a consequence, under the LNP's laws an offender would receive a lesser penalty. The evidence shows us that while the LNP's offence was on the legislative books between March 2014 and June 2016 it did nothing to deter or reduce crime.

In closing, I pay tribute to our local police. I know that they are working very hard to keep our communities safe. I also pay tribute to all of those in Mackay's tightknit community. I encourage them to continue with the important work they are doing to support our local police. The Mackay myPolice blog highlights community safety advice and information, and encourages people to reach out and report local crimes. From January to March this year, on average there were 60,718 views a month and 2,431 people subscribed to the Mackay myPolice blog.