




Speech By
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MEMBER FOR GREGORY

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YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr MILLAR** (Gregory—LNP) (6.09 pm): I rise to speak on the latest Labor bill in the area of youth justice with a feeling of great disappointment. I am sure that this feeling will be shared by many people across Queensland. The bill is just the latest in a series of bills put forward by the Labor government. History shows over and over again that political ideologues are not harmless dreamers; they wreak terrible damage on their fellow citizens and on societies. The most damaging ideologues tend to be utopian in bent. Almost any amount of real-world damage can be ignored on the way to achieving paradise. The last seven years have seen this approach to youth justice. Upon election it was as if the dreamers were in charge, their dream being that human beings will act nicely if they are treated nicely and that young human beings do not ever test boundaries. In fact, in the real world, teenagers always test boundaries. Of course, the line that they are pushing against is greatly influenced by factors such as family support and the home environment. As a last resort with the youth justice system, society can push back and say, 'No, that is a step too far.'

The Labor government seems to be supporting an approach that says any pushback from society is in itself damaging. Protecting our citizens by restraining juvenile offenders does not seem to be a real consideration. We first saw this clearly in June 2016. In a flurry of changes, Labor scrapped the LNP's breach of bail offences. Furthermore, juvenile records became inadmissible in court when sentencing the same offender for offences committed as an adult, so a simple birthday wiped the slate clean. Finally, Labor laws required that detention must be a last resort for juvenile offenders. Many juvenile offenders came to believe that there was no real penalty for any action. There was no line they should not cross.

A few months later, Labor changed the law so that 17-year-old offenders were no longer treated as adults. The rationale behind this change was debatable, but the immediate, real-world effect was that 17-year-old offenders had to be removed from adult detention centres. Unfortunately, Labor had not built any new juvenile detention centres or expanded any already existing. Labor seemed genuinely surprised when the overcrowding caused by its laws saw juvenile offenders being held in watch houses, with no protections from older offenders at all. Nor had any thought seemingly been given to the fact that Labor was placing an older criminal cohort back into the juvenile detention system, where they would inevitably become the top dog.

It did not take long for the real-world results to start showing up. They continue to this day. Last month the *Townsville Bulletin* reported that in the 10 years to February 2021 youth offending had increased as much as 800 per cent in some categories—yes, 800 per cent. Queensland Police Service data revealed that offending across all crimes such as assault, serious assault, unlawful use and unlawful entry is significantly higher than it was 10 years earlier.

In the past decade, drug offences by young offenders have more than doubled. Weapons offences are up 800 per cent. Offences against a person, which include crimes like robbery, rape, assault and serious assault, have increased 204 per cent. Troublingly, the *Bulletin* highlighted that the number of girls committing offences against a person had increased by 163 per cent, compared to an

increase of 95 per cent for boys. While Townsville has been ground zero for this Labor inflicted problem, the trend has been statewide. We have even experienced this in Gregory. In the age of smartphones and social media, this should surprise no thinking adult.

As this unfolded across the years of Labor in government, what was Labor doing? It was doubling down on the ideology and posturing on the moral high ground. Meanwhile, it was failing in its duty to provide Queensland citizens with personal security and safety—surely a foundational responsibility of any government. Most troubling, Labor has failed a whole cohort of Queensland youth. Under Labor, we have failed in our duty as the adults responsible for these kids. Many of them will now be condemned to adult outcomes which will see them in and out of courts and prisons, struggling with addictions and struggling to maintain successful relationships. I find this absolutely distressing.

For seven years we have seen Labor essentially pretending that nothing was really wrong. Meanwhile, MPs were being told a very different story by constituents who found themselves the victims of these crimes. One of the crimes that has increased dramatically is stealing a car for a joyride. This involves first entering someone's home to steal the car keys, because most modern cars cannot be hotwired. In Gregory there is no public transport, so if someone steals your car it has a major impact on life and work for everyone in the family. More importantly, as events have shown, it puts the young offender at risk of their own lives. We have lost one 14-year-old boy in Gregory for this reason, but other young people across the state have died while joyriding in stolen cars. Young people have also killed innocent pedestrians while joyriding in stolen cars.

This policy of not punishing juvenile offenders has reaped a catastrophic harvest for every Queenslanders it has touched. As public outrage grew, Labor still tried to avoid restoring the juvenile justice laws. In 2016 it had a five-point youth justice plan which failed. In 2019 it had a four-point plan and then a second five-point action plan. These plans were mere puff. In August 2019, Labor amended the Youth Justice Act to insert a presumption in favour of bail for youth offenders. The results were almost instant. Local police explained to me how it worked for them. They reported that they would be asked by the court what other options they had considered before charging a young offender. They had a victim of crime making the complaint and DNA and CCTV evidence of the young offender committing the crime but still had to justify to the court why they had even proceeded to press charges. Repeat offenders were then released, laughing and abusing police on their way out of the Magistrates Court. It was clear to everyone that such behaviour could only escalate under this regime.

The bill we are debating today is a response to these predictable outcomes. It seeks to correct the mistakes by providing a legislative framework to trial the use of electronic monitoring devices on 16- and 17-year-old offenders who have committed a prescribed indictable offence and have previously been found guilty of one or more indictable offences, to be reviewed after 12 months. It will be interesting to see if this helps. I question why it is only for repeat offenders of serious offences. I also question why it is limited to the upper age range. Surely the one acceptable justification for this whole approach is early intervention. If such devices are to make a real difference, it is to keep those aged 14 and younger out of detention centres and in diversion programs.

The chances of successful intervention must also be greater when the seriousness of the crime is less and the record of the offender is short. Many have scoffed that the devices will become status symbols. There is much in the psychology of young people to suggest that wearing one of these devices will be seen as a badge of honour. I note the clauses referring to parents and guardians but feel that for many young offenders these will be pointless. It is the lack of concerned parents and guardians that sees them in this position in the first place. This bill will see some parents and guardians pay lip-service to the court and continue an established pattern of neglect, because they simply lack the capacity to help the young person abide by their bail conditions.

The bill also creates a limited presumption against bail for certain young offenders. Those charged with certain prescribed indictable offences will be asked to show cause why bail should be granted. I sincerely hope that it will help these offenders to understand the nature of the bail bargain. I hope that it will encourage them to honour the bail bargain. We should note that the biggest disincentive for custodial arrangements is that Labor still has not addressed the lack of accommodation in youth detention centres. Labor knows it is a problem, because it has tried to fix it on the cheap with youth bail houses. In the three years these were operational, of the 255 youths residing in a youth bail house 210 went on to reoffend while living there. After three years the houses were scrapped, but the minister refused to admit that the experiment had failed.

While the LNP will support the passage of this bill, I remain very concerned at the way Labor has demolished Queensland's youth justice system and at the price being paid by innocent citizens and by the young offenders themselves. In a democracy, policies need public support to succeed. Labor has

never had that public support for its approach to youth justice. This is not because Queenslanders are backwards. I believe that Queenslanders are vitally interested in ways to get young offenders back on track but also that the public deserves safety.

The government must provide safety first and then develop diversionary policies within a safe place, yet for the last seven years the Labor government has acted as if public safety has been the least important of its concerns. I do not believe this bill reflects a major change of direction, but I will support it in the hope that it will lead to some improvement in the appalling statistics on Queensland's youth crime. I commend this bill to the House.