



Speech By
Hon. Leanne Linard

MEMBER FOR NUDGE

Record of Proceedings, 20 April 2021

YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. LM LINARD** (Nudgee—ALP) (Minister for Children and Youth Justice and Minister for Multicultural Affairs) (6.40 pm): I rise to contribute to the debate of this important bill. Firstly, I would like to thank the Legal Affairs and Safety Committee members for their comprehensive report and recommendation that the bill be supported and for the effort made by members to hold public hearings including in the north. We know youth offending elicits a broad cross-section of views and only good can come from hearing and understanding these diverse views and experiences.

Tragic circumstances precipitated this bill along with a call from the community for strong action. Community safety is paramount and community confidence in our youth justice system is essential. These are the principles underpinning our Working Together Changing the Story Youth Justice Strategy, which remains our government's foundation policy direction for youth justice in Queensland. These are the principles that underpin all that we do.

Since 2017 we have invested more than half a billion dollars in our youth justice system. We know that we must have programs to divert young people from offending and reoffending and facilities to detain when called for. As part of that half a billion dollar investment, we have built more youth detention centre beds, boosting capacity by 33 per cent. We are investing in programs that hold young people to account but also give them the opportunity to turn their lives around, including integrated case management, restorative justice conferencing, Transition 2 Success, bail support programs, conditional bail programs, after-hours diversionary programs and youth justice family-led decision-making to name just some of the interventions.

We know that there is no quick fix, no silver bullet to fix youth crime. We know that constant vigilance is required to continue to make the investments and reform needed to ensure that our youth justice system best responds to the challenges before it. However, we also know that our approach is working. The number of children committing crime has gone down. We have seen a 30 per cent drop in the number of young offenders across the state since 2010 and a 23 per cent drop last year compared to the year before. These are encouraging figures that speak to the efficacy of our investments to date, but there is more to be done.

We know that most young Queenslanders do not commit crime—only an estimated two per cent do—and of those who do, most will never come back into contact with the criminal justice system after a first offence; approximately 85 per cent will not. What we also know is that there is a small cohort of approximately 10 per cent of young offenders who commit almost 50 per cent of offences and in some cases the risks they take escalate, placing the community and themselves at risk.

Just over a year ago we announced a five-point plan to tackle this program, including our 24/7 joint police and youth justice co-responder strike teams, which are showing great success. The five-point plan included both statutory and non-statutory bail reforms to keep the community safe from offences. It included culture based rehabilitation for Aboriginal and Torres Strait Islander offenders

through new on country initiatives being trialled in Townsville, Cairns and Mount Isa and it empowered local communities with funding for community based organisations for local, community based solutions. We have continued to listen, monitor and review progress of these initiatives.

Earlier this year, in response to community concerns, we announced further measures to directly respond to these high-risk recidivist offenders, measures that are contained in this bill. The amendments in the bill are intended to target high-risk recidivist offenders, amending the Youth Justice Act to: introduce a limited presumption against bail for young people charged with particularly serious offences while on bail for an indictable offence including unauthorised use of a motor vehicle where the child is a driver; and enable a trial of GPS monitoring as a bail condition for repeat offenders aged 16 and 17 who are charged with particular offences. The government will trial the technology in Townsville, North Brisbane, Moreton, Logan and Gold Coast and review after 12 months.

The amendments will also: enable bail decision-makers to consider the willingness of a parent or guardian or other responsible person to support a young person on bail and advise of any relevant change of circumstances or contravention of bail; and codify the existing common law principle that offences committed on bail should be considered as an aggravating factor during sentencing. Important amendments are equally proposed to the PPRA, which my colleague the Minister for Police outlined in detail earlier.

This government is committed to ongoing review and to constantly question what is working and what is not working. Are we doing all we can? Can we do better? We have several mechanisms in place to provide this critical accountability. A youth crime task force is overseeing implementation of the new measures led by Assistant Police Commissioner Cheryl Scanlon along with Senior Executive Director Michael Drane from my department. I am pleased former Queensland police commissioner Bob Atkinson, who was fundamental in developing our youth justice strategy, has agreed to review the effectiveness of the reforms at six months, and a further review of electronic monitoring will be done at 12 months. We look forward to receiving the findings of these reviews as we continue to strive for the best possible policy settings with the best possible outcomes for our community and for young people in the youth justice system.

As I said earlier, we know that as well as a strong response to offending programs and services, we need facilities to detain when they are called for. However, we must have programs to divert young people from offending and reoffending. We must give young people the opportunity to turn their lives around and change their stories.

The Law Society told the committee during a public hearing—

While the society appreciates that protection of the community is of vital importance, evidence indicates that youth offending is best addressed by investing in prevention and early intervention initiatives that provide a systemic response to the drivers of crime.

In other words, we also need interventions that stop the offending behaviour by tackling its causes. The Queensland Council of Social Service told the committee—

Research consistently shows that these children experience profound social disadvantage including extreme poverty, histories of familial offending, exposure to family violence, unstable accommodation or homelessness, alcohol and substance misuse and disrupted education.

Several submissions noted the need for additional assistance for families and carers of children and young people engaging in serious offending behaviour.

We know that we need to continue to invest in the programs and services that are making a difference but, equally, we need to establish new and enhanced services focused on serious repeat offenders to support the initiatives in the bill. This bill has almost \$100 million in measures for programs and services, a further \$60 million to continue existing successful programs and services and more than \$38 million to establish new services. The new funding will deliver significantly increased levels of monitoring, supervision and support to serious recidivist offenders and their families, including young people on bail who may be subject to an electronic monitoring condition.

There will be more resources for frontline workers through the Conditional Bail Program; an expansion of the joint police and youth justice co-responder strike teams to two new locations, Gold Coast and North Brisbane; and a significant boost in capacity for our non-government partners to deliver after-hours and weekend bail support services and intensive support for families of young people on bail. We are maintaining our commitment to existing programs and services under the youth justice strategy that are showing positive results. The additional \$60 million in funding will continue existing services that are making a difference.

Some told the committee the bill does not go far enough. Others said it goes too far. I want to stress that legislation, including this bill, is only one part of the picture, only one component of our multifaceted approach to keeping our community safe and assisting young people who have committed offences to change their story because community safety is paramount and community confidence in our youth justice system is essential.

These are the principles underpinning our Working Together Changing the Story Youth Justice Strategy, which remains our government's foundation policy direction for youth justice in Queensland. These are the principles that underpin everything our government does. I acknowledge the Queensland Police Service, which my department works so closely with, and acknowledge my colleagues the Minister for Police, Mark Ryan, and the Attorney-General, Shannon Fentiman, whom I work closely with to ensure our youth justice system as a whole serves our Queensland community well.

I again thank the committee for its work—I particularly mention the chair, the member for Toohey—and thank all those who made submissions or appeared before the committee. I acknowledge my department, the frontline youth justice workers in our youth justice centres and in our detention centres, all of our non-government service delivery partners and the stakeholders who partner with us in this important aim. I commend the bill to the House.