




Speech By
Patrick Weir

MEMBER FOR CONDAMINE

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YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr WEIR** (Condamine—LNP) (11.26 am): I rise to make a contribution to the Youth Justice and Other Legislation Amendment Bill 2021. This bill comes too late for the lives lost, the injuries sustained by innocent bystanders, and the thousands of people who have had their property stolen and destroyed by children wreaking havoc in our communities.

Since Premier Anastacia Palaszczuk's government came into power in 2015, they have managed to ditch several measures introduced by the LNP to keep the community safe. We have been reminded by the Premier on a daily basis for over a year now that she is keeping us safe. There are obviously a few exceptions to this 'keeping you safe' thing. It does not include keeping us safe from recidivist juvenile offenders or youth offenders on bail who are stealing cars and running over innocent people, crashing into cars driven by innocent people, or destroying innocent people's property. The result of removing these measures is that there is now limited legislative deterrence and the police force are hamstrung in their gallant efforts to fight crime and keep our community safe.

The government introduced this bill into the House on 25 February 2021 as a response to public pressure after a series of highly publicised and tragic events. The bill aims to strengthen the youth justice framework by introducing several measures, which according to the explanatory notes include—

- ... to trial the use of electronic monitoring devices as a condition of bail for some offenders aged 16 and 17 years old who have committed a prescribed indictable offence and have been previously found guilty of one or more indictable offences (with a review after 12-months);
- Explicitly permitting the court or a police officer to take into consideration, when determining whether to grant bail, whether a parent, guardian or other person has indicated a willingness to do one or more of the following: support the young person to comply with their bail conditions, advise of any changes in circumstances that may impact the offender's ability to comply with the bail conditions, or advise of any breaches of bail;
- Enhancing the enforcement regime against dangerous hooning behaviour by strengthening existing owner onus deeming provisions for hooning offences.

These objectives will be met by amendments to the Penalties and Sentences Act 1992, Police Powers and Responsibilities Act 2000 and the Youth Justice Act 1992.

Labor have an appalling record when it comes to youth justice. The rot started in June 2016 when they scrapped the LNP's breach of bail offence, made childhood findings of guilt inadmissible in court, reinstated the principle that detention should be the last resort and be the shortest appropriate period when sentencing a child, and reinstated into the Penalties and Sentences Act 1992 the principle that imprisonment is a sentence of last resort and a sentence that allows the offender to stay in the community is preferable.

Since then, the government has just kept winding back youth justice laws to the point where youth offenders are laughing in the face of police officers as they are being arrested. They know that the next day they will be back out reoffending, with nothing more than a rap over the knuckles.

In June 2020 Labor again amended the Youth Justice Act, which still enshrines a presumption in favour of bail. While the courts or police must not release youths if there is a risk to community safety, this can be mitigated if appropriate bail conditions are applied. Even worse, youths can be granted bail even if they pose a risk of reoffending or absconding. What part of that amendment is a deterrent to a recidivist offender? I would say none.

Labor's attempt at youth justice is not working. In the three years bail houses were operating, 5,648 offences were committed by 210 young people post bail house, with one child committing a total of 255 offences post bail house placement. Some 82 per cent of youths who resided in bail houses went on to reoffend. Clearly, that experiment is not working.

What is particularly disturbing is the number of offences being committed by younger children, 10- to 13-year-olds. Between 2018-19 and 2019-20, 490 10- to 13-year-olds were released from custody in connection with a charge. Some 1,465 10- to 13-year-olds were charged with an offence. This is terrifying. There was a total of 9,885 proven offences. These offences are not limited to Townsville, Brisbane or the coastal strip; we have our fair share of them over the Great Dividing Range as well. I refer to stolen cars, hooning along local roads, break and enters, damage and destruction of property and theft.

Almost every day there is another news report of a stolen vehicle, and the age of these offenders is astonishing. These kids are a danger to every other driver on the road and any innocent pedestrian who happens to be crossing the road or, as we have seen, merely walking along the footpath. Having never held a driving licence, they have no knowledge of or respect for the road rules and are behind the wheel of a powerful motor vehicle. These cars are then abandoned on the side of the road, quite often set alight and burnt. This is a far too common occurrence in the back roads of Condamine. There they then sit for weeks or even months. There was one recently that was sitting in a farmer's paddock of barley on the Oakey Kingsthorpe Road for at least two months.

This Palaszczuk government just cannot seem to see that its actions have created this problem. Its softly-softly approach has meant youth offenders just keep committing crimes. There are no deterrents and no reason for them not to. The Premier, the Minister for Police and a succession of ministers for child safety, youth and women have had their heads in the sand on this issue, which has caused great devastation to many families and will continue to do so. The government's measures to resolve the issue fall short of what is actually required. It will make those opposite feel better about themselves; however, it will not bring back the lives lost or reduce the trauma experienced.

The LNP's amendment to restore breach of bail provisions will improve the bill. We have been consistent with our policy approach on youth justice. The community wants some action. They deserve to feel safe in their homes, on the road and in their community. I, for one, want to know that when I park my car in the evening it will be still there in the morning.