




Speech By  
**Robert Skelton**

**MEMBER FOR NICKLIN**

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Record of Proceedings, 21 April 2021

## **YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr SKELTON** (Nicklin—ALP) (4.00 pm): I rise to speak in support of the Youth Justice and Other Legislation Amendment Bill 2021. We know that the Palaszczuk government's ongoing commitment to youth justice has seen the rate of non-repeat youth offenders drop to its lowest level in a decade, but we also know there is still more work to be done. This bill represents a comprehensive package of youth justice reforms that will target hardcore youth criminals who repeatedly offend and put the community at risk. We have listened to our communities. We share their concerns. We all want the same thing, and that is why we have introduced this bill.

The focus of the Youth Justice and Other Legislation Amendment Bill 2021 is on that small cohort of hardcore repeat youth offenders—about 10 per cent—who account for about 48 per cent of all youth 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 a danger to the community before they can be granted bail.

This bill enshrines in legislation the principle that offending while on bail is an aggravating circumstance when the court is imposing a sentence. This bill creates a presumption against bail for youth offenders arrested for committing further serious indictable offences while on bail. It will be up to them to prove why they should get bail. The general presumption in favour of bail will be reversed for certain youth offenders. The youth offender must show cause why their detention is not justified where they are charged with a prescribed indictable offence as defined in the bill and it was committed while on bail for another indictable offence, whether a prescribed indictable offence or not. This means that certain youth offenders will be refused bail if they are unable to convince the court they are not an ongoing threat to the safety of the community.

The Youth Justice and Other Legislation Amendment Bill 2021 will also 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. It does so by legislating that, when deciding whether to grant bail to a youth offender, bail decision-makers are explicitly permitted to take into consideration any indication of willingness provided by a parent or another person to: support the youth offender to comply with their bail conditions; notify a change in the youth offender's circumstances that impacts their ability to comply with bail conditions; and notify any breach of bail conditions. The courts will also be able to consider electronic GPS monitoring for 16- and 17-year-olds as a condition of bail as per the recommendation of the highly respected former police commissioner. This will be rolled out in a 12-month trial in key locations around the state.

While we have been focused on keeping communities safe and reducing youth offending, the LNP have been baying about the supposed success of the offence of breach of bail. The truth is that the offence of breach of bail never actually existed under the previous LNP government. As we know, there are a range of ways that bail can be breached, including failing to comply with a curfew and failing

to reside at an approved address. What the LNP introduced was actually the offence of 'finding of guilt whilst on bail', which was an offence from 2014 to 2016. We repealed this offence because it did nothing to reduce youth crime or hold offenders to account.

**Mr Bleijie** interjected.

**Mr DEPUTY SPEAKER** (Mr Walker): Pause the clock. Member for Kawana, you are on a warning.

**Mr SKELTON:** The reinstatement of the dubious and unworkable breach of bail offence that those opposite continue to call for makes absolutely no sense, as courts can already consider an offence committed on bail and give a harsher punishment. Courts can also consider a young person's previous behaviour whilst on bail when they make bail decisions for further offences.

This bill is just one of the steps the Palaszczuk government has taken as a pro-active approach to crime, with total reported crime on the Sunshine Coast dropping by 19 per cent last year when compared to the previous year. Examples from my own electorate include: an increase in police numbers with a commitment to provide an additional 150 officers to our region over the next five years; a \$9 million investment for a new police station; the Youth At Risk Network partnering with IFYS to deliver diversion programs to youth exhibiting risk-taking behaviour with a youth worker embedded in the Child Protection Investigation Unit; a Community Policing Board made up of government representatives tasked with building an integrated response to our region's issues; and of course who can forget Project Booyah, which is a successful multiagency project based out of the Nambour PCYC—I must thank the former member for his contribution—helping curb youth crime through early intervention and education by targeting at-risk youth who are involved with criminal and/or antisocial behaviour, substance abuse or disengagement from school which aims to give them skills for life and employability through police mentoring, leadership, adventure based learning and vocational pathways.

All nine students in the 2020 cohort completed the RESPECT Program and obtained a certificate I in hospitality and various other qualifications. Seven of these students have returned to high school or gone into gainful employment. Only one has been charged with an offence since completing the program, which represents a drastic reduction in reoffending. The 2021 program has already commenced with 10 participants, and of course we wish them all the best.

These reforms are also about evidence based accountability. We all want to see success and results. That is why Assistant Commissioner Cheryl Scanlon is leading a youth crime task force to oversee these reforms and implement these new measures. I understand that Assistant Commissioner Scanlon reports every month to the newly formed Youth Justice Committee, which is made up of key ministers and departmental chief executives. The aim of this committee is to encourage interdepartmental and cross-agency collaboration and to break down any barriers that may arise in relation to such an important issue. Additionally, former police commissioner Bob Atkinson will report on the effectiveness of all of these measures after they are passed by parliament to ensure the evidence stacks up.

This should not be about politics. This is about ensuring we have the right measures in place to deliver results for communities across Queensland and reduce youth offending. For these reasons I wholeheartedly support the Youth Justice and Other Legislation Amendment Bill 2021 and the Palaszczuk government's ongoing efforts to reduce youth crime. I commend this bill to the House.