




Speech By  
**Sandy Bolton**

**MEMBER FOR NOOSA**

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Record of Proceedings, 22 April 2021

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

 **Ms BOLTON** (Noosa—Ind) (11.42 am): The questions being asked in relation to the Youth Justice and Other Legislation Amendment Bill 2021 are important: do the proposed measures support, enhance and strengthen current efforts; will they reduce reoffending; and can they deliver greater safety for our communities? Queenslanders need and have every right to feel and be safe. They know that current efforts are not reaching a small, persistent cohort of young offenders, roughly 400 across Queensland. However, at the same time they acknowledge that detention alone is not a long-term solution and contributes to increased criminality.

As a member of the Legal Affairs and Safety Committee that reviewed this bill, I was fortunate to hear firsthand the experiences from people across the state. The frustrations were palpable and the fears very real and understandable. We also heard how members of our community—frontline professionals and residents alike—are committed to address youth recidivism in a manner that produces real outcomes for everyone involved. There were consistent messages at the hearings with calls for meaningful action via restitution, compensation, relocation and rehabilitation and, importantly, greater responsibility and accountability for parents, carers and elders.

Aspects of the bill, while offering some steps forward, could not be seen as equally consistent to what is being sought nor the solution. Instead, they are short-term resolutions that may keep individual repeat offenders off the streets for the duration of their sentence but will not address the likelihood of their reoffending. Yes, the provisions with respect to crime victimisation outlined in the Police Powers and Responsibilities Act 2000 offer purposeful, focused action on specific issues and were well supported by submitters. The provisions that enable police to use handheld scanners in safe night precincts to reduce the carrying of knives and additional enforcement options to prevent hooning are a welcome response to violent and dangerous behaviours in communities.

Noosa, like so many other electorates, has had enough of those who have no consideration for the fear and damage they do, and I thank our fabulous police, paramedics and other first responders who do an incredible job for us. However, the provisions that amend the Youth Justice Act 1992 had minimal support from both sides of the advocacies. These provisions are intended to respond to the offending behaviours of serious recidivist youth offenders—the 10 per cent of all offenders who account for 48 per cent of all youth crime and for which the amendments in this bill are in response to.

The bill's intention to strengthen the youth justice bail framework targets three aspects of the existing provisions. This includes the trial of GPS trackers, a presumption against bail and for both the court and police officers to consider whether there is parental or other support available to the offender with regard to bail. While each of these provisions may have some merit, the reality is that for those seeking greater safety these measures do not go far enough and for those working with our youth these will only further stigmatise young people who already see themselves as outsiders to society.

While enabling the consideration of whether there is a suitable adult willing—and the word was 'willing'—to provide support and effective oversight of bail, there is no suggestion in the bill that the capability of that adult be considered. Similarly, while GPS tracking may be effective on establishing

the whereabouts of some young offenders, concerns raised included the ease in which they can be cut off and that the age bracket specified is not consistent with the ages of the cohort targeted within the bill.

There were some glaring gaps revealed during the public inquiry phase of this process, including reports that intervention does not occur until the fifth or sixth court appearance, by which time behaviours and self-beliefs have been ingrained. The second reported gap is the lack of funded services available in impacted communities at the most critical and at-risk time of after 5 pm. This is not acceptable for our youth and our families nor frontline delivery staff or residents in these communities. The announcement from the minister that extra funding will be made available for after 5 pm services is welcomed. However, reports of duplication in services requires assessing.

We should be encouraged that the former QPS commissioner Bob Atkinson will undertake an independent evaluation on the efficiency of the full suite of reforms over a six-month period and report to the new youth justice cabinet committee. More encouraging still is the decision of the Queensland Audit Office for plans to conduct an investigation in 2021-22 to examine the effectiveness of youth justice diversion and rehabilitation initiatives. The foundation of this audit is the premise that addressing the root causes can help young people better connect with their communities and reduce the risk of those committing future crimes. The QAO's website provides a means for those who wish to contribute to its audit and I look forward to its conclusions.

As noted in my statement of reservation, five areas require further investigation. These were identified through the public consultation process but were technically outside the scope of this bill. These included for the courts a potential option 4 when sentencing in response to requests for low-security, remote live-in facilities with holistic community programs such as on country that are accessible by families so they can participate.

To ensure communities are kept safe and decrease offending, returning offenders back to the environments that nurtured the criminality makes no sense and that environment needs to be part of the rehabilitation. We heard of many fabulous and successful programs as part of efforts to prevent reoffending, and the statistics of the 90 per cent who do not reoffend are seen as testimony to that. However, for that 10 per cent who are not responding to these efforts, participating in programs alone is not sufficient to ensure the safety of the community, hence relocation sentencing was considered essential.

In addition, further support for youth Murri courts in Townsville, Cairns and Mount Isa is needed and we should identify each as a pilot to gather benchmark data. Most importantly, offenders and their family environments must be assessed at the first court appearance to identify supports needed.

I note that amendments have been proposed by the members for Morayfield, Burdekin and Traeger and I thank them for their commitment to improve this bill. As I asked of my committee, it would be invaluable if we could work together regarding recommendations or amendments before the report is tabled. This would improve the process of committee and promote a bipartisan approach in order to deliver better outcomes. I thank our chair for considering what could be achieved in the future. Accordingly, as noted in my statement of reservation, while I support the passage of this bill and its efforts for greater safety, that support should not be seen as endorsing these measures as a solution that will deliver to either side of the debate the outcomes sought.

In closing, I thank my fellow committee members, our chair and secretariat for their work. To the many submitters and attendees at public hearings, the department and our organisations and frontliners, your commitment to both this bill and the safety of our communities is deeply appreciated. Together we saw and heard firsthand the magnitude of the task ahead. Be assured that you are not alone in your efforts. May your persistence be reflected in our efforts to ensure that you have legislation that promotes greater respect, responsibility and accountability as well as consequences that you each seek in your own way. It does take a village to raise a child and we are all part of that village.