




Speech By
Stephen Andrew

MEMBER FOR MIRANI

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YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr ANDREW** (Mirani—PHON) (3.50 pm): I rise to speak on the Youth Justice and Other Legislation Amendment Bill 2021. A number of the objectives put forward in this bill seem to fit with the government's new tough-on-crime rhetoric but, on closer inspection, will do little to reduce youth offending. There is no question that the Queensland youth justice system needs reform. I am just not convinced that the expensive, quick-fix reforms proposed in this bill are the kinds of reforms needed. Neither am I convinced that the government has properly engaged in consultation with the communities most impacted by youth crime or those engaged on the front line of youth justice to find their views on what works and what does not.

In my conversations with people who have worked in youth justice for many years in Central Queensland, the consensus seems to be that what is needed are targeted and specialist interventions that focus on repeat offenders in the youth justice system as well as those at risk of entering it. Policy development and decision-making in the area of youth crime must be evidence based and targeted. We need political leaders to do what is right, not simply what is profitable, popular or politically expedient. Research shows that a small number of hardened, recidivist youths are responsible for the majority of youth crime in any given area.

When I spoke to some of the people in these areas, they relayed to me that peer recognition was one of the biggest issues. A lot of youth out there at the moment have mental health issues. They are on the spectrum. They are being discarded by their parents. They have left home and are trying to find somewhere to live. They end up with gangs that push them into illegal activities. Putting GPS tracker bracelets on people is one thing, but peer recognition pushes the other youth in their gang or their area to go for the same thing: 'Oh, what did you do to get that? What sort of crime do I have to commit to reach that level?' These are some of the things we will see. Instead of GPS trackers being something that will reduce crime, they may lead to further offences being committed as they become a badge of honour.

I refer to the Carmody inquiry. In their first three months the local level alliances brought together all of the departments with an MOU from the health department that said, 'Let's look at how we can fix this up.' This is a generational issue. It is not an issue that we have just now that we can legislate for. So many government departments have to work over so many years to try to fix it. We have so many issues in that respect.

With many of the worst offenders well known to youth services providers, identification is not difficult. We can work with them. We spoke about this in Townsville in terms of 'one goal, one community'. There were Aboriginal traditional owners at the hearing who had six different properties they could take these youths to in order to work with them one-on-one in an effort to return them to the community with a different view and to change the rest of the gang below them. This is something we will have to go to down the track, because this legislation will be an interim measure that may even spike crime rather than reduce it.

The Carmody inquiry identified a number of areas that offer the best prospects of delivering reductions in offending and reoffending for a safer community. The inquiry examined each component of the youth justice system and found that there was a fragmented and uncoordinated approach to the delivery of service and response. Carmody found that most providers in the youth system were segregated within their own small area of responsibility. That is what I said.

When they first came together in Toowoomba for that first three months, more cases than ever were handled and delivered in the best way possible. For some reason we disbanded it and worked out of silos again. Here we are, facing the same issues. The next provider called on to deal with the same offender is in the dark as to the offender's history or behaviour pattern over time. Offenders go from one area to the next, whereas when offenders first started with the LLAs they went in, told their story and everyone in all the departments knew how to deal with them properly. Young people moving through the youth justice system have no coordinated monitoring and are not dealt with by a single agency on a continuous basis, so he or she is allowed to slip through the cracks.

Even the police officers are telling us that. They say that most of these kids have an opportunity in life—they just have to be given it—but, unfortunately, a small percentage of the kids will never change. They are hardened. We have to make a very concerted effort to change the way we deal with these kids. The 'one community, one standard' meeting showed me that the original traditional owners in Townsville who had these properties to go to did not care where these kids came from or what nationality they were. All they cared about was making them right, enabling them to return to society and lead a meaningful life and work in with the rest of the kids who were falling over, breaking down and returning to crime, to give these kids help from the inside. We all know that one of the best ways for people misusing drugs to deal with those issues is to go to a person who has had that problem, who can talk on the same level and turn them around. Sometimes, the hard approach does not always give us the best outcome.

The submission of Mount Isa council mentioned that there were many issues around the number of services in town and that they do not work together. The council submission states—

... there are a number of agencies involved in dealing with youth, however the actions of these different agencies do not appear to be coordinated in an effective manner or appropriately targeted at reoccurring issues.

The KAP has talked about rehabilitation camps being structured for young people and run generally by people who have themselves offended and turned their life around. Putting them into detention centres is probably not the best outcome, although for some offenders it is appropriate. If this legislation does not result in good outcomes in the community, we have to come back and look at combatting the problem in another way.

The member for Maiwar spoke about how this type of legislation can capture young children who do not necessarily pose a risk to society. It is sad. Even my grandfather faced this situation in his day. When he worked in the railways he would take away a lot of the young South Sea island boys who were causing trouble, drinking and off the rails—excuse the pun—and put them back on the rails.

I hope that we can revise this legislation if it does not work. Then we can look at making sure First Nations people—your people, Madam Deputy Speaker Lui: Torres Strait Islanders, Aboriginal people and their elders—can have a go at looking after these kids and take them under their wing. We legislated against people who used to look after their family, dishing out the discipline. They could no longer do that. Now we are legislating to try to pick up the slack in that regard.

As a society, we know what works and what does not. Legislation can never work with human nature. Human nature will always be its own thing. Each of these kids has their own issues—mental, family or a combination of many. We always have to be open to understanding and looking at that first, rather than just throwing a bracelet on them. It is the old saying 'educate rather than incarcerate'. I am sure the minister would understand that.