




Speech By
Stephen Bennett

MEMBER FOR BURNETT

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YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr BENNETT** (Burnett—LNP) (4.09 pm): The rising crime rate in Queensland amongst young people, especially Indigenous youth, has forced a major rethink in the way the state government is looking to approach this issue. I hope there are many more reforms being prepared to bring to this place sooner rather than later. I take this opportunity to thank the police, the Police Union, the resident groups—and Julianne in Townsville, where I attended a number of meetings—the media across Queensland, especially in Cairns, on the Gold Coast and in Townsville, and the *Courier-Mail*, for their relentless campaigns to bring forward these reforms. It has been a long and frustrating campaign of false starts, hollow promises, denial and inaction. Without their efforts we would have not seen these reforms, which is a start. I share the concerns of many across Queensland that more needs to be done. My message to all those groups is let us continue to campaign to address the issues, let us continue to put pressure on the government to address the failures in youth crime policy.

While the strategies being proposed and implemented intend to reduce youth crime at various levels of the police and youth justice sectors, more solutions need to be found to overturn this negative pattern. There is evidence to suggest the most repetitive young offenders have a history of care and protection in both the child safety and youth justice systems. The current system does not effectively deal with their needs, thus many tend to move on to offend as adults after the age of 17 or 18 years. This in turn places greater strain on adult justice sector funds, services and resources to reverse the negative trend.

While the proposed reforms are well short of the expectations of many Queenslanders, the state government's priorities for youth crime by setting its attention on those 10 per cent of recidivist young people who continue to engage on a regular basis in high-risk criminal acts and behaviours has merit. This is more for Indigenous youth who remain disengaged, isolated, marginalised and living on the fringes of society, highlighting we are hardly addressing the many and diverse issues that the government really needs to address.

Many were concerned by the findings of Bob Atkinson's report into youth justice and the circumstances many of these children faced, but heartened by his attitude that we should try to fix these broken children, not incarcerate them. It has been proposed that the reforms before us take us a step back from the Atkinson report. The government is failing in its duty of care to provide a safe, caring and nurturing environment for at-risk children. The law is failing to provide any consequences for children's actions to the point that antisocial behaviours escalate over time, leading to inevitable substantial incarceration as the only solution of last resort.

I note many submissions to the committee made great suggestions. Many have been ignored. However, I will highlight some areas that were raised regularly that I believe warrant further consideration: trial a third option for the courts in the form of relocation sentencing as a deterrent and to facilitate the rehabilitation of youth offenders. The Katter's Australian Party members have talked about this. Let us have a look at this option because what we are doing over and over is not working. Include a presumption against bail for youths charged with unlawful use of a motor vehicle, in addition

to the government announced breaking and entering, serious sexual assault and armed robbery charges. Amend legislation to re-introduce breach of bail as an offence for repeat youth offenders. Ensure that courts are adequately resourced so that youth offenders are dealt with in an expeditious manner and delay in judicial processes is not used as a reason for youth offenders to be granted bail. Repeal schedule 1 of the Youth Justice Act 2015, charter of youth justice principles item 18, which provides that a child should be detained in custody for an offence, whether on arrest, remand or sentence, only as a last resort and for the least time that is justified in the circumstances. Reduce the age of offenders who can wear tracking bracelets, as the majority of the said recidivist 10 per cent are under the age of 16 years. If they are willing to commit these premeditated crimes they should be willing to suffer the consequences of breach of bail as an offence and the attachment of tracking devices. Unauthorised removal of these tracking devices shall attract mandatory detention and a maximum penalty.

I have regurgitated those points from the committee's report because I thought they were important and well thought out. I do not necessarily agree with all of them, but I think we need to be respectful of the committee process and that these options should have been debated as part of a broader reform. I acknowledge there are some successful outcomes in the current legislation and we need to be fair, but it fails to recognise where it is not effecting positive change in children at risk of re-offending and restricts the ability of the community, the police and the judiciary to act in a meaningful and constructive way.

Many of the current outcomes are destructive in the longer term. A government which sees detention, incarceration and monitoring as the only and proper response to a specific youth problem is a government which has failed our youth. In other emergency circumstances a government will take extraordinary actions in an attempt for a resolution, but in this instance Queenslanders know the government is simply throwing its hands up and admitting defeat.

This parliament needs to put its efforts into the people we are elected to represent. We have wasted years on political party lines and throwing out legislation due to ideological differences and disputes on these issues. No one side has a mortgage on good ideas. We need a cooperative reform agenda, acknowledging that sometimes all of us get things wrong. Public policy will have the good, the bad and the ugly, but let us build on the learnings and continue to reform public policy, especially social policy, for the good of our communities.