




Speech By
Dale Last

MEMBER FOR BURDEKIN

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CRIMINAL LAW (RAISING THE AGE OF RESPONSIBILITY) AMENDMENT BILL

 **Mr LAST** (Burdekin—LNP) (6.11 pm): I say at the outset that I oppose this bill. I oppose this bill on behalf of all the victims of crime in Queensland who have been the subject of an offence committed by juvenile offenders—people who live in communities like Townsville, Cairns, Toowoomba, Rockhampton and the Gold Coast.

'People are literally paying for therapy to manage their fear of Townsville's crime.' Those are the words of Dr Emma Black, psychologist from Townsville. She goes on to say that her most common patients are women and that they are 'really petrified'. Just yesterday we found out that Queensland had secured the title of Australia's car crime capital, with over 15,800 vehicles stolen in Queensland during 2021—more than New South Wales, the ACT and South Australia combined—with Brisbane listed as the most dangerous city for motor vehicle theft, with 3,623 crimes reported. In fact, the five cities with the highest number of vehicle thefts are all in Queensland.

Vehicle theft is impacting Queenslanders across the state. What is often missed is the size of the problem in regional centres. What will truly send a shiver up the spine of Queenslanders is that if the rate of car thefts seen in Townsville were repeated here in Brisbane, the number would increase more than four times, and if Brisbane saw the same rate as seen in Cairns, over 15,400 vehicles would have been stolen. When it comes to juvenile offenders, statistics from the Queensland Police Service show that for the year ending 30 June 2022 unlawful use of a motor vehicle charges against juveniles increased by 27 per cent, and more charges were laid against juveniles than adults.

Let me put into perspective what will happen if this bill is passed here today. The government constantly talks about the group of hardcore recidivist offenders, or serious repeat offenders. Of course, embedded in this group are the 11- to 13-year-olds. The serious repeat offender measure takes into account the seriousness of offences, offending frequency and recency, age and nights in custody. In total, there are 372 young offenders who meet this criteria. Fifty-four of those are aged 11 to 13. There are no 10-year-olds in custody. If the existing 11- to 13-year-olds were excluded, the total number of serious repeat offenders would reduce by approximately 15 per cent overnight. Does that mean a 15 per cent reduction in youth crime? Clearly, the answer is no. Does that guarantee those offenders would not commit crimes? No. All it does is make the statistics look better for the government at the expense of victims.

I note in the explanatory notes that the member for Maiwar claims to have undertaken 'extensive consultation with relevant stakeholders'. However, guess which stakeholders are not classed as relevant by the member for Maiwar—victims. There is not one mention of the rights of the elderly in Queensland who sit awake in fear every night. I was at a crime forum last week in Cairns, and I had elderly residents there telling me that they lock themselves in their bedroom every night for fear that they are going to be broken into. I had one lady who has been broken into four times in three years who sold her residence and moved for fear that she would be broken into again. Yet here we have not one mention of the victims who would join the queue for therapy from people like Dr Black.

While ministers of this government reply to a petition from thousands of Queenslanders by claiming victims are supported, Queenslanders know that support for victims is non-existent. What we also know is that, despite the best efforts by the minister to muddy the waters, the number of young offenders is increasing and the proportion of offenders in that group who are aged 11 to 13 is also increasing.

When interviewed on ABC Radio on 27 July this year, Detective Inspector Kevin Goan of Cairns police spoke about offenders 'scoping out houses' to find an easy target and furthermore, 'We have a group of young people who are intent on stealing cars.' Both statements imply quite a degree of planning and I, along with most Queenslanders, would put my faith in the detective inspector.

The explanatory notes for this bill refer to a presumption against bail for offenders charged with a prescribed indictable offence between apprehension and trial for another indictable offence. If we take a look at what those offences are, it will highlight even further why the member for Maiwar's bill should not be passed. Among those prescribed offences is unlawful use of a motor vehicle, but only if police can prove the offender was the driver; assault occasioning bodily harm; unlawful wounding or choking; suffocation or strangulation in a domestic setting. To portray any offender who harms, wounds or chokes a person as some poor misguided soul is an absolute insult to all victims of crime and especially victims of domestic or family violence.

The member for Maiwar's veiled swipes at police throughout the explanatory notes are as insulting to the victims who rely on police as it is to police officers themselves. I remind the member for Maiwar of the words of Senator Jacinta Price just a few short weeks ago: 'The police officer may be the only person that child can truly trust.' The explanatory notes imply that every child who comes into contact with police ends up in custody when nothing could be further from the truth. I remind the member for Maiwar, on behalf of police officers and police staff, that it is police officers who operate PCYC centres throughout the state, quite often in areas where support services are limited or non-existent.

Perhaps the member should look at the Queensland Police Service SDS, which shows that a sizable proportion of young offenders are diverted, or the member could take note of the words of former police officer Brett Geiszler, who appeared at a committee hearing in Townsville following the death of Jennifer Board, who lost her life as a victim of youth crime and who, as Brett said, 'may well have been the mother to my grandchildren'. He said—

We are not talking about kids who have not been given a chance. As a police officer, I cautioned kids time and time again before I went to a power of arrest. Once they go before the court, they are then admonished and discharged once, twice or maybe three or four times before even a conviction is recorded. Then we start the process of, 'Okay, now we have a conviction,' and some of the more serious matters like presumption against bail can even start to apply.

What we have seen is the member for Maiwar falling for this government's con job when it comes to youth justice. It is a fact that, despite the claims from the member and the government, the youth justice principles still refer to detention as a last resort—something that must be considered along with section 3(2) of the Youth Justice Act, which states that 'the principles underlie the operation of this Act'.

I also note that the reference to this bill supports early intervention. The one thing that I can agree with is that there is a need for early intervention, and it is something that I am sure the member for Maiwar has heard me speak about many times in this place. However, this bill does not clarify how not holding an offender accountable assists with early intervention.

No-one wants to see juveniles in detention, but we simply cannot ignore the fact that today there are people who will wake up to find their house has been broken into or their car stolen by juvenile offenders. We cannot ignore the fact that many of these young offenders, despite the claims of the member for Maiwar, know the law better than most. If we were to raise the age of criminal responsibility I have no doubt that we would see that cohort become involved in more crime because even if they were caught they would know there would be no consequences. Of course, the aspect of grooming and being used by older brothers, sisters, friends or colleagues to commit crimes should not be lost on all of us here tonight.

We already have a system where the consequences for actions are sadly lacking. To reduce the consequences even further is a recipe for disaster and would magnify the negative effects of this government's youth crime failures. To propose here today to give free rein to a group of young offenders who are currently ripping this state apart is not acceptable. This state is in the grip of the worst juvenile crime epidemic in history. Instead of coming into this place with a bill that proposes to raise the age of criminal responsibility, the member for Maiwar should be doing something to fix the broken youth justice system.

Professionals like Dr Black are already seeing too many people who are living in fear. Queensland has enough victims of crime already. I cannot support a bill in this House that seeks to downplay the effects that youth crime has on its victims and I urge all members to do likewise.