



Speech By
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MEMBER FOR MIRANI

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STRENGTHENING COMMUNITY SAFETY BILL

Mr ANDREW (Mirani—PHON) (12.50 pm): I rise to speak on the Strengthening Community Safety Bill 2023. The bill seeks to target the small cohort of serious repeat young offenders who engage in persistent and serious offending. It contains amendments to the Bail Act 1980, the Youth Justice Act 1992 and the Police Powers and Responsibilities Act 2000. The bill also amends the Criminal Code to increase the maximum penalties for certain offences related to the unlawful use or possession of a motor vehicle, aircraft or vessel.

As a representative of a regional electorate in Queensland I can say that the issue of youth crime has long been a major focus of mine. Every day it seems I hear stories that would raise the hairs on anyone's neck, of children of 12 being burnt alive in stolen cars driven by another 12-year-old and old ladies being viciously bashed in their own homes. According to the latest Productivity Commission figures, Queensland spends more on youth justice than any other state or territory in Australia. Since 2017 the government has invested more than \$550 million in new youth detention centres, staffing, beds and early intervention programs. For the 2021 year alone the state allocated \$296 million to this issue.

A great deal of this multimillion dollar splurge on tackling youth crime, however, is being spent on services that are neither well targeted nor community driven. Local community leaders are simply not being given a voice when it comes to exactly what programs and services they most need to address their region's specific situation.

This is also true of our Aboriginal communities. Many traditional owners I have spoken with say current child centred service models are failing their young people, who need much more community driven solutions with a focus on the empowerment of families. They do not want top-down 'one size fits all' solutions. They want to be involved in a lot more closely designed tailored solutions that match their specific problems and needs.

In a 21 February joint statement from the Queensland Premier, police minister and youth justice minister the government said it was making good on the 29 December promise to 'make tough laws even tougher'. To that end, the bill before the House includes provisions extending the period of conditional release orders from three to six months, providing courts with the ability to label a child as a serious repeat offender and subject to tougher sentences.

Currently, section 29 of the Bail Act provides that an adult defendant must not break any condition on which the defendant was granted bail. It is an offence punishable by a maximum of two years imprisonment. Clause 5 of the bill removes the restrictions within this section which prevent it being applied to children. This will mean that children can be charged with an offence and imprisoned for two years if they breach their bail conditions. These new provisions show the government's ongoing attachment to a 'one size fits all' bandaid model when it comes to addressing the problems in the region.

Courts need to have the ability to tailor bail conditions to a child's particular circumstances. These conditions can range from drug rehabilitation, work placements or participation in youth or country programs. Others include banning children from a particular location, taking part in a drug rehabilitation program or even joining a local sporting group. Such programs introduce structure and self-discipline into a child's life, often for the first time, sadly.

Clause 8 of the bill will increase the maximum penalties for unlawful use or possession of a motor vehicle and other forms of transport. Where the offence is committed at night, the offender is liable to imprisonment for 12 years. Offenders who use or threaten violence will be liable to imprisonment for 14 years. As victims of crime have said in their submission on the bill, these sorts of tough-on-crime provisions amount to little more than smoke and mirrors on the part of the government. If the maximum penalty for murder is currently 10 years, there is no way a judge is going to give a juvenile 14 years for unlawful use of a motor vehicle. What point is there in increasing a maximum penalty when the judges are not even prepared to enforce the existing ones? Unless the government is prepared to legislate for minimum sentences, the whole thing is a waste of time.

Clause 8 also creates new circumstances of aggravation for cases where an offender publishes material relating to their crime on social media. Under the provisions in this bill, such an offender will now be liable to imprisonment for 12 years. That seems extremely excessive to me. What is the true intent of such a provision? If it is about stopping people from advertising their crimes on social media, would it not make more sense to simply ask social media platforms to not post the items in the first place? As the Queensland Law Society, the QLS, points out in their submission, these sorts of social media posts are actually extremely useful to the police as an evidentiary tool. Another concern—

Mr DEPUTY SPEAKER (Mr Lister): Member for Pine Rivers, that sound you just made was quite unparliamentary. I have heard you make it a number of times before. You are currently on a warning. Member for Pine Rivers, you will please leave the chamber for one hour under standing order 253A.

Whereupon the honourable member for Pine Rivers withdrew from the chamber at 12.56 pm.

Mr ANDREW: Another concern relates to clause 14 of the bill, which extends the use of electronic monitoring devices to children as young as 15. As the QLS pointed out, at 15 children are still subject to mandatory school attendance and, therefore, applying such a measure to a school-going child is inappropriate and unjustifiable. I am also not happy with the bill's provision extending the program for another two years. By all accounts, only eight per cent of offenders were fitted with the devices during the last trial, rendering it impossible to determine what benefits, if any, were derived from the initial program. Surely the money spent on the program would be better spent on other measures that might actually help deter crime and enhance community safety.

According to the Productivity Commission's recent report, Queensland has by far the worst recidivism rate in the nation and this has now become a systemic problem for which there will be no easy fix. Unfortunately, once incarceration rates in the community reach a certain level, there is a tipping point where imprisonment fails to reduce the offending and starts actually contributing to it. When every family and individual within a certain area knows someone in prison, offending and imprisonment become just a part of the socialisation process. As imprisonment becomes normalised in this way, the prospect of going to prison loses much of its deterrent effect, becoming instead a fact of life or even a rite of passage in some communities. When detention no longer has a deterrent effect, increasing maximum sentences by a year or two is just pointless. Do not get me wrong; youth crime is without doubt a massive problem in regional Queensland and something needs to be done. However, without meaningful interventions and targeted programs, bills like this one just speak to the growing apathy on the part of the government, an apathy that is starting to border on negligence.

To reduce juvenile crime, programs need to address the underlying reasons why young people are offending in the first place such as boredom and a lack of appropriate role models. As victims of crime say, the absence of programs to address the aimlessness and boredom of young people in the regions has played a big part in the high rates of juvenile offending. This is a huge problem in the regions, with many people stealing cars because they have nothing better to do. Such kids attend school infrequently and can be found roaming the streets in gangs at all hours looking for something to alleviate their boredom. I have to say the vast majority come from broken family units, mostly ones with no male present. It is not just me saying so but the overwhelming conclusion of some 40 years of research on youth crime.

Drugs are another huge factor that is not being properly discussed or addressed. Many young people in the regions are on drugs. Some are even using their lunch money to buy ice. Violent video games and exposure to online pornography are another two concerns that many people in the regions

have spoken to me about. All these issues are having a hugely detrimental impact on young people's behaviour, something that cannot be separated from the high rate of crime and imprisonment in Queensland.

Bills such as this one simply show the government's complete lack of engagement with regional communities on this issue, and I am sure of that. Programs and strategies need to be properly targeted. The problems facing rural and regional towns when it comes to youth crime are multifaceted and entrenched. There is no 'one size fits all' solution here.