Speech By

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MEMBER FOR NOOSA

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QUEENSLAND COMMUNITY SAFETY BILL

Ms BOLTON (Noosa—Ind) (3.57 pm): The Queensland Community Safety Bill has some important amendments, as we have heard, to create greater safety. Our chair, the member for Toohey, went quite extensively into that, so I will just touch on a couple of concerns. Firstly, as I outlined in my statement of reservation, components of the gun laws create issues for our farmers. While the new firearm prohibition orders, or FPOs, are a sensible reform, there are aspects of how they are implemented that are not practicable. As raised by AgForce in the public hearings, agribusiness owners may inadvertently and unknowingly engage the services of an employee who is the subject of an FPO where the farmer would then have to remove all firearms and ammunition from the property. Given the nature of farm work, this is not realistic, and how will any agribusiness owner become aware that a potential employee is the subject of an FPO?

Another issue raised is a person's previous court-issued no conviction recorded being used when deciding on an application for an FPO. However, as the department responded, an FPO is discretionary and a range of information is used to ascertain whether the possession of a firearm would pose a risk to public safety. This includes criminal and domestic violence history determined by a court after an application by the Police Commissioner.

I turn now to youth justice. There are a number of amendments; however, I will only speak about a couple that were of concern to submitters.

Mr DEPUTY SPEAKER (Mr Krause): Pause the clock. Members, please keep your talk to a lower level while members are on their feet.

Ms BOLTON: With regard to youth justice, there are a number of amendments; however, I will touch on the ones that were of concern to submitters. One amendment relates to clarification around the much politicised and headline-grabbing 'detention as a last resort'. This is in the Youth Justice Act for sentencing decisions as one of the 21 principles from the UN charter of youth, which is utilised in some form globally not only for youth but also for adults. As one witness at a hearing said, 'If detention is not the last resort, what is?' So why is it in the bill? It may be an attempt to correct a misunderstanding that, under detention as a last resort, courts are unable to impose detention if there are other measures or penalties that could be imposed by the court. As Queensland has one of the highest rates of youth detention alongside New South Wales, what is the reality? As found previously in the Youth Justice Reform Select Committee's inquiry as well as during the scrutiny of this bill, there was no overall consensus from witnesses and submitters on what the actual impacts of this principle will be on court determinations, nor what effect this amendment will have. The Queensland Law Society submitted—

> We hold the strong view that detention should be reserved as a last resort for both adults and children. Removing this principle for children while retaining it for adults creates a vexed situation that is both bizarre and inappropriate.

From what we have heard, this amendment does not remove that. PeakCare said that the provision does not appear to substantively change the law, and the Queensland Council for Civil Liberties stated that 'we would accept that on the face of it this amendment does not change the law'.

It was due to this lack of clarity that the Youth Justice Reform Select Committee made recommendation 51, that the Queensland government immediately review the operation of section 150 of the Youth Justice Act 1992 to determine whether community safety is being impacted by the detention as a last resort principle or whether there are other elements identified such as inconsistency in the use of offender history or that the four pillars of the Youth Justice Strategy have been utilised without the framework to prioritise community safety and confidence. In addition, recommendation 53 spoke to lowering the threshold at which serious repeat offender declarations can be made and broadening its criteria to further target the specific cohort that is creating angst in our communities. Speaking above the noise that appears to continue—

Mr DEPUTY SPEAKER (Mr Kelly): There is too much noise in the chamber. Members, if you want to have a conversation, take it outside.

Ms BOLTON: This needs to be implemented whilst waiting for data on the current declarations and their effect. Understandably, victims of crime, regardless of the age of the offender, need to see consequences for actions. Communities need to feel safe and for those who threaten that safety to be removed from where they do harm; however, the responses to deep, complex issues involving perpetrators who were often victims themselves are not resolved by quick fixes, media grabs and slogans. It takes multiple responses, not only to the offender and their families—hence why there were 60 recommendations from the youth justice reform inquiry.

It has been good to see that the proposed youth justice model from Keith Hamburger AM, whom we again heard from during these hearings and was the previous director-general of Corrective Services, has been referred to the Independent Ministerial Advisory Council for evaluation. We look forward to their response. As I said in my chair's foreword to the youth justice inquiry in relation to reducing crime and creating safer communities—

We cannot do this without accepting that young Queenslanders who have repeatedly made bad choices, require good choices to be made for them, with, or without, their or their parents' consent. There must be consequences for actions, as these consequences can actually provide a pathway out from the reasons for offending.

It is positive that government has supported the 60 recommendations from that inquiry either fully or in principle, with over half of them in some form of progress; some are within this bill. As yet, there has not been any response from the opposition to those recommendations. This is deeply concerning. It is not in line with what Queenslanders asked for in efforts to create safer communities. I ask again for the opposition to respond to what they will or will not commit to from those recommendations. Victims and their families and all of our communities deserve—at the very least—clarity on this. In closing, I thank our chair, the member for Toohey, fellow committee members, submitters and witnesses.