Speech By

Hon. Amanda Stoker

MEMBER FOR OODGEROO

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YOUTH JUSTICE (MONITORING DEVICES) AMENDMENT BILL

Hon. AJ STOKER (Oodgeroo—LNP) (3.32 pm): This is a very simple bill and it is put forward here for a very simple purpose—that is, to extend the trial of electronic monitoring devices for a further year. The good reason for doing that is to make sure the trial is meaningful because the way this trial was set up by the previous government—in a pattern that is so very familiar of everything they did in the youth justice space—was so poorly constructed and so minimal in its application that it did not draw upon a sample of people on whom the devices were to be tested sufficient to tell us anything meaningful about whether or not they were having a positive impact on the behaviour of people who were subject to orders for bail.

It is useful at this time to track back through some of the history of how we came to be at this point. In 2021 Labor brought in a trial of these electronic monitoring devices and there is only one way to describe that initial trial. It was, without a doubt, a total and utter abysmal failure. That is because in the first year of its operation there were not 500, or 100 or even 50 people who were subject to orders of this kind. Just five youth offenders had an electronic monitoring device as a condition of their bail in that first year of operation. It meant that in the entire Brisbane, Brisbane North, Logan and Moreton area—the entire south-east corner—the grand total of two people on bail were testing the effectiveness of these devices.

Those opposite cannot say that they were not warned. The members of the LNP who were present in the parliament at that time warned those opposite at length that the framework they had established was not going to be effective and that it would not lead to a sufficient number of orders for bail including this condition in order for the trial to be effective. I can take the House to a quote from the member for Glass House from that time. He said—

My concern, though, is that ... the cohort that will actually have these monitoring devices fitted may be so small that we may not have any meaningful data on which to base further decisions when the sunset clause concludes after two years.

Well, here we are, two years down the track and, despite an adjustment to the parameters by Labor a year into the piece—they made some adjustments in 2023 to extend the trial some more and to make some piecemeal changes—the warning the member for Glass House shared with this chamber, along with many of the people whom I call colleagues today, was not heeded. Even on that greater scope, the sample of people involved was so small that we continue to have a problem of not being able to assess the effectiveness of electronic monitoring devices to improve people's behaviour whilst on bail, because even with those changes there were just 30 distinct youth offenders subject to those orders across the state. Not only was the initial scope ineffective, but even Labor's attempt to improve the scope of the system did not make a meaningful difference to the effectiveness of the trial.

I heard the member for Gladstone get up today and complain about the simplicity of this bill. Quite frankly, I wish there was more simplicity in the legislation that comes before this place. I think it is a good thing if people can understand the bills that come before this place because they are simple, in

plain language and accessible to the people who need to use them. This very simple amendment is really just to clean up the mess left by those opposite to make sure this trial will actually yield some useful data.

On this side of the chamber, we are serious about doing something meaningful to reduce both the frequency and the recidivism that we see in the youth offending space. We need to know—indeed, all Queenslanders deserve to know—if the use of devices like this can allow for a situation where a person who has been released on a youth offence on bail conditions can live in our community in a way that deters reoffending while they wait for their proceeding to be dealt with. We need to know if that works. Despite two attempts, those opposite have failed to construct a trial that meaningfully illuminates that question.

I have noticed on my reading of the committee's analysis of this bill that not only did it recommend this chamber adopt this bill but also many submitters similarly observed that, from the outset, they too had said the scope of the trial that was initially constructed by Labor was never going to work in the form that was originally proposed. I can point to many examples of those kinds of community contributions, but I think it is particularly telling that on 9 February 2024—so before the election—the then police commissioner, Katarina Carroll, publicly observed that the electronic monitoring device trial was not working. The then commissioner called upon the then government to revisit the use of electronic monitoring for youth offenders. She said—

We spend an extraordinary amount of time checking on youth offenders that are on bail.

And that is only a point in time—whereas electronic monitoring devices are constant.

We're not of the view that every child should have an electronic monitoring device—we're talking about ... serious offending.

We look at all the tools that we can have to make the community safer to make sure that we stop reoffending.

These are one of the preventive measures.

The commissioner then went on to explain she had spoken to the minister and asked the minister revisit what was happening in that space.

It is really quite important, I think, to observe that no-one is suggesting that every youth offender should have one of these devices. They should be used judiciously, in circumstances where it is believed they will make a meaningful difference to the ability of the person accused to be law-abiding whilst waiting for their time in court in the proper process of the judicial system.

It is also true to say that this government, committed as it is to making our community safer and to dealing with the youth crime crisis that was allowed to flourish under those opposite, who seemed more interested in the rights of offenders than they ever were in the rights of victims, is prepared to look at any and all of the available options that can help to make a difference in this space. If it makes one Queenslander safe in circumstances where they would otherwise have been a victim, then it is a worthwhile exercise to go through the process of assessing this program properly to determine whether or not electronic monitoring devices are going to meaningfully make our community safer.

I have a hunch that it will make a difference. I have a hunch that—as the youth crime crisis was put in train by those opposite, who repealed and rolled back a system that was working some 10 years ago—it will make a difference, particularly when it is used in collaboration with Adult Crime, Adult Time and in collaboration with the programs we have in place to rehabilitate people who have not made good choices in their past, in conjunction with diversionary programs for at-risk people and in conjunction with a quality education system designed to keep people focused on the good things in life from the outset. The reality is that unless we have a program that is being used in sufficient number to get a meaningful sample over a meaningful period of time we will never know, so we are prepared to do what is necessary to make this trial work.

This extension makes sense. It is a simple bill, but it will make a big difference for us to properly understand the way this measure will help to keep youth offenders who are accused on track during their period of bail, and make our community safer.