




Speech By
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MEMBER FOR HERVEY BAY

Record of Proceedings, 1 April 2025

YOUTH JUSTICE (MONITORING DEVICES) AMENDMENT BILL

 **Mr LEE** (Hervey Bay—LNP) (3.13 pm): I rise to speak in support of the Youth Justice (Monitoring Devices) Amendment Bill 2025. This bill is an act to amend the Youth Justice Act for a particular purpose. That particular purpose is to amend subsection 52AA(10) of the Youth Justice Act to extend the trial of electronic monitoring devices for a further year until 30 April 2026. This bill provides for the continued operation of section 52AA by extending the sunset clause to five years from the commencement of the Youth Justice and Other Legislation Amendment Act 2021.

It is critical that we extend the trial of EMDs on youth offenders for a further year. This is because any credible and comprehensive qualitative and quantitative evaluation of the effectiveness of EMDs requires a sufficient cohort of youth offenders. An EMD is a device fitted to a young person's ankle that monitors their location using GPS coordinates. This is to provide real-time alerts about the location of youth offenders following unauthorised movements.

It is important to understand the legislative history behind this bill because it further highlights Labor's muddled and chaotic 'policy on the run'. In 2015, the Queensland Labor government substantially watered down the youth justice legislation removing detention as a last resort. This gave rise to a youth crime crisis including a generation of recidivist offenders. In 2021, section 26 of the Youth Justice and Other Legislation Amendment Act inserted a new section 52AA into the Youth Justice Act and subsection 52AA(10) provided that this section expires two years after the commencement.

Section 52AA provides that courts in prescribed locations have the option, subject to certain prerequisites, to order that a youth offender must wear an EMD as a condition of bail. The 2021 amendment act provided the legislative framework to implement a 12-month trial of the use of electronic monitoring on recidivist youth offenders. The offenders were to be aged 16 or 17 years old in prescribed locations for prescribed indictable offences who would benefit from intensive bail conditions.

Unfortunately, the 2021 amendment trial was flawed from the beginning. Labor just does not have the ticker to reform the youth justice system. Significant constraints on geographical locations and the trial sunset period and other possible factors had the practical effect of substantially lessening the potential cohort of youth offenders. It seemed that the EMD trial was set up to fail from the beginning. There were no surprises when the department of youth justice's electronic monitoring trial was inconclusive, citing the low number of trial participants and the lack of available evidence from other jurisdictions.

To fix up the mess, in 2023 section 14 of the Strengthening Community Safety Act increased the expiration of section 52AA for a further two years. This section now expires on 30 April 2025—less than a month from today. According to the explanatory speech for the 2023 act—

The review found that, while there are some benefits associated with electronic monitoring, a larger sample size is needed to determine its effectiveness in deterring offending behaviour, nor can any changes to offending be attributed to engagement with the trial. A larger sample size is required. To establish a more robust evidence base, the bill amends section 52AA to extend the sunset clause to 30 April 2025 ...

The 2023 Strengthening Community Safety Act also: expanded the eligibility criteria by reducing the age from 16 to 15; expanded the trial to include Cairns, Toowoomba and Mount Isa; and, subject to further detailed work occurring on the resourcing of the extension of the trial, expanded the scheme to include electronic monitoring on sentenced young offenders in the community as a tool to assist with their supervision.

In an embarrassing and inconvenient moment for Queensland Labor, on 9 February 2024, former police commissioner Katarina Carroll said, 'I will always provide frank and fearless advice to government.' She then openly called on the Miles government to revisit the trial of electronic monitoring devices on teen criminals on bail, with only 33 devices issued but only five in use. Then police commissioner Carroll described electronic monitoring devices as a 'very, very powerful tool'. Her comments came after the tragic stabbing death of Ipswich grandmother Vyleen White. According to the Queensland Audit Office report *Reducing serious youth crime*, since 2019 the number of serious repeat offenders increased by 65 per cent, from 442 to 728 in 2023.

Currently, to be granted bail with an EMD condition a youth offender must: be at least 15 years; be charged with a prescribed indictable offence and have been previously either found guilty of at least one indictable offence or charged with an unrelated prescribed indictable offence in the preceding 12 months; and have consented to wearing an EMD. This bill will extend the sunset clause to 30 April 2026. The Crisafulli government is committed to a meaningful and comprehensive evaluation of an electronic monitoring order as a condition of bail. The Crisafulli government sees the potential for electronic monitoring to reduce reoffending, provide an opportunity for offenders to engage or re-engage with education and employment, and improve community safety.

After a decade of Labor chaos and crisis, Queenslanders have backed a Crisafulli government that is committed to a calm and methodical approach to tackling the youth crime crisis—a Crisafulli government that is resolutely and unapologetically committed to putting the rights of victims first. Queensland Labor's chaos and crisis were patently obvious when they watered down the youth justice legislation in 2016, resulting in years and years of youth crime and muddled policy on the run. We had a five-point plan in 2016, a four-point plan in 2019, a five-point plan in 2020 and a 10-point plan in 2022. All of these plans have failed. Only the Crisafulli government has the ticker to reform our youth justice legislation. I support the adoption of the Youth Justice (Monitoring Devices) Amendment Bill 2025.