



Speech By
Hon. Laura Gerber

MEMBER FOR CURRUMBIN

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YOUTH JUSTICE (ELECTRONIC MONITORING) AMENDMENT BILL

 **Hon. LJ GERBER** (Currumbin—LNP) (Minister for Youth Justice and Victim Support and Minister for Corrective Services) (12.20 pm), in reply: Firstly, I want to thank the members for their contributions during this debate. We have heard from many members during this debate in relation to how strong electronic bail monitoring laws are needed in this state. In particular, I want to thank some of the members we just heard from: the members for Mundingburra, Townsville and Hinchinbrook. Those communities have been rocked by Labor's youth crime crisis. Those communities were calling out for tougher bail laws for a very long time under Labor. This bill represents the first step towards stronger bail laws in this state and some of the strongest bail laws in the country.

We have spent the last two days debating our tough new youth bail monitoring laws, but we still do not really know where the Labor opposition stands on this.

Mr de Brenni: Change your script.

Mrs GERBER: I hear the Manager of Opposition Business interjecting—the same man who interjected to say they do not support the bill. During question time he stood up and said they do not support the bill—at least that is what I heard. Then the opposition leader had to come in here and say, 'Actually, no. The left has not won this one. The right has won this one. We're going to support the bill.' The chaos in their caucus was evident during question time today.

The shadow minister spoke for 30 minutes yesterday and failed in her 30-minute contribution to say, 'Labor will support these tough new laws.' She failed to say that in her contribution. It should not have been difficult. Will they stand with victims of crime? Will they stand with the communities that are calling for a safer Queensland? Will they stand in the way of tough new youth bail monitoring laws? It is still not clear where they are going to stand on this bill, particularly after question time this morning.

These reforms will give Queenslanders some of the strongest youth bail monitoring laws in the country. We are about reducing reoffending, safer communities and fewer victims of crime. We make no apology for doing what needs to be done in this state after a decade of decline under the previous Labor government. Those opposite spent 10 years weakening our youth justice laws. Their very first act when they came to power 10 years ago was to water down the Youth Justice Act. They made detention a last resort. They removed breach of bail as an offence. They moved 18-year-olds back into our detention centres. With that they created a watch house crisis that left youths languishing in watch houses for up to three weeks. They created a youth crime crisis that ripped through communities like the Townsville region, like the Far North Queensland region, like Cairns. Then they stand in the way of reforms that are going to ensure Queenslanders have safety returned to where they live.

During this debate we heard some members say that they are going to be tough on crime and other members say, 'We're not sure if we're going to support these laws.' Now they would have Queenslanders believe—

Mr Bennett: If 'Blocker' allows them.

Mrs GERBER: I will take that interjection: if 'Blocker' allows them. Now they would have Queenslanders believe they are tough on crime, but it is crystal clear they are ideologically opposed to doing what needs to be done to make Queensland safer. We saw a party divided over Adult Crime, Adult Time and we have seen it again over the past two days. When we introduced our tough Adult Crime, Adult Time laws their caucus was in chaos, and we have seen that chaos again this week. They had members of the left in altercations with members of the right. They came in here having to wear headphones because they could not bring themselves to vote for the laws; they could not listen to it. Then today we have seen members of the Labor Party intentionally try to get kicked out so they do not have to vote on these laws. The question is: will they support the legislation? Will they support our tough new laws? Is it because the weak-on-crime Leader of the Opposition thinks the only way he can hold on to power is to appease the left?

Mrs Frecklington: That's actually a good point.

Mrs GERBER: Yes. The only way he can hold on to power is to appease the left, and that might be one of the reasons for their voting intentions today. They are in absolute chaos over there. While they fight amongst themselves, they are not fighting for the victims of the youth crime crisis they created, and the proof is in the pudding. Those opposite are in a shambles and are now trying to use this debate to run a scare campaign, claiming that youth on bail wearing a GPS tracker would be left without wraparound services. That could not be further from the truth.

The facts are written in black and white. They are in the bill, they were in my explanatory speech, they were discussed during the committee process and they were in my second reading speech. For the benefit of those opposite, who continue to run scare campaigns and peddle mistruths for their own political gain so they can go and weaponise that in their communities, a tried and tested method of Labor, I am going to say it again; I will repeat it. A court will only be able to order an electronic monitoring device on a youth who has been given bail if there are wraparound services for that youth. We have written it in black and white in the legislation. We have made it a statutory requirement that wraparound services must be available to support that youth.

We have also made it a statutory requirement that there needs to be sufficient network coverage. If there is no coverage, electronic monitoring cannot be ordered. Labor know this and yet they continue to peddle mistruths. Something else they know is that the Crisafulli government has delivered the largest investment in bail support services in the last decade: \$44.3 million over four years, with funding secured into the forwards, yet they continue to peddle mistruths that there is no funding for bail support services.

Mr Janetzki: Another scare campaign.

Mrs GERBER: It is another scare campaign; I will take the Treasurer's interjection. That is another mistruth by those opposite debunked, but I am sure it will not stop them from continuing to peddle it during consideration in detail.

Where there is insufficient coverage, electronic monitoring will not be ordered. Where a youth wearing an electronic monitoring device is not where they are supposed to be, our frontline responders will know sooner and can respond faster because electronic monitoring means they are monitored 24/7. While those opposite have stood on that side of the House and suggested that responding to electronic monitoring alerts is a poor use of our police resources—that is what some of those opposite said—and it takes our frontline officers away from what they call real policing, let's put some facts on the table. Over the course of the five-year trial, there were more than 5,000 confirmed alerts, but do honourable members know how many of the low-battery alerts required a response from our frontline police? Take a wild guess. It was only two per cent. That is right: the overwhelming majority of these alerts were triaged and resolved by Queensland Corrective Services without any need for frontline officers to be taken off the front line or police attendance or they were triaged by our co-responders. It was only when there was an incident of immediate risk to community safety that police were called to respond. In those circumstances police should absolutely respond because that is precisely when the community safety is at risk. I say to the member for Bulimba: that is real policing.

I want to thank the Queensland Police Union, who called for this back in 2021 under the late Ian Leavers. The late Ian Leavers stood up for police, stood up for community and called for electronic monitoring to help police. They called for it because it will allow police the tools they need to do 24/7 monitoring and to keep communities safe.

Those opposite have stood up one after the other and argued that there is no evidence to support strengthening and expanding the use of electronic monitoring for youth on bail. That claim simply does not stack up. The evaluation report reflected that, under the parameters of Labor's limited trial, the data can only speak to what was tested and that is Labor's deliberately narrow trial with restricted locations, restricted age cohort and restricted offence types. Here is what the facts say. Even within Labor's narrow parameters, the evidence is clear: electronic monitoring works, yet those opposite kept it in trial mode for four years.

Those opposite refused to make it permanent, and do members want to know why? Because they do not believe in it. They were at war with themselves over it. They were forced into it because of a youth crime crisis that they created.

The independent evaluation found that electronic monitoring for youths on bail is associated with higher bail compliance and a 24 per cent reduction in the likelihood of reoffending. The result of that is safer communities and fewer victims of crime.

I note that earlier today the member for McConnel was grandstanding about electronic monitoring being their policy. If those opposite loved it so much and if it truly was their policy, why did they not make it permanent? Why did they not ensure that the courts had the ability to impose electronic monitoring on any youth offender that they grant bail to? Why did they not ensure that Queensland communities had the ability for electronic monitoring to be used as a tool to keep them safe?

A government member: Heart's not in it.

Mrs GERBER: They did not because their heart is not in it—exactly—because they are at war with themselves in relation to this policy. They did not want to do it. They were forced into it because of a youth crime crisis that they created. Labor would have Queenslanders believe that it is for strong laws, but words are no substitute for actions, and its actions have shown that it is weak on crime. If only those opposite cared this much about electronic monitoring keeping Queenslanders safe when they were in government when they had four long years to bring in electronic monitoring. They had a decade to try to fix the youth crime crisis, but instead it got worse and worse. In the decade of decline under those opposite, we saw the number of victims of crime rise by 193 per cent.

A government member: Shame!

Mrs GERBER: It is shameful. It is an indictment on them, but the Crisafulli government is working to turn that around. Just to repeat for those opposite, who have shown throughout the debate that they really have not read the bill, they do not understand it and they have not listened to what these reforms actually do, or it could be that they are intentionally peddling these mistruths because that is their MO—scare campaigns: this bill makes electronic monitoring for youth on bail permanent. It gives every court in Queensland the power to order an electronic monitoring device as a condition of bail for youths aged 10 to 17. For any youth who appears before a court where the court determines that they can get bail, that court can then turn its mind to whether or not that youth should be electronically monitored 24/7, including for first-time offenders.

Labor's parameters meant that first time offenders could not be ordered to wear an electronic monitoring device. Labor's restrictive parameters meant that youths had to have committed a serious indictable offence already or be charged with a serious indictable offence before they could even be considered for electronic monitoring.

Electronic monitoring is a tool to keep communities safe. During the evaluation youths themselves said that wearing a device meant that they were reminded of the conditions of their bail and it helped them to stay out of trouble and it helped them to connect with bail services, and that results in safer communities, but Labor's heart was never in it. It intentionally made the trial narrow and restrictive, and so many members on that side of the House have spoken about that intention—proudly. They are still loudly and proudly talking about the fact that they intentionally created a policy that was narrow and restrictive, because they do not believe in tough-on-crime laws.

I do want to speak to some very important safeguards that are built into our legislation. Our laws mean that a court can only impose an electronic monitoring device as a condition if the youth justice chief executive advises the court that all of the following services are available in the area in which the youth lives. The first is services necessary to support the effective operation of a monitoring device—that is, suitable network coverage where the youth lives. We have heard those opposite peddle the mistruths, but it is built into the bill that there must be network coverage, because an EMD only works when there is network coverage. There also needs to be services suitable to support the youth's compliance with the condition—that is, bail support services. It is built into the bill that youths on an

electronic monitoring device must get bail support services. Those opposite are trying to say, 'Not all youths are going to get it and there's no funding for it.' That could not be further from the truth. The third thing that is built into the bill as a safeguard is services suitable to support the monitoring of the youth—that is, QCS.

With regard to the crossbench, the member for Hill noted that over the last decade Queenslanders have watched the same repeat youth offenders being released on bail time and time again. Let me be very clear: if a youth poses an unacceptable risk to community safety, they should be remanded in custody. When they release them on bail, this bill is about giving the courts the power to order a youth to wear an EMD. First, the courts must turn their minds to whether or not that youth is suitable to be released on bail. If they decide that, then they can put an EMD on the youth. It is about giving our courts another tool that they can use to protect Queenslanders.

To the member for Maiwar, when it came to Labor's failed rolled out electronic monitoring trial, the staff who were on the front line found Labor's rollout to be 'administratively burdened' or 'ingrained with unclear responsibilities'—these are quotes—that it had 'poor interagency coordination', that Labor's trial 'failed to have training and role clarity gaps' and that Labor's trial had 'inefficient escalation pathways'. All of that is criticism in relation to Labor's botched operation of its failed trial. This independent evaluation allows for the Crisafulli government to get on with the job of fixing Labor's failures. The Crisafulli government is fixing those failures and, under our government, electronic monitoring will operate as a reliable, real-time tool that supports frontline workers to intervene early, respond quickly and decisively and better protect the community.

Not only did Labor fail to back its policy by making it permanent—it kept it in trial mode for four years—but it botched the rollout. The independent evaluation that the Crisafulli government has done of the trial demonstrated that Labor rushed it, botched it and did not give frontline officers the training they needed to be able to effectively roll out electronic monitoring. One has to ask themselves why. Why did the Labor Party fail to do all of that? The answer is pretty clear: its heart was not in it. It and the left did not want these strong electronic monitoring laws, so they failed to give training and they failed to roll it out properly. They did everything they possibly could to set this trial up to fail, and the first year of the trial is evidence of that. Only four youth offenders were ordered to wear an electronic monitoring device under Labor when it rolled this trial out. We do not need any more evidence than that that Labor does not believe in electronic monitoring, but those opposite come into this House and they are at war with themselves in relation to how they are going to vote to support strong laws.

Let us not forget that every youth wearing an electronic monitoring device will have wraparound supports to help them stay on track and comply with their bail conditions. Some of those wraparound supports are our bail support services, but the Crisafulli government is also doing intensive rehabilitation measures like our youth justice and crime prevention schools. We are nation-leading when it comes to our youth justice schools. They are the first of their kind to specifically target youths on youth justice orders. That would include a youth who is ordered to wear an electronic monitoring device. Those youths now have a targeted way to get back into education and school. Under Labor, they were dumped straight back into our communities with zero support and left to reoffend time and time again.

Under the Crisafulli government, we are not only implementing strong laws; we are also investing in the rehabilitation and early intervention measures needed to turn these young lives around. Our youth justice schools will give 12 hours of supervision for those youths on youth justice orders to ensure that they have a pathway into education.

Recently I was pleased to provide an update in relation to the first of our youth justice schools to be rolled out in South-East Queensland. The site is in Logan. The site has been announced and those youth justice schools are on track to start taking enrolments later this year.

Mrs Frecklington: Amazing!

Mrs GERBER: It is amazing and these are the initiatives that those opposite do not support. Not only do they not support our strong youth crime laws; they also do not support our youth justice schools. They have already been on the record saying that. Our strong electronic bail monitoring reforms deliver some of the strongest youth bail monitoring laws in the country and, alongside early intervention and rehabilitation, they will make Queensland safer after a decade of Labor's weak laws, which created a youth crime crisis and which resulted in kids going in and out of our detention centres, leaving thousands of victims in their wake.

These reforms are all part of our plan to put the rights of victims first, to deliver consequences for action, to reduce reoffending and to return safety to Queensland communities. We are partnering strong laws, like these electronic bail-monitoring laws, with early intervention and rehabilitation for a reason. We know that it works and we are committed to reducing the number of victims of crime in this state. I commend the bill to the House.