

# Queensland Government

## Response to the Interim Report:

*Inquiry into ongoing reform to the youth justice system and support for victims of crime*

Report No. 1, 57th Parliament  
Youth Justice Reform Select Committee  
*April 2024*

### Executive Summary

On 12 October 2023, the Youth Justice Reform Select Committee (the Committee) was established to conduct an inquiry to examine ongoing reforms to the youth justice system and support for victims of crime. The Committee received more than 200 submissions and held 17 public hearings and briefings with experts and government agencies.

On 17 April 2024, the Queensland Parliament voted to dissolve the Committee after the Committee was unable to agree on an interim report. The draft interim report was tabled in Parliament on 18 April 2024 and made 60 recommendations..

Of the 60 recommendations, the Queensland Government has accepted 23 recommendations in full. The remaining 37 recommendations are accepted in principle. Largely, the recommendations of the Committee will be delivered through the new, comprehensive, *Community Safety Plan for Queensland*.

The *Community Safety Plan for Queensland* provides a long-term approach for making Queensland communities safe by addressing the root causes of crime and reducing rates of offending. It is supported by approximately \$1.28 billion in new investment and legislative changes to strengthen Queensland's laws. Of this investment, over \$500 million is directed towards delivering the recommendations of the Committee.

The Queensland Government's response to each recommendation of the Committee are as follows.

<b>Queensland Legislative Assembly</b>	
Number: <u>57241 725</u>	Tabled <input checked="" type="checkbox"/>
 01 MAY 2024	By Leave <input type="checkbox"/>
MP: <u>Hon Ryan</u>	
Clerk's Signature: 	

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**Recommendation 1**

That the Queensland Government reform the Youth Justice sector and Act to ensure there are consequences for action and put the rights of victims above the rights of offenders.

**Accepted**

The Queensland Government has introduced a suite of legislative reforms taking tougher actions on youth crime.

The *Youth Justice Act 1992* includes a range of actions that can be undertaken by the courts to ensure community safety, particularly for serious repeat offenders. In addition, the *Strengthening Community Safety Act 2023* created a special sentencing regime for serious repeat offenders.

In 2023, the Queensland Government delivered an investment package of \$200 million to boost victim support services as well as establishing an Independent Ministerial Advisory Council and an interim Victims' Commissioner to ensure victims voices are heard and drive criminal justice reform.

Through the *Community Safety Plan for Queensland* the Queensland Government has committed to further support our frontline workers and victims.

The Queensland Government is also introducing the Queensland Community Safety Bill 2024.

This includes replacing the "detention as a last resort" principle with a new clause. The new clause will clarify a child should be detained in custody where necessary to ensure community safety.

The principle will be redrafted to read:

"A child should be detained in custody, where necessary, including to ensure community safety, where other non-custodial measures of prevention and intervention would not be sufficient, and for no longer than necessary to meet the purpose of detention."

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**Recommendation 2**

There is a need for all stakeholders in the youth justice system to be reminded that the four pillars in the Atkinson Report are preceded by wider principles that public safety is paramount and that community safety is essential.

**Accepted**

The Queensland Government is currently developing a new Youth Justice Strategy which will involve a comprehensive whole of government approach to addressing youth offending and ensuring community safety, building on the Government's youth justice reforms over recent years and the *Community Safety Plan for Queensland*.

This will include a focus on preventing offending, using detention where it is necessary to keep offenders off the street, targeting serious repeat offenders, and providing services that work to stop children entering into criminal trajectories. The new Youth Justice Strategy, to be codesigned with stakeholders, will include a clear focus on keeping Queensland safe.

### Recommendation 3

That the Queensland Government commit to developing a long-term youth justice strategy that seeks to address the challenges identified in Queensland's youth justice system, including siloes in service delivery and the accuracy and transparency of data. This strategy should be co-designed with First Nations people, communities and relevant stakeholders including victims groups.

### Accepted

The Queensland Government is currently developing a whole of government Youth Justice Strategy, which will be guided by findings from inquiries into ongoing youth justice reforms undertaken by the Youth Justice Reform Select Committee and Queensland Audit Office, informed by cross agency collaboration, and codesigned through engagement with stakeholders across the non-government sector, First Nations communities, and victims groups.

The strategy will recognise the importance of evaluation and performance monitoring, with the Department of Youth Justice closely tracking the progress of reforms against key indicators.

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### Recommendation 4

That the Queensland Government conduct a thorough assessment of the level of care provided to children and young people in the child safety and youth justice systems and, if failing to provide the necessary care and stability, take action to reduce the correlation between these systems and reduce offending by this cohort.

### Accepted in principle

The Queensland Government recognises the need to support children and families to be safe from abuse and neglect. To ensure that children and young people in the child safety and youth justice systems are provided with the appropriate levels of care, the Queensland Family and Child Commission is responsible for overseeing both child protection and youth justice systems.

The Queensland Government undertook a review of residential care services in 2023. A five-year roadmap for residential care in Queensland, designed in partnership with the sector, was released in February 2024, with the proposed reforms targeted at halving the rate of children and young people in residential care and seeing more cared for by kinship or foster carers.

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### Recommendation 5

That the Queensland Government review the scope of the Department of Youth Justice, and broaden its scope to intervene prior to contact with the youth justice system and through improved transition planning, by expanding the role the Department plays in:

- early intervention and prevention efforts focused on diverting children and young people who are known to police or at risk of contact with the system, and
- providing support to children, young people and their families as they transition back into the community from detention through transition plans that include supported accommodation where necessary.

### Accepted in principle

The Queensland Government supports early intervention and prevention efforts. Through the 2023-24 State Budget, over \$80 million was allocated to early intervention and prevention to reduce youth offending, including Townsville Street University; the Youth Development Partnership Fund; the Moonlight Hoops Basketball program; Early Action Groups; Townsville Stockland & other shopping precincts; Justice Reinvestment; PCYC uplift; JT Academy; and Big Bounce Initiative.

The Queensland Police Service also provides diversionary cautions to young people to divert them from the youth justice system. In addition, a range of initiatives and programs are delivered across multiple government agencies which target and support vulnerable young people and their families.

The Queensland Government is committed to undertaking further work to support better transitional planning for young people exiting detention to develop a service model that will focus on reducing recidivism. The *Community Safety Plan for Queensland* also commits an additional \$6 million to expand after hours services in communities experiencing increases in youth offending.

### Recommendation 6

That the Queensland Government deliver the new Putting Queensland Kids First: Giving our kids the opportunity of a lifetime strategy as soon as possible and to ensure it:

- (i) is accompanied by significant investments in initiatives that target the risk factors associated with offending during young children's formative years; and
- (ii) includes tangible performance indicators for assessing progress towards implementation.

### Accepted

The Queensland Government undertook consultation on the draft *Putting Queensland Kids First: Giving our kids the opportunity of a lifetime* (PQKF) in January 2024, engaging with key stakeholders, service providers, and families across Queensland.

Consultation on the PQKF Plan has focused on five priority areas: 1) Partnering for connected and community-led delivery; 2) Wellbeing in the earliest years of life; 3) Supporting families and strengthening communities; 4) Responsive support for healthy development and positive life courses; and 5) Supporting confident steps through life and learning.

The Queensland Government will deliver the PQKF plan in the first half of 2024, including an investment package, and performance indicators to assess progress towards implementation.

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### Recommendation 7

That the Queensland Government immediately appoint additional Magistrates to the Childrens Court of Queensland.

### Accepted in principle

The Queensland Government supports appropriate resourcing for the effective operation of the Childrens Court of Queensland.

The Queensland Government will give further consideration to how this recommendation could be implemented. This includes further consultation with stakeholders, including through the President of the Childrens Court and the Chief Magistrate.

As a first step through the *Community Safety Plan for Queensland*, the Queensland Government will appoint an additional Magistrate to service the Childrens Court in Mount Isa and the surrounding communities in the Gulf of Carpentaria.

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### Recommendation 8

That the Queensland Government ensure that the Childrens Court of Queensland has the resources it needs to operate in a culturally appropriate manner. This should include the provision of culturally safe spaces, appropriate training, and the appointment of relevant support staff, including First Nations Liaison Officers, at all Childrens Court locations.

### Accepted in principle

The Queensland Government acknowledges the importance of ensuring the Childrens Court operates in a culturally appropriate manner. Further consideration and consultation will be required on implementation of an effective model, including adopting learnings from the evaluations of existing programs and initiatives.

### Recommendation 9

That the Queensland Government immediately improve the accessibility and quality of the videoconferencing facilities available to children and young people at youth detention centres who are unable to attend court proceedings in person.

### Accepted in principle

The Queensland Government supports in principle improving the accessibility and quality of videoconferencing facilities in youth detention centres. Videoconferencing facilities are currently being factored into new Youth Detention infrastructure in Queensland. Further consideration of upgrading of existing youth detention infrastructure will be undertaken as required.

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### Recommendation 10

That the Queensland Government, in consultation with the Interim Victims' Commissioner, the Independent Ministerial Advisory Council and other key stakeholders, explore the feasibility of holding hearings of the Childrens Court of Queensland at youth detention centres in a manner that improves a child or young person's understanding of, and participation in, court proceedings.

### Accepted in principle

The Queensland Government supports improving children and young people's understanding of, and participation in, court proceedings. Further work and policy analysis is required to explore how this proposal could be implemented, including undertaking consultation with key stakeholders, including the legal sector and judiciary.

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### Recommendation 11

That the Queensland Government consider introducing legislation seeking to operationalise the 'Childrens Court Trigger' in accordance with section 43(2) of the Family Responsibilities Commission Act 2008, to enable the Childrens Court to provide court advice notices to the Family and Responsibilities Commission in relation to a child or young person who has been convicted of an offence.

### Accepted in principle

This matter has been considered by the Family Responsibilities Board and is now under further consideration by the Department of Youth Justice. This issue requires further policy analysis and consultation with impacted communities prior to consideration of legislative amendments.

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### Recommendation 12

That the Queensland Government evaluate the trial, make the evaluation report public, and explore the feasibility of expanding to more locations:

- (i) the vehicle immobiliser subsidy scheme, including extending the deadline for using vouchers issued under this scheme;
- (ii) the helping seniors secure their homes initiative;

and that the Government continue to monitor the effectiveness of these programs.

### Accepted in principle

The Queensland Government continues to implement the vehicle immobiliser subsidy scheme to supply up to 20,000 engine immobilisers in the trial locations of Mount Isa, Cairns and Townsville. The Government will evaluate the trial, including its effectiveness, and consider the outcomes of the evaluation in any future decisions about continuing or expanding the scheme.

Since 2023, the Queensland Government has invested \$30 million in a trial to help Seniors secure their homes in Townsville, Mount Isa, Cairns, Toowoomba, Tablelands and Mareeba. Through the *Community Safety Plan for Queensland*, the Queensland Government is committing \$40 million to extend the Helping Seniors Secure their Homes trial to the end of 2024.

The Queensland Police Service will continue to promote crime prevention initiatives, including conducting residential security audits.

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Report No. 1, 57<sup>th</sup> Parliament. Youth Justice Reform Select Committee. April 2024



### **Recommendation 13**

That the Queensland Government report to the Parliament on its progress implementing the 18 recommendations of the former Legal Affairs and Safety Committee, Report No. 48, 57th Parliament – Inquiry into support provided to victims of crime tabled on 19 May 2023; and commit to prioritising the implementation of recommendations 1 and 10 of that report, that the Queensland Government:

- develop a pilot victim advocate service to support victims of crime to navigate through the criminal justice system, as recommended in that report
- review youth justice conferencing and identify opportunities to better meet the needs of victims of crime.

### **Accepted in principle**

The Queensland Government has committed to implementing the recommendations of the Legal Affairs and Safety Committee Report No. 48, 57th Parliament – Inquiry into support provided to victims of crime. As part of this commitment, the Queensland Government noted some of the work already underway as part of the Queensland Government response to the Women’s Safety and Justice Taskforce Reports, including around victim advocacy services.

The Queensland Government will continue to report on the implementation progress of such recommendations.

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### **Recommendation 14**

That the Queensland Government, through the work of the Office of the Interim Victims’ Commissioner, continue to progress priority issues for victims of crime, including considering the development of a scheme for extending financial support to victims of non-violent crime.

### **Accepted in principle**

The Queensland Government has engaged KPMG to review the Financial Assistance Scheme, administered by Victim Assist Queensland. The Queensland Government will consider the recommendations and proposed options to improve the efficiency and timeliness of the delivery of financial and/or other support to victims.

The Queensland Government has also allocated \$500,000 per annum over four years to help to support victims of non-violent property crime with counselling and practical support.

Through the *Community Safety Plan for Queensland* almost \$16 million has been committed to expand the Victims of Crime Community Response and \$15.6 million has been committed to ensure timely payment of financial assistance to victims of crime.

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### **Recommendation 15**

That the Queensland Government through Victim Assist Queensland and in consultation with the Office of the Interim Victims’ Commissioner, funds a public awareness campaign to inform victims of youth crime how they can access the supports available to them.

### **Accepted in principle**

The Queensland Government will continue to explore opportunities to increase awareness and accessibility of the supports available to victims of crime, including victims of youth crime. There may be more tailored and targeted engagement and communication approaches that could be adopted which could be more effective, and all possible options will be considered.

### **Recommendation 16**

That the Queensland Government release the findings of the KMPG review of the financial assistance scheme administered by Victim Assist Queensland.

### **Accepted in principle**

The Queensland Government has engaged KPMG to review the Financial Assistance Scheme, administered by Victim Assist Queensland. This review includes an assessment of whether the original intent and objective of the scheme are being met.

The Queensland Government will consider the recommendations and proposed options to improve the efficiency and timeliness of the delivery of financial and/or other support to victims. Consideration of release of the review will be considered by Government at this time.

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### **Recommendation 17**

That the Queensland Government implement strategies to improve wait times for victims seeking support via Victim Assist Queensland and regularly report to the Parliament on its progress in reducing wait times.

### **Accepted in principle**

The Queensland Government is committed to improving the efficiency and timeliness of support for victims of crime through Victim Assist Queensland (VAQ).

In late 2023, as part of a \$200 million funding package, the Queensland Government provided additional VAQ staff to ensure more financial assistance applications could be assessed sooner. The Queensland Government will give further consideration to improving the efficiency of financial support for victims of crime, including through considering the review of the Financial Assistance Scheme and the provision of further resources for VAQ. The Queensland Government will also consider opportunities to improve accountability and transparency regarding the reporting of VAQ's operations and the processing of financial assistance applications.

Through the *Community Safety Plan for Queensland* an additional \$15.6 million will be provided to Victim Assist Queensland to ensure the timely payment of financial assistance to victims of crime.

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### **Recommendation 18**

That the Queensland Government in consultation with teachers, principals and key education stakeholders, review the operation of suspension, exclusion and absenteeism policies in Queensland schools to identify strategies to reduce the risk of school disengagement, improve support to staff, and promote safety within Queensland's schools. The review should consider:

- whether disciplinary actions can be facilitated on-site, rather than prohibiting school attendance, and
- how the current policy and legislative framework for managing absenteeism can be strengthened to support school attendance, and to be more responsive where disengagement is identified.

### **Accepted in principle**

The Queensland Government is committed to maximising learning days for every student, including students in contact with youth justice. Suspensions and exclusions are used as a last resort by principals when the safety and wellbeing of other students and staff cannot be safely managed within a school site. The impact of suspensions and exclusions on young people, their families and the broader community are already considered by principals as part of their decision-making.

The Department of Education is investing \$43.8 million until the end of 2028 to fund First Nations Attendance and Engagement Programs to mentor and support students to attend school, engage in learning, complete Year 12 and set their pathway to employment, training and further education.

The Queensland Government will continue to consider how policies and frameworks can be strengthened to increase student attendance and engagement.

### Recommendation 19

That the Queensland Government review state funded alternative schooling programs, and based on this review, expand alternative schooling options and implement these in areas where there is currently demand for non-mainstream schooling placements.

### Accepted in principle

The Queensland Government provides alternative schooling options to students needing additional support to remain engaged or to support them in becoming re-engaged in learning, and to young people involved in the youth justice system.

On 4 December 2023, the Queensland Government announced a \$288 million Youth Engagement Reform Package, which will support students at risk of education engagement, including:

- \$120 million to expand Queensland Pathways State Colleges
- \$45 million for 50 new FlexiSpaces alternative learning facilities in high-needs school
- \$57 million for intensive education case management for at-risk student
- \$29 million for First Nations attendance and engagement programs
- \$27.3 million for specialised alternative learning programs in Cairns, Townsville, Ipswich, and Mount Isa
- \$8.6 million for new Court Liaison Officers to support educational re-engagement for children appearing before the Children's Court.

### Recommendation 20

That the Queensland Government commit to ensuring that all primary school aged children have access to a comprehensive, fully funded health assessment to assist with hearing, visual, learning, developmental and neurodiverse diagnoses.

### Accepted in principle

Supporting student wellbeing and mental health is a priority for all Queensland state schools. A range of specialist staff are available in schools to support student wellbeing, including guidance officers, psychologists, social workers, youth workers, youth health nurses, chaplains and school wellbeing officers. Queensland Health also delivers statewide vision screening for prep students in Queensland primary schools.

The Queensland Government acknowledges that engagement in education is a significant protective factor against offending behaviour and contact with the justice system.

The Queensland Government recognises that health assessments for hearing, visual, learning, developmental and neurodiverse diagnoses are important and will consider ways to expand this.

As part of the *Community Safety Plan for Queensland* an additional \$7.1 million will be provided to expand physical and mental health screening and cognitive disability screening in Youth Detention Centres.

### Recommendation 21

That the Queensland Government explore opportunities to expand the availability of GPs and nurses in primary school settings and at all Youth Justice Service Centres to assist in preventative health screening.

### Accepted

The Queensland Government acknowledges the benefits of providing students with access to timely healthcare and the positive impacts this can have on student's health, mental health and their readiness and ability to engage at school.

The Queensland Government will undertake further policy work and analysis to determine how access to health practitioners could be provided in primary schools and Youth Justice Service Centres, including through a staged approach in priority locations if needed.



## Recommendation 22

That the Queensland Government through the Department of Youth Justice and Queensland Health commit to ensuring that all children and young people in detention receive comprehensive mental health and physical health assessments, including specialist referrals for ADHD and FASD, as a priority and incorporating a process to ensure referrals have been attended.

## Accepted

The Queensland Government currently provides general and mental health services in existing youth detention centres, and young people entering detention receive an assessment of their health and wellbeing. The Queensland Government will also do further work to ensure referrals to specialist services are available and the appropriate supports are in place to ensure referrals have been attended.

Additionally, as part of the *Community Safety Plan for Queensland* an additional \$7.1 million will be provided to expand physical and mental health screening and cognitive disability screening in Youth Detention Centres.

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## Recommendation 23

That subject to the Auditor-General's findings, the Queensland Government:

- apply longer term funding contracts to state-funded youth justice programs and services and investigate new models that facilitate better collaboration among service providers
- fund existing programs to operate more flexible hours during crucial times for potential offending, including late at night and on weekends
- fund more programs for children under 10 years of age
- consult First Nations organisations about how contract tender processes could be more improved and identify any unnecessary barriers to First Nations engagement.
- consider a broader range of outcomes in future service or program evaluations, such as relationship building
- ensure it provides funding to a diverse mix of organisations, including smaller community-based organisations as well as larger organisations.

## Accepted in principle

The Queensland Government is committed to promoting stability in the community and social services sector. This is reflected in the Queensland Government's Communities 2032 strategy. The First Action Plan 2022-25 under the strategy commits to providing greater funding certainty through longer-term (5 year) contracts where possible and appropriate.

The Queensland Government will give consideration on how to facilitate stronger partnerships with Non-Government Organisations and Aboriginal and Torres Strait Islander community-controlled organisations to deliver local, place-based and targeted interventions that respond to the unique needs of communities, including through partnerships with relevant agencies.

#### Recommendation 24

That the Queensland Government urgently implement the outstanding recommendations from previous reviews including the 2017 report, and the recommendations from Inquiries, on the Blue Card system to ensure that:

- (i) it does not create unnecessary barriers to people acting as kinship carers where this promotes the well-being of children; and
- (ii) it provides an avenue for people with a criminal or youth justice history to establish they are suitability to work with children, subject to appropriate safeguards.

#### Accepted in principle

The Queensland Government has previously indicated its broad support for the intent of all 81 recommendations made by the Queensland Family and Child Commission (QFCC) in its 2017 review of Queensland's blue card system.

The Queensland Government has committed to prioritising key recommendations of the 2017 QFCC report, including: the *Working with Children (Risk Management and Screening) Act 2000* (WWC Act's) decision-making framework to ensure it is fit for purpose; considering options to provide greater cultural context to the decision-making process; and making communication materials easier to understand. Work in relation to these QFCC recommendations is ongoing.

In October 2023, the QFCC released a further report, *A thematic analysis of provisionally approved kinship carers who receive a subsequent blue card negative notice* (the Kinship Care report). The Government is currently considering the QFCC's October 2023 recommendations.

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#### Recommendation 25

That the Queensland Government increase the availability of residential and non-residential Alcohol and Other Drug treatment services for children and young people in Queensland, particularly in regional and remote areas to support children to access treatment closer to home. This should be supported by a strategy to address alcohol and other drug use by children and young people in Queensland

#### Accepted in principle

The Queensland Government acknowledges the need for greater access to voluntary specialist alcohol and other drug (AOD) treatment and harm reduction for young people, including in regional and remote areas. The AOD treatment service based in Cairns will help inform ongoing AOD treatment service models for young people and their families, including First Nations peoples.

Better Care Together – A plan for Queensland's state-funded mental health alcohol and other drug services to 2027 also includes priorities and investment to boost other community-based AOD treatment and harm reduction service delivery in targeted regions, as well as supporting coordinated responses at a state-wide and regional level.

The Queensland Government will undertake further service planning to identify priority areas for establishing additional AOD treatment and harm reduction services and programs tailored for young people and the local community to deliver specialist and coordinated care.

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#### Recommendation 26

That the Queensland Government develop and implement workforce strategies that ensure the state's youth detention centres are staffed at levels sufficient to ensure the safety of workers and eliminate the need to use 'separations' or 'night mode' as a result of staff shortfalls and begin reporting, within three months, on when 'separations' or 'night mode' are used as a result of staff shortfalls.

#### Accepted

The Queensland Government Department of Youth Justice has engaged a professional service provider to provide strategic advice on the approach to workforce planning and is in the process of developing recruitment strategies for the Woodford Youth Detention Centre and Wacol Youth Remand Centre. The Queensland Government will also consider staffing levels and workforce planning for existing Youth Detention Centres.

Through the *Community Safety Plan for Queensland*, the Queensland Government is committing \$17.67M for youth detention centre readiness arrangements, including to continue work on establishing the new Woodford and Cairns Youth Detention Centres, including timely recruitment of staff.

**Recommendation 27**

That the Queensland Government set clear and enforceable limits on the use of ‘separations’ at youth detention centres.

**Accepted**

The Queensland Government commits to setting clear and enforceable limits on separations.

Separations are subject to strict approvals, supervision protocols, time limits and record keeping, ensuring they are reasonable and justified, in keeping with the legislative requirements of the Youth Justice Regulation 2016.

**Recommendation 28**

That the Queensland Government review changes made to Division 2A of the Youth Justice Act 1992, which regulates age related transfers to corrective services facilities, by the Strengthening Community Safety Act 2023 to assess whether they are operating as intended.

**Accepted**

Amendments to the provisions relating to the transfer of adult detainees to adult custody were made in 2023, with the intention that detainees would transfer to adult custody once they become adults.

The Queensland Government is progressing legislative amendments to establish the default position that unless there are exceptional circumstances, all young people in detention should transfer to adult custody shortly after turning 18.

**Recommendation 29**

That the Queensland Government publicly report on the number of children and young people detained in watch houses, and how long they have been detained, on a weekly or real-time basis.

**Accepted in principle**

The Queensland Government is working to progress additional metrics for public release, with youth justice and detention considered as priority metrics. The Queensland Police Service has already completed a significant body of work in relation to digital reporting and is investigating the feasibility of publishing this data on the Queensland Police Service website.

**Recommendation 30**

That the Queensland Government work with relevant stakeholders to develop a statewide Code of Practice for the management of young people in watch-houses.

**Accepted**

The Queensland Government supports this recommendation, noting the Queensland Police Service has established policies and procedures for the management of both adults and young people in watchhouses that conform to international guidelines on the treatment of people in custody and legislated human rights obligations. In addition, the Queensland Police Service continues to partner with agencies and community advocacy and support groups on improving services and resources available to young people in watchhouses.

**Recommendation 31**

That the Queensland Government:

- (i) set clear targets for reducing the proportion of children and young people in detention who are being held on remand; and
- (ii) identify strategies for achieving those targets.

**Accepted in principle**

The Queensland Government supports reducing the proportion of children and young people in detention who are being held on remand, including as part of the Government’s commitment to Target 11 of the National Agreement on Closing the Gap to ‘by 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30 per cent’.

Through the *Community Safety Plan for Queensland*, the Queensland Government is committing \$39.14 million for strengthening and sustaining court reforms, including Fast Track Sentencing which seeks to address delays in Childrens Courts to ensure timely finalisation of matters and reduce periods of remand.

### Recommendation 32

That the Queensland Government extend the Fast Track Sentencing program and expand it to all Childrens Court locations across the state, subject to the evaluation of the pilot program.

### Accepted in principle

The Fast Track Sentencing Pilot is operational in Brisbane, Southport, Cairns and Townsville, with early results demonstrating efficiency improvements across the whole system. The Pilot is currently subject to an independent evaluation regarding its possible enhancement and expansion. The Queensland Government will consider further expansion of the Pilot once this evaluation has been finalised.

Through the *Community Safety Plan for Queensland* the Queensland Government is committing \$39.14 million for strengthening and sustaining court reforms, including Fast Track Sentencing which seeks to address delays in Childrens Courts to ensure timely finalisation of matters and reduce periods of remand.

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### Recommendation 33

That the Queensland Government undertake comprehensive community consultations to develop a plan for transforming the state's youth justice infrastructure and address overcrowding. These consultations should explore how alternative models of youth detention can better address the needs of regional and remote communities, investigate the feasibility of establishing facilities that cater exclusively to children under 14, and seek to build public support for the construction of new facilities outside of major metropolitan centres so that young people can be detained closer to, and supported by their communities.

### Accepted in principle

The Queensland Government consulted closely with the community on recent youth justice infrastructure, with two new detention centres being progressed to provide more regional youth detention services, facilitate connection to community and country, and enable greater access to services both during detention and when transitioning back into community.

Both new centres will support improved rehabilitation for young people, to address reoffending and improve community safety.

A new youth remand facility is also being fast-tracked at Wacol to boost capacity, to address demand and deliver better outcomes for young people in detention. The Queensland Government will work closely with stakeholders, including First Nations representatives, to co-design the Wacol service model, to help address the causes of offending and break the cycle of reoffending.

Through the *Community Safety Plan for Queensland*, the Queensland Government is committing \$261.4 million over four years and \$89.2 million ongoing to implement a therapeutic operating model at Woodford Youth Detention Centre. The Queensland Government will also invest \$149 million over three years to operate the new \$250 million Wacol Youth Remand Centre.

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### Recommendation 34

That the Queensland Government expand Intensive Case Management to more locations, increase the number of children and young people it is funded to assist, and ensure the staff who deliver this program are remunerated at a level that appropriately reflects their expertise.

### Accepted

In 2023, the Government committed over \$30 million to continue Intensive Case Management in Townsville and Cairns; and to uplift service provision in Brisbane, Logan, Toowoomba, Moreton, Gold Coast, Rockhampton, and Ipswich.

Through the *Community Safety Plan for Queensland*, the Queensland Government is committing \$3.5 million to expand Intensive Case Management program for two years across seven locations including: Bundaberg, Redlands, Sunshine Coast, Central West/Emerald, Gladstone Central, and Brisbane and Cleveland Youth Detention Centres'. This is in addition to the expansion to Palm Island and enhancement of Townsville Intensive Case Management programs.

**Recommendation 35**

That the Queensland Government consider the Auditor-General's findings arising from the audit of youth justice strategies and programs before making further investments in programs targeted at reducing recidivism.

**Accepted**

The Queensland Government will consider the Queensland Audit Office report once tabled.

**Recommendation 36**

That the Queensland Government fund a minimum 12-month transition plan for every child and young person transitioning back into the community after detention which is skills, education and health focused, including residential accommodation options. This will require the Queensland Government to identify suitable existing infrastructure for the residential education and training aspects.

**Accepted in principle**

The Queensland Government supports better transitional planning for young people exiting detention and considers additional effort could be made in this part of the service system.

The Queensland Government is committed to considering better transitional planning for young people exiting detention to develop a service model that will focus on reducing recidivism.

**Recommendation 37**

That the Queensland Government urgently address housing availability for children and young people, including emergency and supported accommodation that are connected to support programs or services.

**Accepted**

Through Homes for Queenslanders, the Queensland Government is investing in a range of supported accommodation options for young people, including eight new Youth Foyers, and temporary supported accommodation, as well as the investment in a youth support hub with Brisbane Youth Service.

Through the *Community Safety Plan for Queensland*, the Queensland Government will also provide \$5.7 million to pilot a family reunification program providing housing with support for children aged 12-15 years. A broader range of housing supports are available for children attached to a family household including social housing assistance and private market products and services.

**Recommendation 38**

That the Queensland Government commit to funding an independent evaluation of all substantive legislative amendments made to the Youth Justice Act to assess their impact on current youth justice and community safety objectives as articulated in a Youth Justice Strategy.

**Accepted in principle**

As part of the \$446.4 million investment in youth justice reforms through the 2023-24 State Budget, the Queensland Government invested \$10 million in the evaluation of key youth justice programs and initiatives, to assess the implementation and impact of these reforms. The evaluation of the legislative amendments made to the *Youth Justice Act 1992* in 2023 will be considered as a part of this forward program of work, to determine the impact on youth offending and community safety objectives.



### **Recommendation 39**

That the Queensland Government identify priority areas in which to urgently expand Youth Co-Responder Teams and the Early Action Group model and additional place-based responses to target the cohort of children and young people coming to the attention of police with a multi-agency service response for children and young people and their families. Ideally, the Early Action Groups model should comprise membership from the following agencies: Queensland Police Service, Department of Youth Justice, Department of Child Safety, Seniors and Disability Services, Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts, Queensland Health, Department of Education and the Department of Housing.

### **Accepted**

Youth Co-Responder Teams offer a highly visible, targeted, collaborative and rapid response when and where communities require it the most. Due to their 24/7 model, they bridge the gap where core services are typically unavailable, effectively reducing the incidence of youth crime.

Through the *Community Safety Plan for Queensland*, the Queensland Government is committing an additional \$13.56 million to expand co-responder teams in Gold Coast, Cairns and South Brisbane and establish new Co-Responder teams in Sunshine Coast and South-West.

The Queensland Government supports in-principle the expansion of Early Action Groups, subject to evaluation of the Early Action Groups model.

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### **Recommendation 40**

That the Queensland Government ensure an evaluation of the Elders Cautioning Pilot Program in Inala is completed, and made public, in a timely manner.

### **Accepted in principle**

The Elders Cautioning Program pilot received grant funding in 2021-22 under the Targeted Responses to Youth Crime grants (previously named called Community Partnerships Innovation Grants program).

The project diverted young people at high risk of offending away from statutory youth justice involvement. Elders, or respected community members, conducted cautions based on police referrals and worked closely with mental health practitioners to provide support for young people and their families.

Griffith University will deliver a formal evaluation of this project, which will be considered by the Queensland Government, with a view to publication.

#### **Recommendation 41**

That the Queensland Government identify strategies to empower First Nations communities to deliver effective cautioning programs that are co-designed.

#### **Accepted**

The Queensland Government supports empowering First Nations communities to deliver effective cautioning programs, including co-design of those programs with communities.

The Queensland Police Service is currently delivering joint initiatives with respected persons from First Nations community groups to provide 'co-cautions' to First Nations children. The respected persons co-cautioning model is currently being trialed in Townsville and South Brisbane police districts. There are early indications that the trial sites are achieving success with a number of First Nations children receiving a culturally appropriate caution and follow up support to the subject child and their family.

The Queensland Government will continue to consider any opportunities to enhance cautioning programs, including informed by evaluations.

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#### **Recommendation 42**

That the Queensland Government significantly increase the resources allocated to restorative justice processes in order to reduce delays and improve the experiences of victims who participate in these processes.

#### **Accepted**

The Queensland Government recognises the value of restorative justice processes for both victims and young people, and the importance of timely referrals. The Queensland Government will continue to identify opportunities to expedite restorative justice processes and improve the experiences of victims who participate in these processes.

Through the *Community Safety Plan for Queensland*, the Queensland Government will provide \$5 million over two years to continue and expand the restorative justice services to ensure the victims participating in these processes are supported and experience timely management of their case.

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#### **Recommendation 43**

That the Queensland Government develop and implement strategies to ensure that children and young people are referred to restorative justice processes at the earliest opportunity. This should include measures to ensure that First Nations children and young people are referred to restorative justice processes at rates comparable to their non-Indigenous peers.

#### **Accepted in principle**

The Queensland Government recognises the value of restorative justice processes for both victims and young people, and the importance of timely referrals. Police refer young people to restorative justice processes in accordance with the *Youth Justice Act 1992* and operational procedures. Cultural awareness and cultural safety training is provided to police to support appropriate responses to First Nations young people, including diversion from the criminal justice system and referrals for restorative justice conferencing.

The Queensland Government will continue to identify opportunities to expedite the referral of eligible young people to restorative justice processes and ensure the equity of referrals among First Nations and non-Indigenous young people.

**Recommendation 44**

That the Queensland Government identify why some children and young people do not participate in restorative justice processes when given the opportunity to do so, and develop strategies to improve the rate at which children and young people participate in these processes.

**Accepted**

The Queensland Government recognises the value of restorative justice processes for both victims and young people, and the importance of timely referrals. The Queensland Government will continue to identify opportunities to expedite restorative justice processes including developing strategies to improve participation in these processes.

Through the *Community Safety Plan for Queensland*, the Queensland Government will provide \$5 million over two years to continue and expand the restorative justice services to ensure the victims participating in these processes are supported and experience timely management of their case.

**Recommendation 45**

That the Queensland Government immediately investigate and implement alternative options to watch houses and detention centres for children and young people with a significant mental health conditions and/or disabilities so they can be appropriately diagnosed, treated and to ensure justice outcomes are effective.

**Accepted in principle**

The Queensland Government recognises that young people with mental health issues and disability are overrepresented in Queensland's youth justice system- and that isolation and prolonged detention in watchhouses has a negative impact on young people's mental health and wellbeing.

The Queensland Government will further explore alternative options for children and young people with a significant mental health issue, problematic substance use and/or disability.

As part of the *Community Safety Plan for Queensland*, an additional \$7.1 million will be provided to expand physical and mental health screening and cognitive disability screening in Youth Detention Centres.

**Recommendation 46**

That the Queensland Government ensure that the Queensland Police Service is appropriately resourced to appeal bail decisions relating to children and young people to higher courts where they consider this to be appropriate.

**Accepted**

Through the *Community Safety Plan for Queensland*, the Queensland Government is committing to uplift the Queensland Police Service FTE by 900 police personnel (500 sworn and 400 unsworn) for the Queensland Police Service to meet increasing policing demands and deliver for the Queensland community.

The Queensland Government has boosted police prosecutor numbers, and the Queensland Police Service has now recruited 13 specialist senior prosecutors to review charges, bail objections and court bail decisions in relation to young people where police have objected to bail. The specialist prosecutors assess the bail decision as well as any available diversionary options for young people.

**Recommendation 47**

That the Queensland Government ensure that existing Intensive Bail Initiatives are evaluated and, subject to that evaluation, consider expanding intensive bail support initiatives to ensure that children and young people with complex needs receive the help they need to comply with their bail conditions and are able to access that support across the state.

**Accepted**

The Queensland Government is leading an independent evaluation of the 2023 youth justice reforms, including bail reforms. The evaluation program will include an evaluation of a range of bail support programs in the context of bail settings.

Through the *Community Safety Plan for Queensland*, the Queensland Government is committing an additional \$2.4 million to expand the Intensive Bail Initiative to support the expansion of electronic monitoring of young offenders into additional communities and to a broader cohort.

**Recommendation 48**

That the Queensland Government immediately investigate whether additional resources and/or changes to practice are necessary to ensure information that is relevant to the sentencing of children and young people, including offending history, is provided to the courts by relevant actors, including the Queensland Police Service, the Office of the Director of Public Prosecutions, and the Department of Youth Justice.

**Accepted in principle**

Under the *Youth Justice Act 1992* relevant agencies must assist the court to appropriately sentence a child. The Queensland Government will continue to look for opportunities to enhance resourcing and practice where necessary.

**Recommendation 49**

That the Queensland Government establish Youth Murri Courts in regional Queensland as a priority and explore opportunities to expand the model in other locations in Queensland.

**Accepted in principle**

The Queensland Government will consider the establishment of Youth Murri Courts in regional Queensland and explore opportunities to expand the model in other locations. This will be informed by the final evaluation of the Community Justice Group Program and Fast Track Sentencing Pilot evaluation, as well as consultation with key stakeholders, including Community Justice Groups.

**Recommendation 50**

That the Queensland Government:

- (i) establish residential rehabilitation programs that can provide children and young people with wrap-around supports over an extended period as part of a non-custodial sentencing order; and
- (ii) investigate whether changes to the Youth Justice Act 1992 are necessary to facilitate the participation of children and young people in such programs as part of a non-custodial sentencing order, and introduced any changes identified as necessary.

**Accepted in principle**

The Queensland Government Department of Youth Justice (DYJ) has a range of community-based programs that support young people and families. In addition to the core business of Youth Justice Service Centres, these include Intensive Case Management, Community Youth Response and Diversion, Multi-Agency Collaborative Panels, and Transition 2 Success.

DYJ is currently commissioning services for a new Intensive On Country program for First Nations young offenders, which will include intensive rehabilitation and on country experiences. Service providers are expected to commence accepting clients from September 2024.

**Recommendation 51**

That the Queensland Government immediately review the operation of section 150 of the Youth Justice Act 1992 to determine whether the central principle of community safety is being overshadowed by the principle of ‘detention as a last resort’ as it relates to sentencing. This review should seek input from the Department of Justice and Attorney-General, the Department of Youth Justice, and expert legal stakeholders.

**Accepted**

The Queensland Government is introducing the Queensland Community Safety Bill 2024.

This includes replacing the “detention as a last resort” principle with a new clause. The new clause will clarify a child should be detained in custody where necessary to ensure community safety.

The principle will be redrafted to read:

“A child should be detained in custody, where necessary, including to ensure community safety, where other non-custodial measures of prevention and intervention would not be sufficient, and for no longer than necessary to meet the purpose of detention.”

**Recommendation 52**

That the Queensland Government immediately develop and implement a plan to assess the impact of serious repeat offender declarations on the sentencing of children and young people in an ongoing manner and report on their impact to the Legislative Assembly annually.

**Accept in principle**

The Queensland Government will consider this as part of the existing evaluation work being undertaken by the Queensland Government’s independent evaluation of the 2023 youth justice reforms; and through the Department of Youth Justice’s existing evaluation program. The Queensland Government will continue to monitor the effectiveness of the legislation and identify opportunities for improvement.

**Recommendation 53**

That the Queensland Government immediately expand the scope of serious repeat offender declarations by lowering the threshold at which they can be made.

**Accepted in principle**

As part of the *Strengthening Community Safety Act 2023*, the Queensland Government introduced a special sentencing regime for serious repeat offenders, including the ability for courts to declare a young person as a serious repeat offender. These responses are targeted at the most serious youth offenders, and lowering the threshold would change the policy objective of the declarations.

Consideration will be given to this recommendation subject to the outcomes of the review outlined at 52. The Queensland Government will continue to monitor the effectiveness of the legislation and identify opportunities for improvement.

**Recommendation 54**

That the Queensland Government amend the Youth Justice Act 1992 so that police officers and courts are required to rely on serious repeat offender declarations when making bail decisions in relation to a child or young person who has been charged with a prescribed indictable offence, in a manner that mirrors section 150B of that Act (which requires sentencing courts to rely on serious repeat offender declarations).

**Accepted in principle**

Under the *Youth Justice Act 1992*, children who are an unacceptable risk to the safety of the community must not be granted bail and will be kept in custody. The presumption against bail requires that young people charged with a ‘prescribed indictable offence’ while on bail for an indictable offence are remanded in custody.



**Recommendation 55**

That the Queensland Government through the Queensland Police Service ensures it has effective workforce strategies in place to gradually reduce the gap between approved and actual numbers of police officers in all parts of the state, including for Child Protection Investigation Units.

**Accepted**

In addition to delivering record funding to the Queensland Police Service, the Queensland Government continues to deliver a range of enhanced recruitment strategies and investment to increase police numbers in a very tight labor market.

Specifically, the Queensland Government has invested \$87.5 million over five years to drive new police recruitment strategies, including significant marketing campaigns and financial incentives for recruits. It should also be noted that, having regard to workplace health and safety and industrial considerations, overtime is made available to police officers

**Recommendation 56**

That the Queensland government urgently review the impact of police staffing levels, resourcing and other issues such as attrition and morale, have on crime rates. This should include consideration of recruitment and training capacity for new police.

**Accepted in principle**

The Queensland Audit Office recently examined how effectively and efficiently the Queensland Police Service identifies and manages demand for its services in its Report 4: 2023-24, *Deploying police resources*. The Queensland Police Service accepted all 5 recommendations and implementation is ongoing.

In addition, the Queensland Government's record investments in the Queensland Police Service, including in relation to specific funding for recruitment strategies, is supporting the attraction and recruitment of police officers. Recent QPS data for the January to March 2024 quarter indicates a slow-down in rates of attrition as well.

The Queensland Police Service will continue to investigate ways to improve morale to ensure effective police responses drive down crime rates.

**Recommendation 57**

That the Queensland Government urgently improve the transparency of Childrens Court of Queensland proceedings by allowing victims of crime, their families and media access to courts.

**Accepted**

The Queensland Government is progressing legislation that will give victims, victim's families and media greater access to proceedings of the Childrens Court where appropriate.

### Recommendation 58

That the Queensland Government ensure that victims of crime have access to specially trained staff who can provide them with clear and accessible information about how the youth justice system is responding to the behaviour of the person who offended against them and the outcomes this ultimately delivers.

### Accepted in principle

The Queensland Government supports the provision of clear and accessible information to victims of crime. Through the *Community Safety Plan for Queensland*, the Queensland Government is ensuring that victims of crime and their families have the support and information they need. This includes additional investment of over \$52.3 million towards a number of initiatives including:

- expanding the Victims of Crime Community Response
- enhancing the Victims Liaison Service
- continuing the Queensland Intermediary Scheme, and
- enhancing the Victims' Register to directly support victims of crime.

In addition, the Queensland Government is establishing a permanent Victims' Commissioner in legislation who will be responsible for promoting the rights of victims of crime, and ensuring their needs continue to be met.

The Queensland Government will continue to explore ways of improving information provided to victims, including in relation to how the youth justice system is responding to the behaviour of offenders.

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### Recommendation 59

That the Queensland Government, through the Queensland Police Service, assess and improve current practices for identifying victims of crime to improve the accuracy of victim data, and commit to providing victims data to the Queensland Government Statistician's Office (QGSO) for analysis by the Crime Statistics and Research Unit.

### Accepted in principle

The Queensland Government is considering improvements to a range of criminal justice system data and associated processes. As part of this, the Queensland Police Service will undertake further work to assess current practices for identifying victims of crime to improve the accuracy of victim data and engage with the QGSO on appropriate linkages.

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### Recommendation 60

That the Queensland Government expand the role of the QGSO Crime Statistics and Research Unit as an independent publisher of crime statistics for Queensland to include a new role in producing educational material to assist in the community's understanding of crime trends in Queensland, including the number of victims of crime.

### Accepted

The objective of this recommendation can be achieved within the current remit of the Queensland Government Statisticians Office and there is work progressing on a range of data improvements. As part of this work, consideration is being given to more accessible and transparent data insights for the community to understand crime statistics. It is important to ensure there is an educative role associated with the release of crime and justice statistics, and the Government will continue to promote better understanding of these complex matters.