

Chair's Foreword: Draft Interim Report on the Inquiry into Youth Justice Reform

This report presents a preliminary summary of the Youth Justice Reform Select Committee's Inquiry into ongoing youth justice reforms and support to victims of crime in Queensland.

The task before the committee was a challenging one, especially given the environment of extensive media attention and in an election year. To obtain bipartisan agreements in this space at times has seemed insurmountable.

As has been seen, youth crime is a polarising and complex issue in which community views, vary widely. Evidence based responses initiated since the Atkinson Report have been impacted by a number of factors including work force shortages, as well unique contributors across the state that has evolved over decades, anecdotally amplified by the COVID 19 pandemic.

Regardless, the committee has identified several vital areas of consensus in its work so far. Most notably, there is agreement that all Queenslanders, have a right to feel safe, and that the state's youth justice system is falling short on this front. In addition, that our interventions are not early enough, and that our systems are siloed without the necessary processes to ensure that Queensland children and youth do not fall through health and educational 'gaps'. Importantly, that detention does not deter reoffending, with timeframes for rehabilitation inadequate to effect long-term change as has been seen by the unacceptable high rates of reoffending.

The committee has conducted extensive consultations with stakeholders across the state with regional hearings in Townsville, Cairns, Mount Isa, Rockhampton and Toowoomba. It has also held hearings in Brisbane, the Gold Coast, and the Sunshine Coast, conducted site inspections of key facilities, including youth detention centres, and held a variety of private meetings with judicial officers, Indigenous Elders and young people including offenders.

What has been learnt is deeply saddening. That as a society we are failing our most vulnerable, marginalised and at-risk families and children, as well, the victims that result from these failings, is a cycle that must end. This requires a multi-pronged bi partisan approach, involving actions now and beyond an election term. In addition, both short- and long-term vision, transitional responses, greater ownership by families and communities, and some difficult though necessary conversations around those requiring long term care. As has been shared with the committee many times, responses must be community led and place based.

In the urgency of addressing a specific cohort of serious offenders, some actions may require the use of responses not evidence based. This as those that have been successful nationally or internationally, may not be applicable to Queensland's unique challenges including the remoteness of communities, and ongoing impacts of colonisation.

Importantly clarified throughout the inquiry, is that there is no 'silver bullet' as reducing recidivism now and into the future requires many responses running in parallel. To reduce youth crime and recidivism takes an enormous commitment from any government that must be beyond politics or blame. It takes courage in both the enormous financial ramifications to undertake what must be done and accepting 'truth' on where we have all failed, as well what has been achieved.

This includes ensuring a whole of government understanding that the overarching principles of community safety and confidence be given predominance with regards to the Four Pillars. These must be paramount in every decision made by police, courts, and Youth Justice. As well, by parents, grandparents, friends, neighbours, teachers, doctors, and the whole 'village' that is engendered to raising a child, as well identifying when supports or assistance are needed.

Ultimately, as much earlier interventions are applied to young Queenslanders, these must include their families. Where interventions are no longer possible, feasible or effective, responses in the interim to keep communities safe must be targeted to the specific cohort that is creating the angst, hence Recommendation 53 in relation to an expansion of Serious Repeat Offender declarations.

This in effect ensures both categories of offenses and criteria are amended where the principle of detention as a last resort is removed to ensure community safety through containment or detainment. As seen in the comparative data regarding, states across Australia that have this principle have a much higher incarceration rate than those that do not, indicating that its relevance to court determinations may take a lower precedence than has been portrayed. At this juncture it is difficult to ascertain, however it is not acceptable that a small cohort of offenders have communities living with fear. Until there is clarification, this recommendation should be implemented after consultation with police, magistrates and all who are tasked with keeping communities safe. This must be monitored, hence Recommendation 52 regarding current and any expanded declarations.

It is vital to note that in conjunction with incarceration, the rehabilitative aspects must be strengthened and lengthened timewise to prevent an increase in the numbers reoffending. Rehabilitation, whether delivered whilst incarcerated or in a residential education/training facility at least for a year at the completion of a sentence, is essential.

If we truly are committed to reducing crime, as well care for young Queenslanders who have committed offenses as a result of the environment in which they have been born into including domestic violence and addictions, or from severe cognitive impairments, we must ensure that they are provided a secure environment to create a new pathway. We cannot do this without accepting that young Queenslanders who have repeatedly made bad choices, require good choices to be made for them, with, or without, their or their parents' consent. There must be consequences for actions, as these consequences can actually provide a pathway out from the reasons for offending.

Difficult aspects of this inquiry have been asking questions that no one wishes to raise, however they have been necessary to understand the contributors, as well the solutions and healing needed. This has included as to why Queensland has the highest rate of children in state care.

The words responsibility, accountability and consequences for actions have been predominant messages I have heard during this inquiry, and external to. This has not been relegated to just government, perpetrators or their parents. It has also been in relation to all of us as a society that has moved from the collective 'us', to one of individual needs. The contributors to intergenerational poverty, hardship, disengagement, and vulnerability are within every level of government to work together to address, and even though outside the scope of this inquiry, must be part of the broader efforts. Queensland alone cannot do this.

On behalf of the committee, thank you to the many individuals and organisations who have written submissions, appeared before the committee, or spoken with me personally. Special gratitude to the victims of crime who shared their traumatic personal experiences and the ongoing impacts which can be lifelong. As well, young witnesses, often victims themselves, who revealed their history of offending, time in the youth justice system, and thoughts into how to break the cycle of criminality. Without the insights offered by these first-hand accounts, this Interim Report would not have been possible.

Thank you to our Parliamentary Service staff who have worked tirelessly in especially difficult circumstances, and to the many departments who have assisted the committee with its work. This includes the Department of Youth Justice, the Department of Education, Queensland Health, the Department of Justice and Attorney-General, the Queensland Police Service, Queensland Corrective Services, the Department of Child Safety, Seniors and Disability Services, the Department of Housing, Local Government, Planning and Public Works, and the (former) Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts.

The efforts undertaken by those who work on the frontline in reducing youth crime has not gone unnoticed. The headlines may highlight individuals who have not responded to these efforts, however the many, many thousands who do not reoffend, is testimony to your work and we deeply appreciate all that you do.

May the recommendations within this report lead to the necessary resources and changes to address the reasons for the reoffending of this specific cohort, any that are emerging, as well those who are yet to be identified.

This to create greater safety in our communities for all, now and into the future.

I commend this report to the House.

A handwritten signature in black ink, appearing to read 'Sandy Bolton', written in a cursive style.

Sandy Bolton MP

Chair of the Youth Justice Reform Select Committee

The Committee was dissolved by order of the house on 17 April 2024.