



Minister for Employment and Small Business
Minister for Training and Skills Development
Minister for Youth Justice

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Your Ref: A1109936

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
Email: tableoffice@parliament.qld.gov.au

Dear Mr Laurie

Thank you for your letter of 25 May 2023 regarding Petition No. 3832-22 (received by the Queensland Legislative Assembly on 23 May 2023), about the Youth Justice Act Amendments (Angus's Legislation).

All Queenslanders have the right to feel safe in their homes and communities. I also acknowledge the impact youth offending has on victims, from the tragic loss of life and serious injury, through to property damage and financial loss. I acknowledge these impacts can be significant and have life-long effects and offer my sincerest condolences to the family of Angus Beaumont.

The Queensland Government has listened to the community and we are putting community safety first by targeting serious repeat offenders.

Youth crime is a complex issue that requires ongoing adjustment to our strategies and legislation in line with emerging evidence. We have introduced the *Strengthening Community Safety Act 2023* and new investment of \$332M targeting serious repeat offenders and tackling the causes of crime. These include:

- introducing breach of a bail condition as an offence;
- extending the maximum term of a conditional release order from three to six months, allowing additional supervision and rehabilitative programs to be undertaken;
- stronger conditional release orders so serious repeat offenders are more likely to serve their detention when they breach a condition;
- empowering the court to declare certain young people as 'serious repeat offenders', so tougher sentencing principles must be applied;
- making it more difficult for serious repeat offenders to get bail by expanding the list of offences with a presumption against bail;
- harsher maximum penalties for unlawful use of a motor vehicle offences if the person is armed, uses violence or where the offending is published on social media;
- clarifying that police do not need to consider alternatives to arrest if a young person is breaching, or likely to breach, a condition of their bail.

Further information about these measures can be found at:

<https://www.cyjma.qld.gov.au/resources/dcsyw/youth-justice/reform/strengthening-community-safety-act-fact-sheet.pdf>

The new legislation is now in effect and starting to have some impact, as of 24 May 2023:

- the court has made 12 Serious Repeat Offender declarations;
- The police have laid 360 charges of breach of bail against young people;
- The Courts have exercised the option to order longer conditional release orders, by ordering eight conditional release orders for a longer duration than the previous maximum period of three months;
- 22 young people have been charged with boasting about their unlawful use of motor vehicle offending on social media.

Legislation alone will not be effective in reducing youth crime, so we are continuing to invest in programs and services that are evidence based and proven to reduce offending. We are investing more than \$100 million into diversion and rehabilitation programs that are evidence based and proven to make a difference. Some of these programs include:

- expansion of Intensive Case Management, which targets chronic young offenders aged 13 to 17 years and their families to help break the cycle of crime;
- expansion of Youth Co-Responder Teams, which are dedicated teams of police and youth justice workers who provide 24/7 coordinated response to young people who are at risk of committing offences, including young people on bail; and
- more investment in grassroots early intervention.

We are investing in increased supports to the community to prevent offending and enhance assistance to victims. This includes investing:

- \$17 million into joint flying squads, for police and expert youth workers, to work together in targeting high-risk youth offending and provide specialist support;
- \$15 million into a trial helping senior citizens with the cost of securing their homes in three trial locations across Queensland;
- \$10 million in a trial to help subsidise the cost for Queenslanders to install vehicle immobilisers in their vehicles in trial locations; and
- \$9 million for enhanced assistance to victims of property crime where violence or threat of violence is used.

We continue to boost the capacity of the Queensland Police Service to tackle youth crime, by investing a further \$25 million into high visibility police patrols and proactive policing. There are more than 12,000 police officers in Queensland.

The petition requests that if a young person is a violent offender, they should not receive bail. The *Youth Justice Act 1992* was amended in 2021 to introduce a presumption against bail for young people who commit serious offences, making Queensland's bail laws among the strongest in the nation. The list of offences that presumption against bail applies to includes offences of violence.

Young people who commit serious, violent offences do spend time in detention. Queensland is second to the Northern Territory for the highest number of young people in detention, with 4.6 per 10,000 of our 10–17-year-olds, compared with the national average of 2.8 per 10,000.

The petition calls for the removal of the Court's ability to order concurrent sentences. It is the role of the Courts to make decisions about sentencing of a young person by considering their circumstances. When the Court imposes a sentence for multiple offences, there are various ways that this is reflected. The Court can give one sentence for all offences, which reflects the

seriousness of offending or if the court is sentencing the young person to detention, they can give two sentences and require the young person to serve those periods of detention together (concurrently) or one after each other (cumulative). It is fundamental to our justice system that Courts are independent from the Government and can use their discretion to decide each case on the facts and circumstances.

The petition also calls for young people who are repeat offenders to face adult standards of law. The court process for children and adults is, in fact, very similar, including the process of a trial. Importantly, the differences take into account young people being dealt with in ways that are relevant to the developing brain and circumstances of children and young people, ensuring they are able to follow and participate in the court proceeding.

As the petition requests, the offence for a young person to breach a condition of their bail, was introduced in the *Strengthening Community Safety Act 2023* and came into force on 22 March 2023. As mentioned, the police have since laid 360 charges of breach of bail conditions against young people.

The petition also calls for victims and their families to receive all information about offenders. The Government recognises the significant impact crime has on victims, their families and friends, and their communities. Therefore, along with the tougher measures, we are investing \$9 million to better respond to victims of property crime where violence or a threat of violence has occurred. This funding includes \$3 million to boost counselling capacity and support not-for-profit organisations. Additionally, on 19 May 2023 the Legal Affairs and Safety Committee tabled their report about the support provided to victims. The report made several recommendations to support victims including an increased participation in the criminal justice system.

You can find more information on the Committee's report here:

<https://www.parliament.qld.gov.au/Work-of-Committees/Committees/Committee-Details>

Youth justice policies, investments and programs are based on evidence and focus on victims. The programs are intended to contribute to community safety so our toughest young offenders receive intensive programs, most of which occur in detention or on court orders. They need to be given hope that through vocational education they can have a future.

Most importantly, we continue to look for expert advice and evidence to make sure the community is safe and to support victims. In fact, in the past decade, there has been a 37 per cent decrease in the number of young people (10- to-16-year olds) committing offences, even though there has been a substantial increase in the number of young people in Queensland in that period. We also know that most young people who come into contact with the youth justice system do not re-offend following diversion and rehabilitation programs.

I would like to thank the petitioners for raising this matter with me, and I trust this information has been of assistance.

Yours sincerely



DI FARMER MP
Minister for Employment and Small Business
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