



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

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Dept ref: 1519/23

08 June 2023

Mr Neil Laurie
The Clerk of the Parliament
ClerksOffice@parliament.qld.gov.au

Dear Mr Laurie,

I refer to petition 3860-23 and 3900-23 tabled in the Legislative Assembly on 9 May 2023 and 25 May 2023 titled 'End youth crime in Queensland'.

First, I would like to assure the petitioners that the Queensland Government prioritises community safety. All Queenslanders have the right to feel safe in their homes and communities.

Our policies, investments and programs are based on evidence and focus on victims.

We have introduced the Strengthening Community Safety Act 2023 and new investment of \$332 million targeting serious repeat offenders and tackling the complex causes of crime. These include:

- 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 that serious repeat offenders are more likely to serve out their detention when they breach a condition;
- empowering the court to declare certain young people as 'serious repeat offenders', so tougher sentencing principles to protect community safety 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 to police they 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 on the website at <https://www.cyjma.qld.gov.au/resources/dcsyw/youth-justice/reform/strengthening-community-safety-act-fact-sheet.pdf>.

We have listened and adjusted our policies to ensure community safety.

Alongside tougher measures, 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 balancing the need to ensure courts have the tools to keep the community safe with strong bail and detention, prevention and high visibility policing and early intervention programs for every stage of an at-risk young person's life.

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 calls for the introduction of mandatory minimum and/or cumulative sentences for certain offences. It is the role of Magistrates and Judges to make decisions about bail and sentencing of a young person by taking into account their circumstances independently from the Government. Taking away the discretion of Judges and Magistrates to make a sentence based on all the circumstances through mandatory sentencing, is likely to see young people be given similar sentences even when offences are less serious than others. Young people that commit serious offences do spend time in detention. Queensland, with the exception of the Northern Territory, has 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 young people who are charged with rape, murder, or grievous bodily harm to be tried as adults. The court process for children and adults is similar, including the process of a trial. Some of 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 and to become productive members of our communities including being able to obtain jobs.

In relation to the use of relocation sentencing, as suggested by the petition, international research and Queensland's own experience shows that this model takes young people away from specialist services, and it does not help them develop strategies that will stop them offending when they come back to their community. Moving young people to remote locations is not a safe, effective, or efficient solution to youth crime.

In contrast, the Department of Youth Justice, Employment, Small Business and Training On Country programs take young people onto country for shorter periods, as part of a broader program, that links them to their community, building networks and supports that will last beyond the program. In February 2023, the Government announced a further investment of \$4 million in On Country programs, providing culture-based rehabilitation for First Nations peoples including supervision by On Country Elders.

In addition, two new therapeutic detention centres will be built in Woodford and Cairns. Youth detention centres provide young people with access to the health, education, training, and support services needed to address the root causes of their offending, and facilitate access to the broader service systems, which cannot be replicated in remote areas.

Finally, the petition calls for the House to investigate the need for greater legal protections for people who defend themselves, their family or property from criminals. Currently, under Queensland law, a defence exists, in certain circumstances, when someone uses reasonable force to defend themselves, their property or someone else. Whether this defence applies depends on all the facts and circumstances of the particular case.

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.

Petitioners 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 that our toughest young offenders receive intensive programs – particularly while they are in detention or on court orders. Through targeted, evidence based approaches, and through vocational education they can change their behaviours.

But most importantly, we continue to look for expert advice and evidence to make sure that the community is safe and to support victims. In fact, over the last 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 of the number of young people in Queensland over that period.

I thank the petitioners for taking the time to raise these important issues.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Di Famer', with a large, stylized initial 'D'.

Di Famer MP
Minister for Employment and Small Business, and
Minister for Training and Skills Development, and
Minister for Youth Justice