



The Hon Jarrod Bleijie MP
Attorney-General and Minister for Justice

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Dear Mr Laurie

I refer to Petition No. 2152-13 tabled in the Legislative Assembly on 7 August 2013 regarding appropriate sentencing for young offenders on Horn Island and compensation for victims of crime.

As of 20 August 2013, data indicates that the Department of Justice and Attorney-General (DJAG) is not supervising any young offenders on Horn Island. There are a total number of 10 young offenders currently from the Torres Strait who are serving supervised orders or are in detention. Of these 10 young offenders, DJAG is supervising five young people on Thursday Island and three young people on the outer islands. One of the young offenders is now residing in Cairns and the remaining young offender is serving a period of detention.

Given that Horn Island is the transit point for travel to the mainland, any young offenders on Horn Island are there as a result of travel or to visit relatives. However, I appreciate that there may have been in the past, grave concerns around the levels of youth crime in the region raising serious concerns about community safety.

In response to concerns such as those addressed in this Petition, the Government has initiated a formal review of the *Youth Justice Act 1992* (the Act), which will focus on the issues outlined below. The review is included as one of the Government's key priorities in the Six Month Action Plan (January to June 2013).

The Plan is available online at:

<http://www.thepremier.qld.gov.au/plans-and-progress/plans/6-months-jan-jun-13.aspx>.

Key areas for reform which will be considered as part of the review include:

- making it easier to publicly name and shame young offenders;
- creating an offence for young people who offend while on bail for prior offences;
- the automatic transfer of juveniles from youth detention centres to adult correctional facilities upon reaching maturity;

(2)

- removal of the principle that detention is a sentence of last resort upon sentencing by the courts; and
- allowing crimes committed by a person as a child to be admissible in courts when sentencing them as an adult.

Further, this review and the consequent reforms form part of the larger *Blueprint for the Future of Youth Justice* (the Blueprint) for which community consultation recently closed.

The Blueprint will outline the Government's approach to transforming the youth justice system to one that leads the nation, is supported by our community; and holds young offenders accountable.

The Blueprint will include:

- a plan to work closely with partners to address the causes of crime and manage the demand for youth justice services. This will involve moving young offenders quickly through the system and providing the right support to young people before their offending behaviour becomes entrenched; and
- strategies to prevent crime through working closely with other areas of government, including the Department of Communities, Child Safety and Disability Services and the Department Education, Training and Employment.

These proposed legislative amendments under the umbrella of the Blueprint builds upon actions already introduced by the Government including implementation of a Sentenced Youth Boot Camp Program in the Cairns area and an Early Intervention Youth Boot Camp Program on the Gold Coast. These programs which aim to instil discipline, values and respect in young offenders, are now set to be expanded into the Townsville, Fraser Coast and Rockhampton regions, with camps in these areas due to be operational by late September 2013.

Further, the Government has passed legislation recently which increases the maximum penalty for serious graffiti crime from five to seven years. This legislation also provides a new sentencing option under the Act which will make it a compulsory requirement for graffiti offenders to clean up graffiti as part of their sentences.

Finally, I note the petitioners' request that victims of crime who have sustained a loss of property be duly compensated. This is an option which is currently already provided for under the Act. That is, if a court is considering imposing a fine or an order for restitution or compensation, it must consider the financial circumstances of the offender. Invariably a young offender will be dependent and not have the requisite capacity to pay. As such, one of the key principles underpinning the Act is that a parent of a child is encouraged and supported to fulfil the parent's responsibility for the care and supervision of their child.

(3)

In giving effect to this principle, the court may order that the parent is responsible for the payment of compensation if it is determined that a parent's inadequate supervision contributed to their child's offending. In reaching such a decision, the court must be satisfied of the parent's capacity to pay which is determined by way of a show cause hearing.

Through this process, the court is recognising that primary responsibility for the supervision of children rests with the parents and that, to some extent, parents may contribute to offending behaviour by not providing adequate supervision.

I thank the petitioners for raising these important issues and reiterate that the Government is committed to restoring community safety by strengthening the response to youth crime across Queensland.

Yours sincerely



JARROD BLEIJIE MP
Attorney-General and Minister for Justice