




Speech By  
**Mark Boothman**

**MEMBER FOR ALBERT**

---

Record of Proceedings, 3 November 2016

**YOUTH JUSTICE AND OTHER LEGISLATION (INCLUSION OF 17-YEAR-OLD PERSONS) AMENDMENT BILL**

 **Mr BOOTHMAN** (Albert—LNP) (4.42 pm): I rise to make a contribution to the Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Bill. Like those speakers before me, I thank my fellow committee members, the chair and the deputy chair, the staff and everybody who participated. I thank individuals from the Cleveland Youth Detention Centre and the Townsville Correctional Centre for making our visit to a prison as acceptable as possible. I will not go into the fact that while there were no problems signing in and going through the security devices, some of the members had a lot of trouble trying to get out.

From the outset this was going to be a contentious issue for the committee to deal with. The subject matter has deep ramifications on the day-to-day lives of those serving in our youth detention facilities, especially those who are young in years. This places a massive responsibility on all the committee members to not just take it on faith that the department will be able to instigate procedures to protect those younger youth serving in our youth detention facilities from the potential violence inflicted by those who are much older. I am talking about individuals who are the size of a fully grown adult; larger, one could say, than a lot of the individuals in this chamber here today. These individuals could possibly be responsible for the most horrendous crimes imaginable. We are not talking about the odd offence. To be placed in a prison or a youth detention centre a person must have committed multiple offences or offences that are classed as serious in the eyes of the community. There is always the chance of rehabilitation, the fear of entering these detention facilities as a deterrent and those wishing never to return. Sometimes deterrent is not enough and there are those in our society who wish to flout our laws and the liberties of others. There are those who are simply cruel at heart and have no conscience or respect for others and have their own twisted reality.

Many members in this chamber, if not all of them, have been contacted by those who have been victims of crime and possibly by families who have loved ones serving in detention centres. The majority of those families who have family members serving in detention centres wish their blood relatives who have committed crimes against our community a speedy transformation and reform. In recent times we have seen in media outlets where department regulations and planning have failed to protect the wellbeing of those most in need of guidance and protection. This is not a matter of blind trust in a world where some comic-book hero comes down to save the day; this is a hard, fast reality of our modern society. The protection of the individual is paramount.

When it comes to the wellbeing of members of society, Queenslanders and the people in our individual electorates have instilled in us that it is our role to perform to the best of our ability, even if that is creating laws so airtight and thorough that those who have deviated from the path that is acceptable to our society have a safe environment in which to reform. I am sorry, but I would fail in my obligation and the promise I gave the good people of the northern Gold Coast and southern Logan City

if I did not perform my role in that way. It is the morally right thing to do to demand what regulations this Palaszczuk government has planned, if any, when it comes to developing a transition plan and how it will deal with adult sized prisoners around 10-year-old youths. Under the current system a 17-year-old prisoner is separated from the adult prison population. They are not allowed to interact. They are housed in a sea of concrete and steel. Those walls are a layer of protection from what is beyond and, potentially, protection from those in the general prison population.

Those opposite talk about United Nations conventions and discuss the broad benefits of including 17-year-old youths in youth detention centres, but these individuals are not gentle giants, they are there for a reason and let us not forget that. Placing these individuals with youths who are one-third their size creates serious concerns. Therefore, let us not talk about the broad benefits of a reoffending 17-year-old mixing with other juveniles as young as 10, 11 or 12. Let us not forget some of them have committed horrendous crimes. Fifty-two per cent of those currently in youth detention facilities have had prior admissions to detention. I should add that as the department did not collect the reoffending rates of those who have served in youth detention centres, it is unclear how high these numbers could really be.

In relation to the statement that the lack of vocational education training opportunities seriously hampers the ability of these youths to reform and give them the skills they need for future careers, as was stated by an officer in the detention centre, due to the varying sentences, some very short in duration, it is hard for a youth to complete even a single certificate module.

I note that at the facility we visited no current vocational education or training is occurring. I can certainly understand the concerns that the guards highlighted. However, if youth are there for only a very short time, there is not enough time for them to complete even a single certificate module, which defeats the purpose. We attended a workshop. There was a car and, as the member for Pumicestone highlighted, an outboard motor sitting idly by. Maybe in future legislation we should look at youth completing not just time but also some modules, so that they get some type of educational benefit to use when they leave.

My biggest concern with this bill is its lack of detail, especially around the transition plan and what it will cost the Queensland taxpayer. The explanatory notes refer to \$44 million per annum. However, the department acknowledges that it is difficult to put a cost on the transition, both initially and going forward. It should be noted that that cost does not include the cost of additional staff. Again, my concern is the lack of detail in the bill. In good conscience, I cannot support something where there is possible risk for younger offenders—that is, the ones who have a chance to reform and become meaningful members of society. I cannot support a piece of legislation that is paralysed with no plan. Therefore, I cannot support the bill.