

4 October 2016

Your ref ETISBC

Our ref (ND/Children/Criminal)

Research Director  
Education, Tourism, Innovation and Small Business Committee  
Parliament House  
George Street  
Brisbane Qld 4000  
[REDACTED]

Dear Research Director

**Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Bill 2016**

Thank you for the opportunity to provide comments on the *Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Bill 2016*. The Queensland Law Society (QLS) appreciates being consulted on this legislation. The QLS has consistently advocated for the inclusion of 17-year-olds in the youth justice system and welcomes this important legislative reform.

This response has been compiled with the assistance of the Children's Law Committee and the Criminal Law Committee who have substantial expertise in this area.

The QLS is the peak professional body for the State's legal practitioners. We lead a profession of more than 9,000 member practitioners throughout Queensland. The QLS is comprised of several specialist committees who provide policy advice to the QLS Council on law reform and areas of concern to the profession.

**Policy position**

The Queensland Law Society strongly supports the removal of 17-year-olds from the adult criminal justice system. The introduction of this legislation recognises the special vulnerability children and young people, including 17-year-olds, and reflects the evidence that increasing the severity of punishment is ineffective in reducing recidivism. The youth justice system is significantly better placed to provide appropriate and effective management of criminal behaviour in 17-year-olds.

The QLS supports the transitional arrangements for the transfer of 17-year-olds currently in the adult criminal justice system to the youth justice system, to bring Queensland in line with all other Australian jurisdictions and in accordance with the Convention on the Rights of the Child.

**Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Bill  
2016**

**The Bill**

The QLS is of the view that the *Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Bill 2016* achieves its policy objectives.

The QLS does not apprehend any issues with the introduction of this legislation provided that, upon its passage, the processes of providing necessary infrastructure and services to meet the increased demands on the youth justice system are comprehensive, as intended.<sup>1</sup> The QLS would appreciate the opportunity to provide feedback on the transitional regulations, once complete.

The QLS commends the introduction of this Bill.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Policy Solicitor, Ms Natalie De Campo or [REDACTED]  
[REDACTED]

Yours faithfully

[REDACTED]  
Bill Potts  
**President**

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<sup>1</sup> <http://www.justice.qld.gov.au/corporate/about-us/business-areas/youth-justice>.