

MINISTER FOR CHILDREN AND YOUNG PEOPLE FOR THE AUSTRALIAN CAPITAL
TERRITORY

STANDING COMMITTEE ON EDUCATION, TRAINING AND YOUTH AFFAIRS
ANNUAL REPORT HEARING

Friday, 4 December 2009

Question Taken On Notice

MRS DUNNE Asked the Minister for Children and Young People:

So can someone give me an explanation as to the motivations for this conscious policy away from a parole-type system for young offenders?

MINISTER BURCH - The answer to the Member's question is as follows:

The Explanatory Statement for the Children and Young People Bill 2008 explains this policy.

Section 133G of the *Crimes (Sentencing) Act 2005* replaced the statutory remissions scheme previously contained in the *Children and Young People Act 1999*. This section, which commenced on 27 February 2009, requires a sentencing court, in sentencing a young offender to detention, to consider making a good behaviour order with a supervision condition following the period of imprisonment. This formalised the previous practice of the Children's Court making post-release supervision orders for young offenders.

The effect of combining a sentence of imprisonment and a good behaviour order with a supervision condition meets the rehabilitative goal of supervising a young offender's return to the community akin to a parole system. If a young offender breaches their good behaviour order, the person is brought before the sentencing court and the Court's sentencing jurisdiction is re-enlivened.

The Government decided that this policy was preferable to implementing a parole scheme for young offenders.

Approved for circulation to the Member and incorporation into Hansard.

Joy Burch, MLA
Minister for Children and Young People

Date:.....

HANSARD:

MRS DUNNE: On this subject—I am glad Mr Coe raised it. This was a matter of considerable comment at the time of the implementation of the new Children and

Young People Act. I have never had a satisfactory explanation—Mr Reid touched on it—so can someone give me an explanation as to the motivations for this conscious policy away from a parole-type system for young offenders?

Mr Hehir: I am probably going to have to ask to get back to you on that because I was not involved in the development of the act at the time. Can we take it on notice to respond to that? I can talk about what I feel at the moment, but I cannot tell as per your question.

MRS DUNNE: The trouble with what you feel, Mr Hehir, is that it is actually not policy. Policy is driven by ministers. I would like some understanding of what drove the policy to where it is and what might drive the policy in the future. It might be better for the minister to take that on notice.

Ms Burch: I am happy to take that on notice and get back to you.