

May 2021

# Electronic monitoring trial

Amendments to the *Youth Justice Act 1992* to strengthen accountability for serious repeat youth offenders commenced 30 April 2021.

This small proportion of youth offenders commit a large proportion of all offences in the state and have an unacceptable impact on community safety.

Amendments include time-limited provisions allowing courts to use electronic monitoring as a condition of bail for young people aged 16 and over, in certain circumstances.

The Government is implementing the technology as a **12-month trial** in five sites:

- Townsville
- north Brisbane
- Moreton
- Logan
- Gold Coast.

The [Youth Justice Regulation 2016](#) was amended on 17 May 2021 to prescribe the postcodes that make up the trial sites (see schedule 1AA).

These provisions are designed to protect community safety. They will only be imposed on repeat youth offenders charged with prescribed indictable offences, who would benefit from more intensive bail conditions.

## What is an electronic monitoring device?

An electronic monitoring device is a device fitted to a young person's ankle that monitors their location using GPS coordinates. It provides real-time alerts of any unauthorised movements.

A beacon is also located at the young person's home.

## Eligibility

To be eligible, a young person must:

- be at least 16 years of age
- be appearing for a prescribed indictable offence (serious indictable offences such as breaking and entering)
- have previously been found guilty of at least one indictable offence
- live within one of the approved trial sites.

## What the court must consider

The court must consider a range of factors, including the child's capacity to understand the condition, and whether the child is likely to comply, having regard to the personal circumstances of the child, such as:

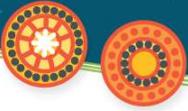
- whether they have stable accommodation
- whether they have the support of a parent or another person to assist with compliance
- whether they have access to a mobile phone to facilitate contact with the monitoring service
- whether they have access to an electricity supply to keep the device charged.

Before ordering an electronic monitoring device as a bail condition, the court must order an assessment of the young person's suitability.

The Department of Children, Youth Justice and Multicultural Affairs (DCYJMA) will prepare a suitability assessment report. It will cover the factors listed above, and anything else that is relevant.

## How does the device get fitted?

Police will fit the device in the watch house near the court. If the young person is in a detention centre when the order is made,



DCYJMA will transport them to the watch house.

The fitting may take several hours. Information about bail conditions must be uploaded into the monitoring system, and the device needs to be linked with the system then tested.

The court may make an order that the young person be detained until the device is fitted.

### How does it work after that?

The young person is responsible for:

- keeping the device charged
- keeping their mobile phone charged
- always having their phone with them so they can be contacted at any time if there are any issues (which may prevent the police being called).

Queensland Corrective Services (QCS) will monitor the young person's location and will know if there is a breach of a condition such as a curfew. They will also know the status of the device.

QCS may contact the young person directly by phone for minor issues such as a low battery.

For more serious issues, such as a breach of curfew or tampering with the device, QCS will contact police.

DCYJMA or a bail support service will be able to help if the young person is having trouble with the device or any of their bail conditions.

### Extra services

Extra monitoring and supervision services are being put in place for high-risk repeat offenders, including young people subject to electronic monitoring bail conditions.

Queensland Police Service and DCYJMA staff will provide high levels of monitoring and supervision, including on weekends and after hours with:

- 24/7 co-responder teams
- conditional bail program youth workers.

After-hours support will also be available to families of these young offenders to help them manage their children's compliance.

### How do we know if electronic monitoring will work?

As this is a trial, it will be closely monitored during its implementation and reviews will be undertaken at six months and after 12 months.

Mr Bob Atkinson will independently report to the Government in late 2021 about how the reforms have worked, including the electronic monitoring trial.