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**Nick Dametto**

Member For Hinchinbrook

## **MEDIA RELEASE**

16 March 2023

### KAP MAKES MOVES TO COMBAT YOUTH CRIME

The Palaszczuk Government failed Queenslanders and all victims of youth crime today when they declined to allow amendments to be introduced into Parliament that would have created meaningful change and curbed the youth crime epidemic.

Katter's Australian Party (KAP) sought to introduce their amendments to the Strengthening Community Safety Bill 2023 to be considered and voted on by the parliament but were blocked from doing so. Labor, LNP & the Greens all voted against KAP's amendments and resulted in Labor's impotent legislation being passed without resistance.

KAP Leader and Traeger MP Robbie Katter, whose Traeger electorate has the highest youth crime rate on a per capita basis, said the KAP held out little hope the Government's new laws would adequately address youth crime.

"We believe an alternative sentencing model is essential to breaking the cycle of youth crime that has taken over our communities, and tinkering around the edges like this just won't do.

"That is why one of the key policies that the KAP have stayed with for five years and have never deviated from is Relocation Sentencing.

"It is absolute madness to keep trying the same thing and expect a different result – some kids are literally saying, 'I wanted to go to Cleveland.'

"There is no deterrent with breach of bail or slightly longer sentences – the toughest consequence they can be given is going to Cleveland, where 100 or 150 kids congregate all in the one spot, and this is something they often welcome. The consequence is sadly a reward.

"A real deterrent is a long-time stint in a remote community where there are less distractions and kids are forced to face themselves and stare long and hard at their future."

KAP Member for Hill Shane Knuth, said the Government had a last chance, a golden opportunity to finally tackle the crisis that is youth crime, however they have again dropped the ball and let down the people of Queensland, with this poorly put together "claytons" Bill.

"Unfortunately, it again demonstrates they are big on talk, but clueless when it comes to action on an issue they have largely ignored and left to fester for nearly a decade," Mr Knuth said.



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KAP Deputy Leader and Hinchinbrook MP, Nick Dametto said that the sad reality was that youth crime will continue to plague our regions and there will be more unnecessary losses of life as a result.

“Our amendments would have brought meaningful change state-wide by ensuring that the most common youth crime offences of unlawful use of motor vehicle, burglary and break and enter carried a mandatory minimum penalty.

“I believe that if you do the crime you should do the time, that’s why KAP introduced amendments that would have seen children convicted of the most heinous crimes like murder and rape sentenced as adults.

“The judiciary are desperate to be given the tools that would allow them to do their job and authorise them to hand down penalties that align with the expectations of the community,” Mr Dametto said.

“Removal of detention as a last resort would free the judiciary from the restraints of the *Youth Justice Act* and give them the freedom to exercise their legal authority as we rightly expect them to do.

“This Government has demonstrated it’s only capable of doing just enough to be able to say they did something and the LNP is not that much better, only capable of introducing a KAP policy as an amendment that was thrown out because our leader introduced the same amendment at the start of this term which funnily enough, the LNP voted against.<sup>1</sup>

“Queensland deserved to be listened to, we listened, that’s why we introduced our amendments. It’s gutting to know that Labor, the LNP and the Greens wouldn’t support us. I guess that’s politics.”

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<sup>1</sup> *SPEAKER’S RULING—APPLICATION OF SAME QUESTION RULE TO STRENGTHENING COMMUNITY SAFETY BILL*

I have considered the application of the same question rule to the Youth Justice and Other Legislation Amendment Act 2021 and the Strengthening Community Safety Bill 2023. On 25 February 2021 the Minister for Police and Corrective Services and Minister for Fire and Emergency Services introduced the Youth Justice and Other Legislation Amendment Bill. The bill was passed with amendment on 22 April 2021. On 21 February 2023 the Minister for Police and Corrective Services and Minister for Fire and Emergency Services introduced the Strengthening Community Safety Bill. Standing Order 87 provides the general rule of Westminster parliamentary practice that, once the House has resolved a matter in the affirmative or negative, the same question shall not again be proposed in the same session. Similarly, Standing Order 150 provides for the application of the same question rule in relation to amendments, new clauses or schedules of a bill. As previous Speakers have noted, the matters do not have to be identical but merely the same in substance as the previous matter. In other words, it is a question of substance, not form (Speaker Reynolds, Record of Proceedings, 9 September 2008, p. 2559). Clauses 14 and 41 of the Strengthening Community Safety Bill propose amendments to provisions that are substantially the same as amendments previously considered and agreed to by the House in the same session of parliament. This is contrary to Standing Order 87. Accordingly, I rule that the same question rule is enlivened by clauses 14 and 41 of the bill contrary to Standing Order 87. A motion to suspend Standing Order 87 would be required for these clauses to be considered. Furthermore, the Member for Burdekin yesterday afternoon approved the circulation of amendments to the Strengthening Community Safety Bill 2023. **Amendment number 6 is the same as an amendment moved by the Member for Traeger to the Youth Justice and Other Legislation Bill 2021. That amendment was negated, thus enlivening the same question rule in Standing Orders 87 and 150 to the Member for Burdekin’s amendment number 6.**



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The KAP's full amendments to the Strengthening Community Safety Bill 2023 are:

Amendment 1 – Removal of **detention as a last resort**.

Amendment 2 – Mandatory sentencing regime for particular offences – **minimum sentencing**.\*

Amendment 3 – Presumption to be **tried as an adult** for particular offences.\*\*

Amendment 4 - **Relocation sentencing**

**\*Amendment 2 – List of offences:**

1. Section 408A Unlawful use of motor vehicle
2. Section 419 Burglary
3. Section 421 Enter or being in premises (break and enter)

**\*\*Amendment 3 – List of offences:**

- Section 302 and 305 (Murder)
- Section 303 and 310 (Manslaughter)
- Section 306 (Attempt to murder)
- Section 307 (Accessory after the fact to murder)
- Section 313 (Killing unborn child)
- Section 314A (Unlawful striking causing death)
- Section 317 (Acts intended to cause grievous bodily harm and other malicious acts)
- Section 320 (Grievous bodily harm)
- Section 320A (Torture)
- Section 321 (Attempting to injure by explosive or noxious substances)
- Section 328A(4) (Dangerous operation of a vehicle)

Note— Dangerous operation of a vehicle causing death or grievous bodily harm.

- Section 349 (Rape)
- Section 350 (Attempt to commit rape)
- Section 351 (Assault with intent to commit rape)
- Section 352(2) or (3) (Sexual assaults)

Note— Sexual assault in circumstances for which the offender is liable to imprisonment for a maximum of 14 years or life.

- Section 409 and 411(2) (Robbery)

Note— Robbery in circumstances for which the offender is liable to imprisonment for life.

**-END-**



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**Photo:** Hinchinbrook MP and KAP Deputy Leader Nick Dametto.

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