



# **Convicted Upskilling and Employment Youth Act 2018**

## **Youth Act No. 2 of 2018**

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**A Youth Act to upskill and increase the employment opportunities of convicted youth**

**[Assented to 26 October 2018]**





# Convicted Upskilling and Employment Youth Act 2018

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The Parliament of Queensland enacts—

## Part 1 Preliminary

### 1 Short title

This Youth Act may be cited as the *Convicted Upskilling and Employment Youth Act 2018*.

### 2 Commencement

This Youth Act commences on a day to be fixed by proclamation.

### 3 Main purpose of Youth Act

The main purpose of this Youth Act is to upskill previously and currently detained youth and incentivise the employment of youth with prior convictions; so as to increase employment and decrease recidivism through community engagement.

### 4 Definitions

In this Youth Act—

*community engagement* means voluntary engagement with any community-based non-governmental organization.

*false claims* means where an individual or business either knowingly presents a false or fraudulent claim for payment, knowingly makes a false record or statement material to a false or fraudulent claim

*non-violent offence* means a crime where no injury or force is used on another person.

*partnered business* means any business partnering with or participating in the WRPYD.

*training placement* means training provided at the placement, by the partnered business, as a requirement to the WRPYD.

*youth* means a person between the ages 16 and 25 inclusive.



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**7 Cases of Additional Care**

- (1) In cases of youth with learning disabilities or health issues, appropriate supervisory authorities must be assigned.
- (2) In cases where youth are found to have an unstable mental health, the appropriate supervisory authority such as chief psychiatrist appointed under the Mental Health Act 2016 should be assigned.
- (3) In such circumstances the youth must undergo proper re-evaluation before to determine if the youth is currently fit to participate in the program.

**8 Termination of Director**

- (1) In cases where the Board or director display inappropriate behaviour, a reopen of nomination should be announced with oversight by the external Queensland Government Youth Justice centres.

**9 Assurances of training and skills delivery**

- (1) Directors will be ultimately overseen by the Board who have powers to—
  - (a) reassign WRYPD Centre Directors as needed without causing frequent removal of directors from centres; and
  - (b) increase or decrease funding for a particular centre; and
  - (c) assign directors to complete further training; and
  - (d) dismiss directors or employees; and
  - (e) implement new services or policies to respective centres as they see fit.

**Division 2 Access to Centres**

**10 Eligibility to Access the WRYPPT Centre**

- (1) WRYPD Centres are available to youth who have been accepted in the WRYPD program.

**Division 3 Training, Skills and Services**

**11 Purpose of the Division**

- (1) To ensure a diverse range of needs are being met every WRYPD centre must provide all the services contained in this division.

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- (2) WRYPD Centre Directors in consultation with the Board, have discretion on how these services are to be established.

## **12 Indigenous and Multicultural Services Within Centres**

- (1) Where possible, safe spaces must be provided in DAYLON centres where Indigenous Australians and multicultural groups can access services in a culturally appropriate manner including:
  - (a) translation services; and
  - (b) services for the hearing impaired; and
  - (c) ELS (English Learning Support) teachers.
- (2) Support services must be provided to assist Indigenous groups and minority groups Australians in applying for Government assistance, scholarship, apprenticeship and traineeships.
- (3) Cultural programs must be made available through DAYLON with credit transferable to the completion of the DAYLON centres
- (4) Centres to assist in encouraging culture within the broader community.

## **13 Indigenous Services**

- (1) DAYLON Centres must provide basic health services including—
  - (a) bulk-billed psychiatrist services on site; and
  - (b) bulk-billed post-natal check-ups; and
  - (c) bulk-billed general check-ups.

## **14 External Services**

- (1) DAYLON Centres must provide basic health services including—
  - (a) bulk-billed psychiatrist services on site; and
  - (b) bulk-billed post-natal check-ups; and
  - (c) bulk-billed general check-ups; and
- (2) Centres must have provision and resources available for participants to request external services including but not limited to dietary and dental services.

## **15 Job Skills**

- (1) DAYLON Centres must include the following training programs free of charge—
  - (a) First Aid training; and



- (b) appropriate and relevant Certificate training in the relevant industry the youth will be entering (up to a Certificate III level); and
- (c) written and oral English classes.

## **16 Life Skills Workshops**

- (1) It will be recommended to all youth within the program to attend monthly Intelligent Investor (II) or Next Generation Networking (NGN) workshops
- (2) Intelligent Investor Workshops primary aim will be to:
  - (a) Provide advice on how to invest and create finances; and
  - (b) Where to seek advice and how to use internet services; and
  - (c) How to manage a bank account; and
  - (d) Provide smart saving strategies including the option to join saving programs such as Commonwealth Bank of Australia Dollarmites
- (3) Next Generation Networking Workshops primary aim must be to:
  - (a) Provide networking strategies and tips on how to appropriately communicate with external parties; and
  - (b) Provide a directory on how to seek opportunity; and
  - (c) Hold monthly “speed dating” sessions amongst youth detainees to develop closer friendships and practice such skills.

## **17 Support Services**

- (1) Each Centre must also have the following free services on site free of charge—
  - (a) financial counselling; and
  - (b) legal aid; and
  - (c) housing support; and
  - (d) liaison officers; and
  - (e) Career advisors.

## **18 Emergency Assistance**

- (1) Where deemed appropriate, WRYPD Centres may provide emergency support to youth who apply. This assistance includes but is not limited to—
  - (a) provision of food assistance;
  - (b) provision of emergency shelter;



- (b) report no misdemeanours while in placement; and
- (c) successfully complete the basic training specific to the job, in the first 12 month of placement; and
- (d) show willingness to engage with their community by taking part in the community engagement sessions offered in the Program.

## **Division 2 Requirement for Partnered Business**

### **20 Requirements**

- (1) Offer a contract, of at least one year, for part time or full-time employment following the youth completes their period of placement.
- (2) Pay the legal standard with regards to the industry and the age of the Youth.
- (3) Offer 15-30 hours for part-time; or
- (4) Offer standard 38-hour full time working week

## **Division 3 Requirement for Liaison Officer**

### **21 Job requirements**

- (1) Ensuring that the Liaison Officer has a valid Blue Card while working with the detainee; and
- (2) Ensuing that the Youth is compliant with the Bill as pursuant to Part 3, Division 1 of this Bill.
- (3) While the detainees are completing their placement, the liaison officer must visit detainees monthly for the first 12 months of the placement.
- (4) Visits from the Liaison Officer will include—
  - (a) overview of the work environment; and
  - (b) meeting with youth; and
  - (c) meeting with business owner; and
  - (d) detainee writing a review of the week, including problems; and
  - (e) business owner writing a review of the detainee weekly, including problems; and
  - (f) check up on their training and skills.



- (a) oversee compliance to the act; and
- (b) apply appropriate measures to ensure that the overarching goals are achieved; and
- (c) Ensure the program is operating in an efficient and just manner for all participants.

## **27 Board Members**

- (1) The Board must have members including—
  - (a) a Chief Commissioner, selected by the Minister for Communities
  - (b) education experts; and
  - (c) psychologists; and
  - (d) youth detention experts.
- (2) Members of the board will be appointed for 4-years, only being able to serve for a maximum of two consecutive terms
- (3) Members of the board will gather data from experts of their specialised field from the seven regions defined by the Queensland Government Trade and Investment including:
  - (a) South-East Queensland;
  - (b) Southern Downs;
  - (c) Wide Bay-Burnett;
  - (d) Central Queensland;
  - (e) Whitsundays;
  - (f) Northern Queensland;
  - (g) Far North Queensland.
- (4) The Chief Commissioner is to be appointed for a single 8-year is responsible for—
  - (a) the running of the board; and
  - (b) determining the workload and is responsible for the board members; and
  - (c) advising the Minister, in consultation with the commission, on community services funding priorities; and
  - (d) making public statements on behalf of the commission; and
  - (e) making public statements on behalf of the commission; and
  - (f) advising the minister on whether the members of the commission should be removed.

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**28 Minister's role in appointing Board Members**

- (1) When appointing members of the Board the Minister must take into account the following—
  - (a) members must have at least 5 years' experience in the fields of education, psychology and/or youth detention; and
  - (b) members must be willing and available to travel to regions any region of Queensland for extended periods of time should this be necessary
  - (c) board members must have obtained a certificate IV in Youth Justice or a Diploma of Youth Justice
  - (d) board members must have obtained appropriate First Aid Certificate
  - (e) members must also be willing to contact caregivers or family members of the convicted youth and allow organised reunions, to ensure the continued relationship with close relatives.
- (2) The Minister, in consultation with the Chief Commissioner reserves the right to—
  - (a) set the level of remuneration for members of the Board; and
  - (b) remove any member of the Commission, excluding the Chief Commissioner, at any time; and
  - (c) decisions of the minister under clause 5 are capable of appeal to the Queensland Civil Administrative Tribunal (QCAT)

**29 Appointment of Liaison Officers**

- (1) Liaison officers will be appointed by the board for each Youth
  - (a) this will be done through an application process consisting of:
    - (i) a written application; and
    - (ii) an interview with member of the board; and
    - (iii) completion of a National Police Check
- (2) Liaison officers must have previous experience of at least 3 years within a role such as, but not limited to—
  - (a) corrective services; or
  - (b) counsellor; or
  - (c) social worker.
- (3) Liaison officers must have worked within youth detention previously.
- (4) Liaison officers are responsible for the holistic coordination of the DAYLON program for each region.