



ECONOMICS AND GOVERNANCE COMMITTEE

Members present:

Mr LP Power MP—Chair
Mr RA Stevens MP (via teleconference)
Mr MJ Crandon MP (via teleconference)
Mr DG Purdie MP
Mr A Tantari MP
Mr CG Whiting MP (via teleconference)

Members in attendance:

Mr RI Katter MP
Mr N Dametto MP
Mr AD Harper MP

Staff present:

Ms J Langford—Committee Secretary (Townsville)
Ms M Salisbury—Assistant Committee Secretary
(Brisbane)

PUBLIC HEARING—INQUIRY INTO THE STRENGTHENING COMMUNITY SAFETY BILL 2023

TRANSCRIPT OF PROCEEDINGS

Thursday, 2 March 2023

Townsville

THURSDAY, 2 MARCH 2023

The committee met at 10.00 am.

CHAIR: Good morning. I declare open this public hearing for the committee's inquiry into the Strengthening Community Safety Bill 2023. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today, and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and waters we all share.

My name is Linus Power, member for Logan and chair of the committee. The other committee members here with me today are Dan Purdie, member for Ninderry, and Adrian Tantari, member for Hervey Bay. The following members are attending via videoconference: Ray Stevens, member for Mermaid Beach and deputy chair; Michael Crandon, member for Coomera; and Chris Whiting, member for Bancroft, who is a substitute member for Melissa MacMahon, member for Macalister. The committee has also granted leave under standing order 209 of the Standing Rules and Orders of the Legislative Assembly for the following members to participate and question witnesses at the hearing today: Robbie Katter, member for Traeger; Nick Dametto, member for Hinchinbrook; and Aaron Harper, member for Thuringowa.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence.

The inquiry being undertaken by the committee has come about as a response to matters that have resulted in criminal charges, some of which are now pending in the courts. The Legislative Assembly and its committees recognise that matters awaiting or under adjudication in all courts exercising a criminal jurisdiction should not be referred to from the moment a charge is made against a person until the matter is resolved. All witnesses are therefore reminded not to refer to matters before the criminal courts in their evidence. Witnesses should also ensure that any question or statement concerning a child subject to the Child Protection Act 1999 or the Youth Justice Act 1992 is made in a non-identifying manner. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and my direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Please turn your mobiles phones off or to silent mode.

HILL, Councillor Jenny, Mayor, Townsville City Council

VERWEY, Mr Jonte, Councillor Adviser to the Mayor, Townsville City Council

Ms Hill (audio missing) of two years ago which is that all offenders over the age of criminal responsibility, 10 years old, should be eligible.

I also want to take this opportunity to reiterate my view that the age of criminal responsibility should not be raised. I am aware that this is not up for debate in this bill, but it is an important point to (audio missing) access to these programs and allowing them to be continued if found guilty and sentenced to a period of youth detention. Saying that we do not have enough space in youth detention is a bit of a furphy in my (audio missing) and not getting the support they require and the community expects. An announcement late last year about expanded capacity in youth centres has come a bit too late. Constructing these facilities and the exploration of things like remote area relocation sentencing, as has been called for by the members for Hill, Traeger and Hinchinbrook, is worth exploring.

I would also submit that it is necessary for there to be a strengthening provision around considering criminal offending when adult offenders were youth should carry a much greater weight when sentencing as an adult. (Audio missing) many of the communities concerned about how the state of Queensland deals with youth offenders.

Addressing the root cause has been the subject of much media interest in the last few weeks, with the mayor of Mount Isa, Councillor Danielle Slade, and the mayor of Cairns, Councillor Bob Manning, joining me in writing to the Queensland government and opposition with a raft of suggestions. Those are beyond the scope of this bill, but I would call on the parliament to address these concerns and suggestions in the near future. Members, I am pleased to express my support for this bill and urge you to consider the amendments and concerns I have put forward. I am very pleased to take questions from the committee members or guest members. Thank you.

CHAIR: Thank you very much, Mayor Hill. (audio missing)

Ms Hill (Audio missing). (Inaudible). They are disenfranchised. They are living in overcrowded homes. They are coming off communities (inaudible)—their families, (inaudible) for example children having children. Many of us do not believe that the child baby bonus did actually any favours. It encouraged some families (inaudible) \$6,000 was great and had a couple of kids, not understanding that there are some responsibilities (inaudible).

Breach of bail and those issues will deal with the short term. We need to deal with the short term. If you look at the letter that the three mayors signed off on, it was a short-term fix but we are asking for long-term solutions—long-term solutions around dealing with alcohol in our community; long-term solutions around housing; long-term solutions about protecting these kids so they do not become the next generation of criminals.

Mr PURDIE: I want to unpack that a bit further. I was formerly a police officer in the child protection field. A lot of those problems we spoke about—what you saw when you were a health professional, the intergenerational problems, their homes—are not necessarily that acute. They are more systemic. We have had those problems for a long time.

CHAIR: I think we understand that.

Mr PURDIE: More acutely we have seen this crime problem escalate. We all appreciate those generational issues. Do you know why we have seen such an explosion in crime in such a short amount of time?

CHAIR: I said yesterday that we had FASD in the eighties. We just did not diagnose it. It is not like they are new issues. The reality of tougher crime is.

Ms Hill: We have seen a change in social media. I talked to a group yesterday who have issues in their area and we have been working with them. Our advice to them is to not post anything about it on social media. It is seen as notoriety. There is no respect for them in their home. They are not valued in their home. They are valued through their gangs and things like that. That is advice we have received from the police as well—to not post too much because the moment you do—

CHAIR: They thrive on it.

Ms Hill: They thrive on it. We will work with this section in our community around the issues they have and work with police. I think it is around notoriety. It is about finding a standing and finding a gap. We had an instance where two 10-year-olds stole a vehicle on Saturday and ran into a light pole. One of the children had allegedly just come out of government care and gone back to their family. We are not sure whether that is correct or not. It could be a furphy. The fact is that the first thing I asked the police was: where were the parents? No-one could tell me where the parents were.

We have an issue with kids. We need to also make the parents responsible, and that is a tougher issue. At the moment I see a lot of these parents drinking in our parks and gambling in our pubs. We hear stories of kids being left in cars and things like that. This is a parenting issue as well.

CHAIR: There are provisions in the bill about social media and not promoting things on social media. I think some people do not understand how that further encourages others to do crime. That is a serious thing in itself. It also revictimises people who are facing tough situations in terms of their homes and cars. Could you comment about the aspects we have put in the bill about the high penalties for posting these things on social media?

Ms Hill: The penalties are great but it is whether or not the courts will enforce them. The other thing too is that we need to start penalising the multinationals who run social media (audio missing) There are groups out there who feed off all of this. I would argue that in Europe, through the EU, they have put some very extreme penalties on groups like Facebook. Facebook can face up to €1 million fines for failing to deal with social media. It is probably a discussion that has to be had at a federal level.

CHAIR: It is also about sending a message to magistrates. You as a community leader in the north can send that message to magistrates about how serious encouragement and promotion on social media is in making this problem worse.

Ms Hill: It is making the problem worse. There also has to be responsibility for enforcement and penalty. That is all through the youth justice space. Chair, you have no idea how gutted the community in North Queensland was when the appeals courts overturned a conviction (audio missing)

CHAIR: We might go to Brisbane now to see whether the deputy chair can hear us and wants to ask a question.

Mr STEVENS: Yes. It is a little bit tricky here at the moment. I am not sure what you have covered already. I noticed that you have supported minimum sentences as a recommendation. Have you ever thought of other alternative measures around Townsville? Has the council discussed matters like curfews? I understand that the council cannot impose them, but would curfews assist in Townsville in curbing some of this youth crime? My question is to the mayor.

Ms Hill (Audio missing) for some of these offenders. To be honest the courts do know who their frequent flyers are, their recidivist offenders. Because it is so easy to get in and out, it encourages other kids to behave badly because there are no consequences. When you grow up around families where there are no consequences and you have a society where (audio missing) why behave appropriately?

Mr TANTARI: Councillor Hill, I noted within your submission that you propose the removal of the principle that detention should only be considered as a 'last resort' for youth offenders. Why do you think this change is necessary?

Ms Hill: At the moment looking at the way the judiciary sentences child offenders—you have to understand that some of these children are 14, 15 and 16. If you do not know the difference between right and wrong at that age then there is an issue for you—mental capacity or some sort of issue—and then other services are needed. But many of these children do know the difference between right and wrong.

If detention is the last resort, they are placed in care homes, for example. I am hearing horror stories in suburbs around some of the care homes. Children will be placed there. There is nothing to restrain them. They get their mobile phones back. They ring up their mates. They are off on their next jaunt. They get caught again by the police. Sentencing detention is a last resort. The judiciary continue to use that and the kids know it. If someone can be detained, it gives you, as a government, the ability to put these children properly through programs at Cleveland. I do know you run some great programs there. You have broken the cycle for some of these kids. Until they are in these programs, if they are sentenced to three months at best, nothing is going to work.

Mr DAMETTO: My question is about your support for alternative sentencing. What excites me about that is that someone has identified what we are doing at Cleveland detention centre—

CHAIR: Member for Hinchinbrook, I have had these rules for the last couple of days. I ask you to directly put the question. I do not want to see a lengthy preamble. Do you have a question to put to the mayor?

Mr DAMETTO: Chair, I would love to ask a question.

CHAIR: I asked you to go directly to the question.

Mr DAMETTO: You are taking my time up now. Mayor, why do you believe that alternative sentencing is necessary to try to turn around some of these young people's lives?

Ms Hill: A number of the mayors and I have had discussions, as you know. There are opportunities to provide an alternative to sentencing but it needs to be well away from social media and the ability to walk in and out of a community. It also needs to be ensured that it is managed properly.

Many of these kids come from very tough environments. I would argue that, from my experience in the military and seeing some of the young men and women who have been turned out of the military, even from communities up north, a good solid structure around some of these kids could help them understand and value what it is like living in society. At the moment we place them in care homes in the middle of the city with access to social media and that allows them to reoffend very easily. That is not the solution. Some of these care facilities, in my belief, are not managed very well. They are managed externally from Sydney or Melbourne. It is more about profit making rather than caring for kids.

If you take them out of the environment they are in, you have an opportunity to educate and support them in a framework where they are not being distracted. At the moment bringing them back into a place like Townsville there are all the same distractions—all the same friends, all the same social media. We are very supportive of the thought of a proper facility but located where there is no access to mobiles and social media, and located where kids cannot be distracted by external influences.

CHAIR: In that way you see the effect of social media creating connections between those youth, getting them together to do these acts. Is that corrosive in the City of Townsville?

Ms Hill: It is corrosive, but I think if you do your reading it is corrosive everywhere. When they are placed in a care house they have their mobile phones. We hear stories anecdotally that the first thing the kids do is race out, hop into a stolen vehicle and catch up with their mates. This is part of the recidivist offending. What do you have to do? If you are not going to keep them in Cleveland but you need to deal with these kids, take them to an environment where there is none of that influence. If they are going to do a 12-month sentence, they do it in an environment like that that gives structure, that gives support, that allows the services to deal with these kids.

CHAIR: I might turn now either to the member for Coomera or to the member for Mermaid Beach.

Mr CRANDON: At this stage, Chair, I will hold. I have nothing at the moment, Chair.

Mr STEVENS: We have had some transmission problems down here. I am not sure if the mayor gave me an answer to my question on the curfews and whether the council had considered them. Has that been mentioned?

Ms Hill: No, but I am happy to answer that.

CHAIR: Member for Mermaid Beach, that part of the question got cut off before we got to it. Do you want to restate that question?

Mr STEVENS: Yes. Mayor, I understand that councils do not have legal power in relation to curfews, but does the council have a view on the efficacy of curfews for Townsville if they were introduced under state legislation and enforced by police resources?

Ms Hill: You are going to need an awful lot of police then. I would say no, curfews would not work. You would probably be better off setting up facilities where the kids can go to get a meal and sleep safely.

CHAIR: We heard in Cairns that when limited curfew checks are being done again social media is used. When police are going door to door in often residential care homes, kids would make sure that people knew to get kids back briefly to ensure they could make curfew checks, and there were a lot of police resources put into just the very limited number of people who are on those orders; is that correct?

Ms Hill: My advice on that would be that ankle bracelets are probably the better way of monitoring children. If the kids have to be in curfew, put an ankle bracelet on.

Mr CRANDON: Mayor, thank you for taking the time to come and give evidence. I will ask a question that I asked yesterday of the Mareeba mayor and the Cairns Regional Council mayor. You may have already stated this, but because of the issues we have had we could not hear you. First of all, do you support the proposals in the legislation? If so, do you regard them as a good starting point? Do you regard them as fulsome? In that regard, are there any particular additions you would like to see to what we have in the bill?

CHAIR: Mayor Hill, this might be a great opportunity for you to wrap up holistically and we might move on to the next witness. I just wanted to let you know that context. It is a great opportunity to give your whole opinion on the matter.

Ms Hill: You obviously may not have heard my full opening statement.

Mr CRANDON: Absolutely not.

Ms Hill: That will be in *Hansard*. Fundamentally, yes, we support this. It is a good starting point. I have called for the reintroduction of breach of bail since 2021, so I am pleased to see it has been included in the bill. I talk about this being a good start, but we should look at mandatory sentencing for some of the youth offences. I also spoke about if things are other than detention, to look at the provision of detention in areas well outside regional cities which have no social media or ability for some of these kids to be picked up in a vehicle. At the moment, one of the other issues exacerbating the situation is that many of these kids are placed into care houses, and then they are simply reoffending because through social media they are able to make contact and get picked up and supported by other juveniles.

Mr CRANDON: Chair, just so you are aware, Hansard did not get the mayor's opening statement, so if there is a hard copy of the opening statement that would be very useful to Hansard, I am sure.

Ms Hill: We can supply a hard copy.

CHAIR: We also have the submission, so if you wanted to do an additional submission, anything in that introduction you did not get. We might turn to our next witness.

ELTON, Mrs Sandra, Private capacity

CHAIR: I invite you to make a brief opening statement, after which we might have some questions for you from the committee.

Mrs Elton: Good morning, everyone. For my opening statement I am just going to read my submission because it outlines the issues that I am here to discuss and the stories I want to share.

CHAIR: We do have your submission.

Mrs Elton: Do you want me to do that?

CHAIR: It is your choice. As you like.

Mrs Elton: I am writing this submission in support of the proposed bill to change the Youth Justice Act; however, I also challenge the committee to extend the amendments further to include minimum sentencing. The introduction of maximum sentencing will only be useful if any sentence is imposed. In my area of Townsville, often there is no sentence imposed for youth crimes and the victims of crime are often told that no charges were even laid. This includes for violent incidents involving injured, elderly community members in my immediate area.

In my professional role of crisis support, which is separate to my other role that I also referred to in our small business, I am increasingly supporting Townsville residents who are victims of these youth criminals and whose lives have been thrown into crisis as a result of job loss due to lack of transportation to attend work after a vehicle theft. Others are left destitute by the exorbitant insurance excesses they must pay to replace their vehicle, if in fact they could afford their extremely high insurance premiums in the first place. Many cannot, so they have no insurance and therefore no recourse to recover from the impacts of crime.

In addition, Townsville is in the grip of a housing crisis, so many of these victims of crime are already struggling to make ends meet and keep up with the cost of living, often while enduring the complexity of life without a home for their families. Many are permanently housed in caravan parks, free camping, bouncing around between the homes of families and friends, or just living in their car—unless it was stolen. These victims are also suffering long-term mental health impacts from often violent crimes while the perpetrators are repeatedly let off without any form of justice by the courts and what the Townsville community considers a failed Youth Justice Act.

These challenges have been amplified by the ongoing rhetoric of some of our elected MPs and the Premier herself telling us over and over again that there is no crime problem in Townsville and that Queensland has the toughest laws in the country. It is beyond frustrating to our community to be disregarded so easily and often, even after multiple lives have been lost due to the failed laws.

I have included the following as evidence of the impact of the failure of the Youth Justice Act to ensure public safety: Facebook posts from our small business page from 20 February 2022 detailing the impacts; and several letters on various dates to the member for Hinchinbrook—my local MP, Nick Dametto, who is here today. Please consider this evidence of the real-life impacts on my community when making your decision on voting on this bill. It needs to be a starting point for future reforms that are effective in restoring order and fairness and prioritising public safety above the human rights of offenders.

Mr STEVENS: Mrs Elton, thank you very much for appearing today. I notice that your submission calls for minimum sentencing to be included in the legislation. It is not in this legislation currently, although under the Youth Justice Act there is a direction to magistrates that custodial sentences are to be imposed as a last resort. In terms of your minimum sentencing proposal, have you thought about the requirements—it is very difficult for us as legislators to do—in terms of at what point we make a minimum sentence available to the judge for a youth crime? In other words, is it the third go? It is one thing to say minimum sentencing, but there must be a point that represents what you think would be a fair thing.

Mrs Elton: I do not feel qualified to answer that. I do not profess to have a legal background or expertise. My opinions have been formed from dealing with the public, reading about matters and educating myself over the many years we have been dealing with this issue. From my experience, the priority is that we need to get these kids off the street for their own safety as well as the general public's safety. As I reference in my submission, we often do not see any sentencing, so the proposal to impose maximum sentencing seems pointless if there is no minimum sentencing.

CHAIR: What we have put forward in this bill are some tougher sentences which increase the range. People in Cairns said they did not expect the full range to do it, but does that send the clear suggestion from both the community and the legislature that we want to see stronger repercussions for kids who have done the wrong thing?

Mrs Elton: I think sentencing is one part of it, but if the perpetrators are not even remanded in custody often or they are released without charge then the judiciary side of it is irrelevant.

CHAIR: We do see a much higher proportion of under-18s—young people, children—in custody in Queensland, especially in Townsville and Cairns, than in other states. People in Cairns put to us—and I am not saying that I agree with this, but I thought we should get the community's perspective about what is being put to us—that that does not actually make a difference and there are states with less of an issue that have lower incarceration rates. What is your response?

Mrs Elton: I would give examples as a mother, as a family member, as a small business owner and as a community services manager that, unless we solve the problem wholly and completely and for the long term, I do not think—I think we need to keep going until we get to that point. As I said, I think this is a starting point, but I do not expect that a two-day consultation period after such a long period of inaction is adequate. I work in a lot of network spaces and sit on a lot of local, state and previously federal committees where we do similar consultation and we do work in partnership with department and government to effect change. I am here today to tell you my story. I do not profess to be a legal expert. I really just wanted the impact stories to be captured. Until we get to the end of that problem, we are not done.

CHAIR: I think that is very valuable, so I really appreciate that. I have not yet turned to the member for Bancroft for any questions this morning. Member for Bancroft, do you have anything to add?

Mr WHITING: Not at this point, Chair.

Mr TANTARI: Thank you for coming along today. It is very clear from your submission that you have personally suffered and been victimised by some of the events that have occurred, and obviously they are quite horrifying when we look at them. You said that you believe this bill is a good starting point. Do you believe it will improve community safety in its current guise, or do you think there needs to be further strengthening of it?

Mrs Elton: I think there needs to be further strengthening of it. I completed my submission very hurriedly once I found out it was open. I really did not have time to do it, so it was done in a very rushed way. In considering all of the aspects since and doing a bit of research before this meeting, I would have also suggested reinstating breach of bail as an offence, which I think is in the bill, and removing detention as a last resort. It is my understanding from what I have been told by victims—from what they have been told by police—that that is a way these youth offenders are continually released back into the community.

CHAIR: There is a section in the bill which says that when an offender is declared a serious repeat offender that changes the priority of sentencing to have the primary focus on community safety. Is that part of the bill that you would definitely support?

Mrs Elton: Yes, definitely.

Mr DAMETTO: Thank you for giving your evidence today and for your opening remarks. You deal with a lot of youth while working in your role at the moment at the Community Hub. Do you believe some of the youth who may even come through your doors who may be offenders would see these new laws in the proposed legislation and decide to stop breaking the law, stop breaking into houses and cars maybe tomorrow night?

Mrs Elton: I guess it depends on the extent to which they are implemented. What we are calling for is some kind of consequence for the actions that these offenders are taking, as well as support for the families of the offenders and the offenders themselves. I work in a community centre, as you mentioned, where we provide crisis support daily. The numbers and demand for that service have escalated exponentially due to several factors. We are increasingly supporting, with a very limited pool of funds and no paid staff, victims of these crimes as well as the families of the offenders, who also do not have any support. They do not know what to do when their youth are wayward, and the laws support a child as young as 12 self-placing. The family members—a father, a parent, a carer—of a child who is off the rails and running with these gangs and getting caught up in that, which happens, also do not know what to do so we are supporting them as well.

CHAIR: The member for Hinchinbrook has a really good question. It was put to us that because of the brain development of young people they do not understand consequences, but do they talk about the consequences within their circles on Facebook? Would it make a change in their behaviour from your experience?

Mrs Elton: I am not exposed to their conversations on Facebook; I am much more a part of the community response. In some of those groups, there are 35,000 local people banding together to provide some kind of response for the victims where the systems are failing us. I actually do not know. If the bill and the implementation of it gets them off the street and there are consequences, perhaps there is a chance that their behaviours would be altered.

Mr PURDIE: We have spoken about the social media aspects, and I think we would all agree that that has exaggerated the issue. This was something I was thinking about asking the mayor and you probably have not even thought about this before. Young people are consistently seeing on social media offenders stealing cars and going on chases night after night. They are bragging about it on social media and then other people see that there are no consequences for those actions. If we tie those two things together—the lack of consequences for actions and it being bragged about on social media—do you think that may have escalated the notoriety of these offenders with the common thread being that there are no consequences for actions and that if these kids are doing it we can do it too?

Mrs Elton: Yes, it seems to be that way. There was definitely a bit of a gang mentality when our business vehicle was stolen and then stolen again. I was notified. We were posted videos. They were posting on their Snapchats and Instagram accounts that they were hooning around in our vehicle, doing ram raids on other businesses, driving as far as the Burdekin and trying to run people off the road in our business vehicle. There is definitely a mentality around Grand Theft Auto, and some of the online gaming has been referenced. In that case, we had two identical business vehicles—the other one was my husband's. We had to take it off the road and remove the stickers at our own cost so we are no longer able to advertise our business because we cannot guarantee that. It was highly likely that it was being targeted as well as part of the game because LandCruisers were the vehicle of choice that week.

CHAIR: This is obviously a difficult question because we want to support the victims, especially in those online forums. I may not be quoting the mayor correctly, but the mayor said that sometimes those who are doing the perpetrating gain notoriety or get benefit, enjoyment or something from their peers from that being spread on the internet in wider circles. It seems like a Hobson's choice for members of the community. Do you have any comments on that?

Mrs Elton: As a parent of teenagers, I say good luck solving that one. If you can get them to disengage with their social media or change their behaviours around it, good luck. That is the way they speak; that is their language now.

CHAIR: This is more about the adults exacerbating and increasing the reach of some of the videos that have been created by then sharing and spreading them.

Mrs Elton: Do you mean adults sharing the videos?

CHAIR: Yes, that is the difficulty. An adult may have shared it and then they look at how many views it has got and boast to their mates about notoriety and other things like that. It is an impossible situation because we do want to make people aware.

Mrs Elton: I would suggest that the other side of that coin is that the only way we were able to recover our stolen vehicle twice was via social media. The police told us to stop calling. We knew where that vehicle was for the first 12 hours. They told us to stop calling: 'We can't do anything. We basically have to wait until it's abandoned and then we'll intercept,' which is exactly what happened. On the second weekend when it was stolen again, they told us the same thing. We found that through other people we know telling us and the whole community looking for that vehicle on social media. That is the only way we recovered that vehicle. Without social media, the public actually are not being informed. It is completely inaccurate information being broadcast.

CHAIR: I welcome Les Walker, the member for Mundingburra, who is observing this morning. Dan, I interrupted you before. Do you have a follow-up question?

Mr PURDIE: Other than just trying to tie some of these things together: with the consequences for actions—the tougher penalties, giving police the power to take harsher action about that—and the social media. It would be nice if these people get caught and the social media caption is, 'These people have been caught. It won't be happening again.' Unfortunately, these people are getting caught and then the next night they are doing it again, and that spreads through the community to other juveniles who think, 'This is what we do and this is what we can do.' Do you agree that some of the tougher penalties in this bill would help with that social media wildfire of spreading the fact that there are currently no consequences for actions, or rarely any consequences? Would you agree?

Mrs Elton: Yes, I would agree with that.

Mr WHITING: My question follows on the questions I asked our witnesses yesterday. I am always keen to know about the community-based programs that are happening in your area, whether it be non-government organisations or not-for-profits that are working within the community with these young people to break the cycle. As part of this broader package, we have talked about greater investment in community-based programs, more intensive case management, on-country programs, for example. Can you tell us about any programs that are based around your community that are working with young people to break the cycle?

Mrs Elton: I am glad you asked. As the only social service on the ground in the entire northern beaches area, our teeny-tiny community centre with a whole staff of 2.5 FTE is the only solution for my community. The only engagement activities are organised by us and are currently unfunded and unstaffed. There is no youth engagement funding for the entire northern quarter of Townsville's population, and that is not for lack of trying. We have submitted applications for funding. We have delivered two 12-month programs—the last was in 2021-22. It was an early intervention program working with the Townsville Stronger Communities partnership, which was very effective. It was \$10,000 and no wages over 12 months, but we engaged nearly 10,000 kids in that program. We were successful in engaging in the areas where these high-risk and disengaged youth congregate and cause antisocial behaviour, like Bushland Beach and Deeragun. We were effective in that and the funding was discontinued. We have applied for large-scale grants. They have been denied. At the same time, \$1½ million was given to one organisation for one postcode in an inner-city area—so you tell me how I do that with no funding and no staff. Tomorrow night I will be running a youth group pilot, unfunded and unstaffed, because we cannot wait any longer.

Mr WHITING: That is a great answer and I would encourage you to keep going. That is how we started off 25 years ago in Deception Bay—volunteers on the street at night, making those contacts and, from that, building a capacity to keep going. I want to thank you for that answer.

CHAIR: Order! Member, do you have a further question?

Mr WHITING: No, that is it. I am done.

Mr KATTER: I want to talk about participation in programs and engaging the heavily disengaged. We get the feedback that Cleveland is no deterrent, no consequence, and then there are boxes ticked for, yes, that youth has been engaged when they have just gone to the fence and been told 'go away' when they are trying to engage with the programs. Has your experience been that it is pretty difficult to engage with some of those heavily disengaged without forcing them at some point?

Mrs Elton: No. I feed them. We go to where they are and we feed them. I will give you a really good example of the impact of the organised, structured activities versus kids roaming and using a facility like a skate park. Deeragun is a high-crime area. We intentionally deliver these community-based crime action committee programs all over the northern beaches because transport is a major issue in regional Queensland. A lot of these families are from very low socioeconomic backgrounds and they simply cannot get to us so we take the programs to them. We feed them because often they have not had a feed.

For one such program last year, we delivered a two- or three-hour activity of organised art and craft and a bit of sport at the local skate park. All of these kids were engaged. Some of them were really high-risk. We know the families—they come to us for food support—so they were already through the doors of the neighbourhood centre. For the period we were doing the organised activity, these younger kids who we know are disengaged were happy to be kids. They were engaging. They were very polite and respectful. They joined in with the activities that we were organising. The minute we finished and were packing up, the 18- to 20-year-old element came in and it looked like these same kids flicked a switch. They were jumping on the roof, smashing bottles, trying to get a reaction from us to try to show off in front of their mates or do what they were being geed up to do by the older kids. I do not know—I could not believe the difference in those kids in the same period of time.

CHAIR: You want kids to be kids.

Mr KATTER: You mentioned before the story we have heard a lot of times before about the stolen car and you were chasing the car. It happened to my sister over Christmas where you are chasing the car. You know where it is but the police cannot get it and they are busy with other things. It gets frustrating. Do you think police reporting has diminished so we are not capturing them through the statistics? We are not properly reporting up the chain.

Mrs Elton: I have given up reporting, honestly. I have had that many instances of police chasing criminals through my residential property. We have had stolen cars with arms dumped where my kids live. The process to engage in Policelink is horrific. It takes an hour. Most of the time we do not engage. The only police reports I do now is when somebody comes into my community centre and I have a legal obligation to report—because there is no point.

Mr CRANDON: You talked about having some funding in 2021-22 but that the funding stopped even though you had some good outcomes. At the end of your answer to the member for Traeger's question, you said that the minute the program stopped everything went back to how it was. Firstly, do you have any data you can provide to the committee in relation to the positive outcomes from the programs? Secondly, are you suggesting that we need in your area an ongoing program that has certainty in funding et cetera? By the way, do you have a Police Citizens Youth Club anywhere near you?

CHAIR: Member for Coomera, I am not certain that that is what Mrs Elton's answer was, but I think there is an important question there. The other matter is: can we try to get to the questions quicker, thanks.

Mrs Elton: Yes, I do have data that I can provide. We were providing case studies with our monthly reporting for 12 months. There were some excellent examples which we see every day in neighbourhood centre work. I definitely can provide that. With regard to the issue of early intervention programs, I absolutely do not suggest that they are the only solution. My priority as a community member is to get these kids off the street so that we can keep our 80-year-olds safe from being bashed in their own homes and being threatened repeatedly afterwards.

On the early intervention programs, there are some other really effective programs that we have come into contact with. We have secured funding ourselves as an organisation to bring them to Townsville. We have engaged Heal for Life three times now to capacity-build the community sector in a disaster resilience context. It is also relevant to our trauma work that we do in the crisis support space. These people actually deal with the trauma. They have been engaging youth in camp style training programs in remote New South Wales for 20 years and have lived experience. In my experience, as someone who has done that training—and my whole team are now delivering trauma informed support—programs like that are already having an impact. A lot of the offenders who go to the camp in New South Wales are very similar to the offenders we are trying to deal with here.

Mr CRANDON: Thank you. I look forward to seeing that research.

CHAIR: Thank you very much, Mrs Elton, for your appearance today. It is really valuable to hear your on-the-ground experience, as well as being the voice for people who have also been the victims of some of this crime, and about the impact of social media as well. We really appreciate your time here today.

Mrs Elton: Thank you for listening.

CHAIR: I also note that Mr Aaron Harper is also participating in the committee, mostly observing and listening to the people, as he lives locally. Thank you, member for Thuringowa.

BUNYAN, Mr Kelvin, Private capacity

CHAIR: I welcome Mr Kelvin Bunyan from Ayr to give us his experience. Relax, you are amongst friends; you are telling your story. If you can give us some minutes to introduce your submission, then we might have some questions for you.

Mr Bunyan: Thank you, Chair. Before I start, I would like a show of hands: who has had their car stolen? Yes. Recovered? Yes. Out of pocket? Yes. From my submission and listening to Jenny Hill and the lady that was just here and anyone else, everyone has a problem. I spoke to you earlier, Linus, and you had some good perspectives with data. Data generally is a great thing to work out. We in this town—or city, we call it—who live in Ayr are reluctant to come to Townsville on an outing because we are afraid of getting T-boned at an intersection. When my family members come up here, I always say, 'Wait! The light is green. Make sure there are no recidivist offenders going to come through and clean you up.' We do not trust the community. What a great town. I will carry on.

I have my submission, and to the people down in Brisbane, I hope you have it. I hope everyone has it. This has changed. With regard to the proposed increase in maximum penalty for unlawful possession of a motor vehicle, I do not think the magistrates or the judges tend to give maximum sentences anyway, so why increase it?

I will go back. My eldest daughter was 10 or 11 in 1992 or whenever this Juvenile Justice Act came along, and it created such a problem in our family. She was told by the schoolteachers she did not have to do what we said as parents. Am I wrong? Did she spin me one? I do not care what it was, but the child across the road did the same. What I am asking now is: are parents aware of their rights in the household? Have we got an incorrect perception? People will say that we cannot punish our children because we are not allowed to. There is either one truth or untruth out in the community. I suggest we resolve that by some educational program, that parents can take the phones off their children.

I have three children. We made it, I guess. We have grandchildren now. I can go through this question and answers, but I think everyone has it—breach of bail—for sure, because those little buggers will get back out and thumb their nose. They will drive past. I have seen them drive past our street. Our street probably has the most cameras in the community, trying to keep a close eye out. Our next-door neighbour gets their car stolen—I do not want to waste time, but we need to divide our problem. I have listened to everyone saying, 'We need to do this, this and this.' In my job, we divide a problem. If we cannot divide that, there is always a knock-on reaction. If we send them to Cleveland and they get on the roof and they try to shoot them with rubber bullets or whatever they do, it is just making a farce out of our community.

Some people have suggested relocation sentencing. That needs to be done. I was lucky enough to have tough parents where we worked on a farm on a weekend, and we did not play. All these suggestions—we have these children in the halfway houses—are absolutely making a mockery of us. I am ashamed to see that halfway house where the lady before me said they will just get on social media, 'Yeah, come and pick us up.' They are using social media in Cairns to get them back to there. Who would make up such a poor consequence for our children?

Those children are disenfranchised from the learning process. We should all go to school. Every day the school is open. Those children should be there, and if they are not they should be made to go. I will give you an example. I was the first child in grade 8 to get the cane. You might say, 'He must have been a bad bugger.' I was leaning out the window to call my friend who did not know where to go. I said, 'Up here! Up here!' The headmaster was over there. No negotiation: 'Come up here. Put your hand out.' Bam! I knew not to lean out the window anymore. Do we need to go back to those levels of punishment? Maybe so, but we will have more human rights people stack on top of us. However, the way we are thinking now, we cannot solve it because we get told we cannot do certain things. One person I want to acknowledge here is that little boy Miles, who lost his life in his mum's womb. He never got a chance because this Juvenile Justice Act has failed us Queenslanders, and those four children in that car.

CHAIR: Thank you very much, Kelvin. Let me say that my kids get their phones taken off them, because kids need a good eight hours sleep. I have not received any knocks from the Youth Justice Act yet. I am sure Dan does the same with his 12-year-old. This is a really important part of parenting, to make sure they get good sleep.

Mr STEVENS: Mr Bunyan, congratulations on a very specific submission in relation to the bill. I take it from that submission that you are supportive of this bill passing as a first step. However, could you comment on matters that the mayor of Townsville raised in that there should be a minimum mandatory sentence regime added to the bill, please?

Mr Bunyan: I have an open mind on that. I do not believe the judicial system has the capacity to hold children in, for example, that correction centre over there, where they climb up on the roof and throw rocks at us, and I think we should forget about that facility there in some part, or turn it into a training area, or send them somewhere to get a life. The life they are leading—I do not experience anything in my family circle of this. However, there is always a reason for people becoming these offenders. If you are going to say, 'Let's put them in jail,' we are only making them worse. I do not say, 'Don't jail them'; I say, 'Send them and get some hands-on skills.' We have a skills shortage in our state. Does anyone know the statistics of how many offenders we have?

CHAIR: Especially in the north, yes.

Mr Bunyan: How many offenders? We could have those guys get some skillsets, especially concreting—doing stuff where they can. They might have missed the first five years of school because they never got there. We need to fix that. I do not have the solution, but we need to divide our problem. That is our biggest thing.

Mr STEVENS: I gather from what Mr Bunyan has advised that he is a strong supporter of the boot camp type of scenario as a custodial place for these young offenders. Is that correct, Mr Bunyan?

Mr Bunyan: Call it what you like. We need to educate these kids to give them a life. I do not care whether you call it boot camp—call it TAFE; call it something—but we do not need la-la ladies there holding their hand. We need to give them some discipline and give them some skillsets. I would love to have someone come along and learn my trade, but the first thing I think about is that they would probably steal my work ute and I would have to get another one of them. That is right; we are putting millions into endless programs. These house hubs in town must be a bit of a party central, the way I see it. We are too smart to fix our problem. We need some back-to-basics stuff.

CHAIR: Motor mechanic training rather than (inaudible). This bill puts forward some increased maximum sentencing. You obviously have to be at the very top end of those things to get the maximum sentence, and you are right that we do not see that very often, but is it sending the clear signal both from the community and through the legislature to magistrates that we want to see more serious consequences in the middle of those sentences or at the higher end of those sentences to see consequences for young people?

Mr Bunyan: We need to see consequences. However, I think I heard of someone who had an 18-page rap sheet and they were given a free pass. No doubt each person has a different story, but these kids are 16, 15 and now even 10. It is like those GPS bracelets. I think we have invested quite a considerable amount of money on those things and they do not use them or they are used minimally. If little Jimmy is going to steal my car I would expect one on his leg because when he leaves that little house that we probably paid millions for, we need to know where he is. If he cuts it off with a hacksaw, we need to charge him and send him straight back to the box. Time is up with all this soft mentoring rubbish. It is not working. People, especially the elderly, are locking up their houses like Fort Knox every night.

In the street I live we have a Messenger street group that constantly pings, 'Someone is in the street. There's that car that came up and down the street today.' We are all losing sleep. I work on heavy machinery. If I stuck to the rules I would not go to work today because I was up at 4 o'clock Saturday morning driving my work ute around trying to find the car or the person who stood at my roller door at 4.11 and hid there until 4.25 and trying to work out if they were breaking into the roller door or what they were doing. We called the police. The police turned up and they said, 'What do they look like?' At 4 o'clock in the morning I am not the brightest person in the place, but there is a process. I do not know about you, but interrupted sleep knocks me around.

CHAIR (Inaudible)

Mr Bunyan: Yes. The police are giving us lip-service; that is all they can do. Another thing is we have two crews in the Burdekin. That means if there are people having house problems or marital problems, we have one crew missing. For example, in our street there is a known drug depot where people come and buy drugs. We are currently working on that. He is a repeat offender. We are likely to be the victim of some drug person coming to our door and shooting us. That has happened around the world where someone has the wrong number. We might open the door thinking it is Mrs Jones from across the road and bam, we are shot because there is a drug dealer living down the road. Can we do something about it? We have done it several times. Once again it is a repeat offender. Has he got a small network? Yes, he has. There is a guy who drives around town on his pushbike with no headlight delivering drugs. We all know about it; the police know about it, but we all let it happen.

CHAIR: Proposed section 150A deals with serious repeat offenders. You talked about a serious repeat offender. That section aims to change the guidelines for the sentencing court so they have to take public safety as their primary sentencing consideration as opposed to children or young people who are not declared a serious repeat offender. Is that an important step, that we focus the judiciary on consequences for those who are serious repeat offenders?

Mr Bunyan: For sure. I have written in there—what number have I got that listed as?

CHAIR (Inaudible)

Mr WHITING: It might be No. 10.

Mr Bunyan: If that is the one we are talking about, that is what I wrote: serious repeat offenders have no place in the community, and that is true—

CHAIR: Unless they change their ways.

Mr Bunyan:—unless they change their ways. The only way to do that is to give them something else to do. Give them a skill.

Mr PURDIE: You have touched on this previously. In your submission, in your opening address and in your answers to questions this morning you seem sceptical about raising the maximum head sentence for unlawful use and whether that would have a positive impact on people stealing cars. You also have expressed your support for breach of bail as an offence coming back. Can you explain both those things to me a bit more?

Mr Bunyan: Right now most of the magistrates will not give a maximum sentence. I do not follow it very closely, but it is a pretty petty sort of situation that we have. Kids do not belong in jail. The way I see the corrections centre and the perception out there is, 'Let's do nothing about it.' To deal with people getting up in the ceiling, I would get a new builder and get better situations. Going to the second part, if they steal a car that can kill someone. That is then a lethal weapon. They are driving on the wrong side of the road here—I have seen it on video—and people are dodging the car coming the other way. That is a weapon. We need to stop the problem. Put them in jail or rehabilitate them; take them out of the circle. As other people have said, we allow them on social media. There was a lady who did give us a name; it is a badge of honour, 'I've stolen a car. I'm 10 years old. Wow, aren't I great?' That is probably the first good thing that he has done.

Mr PURDIE: In his mind.

Mr Bunyan: Yes.

CHAIR (Inaudible)

Mr Bunyan: We need to divide our problems. There are the car thieves—there are all these sorts of things—and there is domestic violence. They say the kids will not go home because it is dangerous at home. We need to divide our problem, not keep working at one solution for the whole thing.

I said to Linus earlier, 'We need to reverse-engineer our problem. People will ask, 'What's reverse engineering?' The Japanese originally did it; the Chinese do it to us now. If we want an outcome, we will work backwards. We have a child over here, we have an outcome, so we fix the things whether it be breach of bail or sending them to remote education systems where they are out of the circle, we need to find a place where they cannot get away. Is it the end of the earth? No. I am sure there will be human rights involved in it, but we cannot let it get too simple where all of a sudden they have more rights than the 80-year-old they robbed yesterday.

Mr TANTARI: Thank you very much for coming along today. You have put up some really good points. Obviously you have a balance between punitive measures where you put them in jail and other things. In your opinion, how do you think it may affect the long-term community safety given there is some evidence to show this bill will result in more youth offenders being detained and the impacts on them? We have already had some evidence put before us that the longer you detain a youth, the more likely they are to come out and offend again. In your own mind, how do you think that may impact the longer term safety of the community?

Mr Bunyan: It is like anything; we are dealing with the consequences of what is happening now. I do not believe we have the capacity in the jail system currently. I am not for building more jails; it is only a costly exercise. We should lock them all up until we sort the problem, but is that good for the perpetrators? No. We need to give them purpose. We may have to do it in the short term if the judicial system will allow it, but I do not believe there is capacity in our system. It would be good to

look at the statistics on available beds in the juvenile section, but we need to be practical. It is no use having someone in there because they did something minor when the thing is full. Then the magistrate would say, 'There's no room. I'm going to let this guy who stole five cars last week out.' We have to have a balanced approach.

Like I say, we need a lot more common sense in the whole process. It starts in the maternity ward with every child. For anyone who says, 'That is discriminatory,' it does not matter who you are; that child must go to prep or kindy or whatever the case. I take note. My nephew's wife was a day care mother and I have heard horror stories from her about certain things happening on certain days in the fortnight when payments are made. Those centres must accept certain children. There are some terrible situations such as she has seen a child with the marking of a hotplate on the child's backside. We are dealing with the low socio-economic situation and the druggos. There is a broad spectrum so we cannot have one bill to fit all. We cannot solve this by thinking that one thing is going to do it.

Mr TANTARI: You are in full support of this bill targeting serious repeat offenders—

Mr Bunyan: For sure.

Mr TANTARI:—and what we propose within the bill?

Mr Bunyan: They should go out of the circuit. They have no place in the community.

Mr WHITING: Mr Bunyan, I have a quick question. I noticed in your response when we were talking about serious repeat offenders and the declaration earlier you said, 'Common sense must prevail, no sob stories.' Can you expand a bit as to what you mean about that?

Mr Bunyan: I have seen a number of things over time such as where little Jimmy has had his lunch stolen, so to speak, and he has become an offender because of that. There is a case that a solicitor would put forward in an attempt to reduce the punishment. Some judges or magistrates must laugh under their breath. The reality of it is there are crime families, as we know in my region. We need to be harsh and firm but consistent as well. Is that enough of an answer for you?

Mr WHITING: That is fine. Thank you.

Mr DAMETTO: You talked earlier about giving some rights back to parents. Can you expand on that a little bit? Are you talking about parents being allowed to smack their children? Is it about keeping them under their roof at night? What sorts of things are you talking about here when you say handing power back to parents?

Mr Bunyan: It is the basic fundamental of being a parent where that child is under your control until 16. If the parent says, 'You're not going out tonight,' it means they are not going out. If little Jimmy wants to slip out the window, he has to have consequences. If he says, 'I'm going to tell the teacher on you,' the teacher then should work with the parent, not with the student.

CHAIR (Inaudible)

Mr Bunyan: Yes. That needs to be put out there. I have a perception. I am not even sure what the rule is these days. However, we must be able to discipline our children without fear. I often see it said on the news, 'We shouldn't smack our child.' When I rarely go to a shopping centre and a little kid is chucking a tantrum because he cannot get a box of lollies—in the old school days if you tried to pull a tantrum, you would get a consequence on the backside. I am not saying beat your child up, but there has to be consequences.

CHAIR: The government has a program called the Triple P parenting program, which I know is active in Logan. I do not know if the Triple P and other programs are active in Townsville, but it very much is about setting boundaries, consequences and standards of behaviour from birth in your family. Is that something that you would like to see more of for parents who—

Mr DAMETTO: You are giving a long preamble, Mr Chair. I do not think Mr Bunyan would have any idea what is in the program.

CHAIR: Did you have a point of order?

Mr DAMETTO: I did—a point of order.

CHAIR: What was your point of order?

Mr DAMETTO: I will not repeat it; you have just heard it, Mr Chair.

CHAIR: That is relatively disorderly. The Triple P parenting program very much talks about what you said. Would that be useful for Townsville?

Mr Bunyan: For sure. However, I think the horse has already gone out the gate. Something that should start at the maternity ward, so to speak, is that parents need to know their rights and parents have to have a good bit of bluff in them. That is the key point.

CHAIR: I do not know if I will get another point of order, but my 16-year-old is very much taller than me already but he certainly listens. There being no further questions, Mr Bunyan, I really appreciate your feedback here today. It was great having a chat with you beforehand as well. We wanted to hear lived experience, and coming up from Ayr is really valuable so thank you very much for your time.

Mr Bunyan: It was the least I could do because I know this city is in real trouble. I was only lamenting as I drove in this morning up on The Strand here when I said, 'Jeez, this is nice,' because we used to come up here back in the day. We come to a medical appointment now and think, 'There's no stolen cars. We're all good.' Like I said in my submission, these criminals sleep all day and work all night and we probably should come up on an outing.

CHAIR: I really appreciate your time, Mr Bunyan.

HAWKS, Mr Clynton, Private capacity

CHAIR: Mr Hawks, I invite you to give a brief opening statement, after which we might have some questions for you.

Mr Hawks: Firstly I want to thank the chair and the committee for the opportunity to take part in the hearing today. My name is Clynton Hawks and I am a victim of our state government's crime crisis. Our family home was invaded in the early hours of the night by a careless but well-organised thug criminal last August, and we had just brought home our newborn son three weeks prior. This repeat criminal, who at the time was a youth, worked alone but was organised, with gloves, multigrips and an ultrasonic dog bark controller. We have inside dogs that bark at the smallest of noise. They were asleep in the lounge room when he entered the house and did not stir. This criminal hid in our backyard and watched us turn off the lights and go to bed. Knowing this still sends shivers down my spine.

My partner remembers this night very well. She looked at her phone. The time was 9.59. She set her phone down to go to sleep, not knowing that someone was about to enter our family home. He entered through the back door into our laundry then kitchen, where he found three sets of keys, all of which he took, as well as a handbag. He went through the bag in the back yard and took roughly \$400 cash from it before discarding the bag. My ute is a manual. He dumped the keys for it in the gutter because perhaps he could not drive a manual, but our auto ute he stole without hesitation. We have CCTV footage of the event from the business across the road from our house. At 10.03 he drove off in the car. Three minutes is all it took and our lives were changed forever.

I believe, like many other Queenslanders, that the Strengthening Community Safety Bill 2023 does not go far enough and that we will see very little change in the rate of crime happening not just in Townsville but right across our once great Sunshine State. These criminals have very little respect for the law and their parents and in the First Australian space their elders. This bill is a political superplay. It says all the right things but does very little in trying to stamp out youth crime. The definition of insanity is trying the same thing over and over again. This bill does just that by throwing more money at on-country programs that have failed to have a serious effect and throwing more money at ankle trackers that were not even used, and the government happened to spend millions of dollars on them.

The people of Townsville are sick and tired of having to lock themselves in their homes like a prison to try and protect themselves and to deter potential criminals. We should not have to do this, and the government provides no compensation for the extreme prices that these things cost to install. People are scared to go for a walk or to the shops in fear they might be beaten, stabbed or worse. We cannot continue to live like this. It is not healthy for anyone. I reiterate and state my amendments and ideas to the committee, but I believe this bill is being rushed through parliament for no reason other than to save the government's hide 19 months out from an election.

In my submission I propose a few ideas and amendments that I believe will help stamp out the siege on our state from these youth criminals: one, removal of detention as a last resort; two, mandatory minimum sentencing for particular offences—section 408A(1) and (1A) relating to unlawful use or possession of motor vehicles, aircraft or vessels, section 419 relating to burglary and section 421 relating to entering or being in a premises and committing an indictable offence; three, presumption to be tried as an adult for particular offences; four, relocation sentencing; five, free and accessible counselling for victims of crime; six, a victim of Queensland crime fund; and, seven, potentially starting the conversation like the Occupants Protection Bill 2002 giving the occupant of a dwelling the powers to protect themselves, others and their dwelling during a home invasion situation by any means necessary and removing and limiting prosecution rights from intruders. I have certainly had enough. The people of Townsville have had enough and Queenslanders deserve better. Thank you and I am happy for any questions.

CHAIR: Thank you, Mr Hawks.

Mr STEVENS: Mr Hawks, thank you very much for appearing today. I am sure we all feel very sorry for the violation that you have experienced and endured and we do understand your very strong feelings in this matter. There is a question I would ask of a victim, as you are. Could you expand on what you mean by compensation for the victims of these particular crimes? Can you also expand on the counselling that you received or that you expect to be included in this bill, please?

Mr Hawks: Great question. As a victim myself, the out-of-pocket expenses that we have incurred range from getting our keys for our house recut—there is a cost right there—and then there was the fuel in our car when it got stolen. It is expensive. Then there is not having a car to begin with

and the insurance excess, which we were not able to recover, so we are thousands and thousands of dollars out of pocket. I believe the state government, since this is happening under their watch, should be providing some sort of compensation to victims of crime.

In terms of the other question with regard to counselling, I believe that the state government should have some sort of task force of counsellors who can go in and speak with a victim of crime, because there are the mental effects that some people face after being a victim. My partner struggles to sleep at night. We have a young son, so she does not get very much sleep and it is playing on her mind constantly: is the door locked? Is someone going to break into our house tonight? The state government should be doing more in that regard.

Mr STEVENS: I take it from your submission and also talking to you today that you accept the passing of this bill. You do not reject the passing of this bill, but you feel it should be stronger; is that correct? Is this like a first step with this bill or do you believe we should be rejecting the bill?

Mr Hawks: I do not think the bill goes far enough and it is not set in the right ways. You are not doing anything about victims. You are only increasing maximum sentencing and raising the limits on that. It does nothing to deter these criminals from committing an offence. All it does is just throw smoke and mirrors out for the general public. I reject it.

Mr STEVENS: Mr Hawks, thank you very much.

CHAIR: Last year you ran in the federal election as a candidate. You put forward a pretty comprehensive program then. Was that the same program you put forward as part of your election campaign?

Mr Hawks: Yes, they were some of the things that I did run on that platform, yes.

CHAIR: Running as a political candidate: did that help give you exposure to people about the issues that are around?

Mr Hawks: Yes, well and truly. Obviously I was able to go speak to community members about what their experiences are with crime. It has now also helped me shape my submission for today and my understanding of what you are trying to pass in the parliament.

CHAIR: Thanks. I just wanted to make clear that you are presumably still a member of the Katter party and previously represented the Katter party. With the Katter party we generally put those things forward.

Mr Hawks: Yes, 100 per cent.

CHAIR: I also want to recognise that it was a terrible experience for your family and something that this bill is very much aimed at stopping.

Mr PURDIE: Thanks for your submission. I was taking notes and I think you were rattling off a list of offences that you think there should be minimum mandatory sentencing for.

Mr Hawks: Yes.

Mr PURDIE: You have also said that in some cases children should be tried as adults for serious offences. Do you have a list of what offences you think they should be and are they similar to the ones you listed?

Mr Hawks: Not similar to the ones listed, but you can also try them as an adult for those as well. The floor of minimum sentencing is not enough, and that is how you can stop these kids from committing any more offences because that gives them a deterrent. So if you raise the floor of minimum sentencing they are going to think twice about doing it again because they are going to be in jail for longer, whereas if you raise the maximum all they are going to continue to do is break into houses because they do not care about the law.

Mr PURDIE: Following on from that, this committee has heard from a broad spectrum of stakeholders over the last few years. We have heard a few times this week, predominantly in Brisbane, from the academics that the research is conclusive that people who have read a lot books about crime say that tougher penalties and detention do not work. As someone who is a victim of crime and essentially you are living in an area that is at the forefront of a crime crisis or wave, what do you say about the research and the academics in Brisbane who tell us that tougher penalties do not work?

Mr Hawks: They do not work. Tougher penalties simply do not work. You need to just raise the minimum. That is what you need to do. Instead of increasing how long they are going to be in jail, you have to raise the floor on that because then they are in jail longer.

Mr TANTARI: I want to unpack that a little bit further, Mr Hawks. You have just mentioned that tougher penalties do not work and in the same light you are then saying we should be putting them in jail for longer.

Mr Hawks: Yes.

Mr TANTARI: I asked a question to an earlier submitter. There is evidence to show that the longer a youth offender is detained—or offenders are detained for a longer period—there can actually be an impact on community safety in the longer term because of that. How do you reconcile the two issues you are raising about putting them in jail for longer and somehow keeping the community safer by doing so? In our bill we are talking about serious repeat offenders and how we are going to be stronger on them, but in the situation where you are talking about putting offenders in jail for longer the evidence does show that if they are in jail longer they become better criminals and so it could actually impact community safety worse.

Mr Hawks: Interesting question. I would counter it with trialling a relocation sentencing model by—

Mr TANTARI: What does that mean? Can you just explain what you are saying with relocation?

Mr Hawks: A relocation sentencing facility means removing these criminals or repeat offenders out west or wherever out of the problem area, taking social media off them and putting them in a relocation sentencing facility and giving them skills to return back into society as a functioning member so then they can go get a job. Some of these kids have no education. They are in and out of the system all their life. What they need is—

CHAIR: Just to clarify, in your opening statement you attacked on-country sentencing. Are you against that?

Mr Hawks: A relocation sentencing facility has nothing to do with Aboriginal and Torres Strait Islanders. Anyone can go to it. You go to that facility—it is not on-country, it is a facility out west where they will teach you skills to get a trade, get a job.

CHAIR: A lot of them are very similar though, are they not? They are trying to give skills, plus cultural understanding, plus—

Mr DAMETTO: Point of order, Mr Chair. I think you are confusing what the witness is saying.

CHAIR: There seems to be a speech here.

Mr DAMETTO: No, it is not a speech, I have a point of order I would like to get across. You are trying to draw similarities—

CHAIR: Order, member for Hinchinbrook. When we have a point of order there are standing orders where you raise a point of order and raise simply the point of order. Under which standing order do you raise a point of order?

Mr DAMETTO: My point of order is you are confusing the relocation sentencing policy with the on-country program.

CHAIR: Order. I was putting the question. This is highly disorderly, member for Hinchinbrook. That is not a point of order.

Mr DAMETTO: It is.

CHAIR: My confusion is not a point of order. I simply put the question to the witness. You are taking up the witness's time. I counsel you to raise points of order that are legitimate. That is not a point of order. You have made an argument now that I was confused over the two issues and were trying to advance that argument. That is not a point of order. It is really disappointing. Do you have another point of order?

Mr DAMETTO: No.

Mr Hawks: I agree with that.

CHAIR: Mr Hawks, I am not sure where we were before the point of order. Was it on-country?

Mr Hawks: I believe too that the model that the Katter's Australian Party is suggesting is completely different to the on-country programs that have continually been funded by the state government that have had little to no effect on youth crime.

CHAIR: We will go to the member for Coomera and then the member for Bancroft.

Mr CRANDON: In relation to your own matter, was the perpetrator found?

Mr Hawks: Yes, the perpetrator was found and tried.

CHAIR: The trial is complete?

Mr Hawks: Yes.

CHAIR: Just reminding both the questioner and the witness that we have a process where a trial is before the court. Is there an appeal process?

Mr Hawks: No.

CHAIR: Thank you, Mr Hawks.

Mr CRANDON: Thank you for that. That was the first part of my question.

CHAIR: I interrupted, Mr Hawks. I do not know if you had anything to add to that?

Mr Hawks: I did. The intruder was charged. He was charged as an adult but at the time he was a youth.

Mr CRANDON: The matter has been finalised through the court?

Mr Hawks: Yes, that is correct.

Mr CRANDON: Can you advise us of the outcome—if matters have been finalised—of the sentencing?

Mr Hawks: We were not given anything on the outcome of that sentencing, no.

Mr CRANDON: Other witnesses have spoken to us about this: the frustration of not knowing what the final outcome of a matter, and that goes some way towards causing anxiety et cetera. Can you talk to us about that aspect of the experience?

Mr Hawks: You do not know if the criminal is back out on the street already and then that plays on your mind. The criminal took another set of keys to our ute and they have still not been found. We had to get new keys cut. He could come back, when that happened, a week later and steal our other car. It plays on your mind a lot and the mental effects do get to you.

Mr CRANDON: You advised us at the beginning of your submission today, and I am not trying to suggest blame towards you, I want to make that very clear, that he entered through the back door of your home. Was the door inadvertently left unlocked? How did he get in? Did he break in? How did that actually happen?

CHAIR: These are obviously personal matters. We are talking about the more generalised principles, but I will put it to Mr Hawks to answer.

Mr Hawks: The back door was locked. We have a six-foot block fence right around our house with an electronic gate. You would not assume someone was going to break into your house after you have gone to those sorts of measures. He jumped over the back fence, used a pair of multigrrips and crushed the door handle—the door was locked—and he then entered the house.

Mr CRANDON: So he was a determined individual.

CHAIR: Member for Bancroft, do you have a question?

Mr WHITING: You talked a bit about the relocation program that you have suggested. Knowing previously up north there has been a history of participants absconding from similar programs, how would you prevent them from leaving, in this case, relocation programs?

Mr Hawks: You are putting them out in the middle of nowhere in a remote location. It is going to take you a while to get anywhere and also you will be having guards keeping watch over these kids. It would not be as simple as putting them out in the bush and letting them run free.

Mr WHITING: What kinds of guards would you have in that case?

Mr Hawks: It would probably be no different to any youth facility or detention centre. You would have youth workers there looking after the kids ensuring that they are not absconding from the facility. There would be fences, of course, in my vision.

Mr WHITING: Would that not present a danger to all those people out there if this is located at quite a remote location? If you get someone absconding it is quite a risk for them as they try to get back into town.

Mr Hawks: I would probably reject that question. We are talking about hypotheticals there really. Obviously you would have to build the facility to ensure that no-one in the community is in danger.

CHAIR (inaudible).

Mr CRANDON: Mr Chair, you need to be speaking into the microphone because Hansard cannot hear you.

CHAIR: I call the member for Traeger.

Mr KATTER: I acknowledge the jibe, Chair. It is not the first time we have had political party members of any persuasion giving evidence. I will frame my question around the frustration expressed by the member for Hinchinbrook before because we are talking about comparing on-country with relocation sentencing. How do you find the legislative instrument that forces the kids to participate in programs, because my experience in Mount Isa has been the procurement for the on-country program is the problem, and perhaps that was the fundamental difference you see between on-country and relocation sentencing; would you agree?

CHAIR: Would you agree, Mr Hawks?

Mr Hawks: Yes, I would agree.

Mr KATTER: I am glad we could sort that out.

CHAIR: There being no further questions, thank you, Mr Hawks, for participating. I want to make clear that this committee—and the deputy chair will nod in concurrence—is very open to visiting wherever we got submissions from, but also to taking submissions either via videoconference or teleconference throughout the state. We are very open to that. For those watching online, there will be a short delay while we connect through to the people in Toowoomba.

As I said, we are really open to connecting either through videoconference or through teleconference throughout the state. We have travelled to both Townsville and Cairns because we want to be open to receiving all sorts of views. In discussion with the deputy chair we want to invite some other participants. We have Mr Steven Clare, who is a local business person, who will be appearing after Ms Orton. After that we have Uncle Alfred Smallwood and Aunty Linda Janetzki, who are very welcome to give their lived experience.

ORTON, Ms Sarah, Voices of Victims Toowoomba (via videoconference)

CHAIR: Ms Orton, my name is Linus Power. Thank you very much for taking the time to appear before us. We are in Townsville, we have a small group in Brisbane and you are in Toowoomba so we are crossing the state here today. I will invite you to make some brief introductory remarks and after that the panel might have some questions for you.

Ms Orton: On behalf of the Voice of Victims, which is a local Toowoomba advocacy group, I would like to thank you for allowing us to make this submission on the Strengthening Community Safety Bill 2023. Essentially, our group was formed on 10 January 2023 by several deeply concerned and highly motivated community members following a period of alarming, increased crime in our region. We each bring a level of personal experience after being negatively impacted by youth crime and are living with the ongoing trauma and other associated consequences. Our main objectives in establishing the Voice of Victims are to advocate for victim's rights and to achieve a safer community where our residents are no longer living in fear. We are a non-partisan group. We simply seek a solution and we welcome this opportunity to contribute to this hearing.

To address some of the many complex issues, we would like to put forth the following points for your consideration towards the Strengthening Community Safety Bill 2023 that we believe would support better outcomes for victims and promote a safer and more inclusive community. I might put forward our leading points and then if you would like to ask me for any further details I can extend.

CHAIR: Thank you, Ms Orton. We appreciate that.

Ms Orton: Our group would like to see clear and measurable provision for victim support in the Strengthening Community Safety Bill 2023. This may include but not be limited to a victim information sheet that would ideally be easily accessible in print and electronic format, to be supplied at the time of reporting a crime to assist with addressing initial safety risks or concerns while awaiting forensic examination or feedback on their case.

We would like to see counselling and psychological support offered to all victims of crime. Currently, Victims of Crime Queensland offer limited support and financial services to victims of violent and sexual crime. We would like to see this support extended but not limited to include and acknowledge the impact of the aggravating factors that our Premier has now adopted in the youth justice system with this proposal to the intensifying trauma and psychological injuries that are suffered by victims of home invasion, home break and so on where offenders are attending at night in company and with weapons, and even where violence is not actually perpetrated or suggested.

We would like to see recognition of the financial impact on victims. There are many victims who have suffered financial loss even where their vehicle or homes and contents are comprehensively insured by insurers. It is not unusual for a victim to wait in excess of six months for the recovery, repair or replacement of their property that has been unlawfully possessed or received through the commission of the primary offending—for example, a house break or the theft of a motor vehicle or tools of the trade.

We would also like to propose to our government that they may like to consider some form of discount, rebate or tax concession for victims. This may assist a victim in purchasing a replacement motor vehicle. Currently our federal government receives GST on the purchase of the vehicle as well as stamp duty costs that are also paid on that replacement vehicle. We are finding that a lot of victims are out of pocket further as their insurance is not adequately covering the cost of replacement vehicles.

We would like better communication. Essentially, we are finding that victims do not like using Policelink. Unfortunately, we cannot get around this due to the resourcing of police. However, we would like to see greater support provided and that adequate police resources meet this. Victims need to be appraised on the progress of investigations and their rights in the justice process in a sensitive and timely way.

In support of stronger legislation, our justice system exists to keep our community safe. Our legislation must reflect this. We are looking at proposing ideas towards targeting recidivism. The approach the government has taken with the Strengthening Community Safety Bill 2023 acknowledges the severity and traumatic impact offending accompanied by aggravating factors has on victims, as mentioned earlier. Where charges have been upgraded to include any of those aggravating factors, we suggest that our judges or magistrates give consideration toward the impact any subsequent offending by that same young person would have on the community, especially if no conviction is recorded or the offender is prescribed conditions of bail for release back into the

community. Our government's attempt to apply stronger legislation should adequately support a judge or magistrate when granting these bail conditions. The bail conditions themselves should serve as an actual consequence to prevent further criminal offending.

Moving on to the next point, we would like to see a transparent youth justice system. Our group believes that the Strengthening Community Safety Bill 2023 needs to build a legal framework for victim inclusion in the youth justice system. This framework needs to be made public knowledge. As highlighted by the Youth Justice Strategy 2019-23, youth justice conferencing has been a strategy previously engaged in and touted by our government as a success to increasing young people's participation in the justice process and preventing further offending by a young person. These processes allow for young offenders to be in the same room with the victim for the purpose of restorative justice. Where requested by the victim, there needs to be this same inclusion for both parties to be present at the Childrens Court of Queensland.

We would like to address also the topic of social media. Our group calls for legislation to be made to stop criminals posting and sharing their criminal behaviour online. Filming victims in their homes while they sleep should be flagged by an algorithm on social media and any accounts displaying criminal activity should be restricted. At present our eSafety Commission has rules surrounding this. However, I believe an offender has to be found guilty for this material to be taken off social media.

Touching on offender support, we would like to see drug detox and rehabilitation services. Therefore, our group supports the proposal to extend cautionary practices and powers to the Queensland Police Service via the police drug diversion programs. When advocating early intervention strategies for substance abuse and misuse by minors, both our government and the community must focus on holding a duty of care to all young people, particularly where legislation that focuses on the best interests of every child or adolescent covered under the act as they are not yet in a legal position to act on their own volition or have the ability to make sound and rationale judgements, especially when under the influence or affected by substance abuse or misuse.

Any amendment by our Queensland government to the Youth Justice Act 1992, especially in terms of the Strengthening Community Safety Bill 2023, around decriminalising drug and other substance abuse in minors needs to commit to a focus on providing immediate support in injunctions and interventions. *Safe and supported: the national framework for protecting Australia's children 2021-2031* highlights that protecting Australia's children is everyone's business. The Youth Justice Strategy 2019-23 presented statistics from Queensland in 2018, where 33 per cent of young people who had entered detention facilities were known to have used ice or other amphetamines. These statistics should guide the Queensland government's regulation of substance abuse, misuse or addiction in children or adolescents under the age of 18 years. By the time these children reach a detention facility, they are not only an imminent risk to themselves; any escalation in drug use and/or offending affects our whole community.

There is also a necessity for early intervention/detox strategies to be addressed prior to any young person ending up in detention. As highlighted by the Youth Justice Strategy 2019-23, it was a priority for our Queensland government to facilitate the funding of further resources to reduce drug use and misuse that do not necessarily act to serve as a punishment for these young people; however, provide practical, therapeutic and wellness driven solutions. The alternatives that need to be considered toward the Strengthening Community Safety Bill 2023 and proposing future youth justice strategies are whether drug diversion and inpatient detox programs for youth need to be mandated or via court imposed order.

If you do not mind me continuing on this topic, I have a few more brief points to make. I was going to say that our government needs to remain focused on acting via legislative means where practicable to keep young people safe from harm's way at all times and, where this is not a realistic goal, have safeguards in place that can provide notifications for immediate interventionist and rehabilitation support to that young child that targets harm minimisation strategies.

Intervention and rehabilitation strategies need to include but not be limited to inpatient detox from substance abuse and misuse, access to mental health services, clinical diagnosis, pharmacological treatment, individual and family counselling as well as addressing maladaptive and antisocial behaviours by nurturing these children and their future development with psychosocial, interpersonal, educational, basic life and trade skills.

After a young person leaves any inpatient wellness facility or a detention centre, continuity of care must be maintained in terms of extending psychological and clinical support. This may be achieved by telehealth services, which best engage young people by assisting to overcome barriers they may have with attendance or relying on family members for transport to these appointments.

I have just gone on to put a few more proposals forward for how the government might achieve this based on some other models adopted in Toowoomba by our Toowoomba Base Hospital. That can also be read in our report if you would like or I can extend further.

CHAIR: It depends, Ms Orton. The floor is yours, but there may be questions. Obviously we have your report, but there may be questions that members want to put. It is up to you, but we do have two witnesses to come.

Ms Orton: That is okay. It is just basically suggesting that they might like to look at the Yannada model and how that currently functions in terms of child and youth mental health services already established in Toowoomba under the Toowoomba Base Hospital. It is just an eight-bed facility that caters to these young people and their needs. In terms of drug rehabilitation or smaller facilities to house offenders as an alternative to a purpose-built detention centre, there might be in-community strategies that we could adopt that might be more financially viable in the meantime to address these issues.

CHAIR: Just yesterday we discussed a very similar investment in Cairns, a 10-bed facility for youth drug rehabilitation.

Mr STEVENS: Thank you, Ms Orton, for your presentation today. As part of your presentation, perhaps you could comment on the time for consultation that you have had in relation to appearing before today. In terms of your submission, you might have liked to put through a written submission. The question I would like you to answer—I may have missed it, in listening intently to your submission—is in relation to minimum sentencing. Does your group have a view on minimum sentencing for these repeat offenders as a directive to be included in the bill? Do you support this bill as a first step in addressing the issues around Toowoomba?

CHAIR: Just to clarify, that is mandating a magistrate to impose a minimum sentence in all circumstances?

Mr STEVENS: Correct.

Ms Orton: Our group does agree that we would like to see minimum rather than maximum sentences in terms of adolescent offending and see our magistrates being provided the tools to impose these sentences. Yes, I do see that the Strengthening Community Safety Bill 2023 is definitely a welcome achievement by the Premier, having listened to the community and providing nonpartisan solutions towards these major issues.

Mr STEVENS: You have a magnificent facility at Wellcamp in Toowoomba. Would that be an appropriate place for some of your offenders to hang out in?

Ms Orton: I might leave that topic for our politicians to debate further. I may have suggested that in the past; however, if we are addressing needs for these people to be in detention, maybe we could look at smaller facilities like that at the Toowoomba Base Hospital. We could see these facilities in our community. Whether they are purpose built or whether we repurpose a service that is currently provided funding for young people—I have worked in out-of-home care previously—maybe we could adapt some of the models and transfer some of the funds that are already provided to these services to provide actual support rather than sending these people to Wellcamp or to where the other proposed building might be of these detention facilities. Maybe they could be smaller facilities like that of the Yannada unit at the Toowoomba Base Hospital.

Mr WHITING: This is a question I have not asked many other witnesses, and we have talked on this. I certainly would like to ask you: does the bill strike an appropriate balance between protecting the human rights of young people and protecting the rights to community safety of the community at large? Do you think we are striking an appropriate balance?

Ms Orton: I believe that this bill is a major step forward in addressing the community concerns, especially in terms of seeing a justice system actually provide a balance. Looking at victim rights, I believe that presently we are seeing that young people who are committing terrible offences—like we have seen recently in Toowoomba—have actually brought about a lot of this for us. I refer to the elderly gentleman who was knocked to the ground; we have seen some murder charges come about. Whether those people are processed in the justice system is not up to us now, but charges have been brought about. With the Strengthening Community Safety Bill, I believe that we have taken a big step forward to providing some sort of respect for victims and also a consequence. I believe that young people will not learn anything and will not move forward and mature as adults and people able to participate in society without entering the adult justice system if we do not actually provide some form of minimum options for consequence. Walking free and ruling our streets while victims are locked in their homes is not what a justice system is about and it is not the safety that we would like back in our community. Thank you to our Premier for considering this.

Mr CRANDON: Out of interest, the Toowoomba Advocacy Group is representing the voice of victims. You are well prepared. Thank you for what you have been putting forward. What brings you to the issue? Is it a lived experience yourself? Is it your qualifications and expertise? You mentioned that you have been involved in out-of-home care in the past. What brings you personally to this issue?

Ms Orton: I have a passion for both sides. I have actually been out of the system with adolescents for approximately eight years, so I cannot say that I am coming to you today based on that experience or representing adolescents, but I have had a lot of experience in attending youth justice conferencing and so on in the past. I have seen the wonderful results from those processes. Today I am actually attending, as you say, as a representative on behalf of the voice of victims, Toowoomba Advocacy Group. We are a fairly newly established organisation born out of seeing a gap in the justice system.

We have experienced two incidents. We had a break-in at our property where we had thousands of dollars worth of tools stolen from our shed that have not been replaced. We also had an attempted break-in approximately a year ago; however, those young offenders were also at our next-door neighbour's house. We had an attempt here while three other young offenders were inside our next-door neighbour's home. They woke up to those three offenders in their nine- or 10-year-old daughter's bedroom. We are just grateful that we have a beautiful neighbourhood and we all support each other; however, seeing that trauma that my next-door neighbours experienced impacted me and how I wanted to put my voice forward for people who did not necessarily feel comfortable or feel like they had an avenue to stand up for themselves to see change with this legislation that we have had previously.

CHAIR: Thank you. That was a very important question, member for Coomera, and a really important answer, Ms Orton, to talk about the impact of these things. You would know from your experience that often when young people first interact with a charge they go on to not interact again, whereas this legislation is concentrated very much on serious repeat offenders and directing magistrates to a different sentencing model. Is that the correct balance?

Ms Orton: I believe that children should be given chances. Even adults often learn from a mistake if we are guided on better alternatives. Children need to know that there is a harsher consequence available at the hands of justice if they do not show respect or remorse for their actions. Recently I was speaking with our new superintendent for our Toowoomba region, and I mentioned needing something as an in-between step or where youth justice conferencing might not be an issue, just depending on the level of offending.

For a first-time offender, it would be great to go back to seeing more community service, because as a youth worker I would attend that community service with that young person and participate with them—whether it be at the food bank packing boxes of food or examples such as that. I think the community has to go back to role modelling behaviours where these children may have come from backgrounds and not received that role modelling. I think as a community we need to step up, provide more inclusion for these young people and give them that community support to try and learn from their wrongs. We do need to see further measures adopted by our courts for some young people who may not fit the mould being given third, fourth and fifth chances. They may have been previously diagnosed with disruptive behaviours, where their brain may not be able to quite understand or where they may never be able to take on being able to feel remorse.

CHAIR: I find it difficult that a child who has gone into another child's bedroom and filmed them does not understand that that is wrong. To me, that is the definition of wrong. I am a high school teacher and on some level those kids must know that they are breaching norms in terms of invading the personal space of other people. They must understand that if that happened to them they would not feel good about it. Is that fair enough?

Ms Orton: Yes, that is correct. I talked about a young person who was in our neighbour's house a year ago. I happen to know another person in our area whose house was attended by that young person. I was privy to finding out that that young person has now progressed to a hammer attack on that person in their home. This young person was released on bail but then engaged in similar offending and there was drug use. I believe there was not enough put in place to stop that young person reoffending. This is no-one's fault, but we need to take it as a lesson going forward that this is not accepted by our community.

CHAIR: That is very well said.

Mr TANTARI: Ms Orton, thank you for your comprehensive verbal submission here today. It was really valuable to the committee. I look forward to receiving your submission in hard copy so we can read through it thoroughly. I want to unpack the area that you are talking about—social media. A

number of submitters have spoken about social media and the impacts it is having with regard to notoriety and giving offenders and serious offenders a platform for their pursuits or for their criminal activities.

You mentioned that you would like to see a greater restriction on social media. I understand that, contained within our legislation, there will be further restrictions on social media, particularly around filming criminal activity. That will be punishable by law. Are you going to forward your submission to the eSafety Commissioner and how are you going to interact with them? Like you say, social media is a big platform worldwide. It is very difficult to rein it in. Every little bit counts. Could you flesh out a bit more what you were saying about social media?

CHAIR: Especially from a Toowoomba perspective.

Ms Orton: I would like to extend on from my previous note about that young offender where we had seen the progression over the year. The reason I came to even be knowledgeable that this young person was involved is that I had seen a video that was posted to social media of this hammer attack. I will not use the descriptives that were put on this post; however, the young person was attacking this gentleman in his garage and this violent display was put on social media with a tag line that showed no remorse for the actions because it said, 'Booted the c... in the head'—and I am sorry for the language there. This is the tag line that was put on social media for this young person's friends, to show this beautiful car that he managed to steal and to show the attack. It was a cowardly attack of this old man in his garage. That is just one example.

One of our local victims shared with us that they had not only had a break and enter in their home but also had theft of their vehicle. Further on down the track the wife became aware that the young perpetrators had put up a video on social media of them sleeping. The wife had found this out. With the husband and wife already being so traumatised, the wife was too scared to tell her husband that this video even existed because of what he would do with that information. When he found out, it sent them back to that beginning stage of shock and horror. These young people are not only skiting about their offending but also offending further against victims and further traumatising them with their actions.

We need to not wait until these people are found guilty of an offence per the eSafety Commissioner. I am happy to write further to the eSafety Commissioner to back up our quest with this, but we need not wait. We need algorithms in place where social media platforms can acknowledge young offenders and their posting of criminal behaviour.

CHAIR: Thank you very much. I think the comment you have made is a powerful argument in favour of the new provisions regarding social media, because posting on social media truly does retraumatise those who have been hurt. There being no further questions, thank you, Ms Orton. Your presence here in Townsville from Toowoomba illustrates that the committee was absolutely open to submissions from all over the state. We know that there are impacts in Rocky, in Mackay, in parts of Brisbane and of course in Mount Isa. We are very much open to that and will continue to be. We thank you very much. We encourage you to continue your excellent and balanced work in representing victims. Thank you very much for your time.

CLARE, Mr Steven, Private capacity

CHAIR: Mr Clare, I understand that you have not put in a submission, but you have come here and this committee is very open to people's feedback. One of the things I need to counsel you about—and I do not know if you were here for the earlier briefing but this also applies to Uncle Alfred and Auntie Linda—is that if there is something before the courts there are rules that prevent us as MPs from talking about it lest we be seen as seeking to influence the courts. There is meant to be a separation.

This is an official proceedings of the parliament, so I ask you not to talk about anything that has not concluded before the courts. We went through that before with Mr Hawks. His case was concluded before the courts—a judge had made a decision. Also, when mentioning the names of young people either in the family system or in the criminal system, we need to keep some anonymity about them because there are laws about that. Mr Clare, you should be comfortable to relay your experience. I am not certain as to what you are going to say, but we want to be open to it.

Mr Clare: There was an attempted break-in at the front door of my house four weeks ago. I do not know anybody who has not had some sort of theft or attempted theft or break-ins or whatever. I do not agree with locking these kids up for 10 or 14 years. It is not going to change anything. It is going to make it worse. Giving them a golden bracelet—that is how they will look at—is not going to work. We have tried that. It did not work. Other kids look up to these kids. There is peer pressure with the mobile phones.

Can I suggest that on their first offence we take their mobile phones off them? The reason I am saying this is that I have a 13-year-old boy who is going off the rails. I flog him with a piece of garden hose and nothing happens. I take the electronics off him and things start happening. Make it an offence if anybody supplies these kids with a phone. Make that an offence. When they come good, they can get their phones back. Most of them are not going to change. They may not get them back until they are 18 years old. We have to start there.

Building more detention centres is not going to fix anything. You will fill two detention centres in no time. That is not going to fix the problem. All these kids come from drug, alcohol and welfare dependent families—if not 100 per cent then 99 per cent. I challenge anybody in this room who wants to disagree with me to speak up. So everybody agrees with me.

CHAIR: Order, Mr Clare! We are not asking others to be involved. You are the witness. We are not engaging with others.

Mr Clare: We had an 11-year-old boy die in Doomadgee just before Christmas. He dropped dead at four o'clock in the morning. No-one asked any questions. Drug test them. Get toxicology reports. Start drug testing these kids, even at 14 or at 10 years old. Start drug testing them using hair follicle analysis, not this other drug test as that is just a waste of time—hair follicle analysis is the true drug test—and you will start seeing the pattern. Start looking at their homes, because that is where the problems start from—at home. Start drug testing the parents and you will start seeing the pattern. It is going to keep happening. The 12-year-olds, the 10-year-olds, the eight-year-olds—they are all ready to go. It is going to keep happening. Locking them up is not going to fix it, that is for sure. We need to start looking at drug testing. The ice and cocaine in this town is out of control. Nobody talks about it. Nobody goes down that road. I know the reason for that, but that is where we have to start.

CHAIR: Thank you, Mr Clare, for your contribution. It is really heartfelt. I am not sure how we proceed with questions.

Mr STEVENS: I thank Mr Clare for his very passionate presentation today. We take on board his comments but I have no questions for Mr Clare.

Mr Clare: Can I talk about breach of bail?

CHAIR: Certainly. What we want to do is give you time to make a statement and then move to questions. The new legislation has provisions to make breach of bail an offence. Can you give us any feedback on that?

Mr Clare: It will have no effect on them whatsoever. They do not even know what breach of bail means. It does not concern them. It will not do anything.

CHAIR: We know that young people who are engaged in these acts talk about consequences on their social media and sometimes even on videos that are in the public domain. This bill creates a breach-of-bail offence so that if they break the order that the judge gives them they may be incarcerated. You do not think that is going to make a difference?

Mr Clare: No, none whatsoever. They are not worried about incarceration. It does not bother them in the slightest. It is all about social media. It is the way they have been brought up. For example, whatever happened to family planning? These families are having kids—I do not know what is going on. They are not fathering or mothering their children right from an early age, so we need to start looking at what is happening at home.

I am not suggesting that these families are just having kids for money. It is starting to appear that way. We can try giving them money to stop having these kids. They do not want the children. That is proven. They are not looking after them, so they do not want them. If they wanted the children they would look after them, so they do not want the kids. If they are doing this for money, give them the money. I do not know how you go about that. You are going to come up against the human rights people, but they are not running the state. Our government needs to stand up and start doing something about it.

Mr TANTARI: Mr Clare, thank you for coming along. I understand it is very difficult to make a statement. Your comments are very heartfelt. We can see by the expression and the way you expressed those words that the impacts on you and your community are quite severe. Have you read the bill that we are proposing?

Mr Clare: I went through it quickly because I did not know I was coming. I could not read through all 107 pages this morning.

Mr TANTARI: I understand that.

Mr Clare: I have a fair idea.

Mr TANTARI: Do you think generally that the bill we are proposing will strengthen community safety?

Mr Clare: From what I have seen it is not going to make any difference whatsoever.

Mr TANTARI: I would like to flesh that out. Why do you think that is the case?

Mr Clare: These kids are coming from families—it just does not affect them. They are not in the real world that we are in right here. They are not there. These kids now are going to father children in the next four or five years. Hang on: they are not going to father them but they are going to be the father. This whole process is going to start all over again. When their kids grow up, the same thing is going to happen because they are not getting the love and nurturing from home—none of them. That is why they are out all night. This has not been going on for four or five years; this has been going on for 30 or 40 years. You have to start looking at welfare. You have to start looking at drugs. You have to start looking at home, because that is where it is all starting from. It is going to keep happening.

One of our local young ladies who has been stealing cars has four kids and she is 21 years old. She is stealing cars! It has been in the paper. It was on the front page last year. What does that tell you? She has had four kids by the time she was 20. She is a kid herself. She cannot bring up four kids. Her mother or the grandmother has them. It is just going to keep happening. You have to start going after these people at home. If you are going to have kids, you have to prove that you are a good parent. If you do not prove that you are good parent, you do not have the right to be a parent. That is how it is.

I have a 13-year-old boy going off the rails. The only way I can get him to do something is to take the electronics off him. That is the only way. You can flog him night and day and nothing happens. You take the electronics off him and he starts doing things. You have to do that with these kids. On their first offence you have to take the phones off them straightaway. If anyone supplies those kids with phones, you start going after them. Their mates will get them. Their brothers will get them. Their mothers will get them. You have to go after them. That is a start. By locking them up you are not going to fix anything. It does not deter them whatsoever.

CHAIR: Thank you for your contribution here today, Mr Clare. It is tough to legislate for love, respect and care within a family, but that is ultimately the solution here. I really appreciate your feedback.

Mr Clare: If these people having these children just want the money—because that is how it is looking through my eyes—then give them the money and stop them from having children. How you are going to do that, I cannot tell you.

CHAIR: We have had anecdotal feedback that this coincided with the baby bonus period. I do not think that was good public policy. I do not know if there is a causal link. In general, people should have children that they want to embrace, love and care for. If not, there are lots of families who would love to adopt a child to embrace, love and care for. We appreciate your feedback.

Mr Clare: Mr Chair, just one more thing. I touched on fetal alcohol syndrome. Wait until they start touching on the effects of ice and cocaine—not marijuana—the hard drugs. Wait until you start going down that road. You are going to see some stuff. Start getting the data together. There was a young 11-year-old kid who died up in Doomadgee. They buried him so fast the sparks came off the shovel. Go and look at the parents. If you drug test the parents you will start seeing the picture, but no-one wants to go there. The police will not go there; the politicians will not go there. Why is that?

CHAIR: I do not know the exact case, but the Coroner is usually involved if there is a suspicious death. Thank you, Mr Clare. We might now bring forward Uncle Alfred Smallwood and Aunty Linda Janetzki.

JANETZKI, Aunty Linda, Private capacity

SMALLWOOD, Uncle Alfred, Private capacity

CHAIR: Uncle Alfred and Aunty Linda, can you give us some brief opening remarks? Do you want to do a separate small introduction about your views and the issues we face in Townsville?

Mr Smallwood: First I will say (speaks language), which means welcome to my country. I am a traditional owner and an elder.

CHAIR: We appreciate that.

Mr Smallwood: I have been listening to everyone talking this morning and I am hearing many things now. I have been running a men's group for the last 20 years and I heard you mention a thing about stats. I have a thing about being honest. The stats I have are unbelievable. I have been doing this with the men's group for 20 years, working with men and young people. My program works. Nobody takes any notice of me, and I will say this on television or whatever. I am a person of truth. I go into the detention centre with the young people. I go to the women's and the men's prison. I have been a strong advocate for youth crime. I am also a High Risk Youth Court elder and I work as a family support member. I still do that today. I still run my men's group today. I am involved with all these young people daily, nightly and everything.

When I talk about being honest, I do not know how high you go here, but I would like to know off somebody—anybody—who is supposed to be in charge of all these young people roaming the streets? Who is in charge of these young people in trouble? Yet you look in the paper every day and there are people taking kids out on country or people doing this and that. Who is actually doing all these things with all these young people? I am a traditional owner here and I have been here 69 years. I still do not know who these people are that are working with all these young people. I do not even know how many organisations are working with these young people. When I go and ask Youth Justice, they cannot tell me. Even when I go into their family homes—I am talking like this because this is frustrating for me. When I go into a family's house to talk to them, mum is standing up crying, dad is just standing up with his head down like that because they are lost. They are frightened because either their son or daughter is telling them—and they know—they are going to get beaten up when they talk to us. Then, of course, you get the hard-headed kids who do not care. I was just talking about parents who care for their children. That is what is happening with them.

I got my car stolen. My daughter got her brand new car stolen. It was only about two hours old. I am also a victim. I also worked in the watch house. I did 10 years in the watch house, so I got to know criminals. I would call people criminals. If you commit a crime, you are a criminal. I have a thing about racism. I am not racist, because white and black commit crimes. I saw that for 10 years doing the watch house. Going into that courthouse, I see that. Going into the prisons, I see that—white and black. Every time you read anything in the news, it is all about our black kids. Tell people to come up to that courthouse and have a look at that courtroom. Go into the watch house and you will see one white man and two black men or two black men and one white man, so how can crime be racist? It always seems to be that our black kids are being targeted, and that is where I get my frustration from. That is why I would like to know today from you, Mr Chair, if this community of Townsville can find out who the organisations are that are supposed to be working with all these young people. If you ring up Youth Justice they say, 'We can't tell you that information.'

I was part of a group five to seven years ago that had a thing going, but I pulled out of it for the simple reason that I was working with the wrong people. That is how I work. I have a conscience and I am honest, and I talk to anybody about that. As I said, when I was here and heard some of the other people talking, I wanted to butt in and just say, 'Why can't we do this or that?' As you can see, there are no black people here. I heard they were all at a meeting yesterday. You do not hear about these things. I only heard about this by luck. But I am a person of truth and honesty, and of course I have a conscience. As I said, I am really lost for words. The places that I have been into just to talk to families is unbelievable. When the brother was talking about the drugs and that, it is everywhere. Sorry; as I said, I just got lost for words here.

CHAIR: We appreciate that, Uncle Alfred. We might have some questions to put to you in a little bit.

Ms Janetzk: Thank you for letting me have a talk. Like Uncle said, I only found out about this meeting by chance two days ago because I bought the *Townsville Bulletin*, for goodness sake, and I thought this is something that I need to be at and to listen. I am speaking as an elder because I am

retired; however, from 1993 to 2016 I was co-coordinator of our police liaison officers here in Townsville, so I am quite well aware of what has been going on. Uncle and I are part of our justice group here in Townsville, so I have still chosen to be part of this community to see what is going on.

I am distressed by some of the things I have heard this morning. All the dealings that I have had over the many, many years with our children in our community—I have seen it going down because of this one factor. It was the factor of when the mums and dads had their parental rights of disciplining their children taken away. In those years, up until then we were able to help our child and people like that, but it was after that came in as law I was literally rung every day and told, 'We're too frightened to discipline our child because when they go to school, if the teacher sees a mark on the child then there are questions asked.' So basically from our point of view—and I am talking about our Aboriginal community only—then the discipline was not given because people were so frightened to discipline their child.

I have been not frightened in saying that, and at the many meetings I have gone to over the years I have always maintained that it has to be reverted to the mums and dads and the family to discipline that child, because out of that comes respect. That is how I was brought up. Dad gave us three times: third time you're out, so you knew your boundaries. Children have to have boundaries. At the moment they do not know their boundaries. It is just like us: when we drive a car we cannot go this way because there is a boundary. Children need boundaries, and that is what is sadly lacking.

All this stuff here that is coming out in your new laws and so forth, when you look at it you say, 'Our kids aren't going to abide by that. They don't have any understanding,' because they have no respect. Even when I left my job, which was 2016—I had to retire simply because I was old—we all grow old—there was no respect. Once upon a time when an elder would talk to one of our children they would respect you. Now they tell you get effed, so to speak—I am being very frank—and you cannot do anything about it. That is how far society has come.

If by chance something good happens then that is good, but at the moment it has to go back to the family. It has to go back to mum and dad. We know that it is a dysfunctional family, so everything has to be around grouping the family and supporting mums and dads. Once upon a time it used to be that mum and dad would have the child and then granny would step in and look after them or an aunty. That still goes on in our communities today, but unfortunately most of our elders, our grannies and aunts, are all tired because it is just constant.

I wanted to come and just unload, I suppose, for want of a better word, on how it is here. We cannot coat it anymore. I am sick and tired, as an elder in this community, of picking up the *Townsville Bulletin* and seeing all of these things that have made (audio missing). I think I have said what I need to say. Simply that: take it or leave it. I am over it.

CHAIR: I appreciate that, Aunty Linda. In answer to your question about who is in charge of these kids, I have a 16-year-old and the name of the person who is in charge of that 16-year-old is right here. Ultimately, it does come down to responsible and caring families. As I said, that is tough to legislate. Deputy Chair, do you have a question?

Mr STEVENS: No, but we thank Uncle Alfred and Aunty Linda for their presentation today. It was off the cuff, so to speak, but very well appreciated. We thank you for your impact on the matter and for your experience, but we have no further questions down here in Brisbane.

Mr Bunyan: Excuse me, Chair.

CHAIR: Sorry, Kelvin. We do try to keep order. Can you talk to me later?

Mr Bunyan: You mentioned something before about raising children.

CHAIR: Come and talk to me later, Kelvin. I really appreciate your passion, but we have a set of procedures and rules.

Aunty Linda, I think that idea of boundaries, consequences and discipline is really important for parenting. There are government programs that push that—they give parenting skills to parents. I know this from experience in Logan. They very much try to emphasise those three things: boundaries, consistency of discipline and consistency of consequences. I am not a supporter necessarily of the kind of discipline that leaves marks on children. There is a big gap where you can do all of those things without any part of that, and I will not say child abuse—even well short of that. You can provide those boundaries and discipline. Are there more parenting programs that young parents would make themselves available for? What would help in Townsville?

Ms Janetzki: From our point of view here, we see services that get funding—and everyone goes for funding—and we have a look at it as a group and say, ‘How did they get it?’ because it is not applicable for our Aboriginal and Torres Strait Islander community. Family to us is everything—not to say that you do not have it but—

CHAIR: It is relatively important to Irish people too.

Ms Janetzki: But there is a connection with family. Family is everything to us. Everything has to be set around the family and to acknowledge the cultural stuff of that. We know that dads are the head of the family. That is just part of it.

CHAIR: Don’t tell my mum, though.

Ms Janetzki: There you go. Dads are the head of the family in ours. If dad is not there, then it is our uncle and all this type of thing. This is where people have to understand. When they make up programs or put people in place to run groups and things like that, they need to understand that there is a different system to us—not that we are any different and we want things differently, but that is the way it is.

CHAIR: Mr Clare said it really powerfully when he said people will be fathers but won’t be fathering.

Ms Janetzki: And that is correct.

CHAIR: Is a strong role model of a father really important to these kids?

Ms Janetzki: Yes.

Mr KATTER: I really appreciate what you are saying. We probably have a bit different environment in Mount Isa, but I am sure you will still have applicable commentary. A big component of this bill is building the wraparound services around the families, as you say, which sounds good on paper. The problem I see is that point of getting to the front gate, getting to the family, and it is compliance then. You have things like blue cards that stop the locals getting those jobs to do that and we import people to do that job. Do you see that as a problem?

Mr Smallwood: You are so right about the blue card stuff. I also deal with my men’s group. I run two domestic violence things every Thursday. These guys who lose their blue cards are a bit like you fellows, walking around with ties on and everything, or like me, and they have never committed a crime in their life, but they were eyeballing a lady or something like that and they are up for DV and there goes the blue card. Or one of their children were screaming at them, so they are up for DV. These DV laws have to change.

I will always say to give the role back to the women for being the owners of the families. Do you know why? Because when I was a kid growing up, the women ruled the families. Do you know why? Because there were no men around. All the men were out working and the kids never saw any males in the community—and that community was Garbutt here. That is what I always tell everybody: give the role to the mothers.

CHAIR: Thanks, Uncle Alfred. That is important. We have obviously had this debate that the member for Traeger has brought up.

Mr KATTER: Yes, sorry.

CHAIR: No, keep going. I was not discouraging that.

Mr KATTER: Fleshing out the same thing again, do you have your own solutions for breaking that point past the front gate into the family homes? I know we just talked about blue cards. Do you have any advice around that?

CHAIR: I might phrase that again, if I could. When we have doubts about those young families functioning well and providing good models, both mum and dad, what do we do as a government to try to help and assist them at that level? Is that what you were getting at, Rob?

Mr KATTER: Yes, it is, and to prompt where I was going I will say that my feeling is that it is the local people, the people closest, who you have to try to get to do the job, which is where we keep failing.

Mr Smallwood: What you have to do is actually get the real deals. I talk about the real deals all the time. Do not bring anybody into your house if they do not know what they are talking about. I have nothing against young people, but I have noticed that the wrong people are walking into that house to talk to the parents or to talk to that young person. That is why when I talk to people I say, ‘You’ve got the wrong deal working with you.’ In that sense, I respect everybody who is doing that work, but you have just got the wrong deals working.

Ms Janetzki: I was also going to say in relation to Robbie that, for instance, if someone goes to court, there are organisations in our community that go and pick up that family or the mum and dad, whoever it is, and take them to court to make sure they are there. If you leave it to the families to get there, they have no transport or they do not care or whatever. There is always someone who goes to try and help, and it has to be somebody who understands that you have to be there—that court starts at nine o'clock and you have to be there to pick them up. There are things that are in place for those ones, but then again it is also to get people who feel comforted in themselves to leave that door to go through the gate to go to wherever. That is our self-respect. They are so far gone in how they think of themselves that they just say, 'Oh well. So what? I've been there, done that.'

CHAIR: I might be speaking out of turn, but I sat with a DV victim in Beenleigh courthouse and she was talking about the process. You feel so nervous—even as an MP, even as a mature person. It is very confronting to go through that process.

Mr DAMETTO: My question is in regard to some of the young perpetrators you have interacted with over the years. As MPs, we do not get a lot of opportunity to speak to these kids, if any, because of how the Youth Justice Act has that separation. When you are talking to these young people who you know may have been perpetrators, what do they say are the reasons they are stealing cars or breaking and entering at night?

Mr Smallwood: First of all, I make sure I get respect from the young people. If I cannot give them respect, they are not going to listen to me. That is white and black. A lot of them are in the safe houses. We are doing cultural stuff. We take them out in the saltwater and teach them how to do stuff there, white and black. They ended up sending them up to Booyah on a cattle station and the other young people see them doing that. I am going back a few years now, not in the last three years. That does not work for me. That is what I used to do. When I say the real deals, I used to make sure I had the real deals working with me, to work with those young people—not anybody who did not know anything about it or who would make out they knew what they were doing. That is why I talk about the real deal working with me.

CHAIR: We heard some people talk about young people not understanding consequences. We heard Ms Orton from Toowoomba talk about an elderly gentleman being hit with a hammer. It just seems very confronting that that person did not understand how they would feel if their grandad or them as an old person was threatened with a hammer. Do they really not understand the pain they are causing to people?

Mr Smallwood: I am just going to answer this honestly.

CHAIR: I do not want to hear anything else.

Mr Smallwood: If I had anything to do with that elderly man who was assaulted and I was doing what I do now in the courts or running my men's group, whether that young person goes to jail or not, I would make sure that I go and talk to him and it would be his choice whether he did it again or not. It is the way you talk to them and how you get them to listen.

Ms Janetzki: I would say the same. It is like they have been removed from society. They have no conscience themselves. As I said, I found towards the end of my job they would take no notice. That is how much the respect had gone down. Once upon a time, they would look and say, 'Aunty, I'm sorry,' but not anymore. I believe it could be the crowd that they are associating with. You knew who they were so you just leave it be because they could go just like that. I was involved in this community when the glue sniffing started all those years ago.

CHAIR: We had that in Logan as well.

Ms Janetzki: We all had to get together and work together and bring it all out about the glue sniffing. Thank God that is gone at the moment. It sort of comes back every so often. I think the kids are bored. That seems to be one of the things I hear that the kids are bored. You ask yourself: why are they bored? There are plenty of sporting activities here. Why?

CHAIR: Thank you very much. I know you did not have a written statement but your heartfelt thoughts are really important to our committee. As a final comment, I want to say that we are very open to submissions from throughout the state. We would have taken telephone calls or video calls from Mount Isa; there has been some criticism. We are still open—and it is on the website—that we will try to process and take on board any submissions that people make to [egc @parliament.qld.gov.au](mailto:egc@parliament.qld.gov.au). I want to make it clear that we are still very open. I thank Uncle Alfred and Aunty Linda for your statements.

That concludes the hearing today. I want to thank everyone who has participated. I want to thank our Hansard reporters, who have struggled valiantly through technical issues. A transcript of the proceedings will be available on the committee's webpage in due course. We will resolve with the mayor about how to do her opening statement. With that, I declare this public hearing closed. I appreciate your time.

The following statement from Councillor Jenny Hill, Mayor, Townsville City Council, is included by resolution of the committee:

Good morning, Mr Chair and Committee Members—

Thank you for the invitation to speak on the *Strengthening Community Safety Bill*.

I hope the Committee gains insight from the Townsville community during today's hearing about the issue of youth crime and how this is affecting our city.

I'm pleased that you have also visited Cairns in this process, as that city, as well as Mount Isa and many regions in South East Queensland are growing tired of the youth crime scourge besetting our communities.

Many of the communities in regional Queensland beset by crime are, otherwise, great places to live.

But it makes it hard to attract new people to live in our city, and sometimes even to retain people, when all the headlines are about our issues with youth crime.

The issues that contribute to youth crime—multi-generational disadvantage, drug and alcohol abuse, poor housing conditions—cannot be fixed overnight.

The system that deals with these offenders after the fact can be tightened up, however.

In my view, this Bill goes a long way to address that, but not all the way.

The most obvious sign that youth crime in Townsville is rampant is the number of offences involving youth offenders and vehicles.

I support the increase in the maximum penalties for unlawful use of a motor vehicle, and the adjustments around aggravating circumstances.

Before the Legal Affairs and Safety Committee in 2021, when it was considering the *Youth Justice and Other Legislation Bill*, I called for criminalising the publication of vehicle offences on social media platforms.

I'm pleased that has now been included as part of this Bill.

While there has been an increase in maximum penalties—and I'm aware that this is an important factor in determining sentences, it is my firm view—and an almost universally-expressed view in the community to me—that there should be mandatory minimum sentencing for certain offences.

Furthermore, my view is that expressed exemptions for non-adult offenders for any offence which carries a mandatory sentence should be abolished.

In relation to amendments to the *Bail Act 1980* and the *Youth Justice Act 1992*, I am pleased to see that there will be greater emphasis on offending history incorporated into the youth justice sentencing framework.

In response to the Member for Currumbin at the Legal Affairs and Safety committee back in 2021, I called for breach of bail for youth offenders to be reinstated, even as a trial, as something members of that committee might agree on.

They might not have agreed on it then, but I'm glad the Government has come to that position and that is included in this Bill. Sometimes progress is slow!

The expansion of the GPS tracker implementation—sorry, 'electronic monitoring'—to offenders aged 15 and over, is welcome.

However, I stand by my comments of two years ago, which is that all offenders over the age of criminal responsibility—ten years old—should be eligible.

I also want to take this opportunity to reiterate my view that this age of criminal responsibility should not be raised. I'm aware that this is not up for debate in this Bill, but it is an important point.

In terms of where I think this Bill is lacking, in addition to my call for mandatory minimum sentencing for certain offences, I would also submit that detention should no longer be considered as a 'last resort' for youth offenders.

Sentences for youth offenders need to be sufficient for diversionary and support programs to actually work.

Furthermore, remanded offenders need to be given access to these programs, and allowing them to be continued if found guilty and sentenced to a period of youth detention.

Saying we don't have enough spaces in youth detention is a bit of a furphy, in my opinion.

We knew before the last state election in 2019 that there were children being held in watch houses—as reported on the ABC's Four Corners program—and not getting the support they required, and the community expects.

An announcement late last year about expanded capacity in youth detention has come far too late.

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Constructing these facilities, and the exploration of things like remote area relocation sentencing, as has been called for by the Members for Hill, Traeger and Hinchinbrook, is worth exploring.

I would also submit that it is necessary for there to be strengthened provisions around considering criminal offending when adult offenders were youths should carry much greater weight when sentencing adults.

The changes relating to transitioning those in youth detention to adult detention when they turn 18 is welcome.

Members, this Bill will go some way in addressing many of the community concerns about how the State of Queensland deals with youth offenders.

Addressing the root causes has been subject to much media interest in the last few weeks, with the Mayor of Mount Isa, Cr Danielle Slade, and the Mayor of the Cairns Region, Cr Bob Manning joining me in writing to the Queensland Government and Opposition with a raft of suggestions.

Those are beyond the scope of this Bill, but I would call on the Parliament to address those concerns and suggestions in the near future.

Members, I'm pleased to express my support for this Bill, and urge you to consider the amendments and concerns I've put forward.

I'm pleased to take any questions from the Committee or guest members.

Thank you

The committee adjourned at 1.14 pm.