



JUSTICE, INTEGRITY AND COMMUNITY SAFETY COMMITTEE

Members present:

Mr MA Hunt MP—Chair
Mr MC Berkman MP
Mr RD Field MP
Ms ND Marr MP
Hon. DE Farmer MP
Mr PS Russo MP

Staff present:

Ms F Denny—Committee Secretary
Ms E Lewis—Assistant Committee Secretary

PUBLIC HEARING—INQUIRY INTO THE MAKING QUEENSLAND SAFER (ADULT CRIME, ADULT TIME) AMENDMENT BILL 2025

TRANSCRIPT OF PROCEEDINGS

Thursday, 8 May 2025

Brisbane

THURSDAY, 8 MAY 2025

The committee met at 1.40 pm.

CHAIR: Good afternoon, everyone. I declare open this public hearing for the committee's inquiry into the Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025. My name is Marty Hunt, and I am the member for Nicklin and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today. With me here today are: Peter Russo, member for Toohey; Russell Field, member for Capalaba; Natalie Marr, member for Thuringowa; Michael Berkman, member for Maiwar; and Di Farmer, member for Bulimba, who is substituting for Melissa McMahon, member for Macalister.

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. 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 chair's 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 remember to press your microphones on before you start speaking and off when you are finished, using the button with the little face on it. I ask everyone to turn their mobile phones off or to silent mode, please.

CHELEPY, Mr Shane, Acting Commissioner, Queensland Police Service

MUDRYK, Ms Jessica, Acting Director, Strategic Policy and Legislation Branch, Queensland Police Service

CHAIR: Good afternoon. I invite you to make an opening statement.

Commissioner Chelepy: I would like to commence by respectfully acknowledging the traditional custodians of the land on which we meet today and pay our respects on behalf of the Queensland Police Service to elders past, present and emerging. Thank you for having us here today and for the opportunity to brief the committee in relation to the Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025.

The Queensland Police Service is the primary law enforcement agency in Queensland responsible for a wide range of duties, including the State Emergency Service and Marine Rescue Queensland. Our purpose is to keep the people, places and communities of Queensland safe through excellence in policing and community safety services. Every day, our officers and staff endeavour to act with integrity, respect and courage to build a safer and more resilient Queensland. To achieve this vision, we continuously evaluate the risks and challenges within our community so that we can deliver effective and responsive policing. The challenge we face in ensuring our communities are safe and, importantly, feel safe is youth crime. This is a complex issue, and we know that young offenders are often extremely vulnerable individuals. Tackling youth offending and reoffending requires a holistic and collaborative approach across government to ensure we address the underlying causes of this behaviour and in addition to holding offenders to account.

The Queensland Police Service provides strong enforcement action that places the needs of victims at the centre of our work. However, we also remain committed to working with our partner agencies and key stakeholders within the community to connect young people who are at risk of engaging in criminal behaviour with relevant support services to break the cycle of offending. This is evident through the crucial work undertaken by the Youth Crime Taskforce, a dedicated capability to enhance policing responses to youth offenders. Acknowledging the government's commitment to fund the Youth Crime Taskforce over the next four years, the taskforce will continue to target high-harm offending through specialised operations.

The QPS is also deploying the State Flying Squad to various regions across Queensland, providing a rapid response and surge capacity to support local officers engaging in specialist operations to target crime hotspots and increase our police presence within the community by conducting high-visibility patrols. Following the government's commitment of \$32.4 million over five years, the State Flying Squad has increased its personnel and has enhanced capacity to hold young offenders to account through the Making Queensland Safer Laws.

It is also crucial to identify the incredible work of our frontline police and the work they continue to do on a daily basis, providing locally based solutions to youth crime and recidivist offending through purposeful collaboration with partner agencies and the facilitation of youth initiatives and programs. The QPS is proud to be involved in several early intervention initiatives, such as the Youth Co-Responder Teams, the Police Citizens Youth Club programs, Project Booyah and other programs run by partner agencies which support at-risk people to make positive choices.

I note the objective of the bill is to expand the Adult Crime, Adult Time sentencing regime by prescribing an additional 20 offences to capture offences such as rape, attempted murder and torture. Under the expanded Making Queensland Safer Laws, young offenders are liable to the same penalties for serious offences as adult offenders. Whilst the intention of this bill is to hold young offenders to account by introducing stricter penalties for certain offences, the bill will not affect policing practices or alter how our front line engage with young offenders. The QPS remain committed to using all available tools to tackle youth crime and place community safety at the forefront of everything we do. Police officers will also continue to consider alternatives to charging a child, when appropriate, including taking no action, administering a caution or taking other diversionary action as required by the Youth Justice Act 1992. I thank the committee for the opportunity to be here today, and I welcome any questions.

CHAIR: Thank you, Commissioner. We had the Queensland Police Union representatives give evidence and they spoke of the broad welcoming by the police of these laws and the frustration felt at having to chase the same repeat youth offenders. I appreciate that you are probably limited in the comments you can make around the general support of police, but can you comment on two particular offences included in this tranche of laws: damaging an emergency vehicle when operating a motor vehicle and endangering a police officer when operating a motor vehicle? What are the dangers your members face and how prevalent are those offences amongst young people?

Commissioner Chelepy: First of all, I want to acknowledge the work that my staff do every single day and every single night across the state. What we have seen, particularly in some areas of regional Queensland and in our metro areas now, is young offenders targeting police while they are out trying to keep our communities safe, by either ramming our vehicles or driving directly at our officers and putting our officers at risk. As the Commissioner of Police, I have a responsibility under our workplace health and safety laws in the state of Queensland to ensure our officers are safe. We are definitely seeing an increase in the prevalence of that and it is having a direct impact on our staff safely going about their jobs to keep Queenslanders safe.

CHAIR: Are there any plans for reviews of the pursuit policy in relation to how we deal with young people driving motor vehicles dangerously?

Commissioner Chelepy: Our safe driving policy is under review and is imminently due to be released. It had a review undertaken. This review has come about over a number of factors, including the tragic death of one of our officers, David Masters, and outcomes of inquiries into David's death. The review looked at the use of tyre deflation devices, the use of boxing-in strategies, the use of automated tyre deflation devices and the use of general overarching pursuit policy.

Whenever we review a pursuit policy, we have to ensure we get the balance between the safety of Queenslanders, including offenders—so the safety of bystanders and Queenslanders—and the safety of our officers not only in pursuing but also when deploying tyre deflation devices at all times of the day or night in high-risk areas—and consider how we ensure that the vehicles we have spiked are safely taken off the road to ensure Queenslanders are safe. That policy has been under review and is due to be released along with the additional training we implemented following the tragic death of David Masters, resulting in face-to-face training of every one of our frontline officers deploying tyre deflation devices.

CHAIR: Commissioner, I recall doing that training.

Mr RUSSO: Commissioner, did the Queensland Police Service make a submission to the Expert Legal Panel?

Commissioner Chelepy: Yes, we did.

Mr RUSSO: Have you seen any documentation from the panel?

Commissioner Chelepy: I will ask Jessica to respond to that on my behalf.

Ms Mudryk: I note that there was further information received by the Queensland Police Service regarding the Expert Legal Panel's advice, but certainly any information with regard to that is cabinet-in-confidence and we would not be able to discuss or disclose that today.

Ms MARR: I have had the opportunity to speak to some of the local police officers in Townsville. As you know, we have a very high rate of young offenders in Townsville. They have said that they have already seen a change with the youth offenders on the road who are starting to understand that there will be consequences for their actions. You said in your statement that it does not alter the way that QPS staff manage youth offenders on the front line and that is important to everybody. Can you let us know how they are feeling now that they have had the opportunity to see some of those offenders off the streets a little longer than they have been for the past 10 years?

Ms FARMER: Chair, point of order: I am not sure about asking public servants how they are feeling.

CHAIR: Member, could you rephrase the question about the commissioner's experience and so on?

Ms MARR: I will rephrase the question. Maybe the member for Bulimba does not like to hear about the past, but that is okay.

Ms FARMER: Point of order, Chair: I think there are standing orders that are very clear about the questions that are appropriate to ask public servants.

CHAIR: The member can ask the commissioner what his experience is with officers' feedback, which is what I think she is getting at.

Ms MARR: Could you please give us some feedback from the officers on the front line who are dealing with youth offenders?

Commissioner Chelepy: While I appreciate there may be anecdotal evidence from our officers on the front line, as I said in my opening statement, as you made reference to, the way we deal with youth offenders has not changed, mainly because the Making Queensland Safer Laws have focused on sentencing. As our officers attend jobs and deal with youth offenders, we still use all of the practices and procedures that we would normally use around co-responders, the ability to offer diversion, the ability to take no action, the ability to use restorative justice programs and also the ability to arrest and issue a notice to appear. The reference I made was that the way that we deal with offenders has not changed and the way that we deal with offenders in our watch houses has not changed.

From speaking with our officers I can say that our officers are appreciative of the support that the state flying squads are providing and our co-responder models are providing as well as our youth justice taskforce is providing. The officers are focused very strongly on keeping our Queensland public safe. They will continue to take strong action against youth offending right across the state. The anecdotal evidence I have been provided with by our officers is that they feel the approach we are taking around youth offending is supporting them.

Mr BERKMAN: I expect you are quite well aware of the broadly understood research and even statistics specifically from the Cleveland Youth Detention Centre that show that the earlier a child is incarcerated and the longer they are incarcerated, the impact that has on recidivism rates and the seriousness of the types of offending they might engage in. Does the QPS have any concerns that these laws might, in fact, just lead to a higher workload and worse criminal behaviour and worse offending from children who do not have the services available to them? I realise there might be some contention about this, but I am talking specifically about Cleveland given that the data does show an increase in recidivism and seriousness of offending.

Commissioner Chelepy: It is difficult for us to answer that one directly in relation to the bill. Whilst I appreciate the research is there and I appreciate the research around Cleveland, I do think that is a matter for the department of youth justice around Cleveland and not myself. As I indicated, this will not change the way that we police our young offenders on the street. We have not seen, since the introduction of the laws, any impact. It is only new. We have not seen a significant impact on our officers in the watch house. We have not seen a significant impact with recidivist offending any more than what we have seen before.

I appreciate your question, member. I am not trying to avoid it. If you are asking me if we have any concerns or if we have any considerations when we deal with youth offending, in my opening statement I said it was a holistic, whole-of-society and whole-of-government problem. While the police are at the front end of it dealing with youth offending on the street, it is a continuum that needs to

support our youth offenders, whether that be through education or rehabilitation programs. Unfortunately, while we play a part in that with our youth co-responder models, engaging with the families and working through our multiagency panels in the district and with other community providers, it probably is not an area of my expertise that I could speak on—or the length of time before we will start to see those outcomes.

Mr FIELD: As we all know, across the state for the past 10 years youth crime has been out of control due to the revolving door situation and everything else. With the harsher sentencing and the provisions that are on the table now, do you agree that they will have some sort of deterrent factor for some of those juveniles? Everybody at this table has been elected to make Queenslanders safe, in a sense. That is our primary role as a government in general. Whatever laws we introduce that are supported by the QPS will go a long way to doing that. Will the harsher penalties act as some sort of deterrent for some of these individuals?

Commissioner Chelepy: I can only draw on my 38 years of policing experience in answering that question. I cannot draw on any research or direct evidence because the laws have been in only a short time. I can say from my experience of 38 years of policing that if recidivist offenders are not in the community then fewer offences are committed.

Ms FARMER: Thank you for the work that you and your officers do. The explanatory notes to this bill refer to the increased number of young people who will be in the system and for longer periods and that, therefore, we can expect to see challenges to capacity and that will be monitored, I believe is the term. I have a couple of questions on that. Can you please comment on current and future likely capacity issues in the watch houses? Has the QPS done any modelling on the likely impacts of these laws on watch house capacity?

Commissioner Chelepy: If it is okay with the member, I will ask Jessica to answer.

Ms Mudryk: I can confirm that consideration has been given to the impact on watch house capacity for the first tranche of the Making Queensland Safer Laws. Certainly at this stage, if we are considering the number of young people who have been admitted into watch houses and the average stay in custody for the period of 13 December 2024 to 30 April 2025, there has not been a notable increase in the duration. There have, indeed, been fewer individuals admitted in comparison to the time period 12 months prior. However, in reviewing the same period of about 4½ months, earlier in 2024, if you look at 27 July 2024 to 12 December—again, there has been a difference of dates—certainly the impact on the length of stay of young people in watch houses and the number of admissions can fluctuate and vary. It is too early to determine whether there has been a significant impact as a result of the earlier tranche of these laws to identify if there will be any significant impact following the introduction of these other laws, noting that there are a number of factors that can play into this.

I do note that there has been increased capacity in the Wacol Youth Remand Centre that will help alleviate and get young people out of watch houses faster. Certainly the QPS works diligently with all of our partner agencies to ensure children spend the least amount of time in watch houses as possible and we can have them in more appropriate places. I do not believe there is appropriate modelling that could be done to really predict the impact of these offences with any kind of true accuracy.

CHAIR: Thank you. It being two o'clock, we will have to leave it there. I appreciate your attending today and giving evidence before the committee.

SPRINGBORG, Hon. Lawrence, AM, Mayor, Goondiwindi Regional Council

CHAIR: I invite you to make an opening statement to the committee.

Mr Springborg: Thank you very much, Chair, and members of the committee. Our council and our community appreciates the opportunity to appear before your committee today and to give you an indication of some of the challenges and circumstances that we face, so thank you very much for that opportunity. I represent a community which is generally a very safe and law-abiding community and periodically we have faced the reality of crime, as all communities do. There is no ideal place in the world. Over time, crimes have been spiking. There have often been crimes of opportunity—property crime, somebody might steal a car that may not be secured or maybe it has been secured and they have stolen the keys, those sorts of things.

Around July 2022 the seriousness of these crimes started to escalate, and I think it happened across the state as well. It went from crimes of opportunity, not violent, to very violent crimes with recidivist juvenile offenders in particular. They were using weapons not only against householders but also by assaulting people who were visitors to our community in motels, caravan parks and all of those sorts of things. We have had some serious escalation over those times, and they have involved generally a small number of repeat offenders, otherwise known as SROIs.

Our community sentiment has been one of concern, and also concern that there needed to be more done. I just want to take this opportunity to acknowledge support that we have received in our community. I might start with former minister Farmer who visited our community in her capacity as minister for youth justice and training. We spent a significant amount of time talking about some of the deficiencies in training and the fact that they were not knitted together across the border, and we are still working through that with the Cross-Border Commissioner. We thank the former minister for her role in that, more so the fact that we did not have on-the-ground youth justice support which we now have under the same DG in a different department. Also, we had support from former minister Ryan who met the community's expectations and call over 20-odd years for the need for a 24-hour police station which was of great assistance in our community—to help us, as well as to have a better police response to this growing reality.

Also, former premier Miles stepped in and supported what had been a 10-odd-year crusade for the appointment of a cross-border commissioner who should never be focused on crime alone because it is not about crime. That is a small part of the day-to-day difficulties that we face with lack of collaboration and cooperation across the border. The cross-border commissioners do a very good job on a range of issues, including trying to bring agencies together.

We also acknowledge the support of the current government with regard to these laws, which principally apply a greater degree of responsibility for actions and which has been missing in the equation, as I mentioned before, because of the escalation.

The lived reality on the ground was not pretty. We do not live in a utopia, but in one case we had an offender in their early teens who had stolen 35 cars, destroyed most of them and was released over and over and over again without account for their actions. We had many serious offenders who had escalated to crimes of violence against individuals.

From a community safety viewpoint, it is critically important to restrain those who have been committing escalating serious offences, and we also have some evidence which is built on the ground in our community that the laws that have been brought in have had some effect in restraining people from escalating behaviour. We have offenders on bail at the moment who have been, according to local law enforcement, somewhat more restrained in their approach since the laws have come in because they are very much aware of what the laws are, they are very good at using technology, and they are very good at knowing what police pursuit powers are et cetera.

That is the other issue I will just touch on. Between my office and the border, I could walk into New South Wales in one minute and 20 seconds. I think I said that to the member for Bulimba when she visited the electorate to talk about these things a year or so ago. That is the reality: commit the offence here, rip around in front of the police, make them put their lights on—they cannot chase you—and go into another jurisdiction. Then the police have to go through all the processes of getting them back into Queensland. That is the lived reality.

Thank you very much for the opportunity to address you. We appreciate all the support that we have received. More needs to be done. This is not the only part of the equation, but it is a significant part of the equation, and what we are seeing on the ground is that it assists well in conjunction with those other things.

CHAIR: Thank you for coming in from Goondiwindi. We, as a committee, did discuss going out there at one stage, but there were difficulties with hauling everything out there and back. We really appreciate you coming in and bringing that perspective. You have probably answered a couple of my questions, but I want to flesh out a little more the challenges of the border community and policing—you obviously work closely with Ian Leavers, the Cross-Border Commissioner—and also that one of the new offences included is arson of vehicles and to the extent that impacts your community.

Mr Springborg: That is very important for us. Crime has a dramatic impact on the community. Just have a look at what it costs to insure a vehicle in our community as a consequence of this and compare it to other places where we have not had such a raft of car thefts and destruction of vehicles. It is a significant issue. The vehicle is often stolen on our side of the border, burnt out on the other side of the border, things are not linked up very well and it is described as an incident on the other side. Hypothetically, if a vehicle were stolen in Noosa and burnt out in Caloundra, it is dealt with in one jurisdiction. It is not the case in our area. This is a big problem. It can take a fair while to bring an offender into Queensland who is under restraint. By the time you do that, it is a year or two down the track and then, of course, being a youth justice matter it is often dealt with differently and in a lighter way.

These offences should be joined and we argue for a singular jurisdiction. I wrote to the previous premier about this—three premiers ago—and I am also chasing this through the Cross-Border Commissioner. We need to have something along the lines of what we have in the remote communities of Northern Territory, Western Australia and South Australia, where a matter that happens on one side can all be joined up and dealt with in a singular jurisdiction, that is a bubble, and if it happened in Queensland, as I said before, that would be dealt with in one Magistrates Court and would be all linked up. We need to look at similar things by practice—that would be very good—or we need to be better at how we do these things.

Ms FARMER: Thank you, Mayor. I acknowledge we had a number of conversations about this. I am pleased to hear that the cross-border issues are being addressed, if not solved. When the Premier introduced this new tranche of laws to parliament, he said they would be bolstered by early intervention, prevention and rehabilitation in order to address the cycle of crime. Do you believe this is important, and what is your view on none of these measures having yet been introduced?

Mr Springborg: I think they are very important, member for Bulimba, and I think there are things that are a critical part of this. I have heard for 20 years or so now the importance of early intervention on causes of crime, but words have not necessarily been backed up by actions, and I think that has been a part of it. I keep hearing it, but on the ground we have not had the resources. There have been family interventions where people have come from Roma. We did not have a Youth Justice officer. They come out once a week from Toowoomba. I remember raising it with you and having the discussion about it being nine to five because their EBA said they could not work after hours. The reality was that when the youth were being supervised, if they ever were, they were not committing crimes because they were normally nocturnal. So, it just was not working.

We need early intervention, meaningful intervention and real tough love. We have sibling cohorts in our area where there are co-offenders who have committed 400 to 500 serious offences of escalation and there has not been the interventions. That has to happen. If it does not happen, then it will not work.

We need to have Youth Justice on the ground. We now have that. It will be interesting to test that environment of release at some future time and make sure we have that supervision. The diversionary programs and training, as we have talked about, are critical to real court-ordered training and a requirement to meet expectations. I think you start to break the cycle, but I think that has been very much lacking historically and it needs to be dealt with. Without that, you cannot deal with the other things. When we are talking about making people responsible for their actions and keeping them restrained, in an environment where their behaviour escalates seriously, the only way you can do it is to take them out of circulation. Most kids do not reoffend, but those who do are serious.

Ms FARMER: You would like to see these new measures put in place?

Mr Springborg: We would. We are starting to see some. I mentioned Youth Justice a moment ago. We now have a Youth Justice presence in Goondiwindi which is great; we need that. As I have been calling for—and I think I mentioned it to you when you were a minister under a different portfolio; you were very open to it—the need to have a greater families intervention process early on. Then, of course, that is complicated across the border because there are cross-border issues. A lot of our challenges are cross-border. We may do it okay in Queensland, but the cross-border communities are 800 kilometres from Sydney. It is a real challenge for us.

Ms MARR: You mentioned in your opening statement that what was opportunistic crime turned into an escalation of occurrence and violence. You also mentioned about the cost to your residents. Considering the cost to council, as you also spoke about destruction of property when they go on their rampage, can you see the amendment bill will give your community a feeling that they are now finally being listened to, that we have stronger laws and consequences for actions?

Mr Springborg: I think from that perspective, member for Thuringowa, that is true—people are wanting consequences for actions. They will get some comfort from that because, although they want young offenders to be given a chance, they draw the line at 20. I mentioned here 35. They draw the line. However, they understand you have to deal with all aspects of this, as the member for Bulimba said a moment ago. Yes, this is a critical part of it, as is 24-hour policing and better engagement with cross-border agencies—absolutely. It is a welcomed step, as those other matters are also welcomed steps. They are all part of the equation.

Mr BERKMAN: I am interested in your experience with the Community Justice Group in Goondiwindi. I am sure you are aware of these programs; there are a lot of them in various communities around the state. I am curious as to whether you think the CJG in Goondiwindi specifically is meeting its potential or whether there is scope for it to offer more of the culturally appropriate intervention work, not necessarily just in sentencing processes, but also on that front end on the early intervention side of things.

Mr Springborg: Member for Maiwar, that is a good point. Obviously when it comes to culturally appropriate interventions, that is important in our area, given the population distribution. I know that for leaders in the community, they are very much open to that, but they are also very much open to, and they are wanting, an environment where in order to ensure those who are involved in that program, they have the backup and support to make sure that happens. We have had youth offenders who get put back into community without the 72-hour orders; they are released straight back off remand. Remand has been used as a form of restraint, yet they have none of the programs in remand, of course, that they would do if they were formally incarcerated. As one of the community leaders and the cohort you mentioned before said to me, if you are putting three or four serious offenders back together all at once, without any effective restraint and supervision, then you have a recipe for repeat. That is it.

I have a bit to do with the Community Justice Group and they also have some frustration about the program and their ability to ensure the serious offenders are a part of that. They are not. There is a real opportunity in regard to emerging offenders on whom you can intervene early and work through on that, as long as it is resourced and supported, but when you are dealing with serious offenders, it is at a whole new level, and that is where we have been. That is one of the big challenges. Yes, it can work, but most of the offences are being committed by about half a dozen people. However, it is an important part of it because it gives value and worth and all those sorts of things. It is very important.

Mr BERKMAN: To clarify, when you referred to three or four young people being let out at once, were you talking about being released from remand after a stint of incarceration?

Mr Springborg: Maybe formerly on remand for a period of time or arrested and restrained over the course of a weekend and released immediately, so they often come back together very quickly because people tend to gravitate to themselves in that environment. That has been a big challenge. That is why separate alternative diversionary programs for different skills with different environments are critically important. That is a matter the member for Bulimba and I spoke about last year. I think there is general agreement that those things are important. All of these parts are ideal and they are Utopian if we make them work. They have not been working but they should work. The people you restrain for longer periods of time are those whom you unfortunately have trouble turning around, maybe as a consequence of what happened earlier in their life. Their learned behaviours then become normalised and difficult to break without a high level of restraint.

Mr FIELD: You said there is now a full-time youth justice officer in Goondiwindi with PBAs and everything else. Since then has the situation got any better than over the past decade?

Mr Springborg: From a youth justice perspective, it is also a coordination role. That has been one of the things we have spoken about. I should have mentioned that they have a very important role in coordination. This person who has been appointed under the auspices of the department of youth justice will also be working across agencies to ensure things are serviced and delivered locally. It is only a new position. The challenge I have in answering that question is that we are in a very settled patch at the moment. We will find out what happens when people who might have a propensity towards those sorts of behaviours are released. I think I will be able to answer that question better in the future. At the moment, from all accounts our law enforcement on the ground indicate they are seeing different

patterns of behaviour than what we have seen before, but we now have a person on the spot to assist us with all of that coordination, making sure these other agencies work well together but also working as a youth justice officer.

Mr RUSSO: Mayor, did the Goondiwindi council make a submission to the Expert Legal Panel?

Mr Springborg: No, we did not. Our community would prefer to have not gone through this because it impacts the way people see our community. We just want it sorted out. It is a settled community. It is a law-abiding community and, from our perspective, we welcome the law. We welcome the other assistance we have had from government previously. We are now looking forward to supporting this and seeing how it works.

CHAIR: Thank you very much for coming out from Goondiwindi.

KAISER, Mr Joseph, Organiser, Australian Workers' Union of Employees, Queensland

SCHINNERL, Ms Stacey, Secretary, Australian Workers' Union of Employees, Queensland

CHAIR: I now formally welcome representatives from the Australian Workers' Union of Employees Queensland.

Ms Schinnerl: The AWU has the industrial coverage of operational workers who work in Queensland's youth detention centres and that includes detention youth workers, the frontline heroes of the youth detention system. The vast majority of detention youth workers in Queensland are indeed active members of the Australian Workers' Union. By virtue of our industrial coverage, the AWU's major stake in this inquiry into the Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill relates to the functioning of Queensland's youth detention system. The bill adds a further 20 offences to the existing 13 offences that attract adult time for adult crime for youth offenders in Queensland. We believe that a consequence of that will be that more young people will be serving longer sentences in youth detention, and this has the potential to significantly impact the youth detention system. Our submission will focus on that.

I want to say from the outset that the Australian Workers' Union recognises the significant personal cost faced by victims of crime in Queensland. As Queenslanders, we share the community's concern about reducing the prevalence and impact of youth crime. That is why AWU members who work in youth detention get out of bed every morning, put on their uniform and work to rehabilitate young people in these often violent workplaces.

The bill will increase the number of offences that attract adult time for adult crime. These changes aim to deter serious youth offending, ensuring justice for victims and physically separating violent individuals from the wider community. While the AWU supports these goals in principle, we are concerned that these reforms may shift violent crime off our streets and into our members' workplace without the necessary staffing or infrastructure to accommodate it. I acknowledge that the department has been moving in the right direction on staffing and safety since our members took industrial action and campaigned for change in 2023. Our union has been working with the department in good faith over the last few years to reduce the severity and impact of staff shortages and violence in the workplace. I am pleased to report that that seems to be working; however, it is important to note that Queensland's youth detention centres are running at or close to capacity. Despite positive movement, our members still do not consistently have the staffing resources to safely run these facilities or provide consistent access to education or meaningful rehabilitation programs.

With this bill set to increase the number of young people in the system carrying longer sentences, we foresee a surge in detainees entering a system that is already stretched to its limits. This raises a serious concern about how the Queensland government plans to accommodate this influx and uphold its obligations at law to ensure a healthy and safe workplace for its staff. In terms of increasing capacity, this may lead the government to consider double- and triple-bunking in youth detention centres. This would be a disaster not only for workers but also for the rehabilitation outcomes of youth offenders. AWU members strongly oppose the practice of double- and triple-bunking in youth detention centres as it leads to a higher risk of physical and sexual violence amongst detainees. Such conditions are fundamentally at odds with both safety and effective rehabilitation. Housing multiple detainees in a single room also increases the risk of violence towards staff, as young people can coordinate assaults, riots and other disruptive behaviour, threatening the good order and safety of the facility. Forcing the overcrowding of our youth detention centres would also erode staff morale, increase absenteeism and worsen retention, creating a cycle that undermines safety and rehabilitation efforts and threatens to undo all of the collaborative and positive efforts of the department and the Australian Workers' Union. This issue will also not be solved by outsourcing the critical work of detention youth workers to the private sector.

The AWU believes that victims of crime deserve justice; however, we also believe that rehabilitation and justice can, and must, coexist. Effective rehabilitation reduces reoffending and ultimately the number of future victims, which has been identified by this government as its primary metric of success in this policy area. The only way to provide meaningful rehabilitation is through the work of directly hired professional detention youth workers. Our members are more than just guards; they are integral to delivering the rehabilitation outcomes this system is designed to achieve.

Detention youth workers who work in the Department of Youth Justice and Victim Support have a working knowledge of the Youth Justice Act 1992 and the complex legal and regulatory framework that surrounds the detention of young people. Their work simply cannot effectively be outsourced to

private providers of adult correctional services. Our members are concerned about poor health and safety outcomes for staff in these workplaces when they have to rely on undertrained contractors working on a casual basis for a fraction of the remuneration. Outsourcing this work for new or existing services also leads to a further reduction in rehabilitation quality in these centres, leading to higher recidivism rates and more Queenslanders becoming victims of crime in our community.

The Queensland government must carefully consider the future policy direction on how they will house the influx of young people entering youth detention centres in a manner that does not compromise the health and safety of our hardworking public sector workers or the rehabilitation of youth offenders—remembering that when a worker is assaulted at work they themselves become a victim of crime.

The AWU and our membership are prepared to constructively engage with the Queensland government in good faith to find common ground on these issues. However, the message from our union and the frontline workers we represent is clear: the government cannot double- or triple-bunk these young people and they cannot privatise this work. Either outcome would be a disaster for staff at centres, the young people in the system and the Queensland public at large.

CHAIR: Thank you for coming in today and representing your workers. It is good to hear things are improving now. It is good to hear things are going well. I want to go back to concerns about overcrowding and the increase in capacity in detention centres. The last time that happened was when the age changed from 17 to 18 and there was a lack of planning by the previous government. Your workers would have experienced an influx at that point in time. Can you describe how you coped with that situation and what happened? Is that what led to the industrial action in 2023?

Ms Schinnerl: The timing does not necessarily line up on that. I apologise, I was not in this position at the time the age situation you describe occurred. As is always the case when there is an influx of detainees into the system, it requires a very complex risk assessment situation in terms of how to handle the increased number of detainees into the system. What generally will happen is that, when you have more young people detained than you have the staff to safely look after them, essentially the system goes into night mode. That means the kids are locked away in their cells because you only have a certain number of staff to look after the young people safely—for their own safety as well as staff safety. Our experience is that when young people are detained and locked away in their cells in night mode for extended periods of time it then heightens anxiety in the centre so that when the young people are eventually let out our members become punching bags. Their frustrations are taken out on the first people they see, and they are the front line in terms of youth detention.

CHAIR: Is that what happened last time? Is that the experience when that major change was made with no plan?

Ms Schinnerl: Again, I was not the secretary at the time so I cannot talk to that specific scenario, but that is our ongoing experience.

CHAIR: Are you able to comment on that?

Mr Kaiser: No.

Ms FARMER: I acknowledge the really outstanding work that your officers do in our youth detention centres. It is a really challenging job. Please note how appreciated they are. I note from your submission and your statement today your concerns about the safety of your staff and also detainees. The explanatory notes to the bill recognise that there will be an increased number of young people coming into the system as a result of these laws and they will be in for longer. Further, it notes the department will monitor any strain on capacity, which is a different model to previously where quite detailed modelling was done on what capacity was needed. Last week we heard from the director-general that it takes about 3½ years to plan and build a new detention centre. Is that contributing to your concerns about numbers quickly going up and having these impacts and the ability of the system to respond quickly to the need for greater capacity, which is where you are concerned about outsourcing and double- and triple-bunking?

Ms Schinnerl: Absolutely. Even on the current arrangements, we are at or near capacity most days. I am not quite sure what the intention is around the concept of monitoring. You can monitor until the cows come home, but it does not change the fact that if there are 15 new offenders to be detained tomorrow then the system is not equipped to facilitate that in an immediate sense. You can run any risk assessment that you like; it will always come to the same conclusion that the current system and the current infrastructure are not able to immediately respond without deviating significantly from the current arrangements in order to accommodate those extra young people in the system.

What deeply concerns me is that—just prior to the new remand facility opening I toured that facility—that facility is already set up for double-bunking. As much as everyone says we are not going to double-bunk—and that is the official line that we are being told at the moment—the facility has been built with that as a possibility. It does not change the fact that once you increase the number of young people in that system there has to be an immediate risk assessment done.

The reality is that there is no way you can safely accommodate these young people in the current infrastructure without compromising either young people's safety or staff safety. There are certain parameters and certain requirements in place that dictate how our members interact with young people by virtue of numbers. There are ratios that dictate how they can safely accommodate and deal with young people and how they can safely have them out of their cells. In the absence of being able to do that safely they get locked away, but that is on current numbers and we are already at or near capacity most days. I simply do not know how, without going to these extra measures or miraculously materialising a new detention centre overnight, there can be a safe approach to this.

I also reflect that there have been points in time historically—and I have gleaned this information from our members in the system as well as our organiser. Unfortunately, Scott cannot be here today. He was a detention centre worker for three decades. In the few instances where the system has had double-bunking or even triple-bunking—and this is in the most dire of circumstances and has been very rare—the increase required in personnel in order to accommodate that safely—and there could be an argument that it can never be done safely—is so significant that there simply are not the current staffing numbers to do it. I just do not know where you get the staff. That is why we have this concern around contingent labour. They simply will not be equipped to deal with these young people in the manner that they need to be dealt with.

So much of what our members do requires trust in their colleagues and being backed up. It is very challenging and it is very unsafe to do a lot of what needs to be done to deal with unsafe situations, particularly when anxiety is heightened and where there are multiple young people to deal with. You are often pulling people from other areas of the centre and, therefore, compromising that section in order to respond to a code over here. Simply to open a door in a youth detention facility requires a number of personnel in order to do it safely.

There are lots of moving pieces. I do not know what 'monitoring' means. I do not know how effective monitoring will be when the system and infrastructure are just not presently there to deal with the influx.

Ms FARMER: Going back to the question, you would like to see some modelling so that there was preparedness for what is to come?

Ms Schinnerl: Absolutely. Everything has to be risk assessed and the only way you can do that is through modelling.

CHAIR: We certainly inherited a situation there.

Ms MARR: I am from Townsville and I am very familiar with some of the staff who have worked or are currently working in the youth detention centre. Over the last few years, there have been some horrible cases of abuse towards the workers. I respect the hard work they do and acknowledge the injuries they have had to endure over the past couple of years. I respect the role that they play.

In your submission to the bill you said 'more young people serving longer sentences in youth detention, which has the potential to significantly impact the youth detention system'. Conversely, would you concede that through deterrence, with tougher penalties, there may be fewer youth offenders serving in detention centres, if you are considering early intervention programs that we are also wanting to implement?

Ms Schinnerl: We can certainly hope that that is the case.

Mr BERKMAN: I want to get a bit more context around night mode and the consequences of that. Am I right that, basically, if the ratio of prison officers to young people exceeds a certain level then you will go into night mode, which means that young people cannot leave their cells and they will not get any outdoor time or exercise, let alone any of the educational or other rehabilitative programs that are supposed to be on offer in detention?

Ms Schinnerl: That is essentially the safest way to deal with a facility when there is insufficient staff, yes.

Mr BERKMAN: That is not meant as a criticism; I am just clarifying. Is it the case that even within the last fortnight or so, as I understand it, there have been circumstances where Cleveland has had to go into night mode? This is still a very current issue with the staffing issues that they have?

Ms Schinnerl: I do not have the specific data, but I would not be surprised if Cleveland still has frequent instances of night mode. Staffing of Cleveland is inherently challenging, so much so that a number of our members from Brisbane or West Moreton youth detention centres frequently fly to Cleveland to provide that support. As I said, it does not surprise me that that is the case. It is fundamentally better than it was, however. We worked with the department to achieve a significant increase in the attractiveness of the role by virtue of a bargaining outcome. The good news is that the numbers are coming in. They just seem to be coming in a little bit slower in terms of North Queensland. Nothing would actually give our members greater joy than to never go into night mode, but sometimes it is just a necessity.

Mr BERKMAN: Of course.

Ms Schinnerl: Unfortunately, the consequence of that is diminished access to the rehabilitative and educational programs.

Mr BERKMAN: Finally, there are plans in the works for an additional couple of youth detention centres, including one in Cairns, in regional Queensland. Are you concerned about potential issues getting the staff that you need to safely operate a centre in Cairns?

Ms Schinnerl: I am reasonably confident that the package will be attractive for the people who want to work in those sorts of facilities, but I do not have a crystal ball, unfortunately. I am hoping that, as soon as that centre is established, we will be able to get the numbers in there that we need to essentially staff a new facility, which will take some of the pressure off Cleveland.

CHAIR: Thank you. It being 2.40, we have exhausted our time. I thank you for coming along.

ALLSOP, Mr Tom, Chief Executive Officer, PeakCare

HAYES, Ms Katherine, Chief Executive Officer, Youth Advocacy Centre

CHAIR: I now welcome representatives from PeakCare and the Youth Advocacy Centre. While you are from two different organisations, we have paired you up today and added an extra bit of time. I invite you to make an opening statement, individually.

Ms Hayes: I appreciate everybody's time, given that you have been travelling a lot lately and this has been a very intense period so I thank you for your time and attention. It is a difficult subject.

I want to start with the fact that it has been very difficult for us to understand the inclusion of the various offences in the bill. It seems like a bit of a strange hotchpotch of offences with no rhyme nor reason or no logic as to why they are included. We tried to understand the basis for their inclusion by looking at the data.

In recent weeks, we have spent a bit of time drilling down into the available police data. What we can see is that arson seems to have dropped. Theft is definitely going up so that I can see a bit of logic there—if that is the logic behind it, but we do not know. Drug trafficking: six kids and they are mostly dealt with under adult. It is really unclear to us why these offences were included, particularly the five or six that already have life imprisonment as an available option for sentencing. For us, and I think the sector and probably the public generally, it would be great to understand why those 20 offences have been included. Also, because the statement of compatibility clearly says that they are more punitive than necessary to achieve public safety, again, it is beyond us. We do not understand exactly what is going on. Our submission in relation to those offences is that it is a mystery as to why they are included.

On the statement of compatibility, the Attorney-General talks about the current situation with respect to youth crime being exceptional. Again, we went into the publicly available data and drilled down into all of the police data for the past 24 or so years. That statement does not seem to be borne out. What can be said is that in regional and rural Queensland there is in general a crime crisis that is the result of really serious social issues and very high levels of domestic and family violence that are causing very high levels of all crime in those areas, including youth crime. That is particularly the case for the north police region, which includes Mount Isa, and the far north area, which includes Cairns. Those areas are particularly suffering from all crime, including youth crime. That means that it is not consistent across Queensland and so we need a more targeted approach that looks at the root causes rather than the inclusion of a variety of offences.

The other point that we would like to make is that the contest of victims' trauma versus kids' trauma and victims' rights versus youth rights is a false dichotomy. We believe that victims' rights need to be upheld. They need full information at all times. The serious trauma that has been suffered from some abhorrent incidents where lives have been ruined and lives have been lost is absolutely paramount to beginning this discussion. Part of that is that we all need to recognise the significant trauma that has caused the offending behaviour. Until we address that underlying cause, these crimes will continue.

That is why we keep on talking about the breach of human rights and the mistreatment of kids in detention, because it means they will come out and continue to reoffend and there will be more victims and more victims' trauma. That is the main point about why our sector keeps talking about the breach of human rights and the mistreatment of kids. In particular, the purpose of the bill, being the reduction of victim numbers, means that until we address the underlying causes, in particular domestic and family violence, we are not going to see that reduction.

Because regional and remote Queensland are where the majority of crime and youth crime is occurring, it is very interesting to then look into the Cleveland Youth Detention Centre in Townsville which, by all reports, is not functioning. The government released data in January this year which showed that Cleveland has not only a really high rate of reoffending once kids leave the centre but also a situation where they are committing more serious crimes. That is really interesting. Down here in the south-east corner when kids leave detention there is a little bit of an improvement in the seriousness of their offending. When kids are released from Cleveland, they are worse than when they went in. When we look into why that is, Cleveland, as we heard from Stacey, is in lockdown very regularly. I spoke to two workers who were in Cleveland detention centre last week and the week before, and they were in lockdown last week. This means they are not getting education or, in some cases, the education is putting a piece of paper under the door.

That is part of the cause of this cycle of reoffending in regional and rural Queensland. If we put them into Cleveland, where they are not getting rehabilitation and where they are coming out worse, then those figures will continue. In terms of rehabilitation in Cleveland, we understand that when kids get access to education they love it, but the picture that was painted by the department of youth justice in terms of reading improving exponentially is not borne out by the kids we have seen. We have kids who are 17 leaving juvenile detention centres going into adult prisons who cannot read and write after spending hundreds of days in detention. We have other kids with serious disabilities who have spent 200 days in detention and none of them have been assessed properly or treated. That is the ideal time. When they are in the detention centres they should be surrounded by assessment and treatment, treatment that continues into the community and full rehabilitation. It is just not happening. I do not think that Cleveland in particular is able to provide that kind of rehabilitation, and that is where the serious crime is. Staff shortages have resulted in many of the kids we see having been subject to night mode, isolation, solitary confinement or separation—whatever the term is. That means their mental health goes down. As Stacey alluded to, the whole centre becomes an anxious pressure cooker. The kids come out angrier and traumatised and they continue to offend.

The department of youth justice also spoke about some improvement in kids' standards in detention being demonstrated by research from the United States. When we had a look at that research it is not consistent with what is going on here in Queensland. It is also probably in stark contrast to when they are in community. The kids who are committing a lot of these crimes come from the most broken, awful circumstances you can imagine. We have a client whose father tried to strangle him in water and drown him. We have other kids who have just been left by their families. They are suicidal, they have nowhere to go. There is a whole gamut of awful circumstances. That is significant because that is why they are offending. Until that part is addressed, it will continue. We also see an increase in kids with serious disabilities and developmental delays in detention. They are the kids with Fetal Alcohol Spectrum Disorder and other developmental delays. They do not have impulse control, they do not have capacity to understand consequences for actions, and they have a more limited ability to learn lessons. They are not impacted by these new laws in terms of deterrence. In the consideration of this bill we would like to see a real analysis of exactly what is going on with these offences, exactly where they are occurring, why they are occurring and why it is necessary to override the Human Rights Act in those circumstances.

Mr Allsop: I would like to acknowledge the traditional owners on whose lands we are meeting and pay my respect to elders past, present and emerging. I will be very brief in my opening remarks because I have had the opportunity over years to provide quite detailed opening remarks and an evidence base to support progressive youth justice reform in Queensland. There are only so many times you can say the same thing.

I represent the peak body for child protection in Queensland. I speak on behalf of more than 12,000 victims of crime who exist within our child protection systems, their families, thousands of workers and hundreds of organisations who turn up every day to keep our community safe. We believe that communities deserve to be safe; it should be our paramount responsibility. Every member of our community deserves to be safe. Queensland has one of the highest failure rates in the world in its youth detention system. You cannot get a much higher failure rate than a 90 to 94 per cent recidivism rate. If we measure the yardstick of success of our detention centres as young people not returning, I think we need to acknowledge that it is a system that is fundamentally flawed in its approach.

In saying that, putting forward a bill that proposes we would want to keep young people in a broken system for longer and believing that in any way will make a meaningful long-term difference to Queensland's safety is a furphy. We have very clear and longstanding evidence bases that tell you exactly what the causes of crime are in Australia. In this month in particular, as we reflect on domestic and family violence being the scourge that it is, we need to appreciate the fact that, when we talk about community safety, the most unsafe place a child or woman can be is in their own home, yet we focus extensively on youth crime being the single biggest issue this state currently faces, which I believe it is not. We know that the majority of young people in our detention centres have experienced domestic and family violence. They have been exposed to that. We know that in Australia alone—the standard Australian child being between the age of 16 and 24—60 per cent of Australia's children have been maltreated. Our youth crime issues mirror who we are as a society. We need to understand that, because it also holds a mirror to whom we want to be as a society.

Addressing youth crime is not difficult. It is actually quite simple: you prevent it through effective early intervention and prevention which keeps young people out of harm. You provide the right detention system that actually addresses and reduces recidivism rates, and then you walk alongside young people and their families once they exit so they do not come back. This bill misses the majority of that.

I want to address this briefly. There have been remarks that we might be seeing anecdotally some early successes or at least some pressure being placed on reducing rates of crime. I would suggest the committee reflect on it in the same way that we see the tide drawn out when a tidal wave is coming. What we are seeing right now is the water retracting, but what we will see in the years to come, in the generations that are yet to be before us, is a tidal wave of consequence for the inaction of today. We will have generations of Queenslanders to whom we need to be accountable. In terms of the decisions we are making, for every day we do not invest in prevention and early intervention more victims of crime will exist within Queensland. Every time we put forward bills that do not address the causal factors of crime we do not reduce victim numbers; we make every person in Queensland a victim.

CHAIR: I acknowledge your comment that this bill does not address early intervention and post detention. It is not intended to. It is part of a swathe of things the government is intending to do. You do both mention the ineffectiveness of the current—I think you said broken—detention system and the way it is run. You will not get any argument from me about that. Detention needs to be done better. I was going to ask you about that research—and I am glad you raised it—about detention being done better and having better outcomes in a detention setting and in a community setting. Is that achievable in Queensland if we do it right?

Ms Hayes: Detention works best when they are in small centres in their local communities and there is a very close link with the outside, so when there are day releases or working with the family at the same time. A vital part is working with the family, so it needs to be small—six to 12 kids—in the local community, having a path to employment or training or education, that starts in detention and continues on the outside, but also assessment and treatment of the underlying conditions that continues on the outside. That is the common denominator when you look at all of the models around the world that work.

CHAIR: Like the Staying on Track program, 12 months intensive supervision and support post detention, for example?

Ms Hayes: That is a really great start, but the broken child safety system is where we should really start. We want to prevent crime rather than give them great support after they have been punished for crimes committed. We want to prevent it in the first place.

CHAIR: I acknowledge it needs improving. The fact is that we have fewer individual unique offenders but there is a cohort that is offending more violently. Would you acknowledge that in Queensland we are having some success in early intervention?

Ms Hayes: The vast majority of kids who come into the youth justice system have one contact and move on. Yes, it is this core group that the next wave is about to come through because of that failure to really help those kids.

CHAIR: You say there is this next wave coming through, but what is that based on? Is that based on some evidence? Because at the moment—

Ms Hayes: Anecdotally talking to lawyers in the Childrens Court. Wherever I go, I talk to lawyers in the Childrens Court and ask what they are seeing. When I was talking to people in a regional court recently, they are seeing the next wave coming through. They are the kids who are on the street, do not have a safe home to go to or are injecting meth at 12 and 13. They are primed and ready to go. The government just announced—there was a media release that came through about an hour ago—that a 12-year-old girl had been arrested as part of the latest operation on 21 charges. She is a girl who would have undoubtedly been known to Child Safety and is part of this next wave coming through.

CHAIR: A defence lawyer from Townsville addressed the committee last night. I would encourage you to have a look at that transcript. He is seeing improvements. I guess there are different views on that.

Ms FARMER: Thank you both for the outstanding work your organisations do. We really value your advice. Did either or both of you submit to the expert panel? Ms Hayes, you just made a statement about the range of offences. You said you are puzzled about how they are grouped together and that some offences have gone down or do not appear to have changed very much. I think I heard one or both of you express a desire to see documentation from the expert panel. Do you believe that if you could see the recommendations from the expert panel it would make it clearer why this particular set of offences has been put together? Are there any other reasons you think it would be useful to see those documents?

Ms Hayes: The Youth Advocacy Centre made submissions and we were consulted by the Expert Legal Panel. There seems to be a real leap between the discussions we had and the outcome of those discussions. We tried to reverse-engineer exactly how this list of 20 was arrived at. We do not understand. We would love to understand the basis for these 20 to be included, yes.

Mr Allsop: PeakCare made a submission to the Expert Legal Panel. PeakCare would be delighted with the opportunity to be consulted by the expert panel and PeakCare would be delighted for the opportunity to see any paperwork relating to the expert panel. We believe that important decisions like this deserve transparency in how we have informed and landed on these particular offences.

Ms MARR: Thank you both for being here today. I read your submission and listened to you today. In your submission you said that detention does not act as a deterrent to reduce recidivism. In 2021, within 12 months of being released 91.2 per cent of children returned to detention. You said it clearly has not been working. We have the highest failure rate in the world. Does this not prove that what we had over the last 10 years has not been working and we do need to have change? We do need to consider victims and offenders. We have early intervention programs, compulsory education and rehabilitation. Under the former Labor government youths had 72 hours worth of rehabilitation. In Townsville, I can tell you that most of the kids who got out of detention got zero of those 72 hours.

Ms FARMER: Point of order, Chair: that was a very long preamble.

Ms MARR: The member for Bulimba may not want to hear about the history of the violent crimes in Townsville—

Ms FARMER: Point of order, Chair. I have two points of order. One is that I take personal offence and ask the member to withdraw. Secondly, it is a very long preamble and we have limited time.

Ms MARR: I do withdraw.

CHAIR: Member for Bulimba, your question had an extraordinarily long preamble. I will allow the question. Go ahead, member.

Ms MARR: I withdraw. Looking at these charges and understanding that they are the worst of the worst crimes and repeat offenders—this is not every child who is going through the courts—do you believe that we have to make some changes, that there has to be consequences for actions, and that doing it better will mean that most of those children will not end up in a detention centre for a long time if we have good rehabilitation and early intervention?

Mr Allsop: The evidence is very clear that there are much better ways of doing detention that exist now and have been prevented and that should be acted on. We know that a 94 per cent failure in our system is an unacceptable rate. We know comparatively that overseas they are seeing a 14 per cent recidivism rate through models of detention that actually walk alongside young people and their families. For every victim that we speak to, their preference strongly is not to be a victim in the first place. Rather than waiting for a crime to occur, I would suggest it would be their preference that we prevent that crime from occurring in the first place. A lot of the focus of this is keeping young people in detention for longer so that we may seek to rehabilitate them, noting that the system you are seeking to rehabilitate them through fails them 94 per cent of the time. We need to be doing that prevention work that stops them interacting with the system in the first place.

Mr BERKMAN: Are you both familiar with the article that was referred to and I think tabled by the director-general? It is an article from the *Journal of Experimental Criminology* by Pappas and Dent on a 40-year meta review?

Ms Hayes: Yes, I have read it.

Mr BERKMAN: You are both familiar with that. That has been referred to a number of times throughout this inquiry as, in some respects, contrary to the existing body of evidence about detention and recidivism and the assertion that detention done right will fix everything. Do you have any observations to make about that article in itself or that article alongside the idea of detention done right and whether that is anything like what we have in Queensland?

Ms Hayes: Detention done right is the antithesis of what we are doing at the moment in Queensland, because we have very large detention centres with hundreds of kids in them. That simply does not work. In that research, the most recent study that they looked at was 2009 so it is quite old already. I compare it to the article that came out this year, 2025, in *The Lancet* examining the Queensland youth justice system. It found that the kids who are entering the youth justice system have a predisposition to die early deaths and have all the markers of everything that we are talking about. That is a much more current bit of research that I think we should spend time on but cannot at the moment.

The 40-year review—it was called something like that—concludes that multisystemic treatment, which Tom knows more about than I do, is more successful in detention centres than in the community, but that is because it is comparing a baseline of nothing with what is going on in detention centres. Here in Queensland, that multisystemic treatment is not occurring at all. There is an utter failure of providing any support for these kids compared to providing a really comprehensive program in detention centres that we are so far away from. Apparently, we tried to do it quite a few years ago but did not resource it properly. I do not think that research does show that programs in detention in Queensland will reduce recidivism.

Mr Allsop: To build on that, we can always draw on those emerging and slowly growing evidence bases as to what may occur if we were, as a state, to completely redesign our detention system to one that was done differently and that was able to be effective and could provide those multisystemic treatment therapies that our young people deserve. What we also need to draw on, I think, is the living experience of every person in Queensland today and the evidence base that the system we are currently providing and the system this bill suggests young people should spend longer within is failing them at every turn. It is not providing those outcomes for them. It is one thing to focus on keeping them there for longer, but if we are not going to acknowledge the fact that the place we are putting them is not serving the purpose then just keeping them there for longer will have no outcome but to perpetuate the failures we currently see and create more victims because of it.

CHAIR: We have certainly inherited a mess. I thank you for your time and for highlighting that. It is 3.05 so we will move to the next witnesses.

MCDUGALL, Mr Scott, Commissioner, Queensland Human Rights Commission

SIDDLE, Ms Adriana, Director, Legal & Policy, Queensland Human Rights Commission

WILSON, Ms Charlotte, Manager, Public Policy, Queensland Human Rights Commission

CHAIR: I welcome the representatives from the Human Rights Commission. I invite you to make an opening statement to the committee.

Mr McDougall: Thank you, Chair. I begin by acknowledging the Turrbal and Yagara people, the traditional custodians of the land on which we meet, and pay my respects to their elders. Before I move into the detail of my opening statement, I want to address an issue that was raised by the Voices for Victims representatives in an earlier hearing. They made the assertion that the commission had overlooked the rights of victims. I think it is not the first time that suggestion has been made. I want to make it clear, on behalf of the commission, that we strongly support the right of all people across Queensland to live without fear and to have safety in their personal security.

I want to share that I personally have been a victim of an armed robbery where I had a knife held under my chin. I have had my house invaded whilst my infant daughter was metres away from the perpetrator. When my own mother was 82 years old, just a few years ago, her car keys were stolen from her bedside table as she slept. She woke up to find her car stolen. I am fully attuned to the impact that crime has on victims and those continuing impacts. As Human Rights Commissioner, it makes me even more determined to hold governments to account to ensure they are making effective responses to crimes when they occur in Queensland. This bill is not the way to do that.

I have been appearing before committees now for six years to respond to laws that are becoming increasingly more punitive, more impactful on the rights of at-risk children, more detached from the evidence and, in the view of many experts, more counterproductive to community safety. As my colleague Ms Beck O'Connor, the Victims' Commissioner, said, short-term solutions will keep none of us safe. The government must find a balance and craft a response that delivers for victims and, through compassion and care, build a path forward that prevents further violence trauma for all. As the commissioner said, our justice system must be capable of holding both truths.

The detention of children in Queensland, particularly in overcrowded detention centres and watch houses, is harming children by disrupting their education and negatively impacting their health and cognitive development. This makes them more likely to offend when they are released, making our community less safe. As you have heard, data published in 2023 demonstrates that between 84 per cent and 96 per cent of children reoffended within 12 months of leaving youth detention in Queensland. This represents nearly a complete failure to rehabilitate child offenders in Queensland. By detaining children, we are turning them into worse offenders.

Queenslanders are footing a large bill for this solution, which is not working. In 2023, the average cost per day of keeping a young person in detention was approximately \$1,800. That is a substantial amount and yet we are still almost entirely failing to rehabilitate children. This indicates we would need to spend substantially more, and I acknowledge the \$400 million that has been allocated. That is a serious investment. However, Queensland is in dire need of a cohesive strategy to guide youth justice policy.

The commission urges the government to develop a whole-of-government youth wellbeing strategy that incorporates its obligations under the national Closing the Gap agreement. It is imperative that the departments of health and education are major contributors to the strategy, because the performance of those agencies arguably has the greatest bearing on the life outcomes of children and ultimately victims. This strategy should involve service mapping to support the identification of gaps, overlaps or misaligned services to inform investment in effective intervention and prevention programs. According to the Queensland Audit Office, a youth justice service-mapping exercise has not been undertaken since 2015—10 years ago. It is also important that there is a coordinated entity within government with sufficient authority to hold the various agencies to account.

Finally, the commission wishes to briefly address the human rights compatibility of this bill. The government has conceded that this bill is incompatible with human rights and proposes to again override the Human Rights Act. Overriding the Human Rights Act is unlawful except in exceptional circumstances such as where there is a war, a state of emergency or an exceptional crisis constituting threats to public safety or national security. The statement of compatibility states that the override is necessary because the situation with respect to youth crime in Queensland presents an exceptional crisis situation constituting a threat to public safety.

There is entirely insufficient evidence that the current situation with respect to youth crime in Queensland amounts to an exceptional crisis. In fact, crime statistics demonstrate that overall youth offending rates are trending downwards, dropping 30.4 per cent in the past 10 years. The commission stresses that, even if it was possible to point to year-to-year increases in relation to discrete offence categories, this is insufficient evidence to establish that there is an exceptional crisis warranting such a broad and far-reaching override of human rights.

Adult Crime, Adult Time might make for an effective slogan but it does not make for good law. I urge you to recommend against passing this bill and recommend the government move ahead with a coherent and properly coordinated plan that will make Queensland safer. I am happy to take questions.

CHAIR: Thank you, Commissioner. Do you believe there are any circumstances where a sentence of detention for a child is appropriate and, if so, what are those circumstances?

Mr McDougall: Absolutely there are circumstances where detention is appropriate. I often hear people say that there are no consequences for children who are offending. Of course there must be consequences but it has to be the right consequences. There is clear evidence that, particularly in the circumstances that have prevailed in Queensland's detention centres since around 2018 with periods where it has been managed, detaining children in those circumstances clearly only creates greater risk for victims because it is increasing the likelihood that they are going to commit another offence.

CHAIR: Some submitters have said that Queensland has one of the highest detention rates of children in Australia but your submission graphs unique youth offenders trending down to 30-something per cent. Isn't that showing the opposite of what you are saying—that detention is a deterrent—if we are incarcerating children at a greater rate and showing lower offending than other states?

Mr McDougall: I am yet to see any evidence of detention or increased sentences acting as a deterrent for children to commit offences.

CHAIR: Simply those two facts: we are incarcerating children at a higher rate than other states yet we are seeing the number of unique offenders—we are not talking about recidivists—coming down. Don't the rates indicate a deterrent?

Mr McDougall: I think you will find that there are a number of reasons why overall globally—it is the experience in other states—the rate of youth offending is trending downwards. I am certainly yet to see any evidence that it is because of the risk of detention or higher sentences being imposed.

CHAIR: I want to reiterate that the graphs you provided were unique youth offenders rather than offending rates of recidivist offenders which is what these laws seek to deal with—yes?

Mr McDougall: Yes.

CHAIR: The graph related to the reduction in youth offending relates to individual youth offenders and not the actual rates of offending by recidivist offenders that these laws are designed to address.

Ms Wilson: One of the graphs did relate to a unique offender rate which I think was drawn from ABS data and the Queensland Government Statistician's Office's recent report. We did provide another graph that was based on offending rates in different offence categories which was drawn from the ABS as well.

CHAIR: Would you agree that, in general, a small cohort of youth are increasing the rate of violence and the seriousness of crimes?

Ms Wilson: It is a smaller cohort. I think that is evidence that our approach is not working because this small cohort that goes into detention, as we have seen, comes out and reoffends.

CHAIR: I agree with you; we need to do detention better, absolutely.

Mr RUSSO: Commissioner, did you make a submission to the Expert Legal Panel?

Mr McDougall: Yes, we did.

Mr RUSSO: Do you think it would be helpful to see the final report?

Mr McDougall: Yes, absolutely. It would be in the interests of transparency, good governance and public confidence in our lawmaking system to see the expert advice that has been relied upon in formulating these laws.

Mr FIELD: Scott, I understand the situation with your grandmother some years ago. With all due respect, your experience does not include a loss of life or serious injury by juveniles. You say that the bill will have a disproportionate impact on the most vulnerable in the community. Are you saying that people who have their homes broken into, cars stolen, stabbed, raped and murdered are not the most vulnerable members of the community?

Mr McDougall: No, not at all, member. I did not mean any disrespect at all by outlining my experience with crime. It is not a competition between the rights of victims and the rights of children. We can craft laws and develop systems that accommodate both victims and the rights of children. In my career I have had a lot of experience in dealing with Aboriginal communities and seeing the circumstances in which Aboriginal children are raised and how the education system, the health system and other social service systems fail those children, and the impact of laws on Aboriginal and Torres Strait Islander communities—criminal laws especially. Every time a new criminal law is introduced, you can predict with absolute confidence that the greatest impact on any cohort will be First Nations people. That is the simple reality of life in Queensland.

The commission has a responsibility, of course, to make representations to the government about protecting the rights of all Queenslanders. Victims' rights are extremely important. Children's rights are extremely important. Children do not have much power at the table in Queensland and Aboriginal children are probably the most powerless people in Queensland.

Mr FIELD: I understand. A lot of people have been affected by family issues and bad upbringings—whether you are First Nations, ethnic communities or the average Australian person. Because they have had a hard life, it does not give them the right to think they can then go and do what they want—maim, kill, rape, pillage, or whatever it may be. Some sort of control is needed, and families need to play a role in implementing deterrents. Harsher laws are also a deterrent. Surely that will make some of these individuals think twice about doing something. If it stops one kid from stealing one car and killing one person those harsher penalties have done their job; is that not correct?

Mr McDougall: It would be really nice to think that that is how the world works for those children but the evidence suggests that it does not. We know from the evidence that the brain of a child does not fully develop until they are 25. They are not making rational decisions. They are certainly not looking up statutes to see whether an offence has increased by two years or whatever. Whilst it is understandable that the community would like to think that if we increase the penalties that there will be a deterrent effect, but I have simply not seen any evidence to suggest that that actually works.

Mr RUSSO: Commissioner, in relation to your submission you say that increasing these penalties will lead to fewer people pleading guilty and more criminal trials. Obviously, the end result of that is more cost to the taxpayer. Are you able to elaborate on that scenario?

Mr McDougall: As a former criminal lawyer, I have some experience with the decision-making that goes on in the conduct of criminal trials. It is definitely a factor that will be considered by defendants when they are choosing whether or not to enter a plea of guilty to a matter—whether they will face a stiffer penalty. There is, I think, a real prospect—other submitters have made a similar point—that the laws will lead to more children pleading not guilty, putting victims through stressful re-traumatising trials and also adding, of course, to the public cost.

CHAIR: We heard alternative evidence last night in Townsville from a defence lawyer who said that was not the case, but that was his experience so far.

Mr McDougall: I have not seen it but I will go back and have a look.

Ms MARR: Earlier you said that short-term solutions will keep none of us safe. I would like to argue that we have had short-term solutions for the last 10 years with a lack of early intervention and compulsory longer term rehabilitation. You said the system has entirely been failing to rehabilitate youth offenders. Considering that we are speaking about the worst crimes and repeat offenders, do you agree that if we have compulsory rehabilitation in detention and the right programs in place, it will help these kids when they get out and in the six months after they get out not to reoffend?

Mr McDougall: I have been to youth detention centres many times and I have seen the conditions in which the staff are doing their best to try and rehabilitate children. They say that it is just not possible to run rehabilitation programs while the centres are at capacity. There is evidence before you that there is no modelling that has been done to predict the increase in numbers of children in detention centres. I get a weekly update on the numbers and I can tell you that, in my view—having watched this for six years and understanding the ebbs and flows and how there are seasonal drops in the numbers of children entering the system—I would expect by the end of this year that you will see kids back in the watch houses for lengthy periods. I understand that the new watch house has already had children in there for more than 10 days. I do not have any confidence that our present infrastructure gives us the capacity to rehabilitate children in detention centres.

CHAIR: Thank you, Commissioner, and representatives from the Human Rights Commission for appearing today.

LEWIS, Ms Natalie, Commissioner, Queensland Family and Child Commission

TWYFORD, Mr Luke, Principal Commissioner, Queensland Family and Child Commission

CHAIR: I now welcome representatives from the Queensland Family and Child Commission. I would ask you to please introduce yourself and the capacity in which you are appearing today.

Mr Twyford: Thank you, Chair. I am Luke Twyford. I am the Principal Commissioner of the Queensland Family and Child Commission and also the chair of Queensland's Child Death Review Board.

Mr Lewis: Good afternoon. My name is Natalie Lewis. I am a commissioner with the Queensland Family and Child Commission.

CHAIR: I invite you to make an opening statement to the committee.

Ms Lewis: Thank you. I acknowledge country and I pay my respects to the Yagara and Turrbal people. As a Gamilaraay woman I am a guest on country, despite having been raised on these lands since I was five years old. I want to firstly identify that I recognise that deterrence is the noted goal of this bill but, unfortunately, deterrence is fundamentally ineffective as a strategy to reduce offending by children because they are children and the prefrontal cortex, the decision-making part of the brain, is still developing. Because of this, their decisions and their attempts at problem solving rely on a part of the brain that is largely associated with emotions, impulses, aggression and instinctive behaviour. They are largely incapable of clearly connecting a consequence to an action. Much of their involvement in high-risk behaviours is opportunistic and impulsive; it is not planned out and thought through. They have grown up in environments that are chaotic and unstable and so compensating for that lack of functional capacity around decision-making is virtually impossible.

Deterrent sentencing is ineffective because they are children. Regardless of how difficult that is to reconcile, we cannot ignore the measure of harm that is caused by their actions. We cannot conveniently disregard or overlook that fact on the basis of anger, fear or hurt—particularly when the goal is justice. We will never find justice in the search for the right number of years or the precise level of harshness of a punishment that our society can justify. I can only imagine that for the many people who are directly harmed by crime or the chorus of online commentators, no fixed number of years will ever suffice. It will not repair the harm. It will not restore their sense of safety. It will not heal their hurts. This bill will not do any of those things.

I am a realist and I understand that this suite of reforms will likely become law in this state, but it is highly unlikely to make any positive impact towards achieving community safety in the medium or the long term and that, I believe, is truly the expectation of our community. It is the measure of success and it is their entitlement to the safety that you have promised.

Across the course of the committee process, there has been much discussion regarding the need for reforms to achieve community safety to be anchored in credible evidence about what works—evidence that is contextually relevant, considers the unique circumstances and factors that play in our state and the reality of the system that we have.

I was deeply concerned by the evidence tendered by the department, probably more so about the oversimplification of reference to evidence that detention is effective in rehabilitation and in reducing recidivism. It is important to recognise that the publication that was referred to is, firstly, based on programs in the United States which do not account for the social, cultural or historical context of Queensland. It is also consequently silent on the particular challenge that is presented by the disproportionate representation of Aboriginal and Torres Strait Islander children in detention in Queensland. It certainly does not address the cultural needs, nor the importance of cultural continuity and connection in order to achieve successful reunification. This is a significant limitation of that evidence and, in our context, given that more than 70 per cent of incarcerated children are Aboriginal or Torres Strait Islander children, it is a pretty irresponsible oversight. Finally, that evidence presumes certain conditions and a level of a system maturity to leverage those rehabilitative benefits within an institutional setting. These are conditions that either absent or at least truly underdeveloped in Queensland, so to accept that as proof of the predicted efficacy of these particular reforms, in my opinion, is concerning and is irresponsible.

The evidence that is most relevant regarding what will work is what the young people who are committing offences and who are sitting in watch houses and detention centres consistently tell us that would make a difference, and that is about people and that is about place. It is about people who show

up for them that they can rely on, that can have expectations of them and that believe in them. It is about places that are safe, that are free from violence, that do not perpetuate trauma but seek to heal it.

Finally, while it might be a matter for implementation, I cannot understate the imperative of independent, objective oversight of these reforms; determination of metrics that correlate and allow scrutiny regarding the impact of these reforms not only upon victim numbers but also upon community safety and upon the children and young people who will be subjected to longer periods of detention as a result of this bill. The effect that detention has with regard to restoration, rehabilitation and successful reintegration of young people is an indicator of community safety. The impact upon their current and future wellbeing, however, is a litmus test for the success or failure of the continued fixation with punitive responses in this state. Thank you.

CHAIR: Thank you. Did you want to make a statement, Mr Twyford?

Mr Twyford: I was inclined not to in the interests of time, but I will make a few brief comments, so I guess it is a yes, Chair. I echo what was said earlier that we have been here before and we have said these things. The frustration within me and people who have appeared before us, I suspect, is this weaponisation of youth justice policy, this sense that we need to look and demonstrate that we are a certain way so that the community sees us in a certain way, and then the borrowing of evidence and the cherry-picking of it to back up our positions. At my very first committee appearance at Queensland parliament in my current role, we were wearing masks because COVID was here, and it was a bill to raise the age of criminal responsibility in Queensland. The thought in my head today is how far we have come from that debate to now—the hope that we had for a bipartisan youth justice reform select committee that was then ceased and the multiple submissions where I continue to say the same things, and that brings us today.

What I would pick up from what Commissioner Lewis has just so rightly emphasised is we need to speak to the young people. The Queensland Family and Child Commission has run two significant projects—The Yarning for Change project that spoke to First Nations young people involved in youth justice, and also the *Exiting youth detention* report that spoke to young people in detention and asked questions around why were they there on repeated occasions. Then there is the Child Death Review Board that looks at the files of deceased young Queenslanders to try to understand what occurred in their life. There are many stories, but I would echo that children are not committing crime with the Criminal Code at the back of their head. They are not committing crime and doing the maths on what is the difference between five years and seven years, or 7½ years and 20 years. We need a deeper understanding of what is occurring for our children.

Our youth detention centres currently have over 300 Queenslanders in them. Disability and mental health are over-represented amongst that cohort, and the voices from the last Child Death Review Board report about young people wanting to be in detention and it bearing absolutely no consequence to their lives because actually they wanted to be dead. If that is the people we are trying to punish, then I think we have our formula wrong. I will stop there.

CHAIR: You would accept that detention or being sentenced to a period of detention is appropriate in some circumstances?

Mr Twyford: What I have previously said is that there are children who are posing a risk to themselves and others that need a period in custody, in custodial settings, where their behaviours can be responded to. Prison in its current form or youth detention in its current form is counterproductive, and Queensland's youth detention system in the most expensive and least effective system we have to address youth crime.

CHAIR: I agree we have inherited quite a mess. I wanted to move towards a question in relation to listening to young people, as you said. The submission from the Australian Workers Union suggests that in detention, youth workers are not just guards, but are best placed to provide the rehabilitation programs needed by young people. In your dealings with young people who have been in detention centres, what is their feedback in relation to how this has operated in the past and the effectiveness of what has been going on in these centres with regard to education, rehabilitation and their relationships with those staff?

Mr Twyford: It is a complex question and we are talking about hundreds of workers and hundreds, if not thousands, of young people over the course of 12 to 18 months in Queensland's three facilities. You do not become a youth justice worker in a youth detention centre without turning your mind to the purpose of the role, but I think there are two pathways, and one is that you are there to maintain security and order, and the other is that you are there to intervene in young people's lives, be a positive role model and show them a brighter future. I suspect, and it is my fear, that our current way

of operating does not universally go down the second route, that we still see a custodial system in Queensland where it is about lockdowns and security rather than behaviour change and restitution or rehabilitation.

CHAIR: Is that the feedback you are getting from young people? I was more interested in how young people responded to their relationships with the staff?

Mr Twyford: Absolutely. I will make two comments there briefly and then pass to Commissioner Lewis. One young person spoke very positively in the interview with us around the relationship that they were finally able to form with the youth justice custodial officer, that that worker was a role model to them, that they re-engaged them in learning, and that at the end of the sentence that relationship ended and they were left once again alone, out in community amongst a peer group that was not supportive for them. Other young people speak about the borderline abuses and the disrespect that they encounter in the youth detention system in Queensland and the sense that overall the design is there to contain and control rather than to teach and demonstrate positive behaviour.

Ms Lewis: To add, certainly what is abundantly clear from young people is that it is not about the programs, it is not about coming up with some incredible new design or new program that we can run to change their behaviour. They are human beings. They want belonging and they want connection. It is the relationship with those people that makes a difference, not the millions of dollars that we spend on programs that are short-lived, either confined to a period of detention or a period of time when they exit. The things we need to invest in and that we recognise make a difference in children's lives are the relationships with real people who are going to show up not because they are paid to, not because they are delivering a program, but because they care about what happens to them, and that is what is important. That is not something you can necessarily plan for, but it is the thing that will support young people to do differently, either before a period of detention or after it. That does not change.

CHAIR: I certainly agree that post detention needs to be done a lot better, and the Staying on Track program will hopefully address that.

Ms FARMER: Thank you both for the great work that you do. I think the concern of everybody in this room and across Queensland is the impact on victims, and often we hear victims ask, 'Why are you talking about the offenders all the time? Why aren't you talking about us?' Ms Lewis, you referred earlier to the impact of reform on victim numbers. Can you articulate clearly where you see the impact on victim numbers of the reforms that you are suggesting and your concerns about the harsher sentences, so that it is clear? How does what you are suggesting reduce victim numbers and therefore impact on victims?

Ms Lewis: When children have equitable access to universal and targeted supports that they need to be safe and to thrive, when children who have a disability are appropriately assessed and have the supports that they require, when children have their trauma acknowledged and we act so that they are not living in homes where they are routinely experiencing violence or uncertainty about whether or not they are going to have a meal the next day, when we can recalibrate to focus on those things, then we will definitely see a reduction in the number of young people committing offences.

If the overall goal is to reduce recidivism and to reduce the number of young people who are committing increasingly violent offences, then we have to be able to respond to their humanity. We have to recognise that unless we work to remove the violence from their lives and give them opportunities to re-engage in school and to do differently, and until we support them to do that, the only thing they will do is become more violent and create more victims.

We have, at the moment, a response in detention and even to an extent post detention which is ill-equipped to see and respond appropriately to those needs of children. The only corrective response that we are offering through reforms like this is for longer periods of detention, subjecting children longer to the very thing we know does not do anything to reduce the likelihood that they will create more victims.

Ms MARR: I do not disagree with you that we have to do better early intervention and rehabilitation programs; we all agree on that. However, Mr Twyford, you said that you have continued to come here and say the same things over the years and here we are again because nothing has changed, and our victims are saying the same things over and over again. There was a comment made that these juveniles do not go into crime with the penalty at the forefront of their mind, and I do agree with that because there has been no penalty; there has been no consequence for action. It has gone from opportunistic crime to quite violent and aggressive crime and more offending. With these changes to the offences, do you think that there will be a consideration for them before they go and steal a car or stab somebody to take their car, that that will be a preventative for them to know that there finally is going to be something at the forefront of their mind?

Mr Twyford: I think there are a number of elements to the question you have just posed. The first thing I say is the system has been constantly changing. The number of amendments to the Youth Justice Act over the last three years is in the multiples. I would have to go back and check the record, but every six months or so, the act that sets up how youth justice works in Queensland has been changed. New programs and grant rounds have been launched very frequently, and it is my very clear position—and I have said in numerous submissions—we need to understand the big picture of the Youth Justice portfolio and what we are trying to achieve. Here we are once again talking about the penalties attached to 20 charges whilst trying to engage in a broader conversation about prevention, risk, response to risk, security, workers' rights, victims' rights and children's rights. What is the big-picture goal we seek as Queenslanders? If we accept that it is for the community to feel safe, for there to be fewer victims and for children to be supported to live thriving, hopeful lives where they do not engage in crime, I think we need to have a much more honest and more detailed policy design forum and recognise it will go to the policies, procedures and departmental systems that we fund more so than the legislation.

In response to the end of your question, we will be able to find individual children or individual young people who say they have heard about Adult Crime, Adult Time and that they are aware of it. I think that is a good thing, but I do not believe that, for the children who are breaking into houses or stealing cars, the change in penalty from seven to 10 years will be the deciding factor. The issue is far more complex than that. The drivers of crime are far more complex. We need to sit down and ask what is going on for young Queenslanders. What was the backstory to their life prior to offending? What number of interventions did the Department of Education, the Department of Health, the Department of Housing and Public Works, the police and the department of child safety have in their lives prior to this serious offence? If we did that, we would quickly find ways to prevent serious crime.

Mr FIELD: With regard to one of Natalie's comments earlier about victims, I think it is a little bit unfair to associate victims of crime with online commentators of youth crime. They are two separate identities.

CHAIR: Member for Maiwar, you have a minute to ask a simple question if you can.

Mr BERKMAN: Commissioner Lewis, I want to make two assertions and I am interested in your thoughts. This bill will inevitably take us further from achieving the objectives and outcomes under the National Agreement on Closing the Gap. Conversely, progress towards achieving those outcomes is one of the most constructive things we can do to reduce victim numbers and address offending behaviour amongst Indigenous communities. What are your thoughts?

Ms Lewis: Yes, it absolutely is. In the process of considering bills we would do well to insert a real-time consideration of the likely impacts on our progress towards those targets. There are a number of legislative reforms that have happened even across the last 18 months where this is not about an unintended consequence. We absolutely, by looking at those bills and what would happen, can predict that it is going to double-down on the rates of incarceration and the rates of children in the child protection system. These are things we know and that we can actively act against and legislate against. Unfortunately, there is no part of the process that allows deliberate consideration of the impact on Closing the Gap commitments.

CHAIR: That concludes this public hearing. Thank you to everyone who participated today. Thank you to our Hansard reporters. A transcript of these proceedings will be available on the committee's webpage in due course. I declare this public hearing closed.

The committee adjourned at 3.47 pm.