



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. MAJ Scanlon MP
Mr PS Russo MP

Staff present:

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

PUBLIC HEARING—INQUIRY INTO THE OVERSIGHT OF THE QUEENSLAND FAMILY AND CHILD COMMISSION

TRANSCRIPT OF PROCEEDINGS

Thursday, 13 March 2025

Brisbane

THURSDAY, 13 MARCH 2025

The committee met at 10.44 am.

CHAIR: Good morning. I declare open this public hearing for the committee's oversight responsibilities for the Queensland Family and Child Commission. My name is Marty Hunt, 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 MP, member for Toohey and the deputy chair; Russell Field MP, member for Capalaba; Natalie Marr MP, member for Thuringowa; Michael Berkman MP, member for Maiwar; Meaghan Scanlon MP, member for Gaven, who is substituting for Melissa McMahon MP, 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 the 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. I remind everybody to please remember to press your microphones on before you start speaking and off when you are finished and please turn your mobiles phones off or to silent mode.

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 and Family Child Commission: Luke Twyford, Principal Commissioner; and Natalie Lewis, Commissioner. I want to thank you for being accommodating with the changes to the schedule this week due to Cyclone Alfred and associated weather events. I invite you to make an opening statement before we ask questions.

Mr Twyford: Thank you, Chair, My name is Luke Twyford. I am the Principal Commissioner of the Queensland Family and Child Commission. I want to thank you for the opportunity to address you all today. I also acknowledge we are meeting on the lands of the Yagara and Turrbal people.

I extend my sincere welcome to new committee members. Your role in overseeing the commission is critical and I look forward to working closely with each of you. The work we do at the commission is deeply important. Every report we make, every piece of advice we give and every child death that we analyse has the potential to shape the lives of children and families across Queensland. I take this responsibility seriously and I hope today's discussion underscores both the seriousness and the impact of our work.

Our latest annual report reflects a significant and productive year, and the commission has grown our reputation for evidence based oversight. In 2024-25 we strengthened our ability to influence policy, ensuring that decisions made by government reflect the needs of children, families, carers and frontline workers. Last year we made 32 submissions to parliamentary inquiries. This year we have already made 28. The impact of the commission's work is apparent in current government reforms and initiatives including post-detention release support, secure care facilities, dual care and models in residential care, professionalised foster care pilots, funding for re-engagement schools in the youth justice portfolio, health home visiting program, transparent reporting on the number of children in watch houses, the review of the regulation of home education, investment in youth foyers and many more.

Our work in reviewing the child protection and youth justice system is well regarded. We have produced detailed and significant reviews in the last year including on children absent from care; the crossover cohort; exiting youth detention; raised by a checklist; the voices of children in residential

care, who is responsible—the reason why Queensland children spend longer in watch houses; growing up in Queensland; risks for children when parents use methamphetamine; paediatric sepsis mortality study; care allowances and the future of foster care; and parenting as a young person.

One of the most sobering responsibilities of the commission is the Child Death Register. This database continues to be a critical tool for learning, prevention and reform. By analysing trends in child deaths, we provide vital insights that help shape prevention strategies and inform policy responses at both state and national levels. This year we recorded and analysed the deaths of 422 Queensland children.

Equally important is the Child Death Review Board, which the commission hosts and I chair. Over the last year, the board has continued to be a powerful source of oversight and accountability. This year the board will undertake one of the most challenging and significant reviews to date—the Ashley Paul Griffith case. This is the first minister-commissioned review under the current legislation and it underscores the importance of independent scrutiny in cases of systemic failure.

The year 2025 also marks a defining moment for the commission. We will double in size and take on new responsibilities under the Child Safe Organisations Act. Our annual budget has increased from \$12 million per annum to \$23 million, reflecting the scale of our expanding responsibilities. Our staffing numbers have grown from 50 to 80 full-time equivalent public servants. We anticipate further recruitment by the end of the year to support our expanding mandate. We have also launched a \$3 million grant program dedicated to child safeguarding, and we are procuring a \$2 million case management system to record the details of child abuse.

These investments are not just numbers. They represent a commitment to real reform across Queensland. We are ensuring that every organisation working with children, from community groups to government agencies, meets the highest standards in child safeguarding.

The commission is currently evolving from an oversight body of government to a leader in community-based system reform, ensuring that child safety and child safeguarding is a lived reality across Queensland. To manage this transformation effectively, I am continuing to strengthen the commission's internal governance, improving our financial management and embedding a collaborative evidence-based approach in every aspect of our work.

In conclusion, it would be remiss of me not to use this time to continue to discuss matters that require urgent attention. There are too many children in residential care in Queensland. There are too many young people in our detention facilities. Too many young Queenslanders are committing suicide and too many families are experiencing the scourge of domestic violence and addictions. These are not new challenges, but they require renewed focus and a persistent ongoing commitment to do better.

The vision of the Queensland Family and Child Commission is that all Queensland children are loved, safe and have their rights upheld. The commission continues to help Queensland achieve this vision. I am proud to continue to work alongside parliament to influence meaningful change that improves the safety and wellbeing of Queensland's children and their families.

Ms Lewis: Good morning. My name is Natalie Lewis. I am a Gamilaraay woman and I am a commissioner with the Queensland Family and Child Commission. The QFCC is an important statutory oversight body and an important mechanism to ensure the accountability of systems that interact with and impact upon the lives of children in Queensland.

The First Nations and Child Rights Advocacy team that I lead is a small team by comparison to the commission proper, operating largely due to the provision of limited life funding which expires on 30 June. We focus primarily and unapologetically on First Nations children, on children who experience vulnerability and on children involved with statutory systems.

Aboriginal and Torres Strait Islander children make up 48 per cent of children in out-of-home care and more than 50 per cent of children involved in the youth justice system. In Queensland this morning as we sit in this room, there are approximately 5,000 Aboriginal and Torres Strait Islander children in out-of-home care and there are 56 children in police watch houses around the state—issues that require significant attention and urgent action, and that is the work that my team is focused on.

Our core business as the First Nations and Child Rights Advocacy team is to raise awareness about the rights of children and the issues that present the most significant threats to them, to advocate for systemic rights affirming change, and to hold systems and services accountable for the promotion and protection of children's rights in Queensland. Our point of difference amongst the many statutory bodies in Queensland is that our work always starts and ends with the people that are most profoundly

impacted by the decisions and the policies of government and the practises of service providers that government fund. It is the experiences of children and young people—the discrimination, the inequity and injustice they experience—but, most importantly, their aspirations which set the agenda for our work.

The First Nations and Child Rights Advocacy team within the QFCC provides a unique value proposition based on our mandate, our knowledge of lived and living experience, and systems insights. It is advocacy, awareness and accountability that drives and frames the work of our program. Probably a good example of this is the work that we led regarding kinship carers and the blue card system last year. By having that very explicit focus on the impact for Aboriginal and Torres Strait Islander children, we were able to conduct an independent review, identify the frailties and limitations of the system, recommend changes to the legislation and see that legislation pass through the parliament of Queensland.

If that is implemented properly, and even if I am being really conservative with the numbers, that could lead to over 200 Aboriginal and Torres Strait Islander children moving from residential care to safe placement within their family. That is obviously going to produce better life outcomes for those children and longer and more positive life trajectories for them, and save Queensland approximately \$51 million per annum.

Our value also lies in our distinct capacity to drive systemic change informed by First Nations knowledge and leadership, and to engage communities, stakeholders and government in meaningful reform efforts to advance children's rights. On that point, I think it is prudent to bring to the committee's attention our recommendation from report No. 66 last year from the 57th Parliament.

The former Legal Affairs and Community Safety Committee made a recommendation that the government considers implementing amendments recommended by the QFCC in the review of our act to establish a dedicated, independent and empowered commission for Aboriginal and Torres Strait Islander children so that we safeguard a mandate and a focus on our children into the future. This recommendation of the former LACS Committee also aligns with the Queensland government's commitments under Safe and Supported: the National Framework for Protecting Australia's Children to establish an appropriately empowered and resourced First Nations children's commissioner. It is also aligned to the nationally agreed minimum standards developed as part of the Closing the Gap agreement.

We are committed to securing a mandate and a dedicated focus on First Nations children through this legislative reform and we are very prepared and ready to assist in making that happen. Evolving the principles of a child rights-based approach into meaningful action requires sustained and rigorous leadership. To evolve a proactive culture of everyday accountability for children's rights across public services and public policy takes perseverance, and we are here for it.

We will continue to show up, to speak up and to act intentionally in the best interests of Queensland's children, their families and communities. I hope that at this point in time we can embrace an opportunity to reset and to start from a point of agreement that we as human beings, as Queenslanders, are connected in our commitment to all children that they be healthy; that they be heard; that they live in safe homes; that they have access to a quality education and the types of supports that enable them a future that is not characterised by discrimination and dysfunction; that we realise that accountability can be achieved without disregarding the humanity and the dignity of children; and that achieving community safety is only possible by cultivating communities in which all children are seen and have their rights valued and respected.

CHAIR: Thank you very much for that. You touched on the thematic review of the blue card system, but you also had that other general blue card review and made a lot of recommendations in relation to that. Can you outline to the committee where that got to and maybe if a more timely or thorough approach to the recommendations might have made some things better over that period of time since your report?

Mr Twyford: Thank you for your question. I will try to be short, but there is a long period of time between the commission's 2017 review of the blue card system and the Tiahleigh Palmer review that was associated with that. If I focus in on that report, there were a number of recommendations made. In December 2024, the commission undertook a review of all of our outstanding recommendations and published that on our website. I believe, from memory, 16 recommendations from the 2017 review remain open. However, we acknowledge that during that time there have been some pretty significant and profound amendments to the blue card scheme and the working with children legislation and its implementation, including the reforms that Commissioner Lewis has just spoken to.

At the same time, I have been commissioned to lead, as chair of the board, the Ashley Paul Griffith review which will also consider the blue card scheme. Standing aside for a moment, I want to be very clear that the blue card scheme is only one protection that exists for the safeguarding of children. It is, in effect, a record that the person has not been caught or convicted. What we have advocated for and really focused in on is: how do we prevent any form of behaviour ahead of a charge or a conviction? That is why we have long advocated for the reportable conduct scheme that the royal commission recommended, and we are really proud to be currently implementing that in Queensland. It will come online in 2026. I will defer to Commissioner Lewis to talk a bit about the amendments to the blue card scheme that passed parliament last year. If you go in there, I believe there are 16 recommendations yet to be closed from the 2017 blue card review.

Ms Lewis: I think there should be recognition of the amount of time that has lapsed and that there have been a number of other types of reforms that have contributed to additional safeguards for children and young people. I think one of the important things presented at this moment in time is that we can acknowledge that we have had historically an overreliance on the blue card system as that single tool at our disposal. When we look at the opportunities that are presented by the implementation of the Child Safe Scheme for organisations and reportable conduct—when they are implemented—the safeguard that is provided is far beyond the imagination, I think, of the 2017 report. In many ways, I think it is still important for us to revisit what is yet to be implemented because in that different context, with reportable conduct in place and with the Child Safe Scheme for organisations in place, we can really test the currency and validity of those outstanding recommendations and whether ultimately will they enhance the safety of children in Queensland.

CHAIR: Obviously there is a danger in organisations' overreliance on blue cards and an overconfidence that suggests that children are safe.

Mr Twyford: Absolutely, that is correct. Child safeguarding policies, appropriate risk management plans, recruitment processes that actually ask questions about a person's history and behaviours and code of conduct matters, appropriate training across our communities so that all Queenslanders are aware of what grooming behaviour looks like, what unsafe child practices look like are all a critical part of what we need to do more of. I want to say that Queensland has actually been a national leader in some elements. The Daniel Morcombe Foundation, which is Australia's Biggest Child Safety Lesson and rolled out nationally, the Bravehearts Foundation, and the Australian Centre to Counter Child Exploitation are all Brisbane-based or Queensland-based organisations. Where I think Queensland has lagged is the legal frameworks to back that work up, to make sure that organisations' boards, CEOs, have absolute accountability for safeguarding children who come into contact with their service.

CHAIR: Great. I have some more questions about education, but I will defer to the other side for the moment. Deputy Chair?

Mr RUSSO: I will hand over to the member for Gaven.

Ms SCANLON: Principal Commissioner I start my question by saying that, of course, we are all appalled by the abhorrent allegations about Ashley Paul Griffith. We all want to make sure our children are protected. My question is: I note the Child Death Review Board is undertaking a review and the scope of that review, as you outlined, will look at procedures and principles across multiple agencies and jurisdictions. Could you confirm whether there has been a finding of failure of the blue card system, given comments made by the Attorney-General?

Mr Twyford: That review has only just commenced. There have been no findings from that review. I do not know the specific comment you are referring to, but in terms of that review, there are no findings at this stage.

Ms SCANLON: Thank you, Commissioner. I wanted it to be made clear. I note that there is a media release that you have been included in, and I appreciate the importance of the independence of your role and I know you take that seriously. I just want to be clear that it would be incorrect for a member of parliament to suggest that there had been a finding of a failure of the blue card system, given that review is still underway.

CHAIR: I think that was answered, member. He said there were no findings currently.

Ms MARR: First of all, I want to acknowledge how difficult your job is and thank your staff, especially when you are looking at the death review board. Thank you for taking on that very difficult space. I want to go back to the blue card, if I may, because I have a lot of questions around that in my electorate. We do have a lot of youths in residential care that is not working for us as well, for all different reasons. I am constantly told that the blue card is their hurdle. Is that the first hurdle for them

to get to what you are talking about with the changes? They still have to go through the blue card system first; is that correct? What is the biggest hurdle for them that we need to look at to make sure we can get, I think you were saying, 200 out of residential care, where they are better looked after, back with their community and culture? What do we need to do to get to that point? So, blue card—can you just explain that to me a bit more?

Ms Lewis: Certainly. One of the last lot of amendments was around kinship care—to remove the requirement for kinship carers and adult household members to have a blue card. That was seen as removing what had been a really significant structural barrier for family caring for family. One of the concerns that we had is that when that was passed, no commencement date was committed to for that change in legislation. That was contingent on the Department of Child Safety to effectively be confident that the assessment process that they had in place, in terms of the provisional assessment, and any enhancements they needed to make would maintain that level of safety for children. The reality is, from the work that we did in the review, the assessment that was undertaken by Child Safety as a provisional approval is, in fact, more comprehensive and reliable as an assessment of safety than blue cards because they have access to all of the criminal histories, they speak with people, they visit the home, and they talk to the young person about how safe they feel. So, there is a comprehensive assessment process in place. The problem that we were having is that people were being assessed and approved as appropriate in that circumstance, and then inadvertently receiving a negative notice around blue cards. The finding from the review was that not a single one of those carers whose cases we reviewed were declined a blue card on the basis of a disqualifying offence, nor any offence that involved children, nor that it presented an obvious risk to children. That barrier and removing that now means that family who are entirely safe and appropriate to care for their own family can do so, but not until we have a commencement date for that legislation. That is a really important priority.

Ms MARR: Thank you for making it very clear that it is still a safe process and making sure the children are still in the right space. Thank you for that detail.

Mr BERKMAN: I am really grateful for both of you being here this morning. It was, I think, about a year ago now that the Child Death Review Board report was released that revealed the death by suicide of two young people who had previously been in detention in Queensland. Since that time, we have seen yet another suspension of the Human Rights Act as it applies to the rights of children in detention, and the commission has been very outspoken, I think, in its very rational criticism of laws that stand contrary to all the expert evidence. Do you have any further observations about what changes have been made and whether conditions are any better in terms of trying to prevent the kind of impacts on children's mental health and the risk of death by suicide for young people who are in detention or have been?

Mr Twyford: I think that is a broad question and could be subject to a whole hearing.

Mr BERKMAN: I am here for it.

Mr Twyford: In the interests of time, I would say that there are a number of government initiatives at the moment that we are engaged with the youth justice portfolio and the department on. In particular, the 12-month post release support program, to my mind and my experience, has the ability to change the situation that we have previously advocated against where a child leaves detention back to the same circumstances that existed before they were entered into a youth detention facility. We have long advocated for government and society to do more to address the root causes of offending behaviour that lead our young people to detention. I think we can see some announcements by the current government around that topic area. I am very keen to see the budget and how much funding will be allocated to those initiatives and what the design principles are.

In short answer to your very big question of have we seen change, I think we have seen announcements and we have seen, as I said in my opening, that some of the things we have recommended have now been picked up as policies and initiatives. What I want to see and what I am offering to departments and governments is to be involved in the detailed design and the implementation.

We have seen greater transparency on the number of children in watch houses. That was a big recommendation from our watch house review. There is now a website that all Queenslanders can go to. I think over the summer period we saw a reduction on average in terms of the number of young people in watch houses and the period of time. However, I note today there are still too many young people in detention for more than seven days and, if you look at today's website, I think one person has been in Caboolture for over 20 days. That is a real concern and something that I think everyone needs to do a better job at paying attention to and responding to.

The model of detention is also something we have called for reform on and advocated for a rethink of how do we use the period of—and this is a bad word—incarceration to actually undertake rehabilitation reform and set a young person up to succeed. That, I think, is another clear focus for the commission over the next 12 to 24 months to really ensure what has been announced is actually delivered.

Ms Lewis: We are not able to necessarily comment on what has been the direct impact in terms of numbers and outcomes, in terms of recent reforms—it is obviously too soon to see—but we are still seeing far too many children routinely held in watch houses. Irrespective of everything that goes on around it, the reality is that the science is incredibly clear in terms of the impact on an adolescent brain. They are spending extensive periods in isolation—no stimulation, no sunlight, no contact with families. Those things are not helpful if what we are trying to do is rehabilitate children and make them less likely to commit offences into the future. It is doing the direct opposite. I understand it is a management issue around the demand on the system, but we cannot ignore the very real harms that actually were played out in terms of the findings of the Child Death Review Board—the very real impacts that can happen when children experience prolonged periods of detention, isolation and separation from anything that allows them to engender a type of hope for a future. It is still something that we have to be acutely aware of and to monitor very closely.

Ms MARR: You were talking about the transparency in watch houses, that you can actually see that data now. I am assuming what you are saying is that now that you have access to that data, we can be more accurate with moving forward with what is happening and what we can do. That transparency is of real help to you moving forward.

Mr Twyford: Absolutely. I think for all children, young people and families, the more government and non-government organisations are transparent about the outcomes they are achieving, the better we will be. The watch house report we produced identified that there is no-one in government that says the way watch houses currently operate is the right way. Our current police minister said, according to the *Courier-Mail*, that he did not support young people being held in watch houses for extended periods. Previous premiers, previous police ministers and previous police commissioners have all said the same thing, yet Queensland finds itself in this situation. We called for transparency and accountability. I think we have seen the transparency play out, and it is now incumbent on all of us to be accountable to how we are treating young people.

Mr FIELD: I want to follow on from what Natalie was saying about the blue card and the reduction in the number of individuals as they go back to family or kin. In the previous scenario, did the families and kin need to have a blue card for them to take that?

Ms Lewis: Yes.

Mr FIELD: The intention now is to remove that need and then have other safeguards in place so that they are a fit and proper person to look after that individual?

Ms Lewis: Yes, that is correct. That applies to kinship placement, so the extended family—grandparents, aunts, uncles, older brothers and sisters. That requirement has been in place and, in effect, is still in place today because we do not have a commencement date for those requirements to be removed.

Mr FIELD: But there is a check in place to make sure they are a suitable person?

Ms Lewis: Absolutely. We were very clear, in conducting the review, we would never make a recommendation that reduces safeguards in relation to children. Even though the review is focused very much on Aboriginal and Torres Strait Islander kinship carers, Aboriginal and Torres Strait Islander children are entitled to the same level of safety as every other child in this state. It is really important for us to make sure that that assessment process is absolutely thorough, is made on all available information and that, yes, it is applied with purpose and quickly so that we can manage the longer term impacts of kids being disconnected from their families.

Mr FIELD: Are you saying that without the blue card system, there will be more placements for the youth to go to?

Ms Lewis: Yes.

Mr FIELD: Does that mean the blue card was a bit of a hindrance to getting these people away? If the blue card picked up any abnormalities that those individuals were not suitable, why would it make any difference if they were unsuitable under a blue card that now, without a blue card, you seem to think there will be more placements for the individuals who are incarcerated back to kinship or family?

Ms Lewis: Yes.

Mr FIELD: What changes from a blue card where there are checks to no blue card? How can you place more people into those kinship scenarios?

Ms Lewis: I think the test that is applied in terms of what you are looking at in that information is you are looking for a real and appreciable risk in relation to the safety of that particular child in the context of the care of that family. What we saw when we did the review, whether there were negative notices or blue cards were declined, those people had committed no offence that presented any real and appreciable risk to a child, yet because of an administrative decision that covered in case of any scenario that we could wildly imagine into the future, there was a risk averse approach to it. The decline of that to have blue card meant that they were ineligible to be a carer for their family.

Mr Twyford: If I could add one comment, in my travels on the Residential Care Review, speaking to staff and providers and young people, the key quote was that we are taking an employment requirement, a workplace requirement, and applying it to aunts, uncles, brothers, sisters and grandparents, and it is not appropriate. The measuring tool by which we judge that someone is safe to drive a school bus or someone is safe to be a netball coach is not the right test for, 'Can aunty look after her niece and nephew?' So, having social workers in the Child Protection department do in-house safety assessments and character references and interviews using their social work qualifications is a far better assessment than the workplace assessment tool that the blue card scheme uses.

Ms SCANLON: Does the QFCC have any concerns about the Making Queensland Safer laws being rushed through the parliament contrary to expert advice specifically before any early intervention or prevention programs or funding had been rolled out? Secondly, to pick up on a comment made by the member for Thuringowa on transparency, are you aware or have you seen any modelling undertaken about watch house and/or detention capacity and the impacts of these laws on these facilities and staffing levels?

Ms Lewis: Right. You are testing my mind.

CHAIR: There were a lot of imputations thrown in there, but anyway. The question simply was what, member for Gaven? I did not pick it up myself either. There is a lot of commentary in there.

Ms SCANLON: There are two real questions: does the QFCC have any concerns around those laws coming into effect before any of those prevention programs or funding have been rolled out? The second question was around whether you are aware of any modelling that has been undertaken that would outline the impact or projected increase of watch house and detention capacity and the need for obviously staffing levels to be appropriate?

Ms Lewis: I will start by saying that we have been, for probably three years, very clear around our position on a series of legislative amendments. We have put in writing on the record here and in the media very clearly our concerns about an overreliance on punitive responses. We absolutely have advocated for the need for prevention and early intervention responses and, to be really clear, none of that comes from a point where I have an aversion to consequences; I just do not think that cruelty needs to be part of the consequence. I think we are better than that as a state. I think we are capable as a state to actually promote accountability of young people, justice for victims, and a system that is fair and equitable to all people. My concern is that it demonstrates an overreliance on a tool that we know is ineffective, and that is concerning.

In terms of the evaluation of those direct impacts, I am unaware of any modelling or publicly available reporting that has been done that monitors specifically the impacts upon children and young people. We have public data about the volume of young people who are in watch houses and in detention, but our forward work program, for my team, we are going to be publishing a public dashboard that looks at the interactions with the youth justice system from its first point of contact to exiting the system, similarly to the way we have published data about over-representation in the child protection system. We will be doing that, but with a very clear focus on over-representation of Aboriginal children with their interactions with the youth justice system.

Mr Twyford: If I can answer as well and echo what has just been said, I am not aware of specific modelling that was provided to us. I did look at the data that was presented to the committee and the parliament at the time of that bill, but I have made essentially the same youth justice policy submission at least eight times to this parliament and the federal parliament in the last 24 months. I add details each time, but it is the same core message.

If I can read out the six, they are: changes to the youth justice system must be designed and implemented strategically with clear whole-of-system outcomes. I have made that statement on too many occasions where parliament amends the Youth Justice Act in response to individual incidents or heightened public narrative about youth justice reform, and I continue to try to ensure that we are

building the youth justice system that is not about amendments to laws, but is actually about practice on the ground. The other five points are: youth detention centres must be designed to be places of rehabilitation; consequences are critical to shaping behaviour, but only if they recognise the developmental and cognitive stages of the child or young person we are trying to respond to; all efforts should focus on addressing the root causes of offending; successful results come from relationship-based, community-based programs that work holistically with young people and their families; and community leaders must take responsibility for the narrative regarding youth crime and there must be greater transparency and reporting across the youth justice system to build community confidence, and evidence must dictate where youth justice investment and effort is focused. It has been the same message for more than three years.

CHAIR: Thank you. Thank you as well for recognising the government's commitments in relation to early intervention and post detention and how we do detention better. Certainly, we have inherited a system that we need to fix.

I would like to move the focus to education for the moment. You mentioned the Daniel Morcombe Foundation, a foundation I am proud to host in my electorate, and the child safety lesson. On my last shift as a police officer last time I did a child safety lesson with Bruce and Denise. That education, of course, is very important for children to protect themselves. I notice your report refers to funding 60,000 copies of *Pocket Guide to Sexual Abuse: How to help a friend*. It occurred to me that, yes, often young people go to their friends for assistance. First of all, I could not find that piece of literature, sorry, so my first question is: how accessible is it? Who produced it? Where were the 60,000 copies distributed to, keeping in mind remote communities and the situations there, and whether they have accepted that type of material? Could you expand on that for us, please?

Mr Twyford: I will expand on it, but I am also very happy to take the finer details as a question on notice. We do have a distribution list by numbers that I can certainly provide to you after this session.

CHAIR: That would be helpful, thanks.

Mr Twyford: Project Paradigm is a sub entity of IFYS. They operate here in Queensland, but are recognised as national leaders in human trafficking and child sexual exploitation. They came to me with a proposal for this book, in part for schoolies and incidents on the Gold Coast many years ago that they are aware of and still working with young people on, but also some more recent cases in Cairns, Townsville and the northern coastline of Queensland where there were significant cases of sexual exploitation of children in residential care. We decided to make this book for young people in part because all young people have a propensity to disclose to other young people, but also recognising children in residential care generally do not have a parent figure or a trusted adult in their life, and they are therefore more vulnerable to exploitation.

The book is a very small pocket guide; it literally fits in a pocket. It is a fold-out pamphlet to help teenagers talk to their friends and pick up on where exploitation might be occurring, but, more importantly, what to do about it and how to have a non-value-based or non-judgemental conversation about it, obviously with clear referrals to police, support services and counselling services. The intellectual property is owned by Project Paradigm. It would be on their website and would be freely available, but I will get you more details. On the first run, we only purchased 20,000 copies and we were shocked that, within a matter of weeks, residential care providers had taken them and put them in houses right across Queensland, hence there was a second round to get the total up to about 65,000.

CHAIR: Broadly speaking, that is a really important piece of work in terms of education and knowledge for young people, and I was very pleased to read that, but I want to know if you also have, with a view to expanding that information, access to that information—obviously young people are online a lot and on their phones—how we get more of that 'what to do if a friend comes to me' education out there into the future.

Mr Twyford: I think as a concept, it is the right concept. I cannot commit to that corporate entity receiving more funding from the commission, but we currently have open a \$3 million child safeguarding grants program open to Queensland organisations. It opened on Monday. It will be open for roughly four weeks. All the details are on our website. We are looking for organisations with experience in child safeguarding, training, community awareness raising and producing resources such as this, to submit and they can receive up to \$90,000 worth of funding to produce any material that will uplift Queensland's community awareness and organisational awareness of child safeguarding.

There is a second element that is for sector specific entities. For example, the hotel and accommodation industry—how can we help waitresses, waiters, people who work in hospitality to identify sexual grooming, sexual exploitation, and how do we consistently train them on where to make referrals. These grants have the real opportunity to uplift public awareness across Queensland. To

your point, we want to be creative around not just going to the same organisations that roll out adult-to-adult communication. We want to recognise that young people need to be front and centre of this policy program as we go forward.

Mr FIELD: With regards to the 60,000 pocket books, is it implemented into schools as, not part of the curriculum, but to make the younger people aware? A lot of the younger generation do not want to carry a book around in their pocket. Other than online, is there an opportunity to put it into schools as part of the education process?

Mr Twyford: There is certainly the opportunity. That was not the intent for this guide. I would refer back to Australia's Biggest Child Safety Lesson and the work of the Daniel Morcombe Foundation. Certainly, they have materials that go into schools. We also engage with the Department of Education around their resources. As we roll out the Child Safe Organisations Act, we are talking to all peak bodies and all sector regulators around what they are doing and what material they produce. Our independent schools, our faith-based schools and our public schools will all need to be child safe entities, and that therefore puts a legal requirement on them to be communicating with young people and also listening to young people around their needs and how do they as organisations meet those needs.

Mr BERKMAN: Commissioner Lewis, in your opening statement you made some observations about how the First Nations and Child Rights Advocacy team did not have any guaranteed funding beyond the middle of this year. Can you elaborate on that? Have you had any indications from the AG or the government about the potential extension of funding and what is at stake if that funding is not provided?

Ms Lewis: Obviously there is a process happening in terms of budget at the moment. We have been required to put forward a proposal. Whether we are talking about funding or the legislative reform, I think the goal has been the same and the intention has been the same for a number of years—that is, to safeguard and mandate. At the moment, with the way the commission is structured, there are some limitations and problems in terms of our legislation and interpreting the relationship between the principal commissioner and the commissioner. There are limitations in terms of the functional independence of the commissioner in making decisions about what our priorities are, what we invest in and how we resource that work.

In our current legislation, the discretion in terms of the allocation of resources and things sits with the principal commissioner. While we have really tried to work within the legislative framework that we have got and agree on some administrative arrangements so that we can ensure we do not lose a focus on issues for Aboriginal and Torres Strait Islander children, I think those administrative arrangements are going to be tested in the absence of ongoing funding that is specific for that body of work.

Mr BERKMAN: I assume the suggestion you made before about the previous recommendations around the establishment of a Commission for Aboriginal and Torres Strait Islander Children is the kind of restructure that would address whatever issues exist in the current administration division of responsibilities.

Ms Lewis: Yes, and the establishment of those roles: so the strengthening of those roles where they exist and the creation of them where they do not exist. That is not just a Natalie agenda; this is not just because the QFCC thought it was a good idea. This is actually national policy. There is an agreement that says every jurisdiction will progress this to ensure there is accountability around outcomes for Aboriginal and Torres Strait Islander children, to make sure there is a point that connects state obligations to commitments under things like Closing the Gap, to make sure there is an opportunity to be able to connect those dots, to produce better outcomes for Aboriginal and Torres Strait Islander children in Queensland and to push accountability on things like Closing the Gap targets. Can I say that accountability applies to both parties to that agreement—to Coalition of Peaks and to government. It is not just in one direction. They are the reasons that that agreement nationally was made under Safe and Supported. It is really in the spirit of those priority reforms of Closing the Gap that there has been some measure of urgency in progressing this in every jurisdiction. We have just been a little slow.

Ms MARR: When we talk about early intervention and rehabilitation, we want to get it right because obviously things have not been working in the past. You both spoke about collaborative and result driven, which I think is very important, and that you need to consider the aspirations of the children you are working with. I am not quite sure how to put this question because it goes to both of you. With the aspirations that you are hearing from these children, what do we need to consider to make sure we get that right? Obviously that would be rehabilitation most of the time. How do we do

that to make sure we are result driven and we can actually capture that data and know that these programs are effective and working for the ones we want to look after and who are in this position? You will both probably have to touch on that if you can.

Mr Twyford: My very big answer is that, as a society and a parliament that represents that society, how do we measure the health, wellbeing, safety and hopes of our children? As soon as we take it into a single government portfolio or a single issue, we ignore the human and the collection of humans. Success in youth justice to me is not only that youth crime reduces; it is actually that young people have hopes and dreams for the future and we are all, therefore, living in a safe community. So my first recommendation is that Queensland develop a plan for the safety and wellbeing of its children and families and that we measure that rather than measuring events or incidents or transactions.

To bring it down then, if we had that, what would the youth justice portfolio and early intervention look like in that? Again, I would go back to the multiple submissions I have made. We need the youth justice system to stop seeing a single young person as their client. That young person exists in a family or in the absence of a family. If we want to focus on their behaviour and their future, we need to ensure there is a trusted adult role model somewhere in their life. We need to ensure they have a safe place to sleep, they have food and they are engaged in education or employment.

There are excellent programs in our youth detention centres and I can see some metrics around young teenagers entering Queensland detention centres unable to read and leaving with the ability to read. That is significant, but if they leave detention and do not go back to school and go to the same house where there are drugs, domestic violence and unaddressed mental health issues, then have we actually made a difference? What has the investment of that very expensive detention period been? We have had a point in time where we have done some work that the frontline workers can be proud of, but ultimately is society stronger? It sounds a bit glib, but that is ultimately the measure by which we should be measuring all of our government services.

Ms MARR: If I can comment on that: leading up to the election we were saying that our programs have to include culture, health, education and training, and family was a part of that as well. You are correct in saying that we cannot just let them go out of detention and be on their own. That is why a 12-month rehabilitation is important so we can make sure we get them to where they need to be from where they have started. Thank you, that makes a lot of sense.

Ms SCANLON: Principal Commissioner, I note since your submission on Making Queensland Safer Laws that you posted on LinkedIn that you are driven to ensure the QFCC is a place of solutions and advice not critique. Given the Crisafulli government's comments before the election encouraging frank and fearless advice from the Public Service, does the principal commissioner and/or the commissioner believe you should be able to critique government where children's rights may have been infringed upon?

Mr Twyford: Absolutely, but critique that is criticism without solution is of lesser value than critique with solution.

Ms SCANLON: Commissioner, a follow-question: I note in relation to the Making Queensland Safer Laws, specifically in relation to the removal of the restorative justice orders, I think you said that was concerning, as did a number of other victim advocates and organisations. Can you elaborate further on the impact you think those laws will have on victim advocates and victims in the criminal justice system—or anyone in the criminal justice system, I should say?

CHAIR: We are re-prosecuting committee hearings we have had before in relation to those laws.

Ms SCANLON: With respect, they were truncated committee hearings, Chair. This is specific; this is well within the remit of the QFCC to provide commentary about where children's rights have been infringed upon or where there have been changes around—

CHAIR: I will allow you to answer in any manner you wish.

Mr Twyford: Absolutely restorative justice principles and restorative justice programs underlie rehabilitation and restoration. On Monday I will be appearing before another parliamentary committee on the electronic monitoring issue. It brings me back to my first point in all my submissions: we need to approach these things holistically. The push and pull and the cessation and creation of different parts of a youth justice portfolio create a fragmented system where I am not sure anyone can say that the whole jigsaw puzzle is working effectively together. Restorative justice conferencing has remarkable results for the right young people if done the right way. It requires investment and it requires time. Where it involves victim offender conferencing, we can see some pretty significant outcomes in the right cases if done the right way.

I think we struggle sometimes to think that there is a one-size-fits-all in our policy design of youth justice. I think as we mature the system and stop seeing it as a mini version of adult corrections or a mini version of what we see on TV in courts and police shows, we will start to see it more like a mature health system or education system where professionals design the policies, do assessments and provide treatments and it is all tailored to the family group that is present in the issues. That is a longwinded, garbled answer. I am not sure I have responded to it correctly. My very first submission to parliament was on the raise the age bill and I focused my submission then on the need to improve our restorative justice principles and approaches and I continue to stand by that.

CHAIR: There is certainly a large body of work that the government has to do and is committed to. I was interested in the *Parenting as a young person* insights paper. It caught my attention. We have a significant program locally in Nambour at the Burnside State High School—the STEMM program—which I am a big supporter of. That report identified that the more regional you get the more young parents there are essentially. With that comes the challenges of cost, labour force and supports in those remote communities. I have worked on Mornington Island and Palm Island and I understand resourcing supports in those areas and the challenges. Can you comment on how we can do that better or how we can support young mothers who have children?

Mr Twyford: If I answer the subtext of your question: right across Queensland on everything child safety related, the areas of highest need are those with the least access to services. That is a great confounding factor, and recommendation 3 from the Child Death Review Board from two years ago called on the Queensland government to reform its human services industry to actually start to revisit how different departments fund vacant roles in remote communities and how that is a waste of expenditure and a waste of reporting. If different departments combined their investment and thought differently around how they use social workers and psychologists and not define them by a portfolio, we might better meet needs in areas of high need. For the young parenting, that particularly plays out. The further you are from the central cities of Queensland, the higher the rate of teen pregnancy and young parenting.

That paper also spoke to the difference between parenting programs for those above 25 and those under 25, such as the issues of stigma, isolation and shame. It had some interesting case studies and feedback from program providers who were struggling because there might be 12 mothers in their catchment they can work with, but six are from a younger age and six are from an older age and they cannot deliver the same content in the same way. Everyone is feeling the pressure of how to provide tailor-made services to the people who need them. I am pretty proud of that paper in the way that it presents the work that organisations are doing. If there was any finding or recommendation, it would be that we need to do more to support those organisations and we need to help them grow and spread across Queensland.

CHAIR: That was actually my follow-up question. There was a lot of best practice identified in that report but no firm recommendations that I picked up. What would your recommendation be?

Mr Twyford: I do not want to be a commissioner who makes hundreds and hundreds of recommendations and then has to monitor them. That insights paper was provided to the Department of Health, the department of child safety and many other organisations with the view that they are best placed to consider how they create their policies, their legislation and their practice. It goes a bit to the member for Gaven's question around that the commission needs to be a place for ideas and insights and empower others to make decisions. We do not necessarily have to go around saying, 'Parenting programs across Queensland are bad and here are our 15 recommendations about them.' It did identify best practice and it is now documented for other people to look at and see. It is part of our intelligence reporting and if there are child deaths or other critical incidents we will go back to it and use it, as will other departments.

CHAIR: Thank you. That concludes our hearing. Thank you to everyone who has participated today. Thank you to our Hansard reporters. The transcript of these proceedings will be available on the committee's webpage in due course. There was one question taken on notice in relation to some more information about that pocket guide, and if we could have that by close of business on Thursday, 20 March. I declare this public hearing closed.

Mr Twyford: Thank you.

The committee adjourned at 11.45 am.