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LEGAL AFFAIRS AND SAFETY COMMITTEE

Members present:

Mr PS Russo MP—Chair
Ms JM Bush MP
Mrs LJ Gerber MP (virtual)
Mr JE Hunt MP (virtual)
Mr AC Powell MP

Staff present:

Ms R Easten—Committee Secretary
Ms M Telford—Assistant Committee Secretary

PUBLIC HEARING—INQUIRY INTO SERIOUS VILIFICATION AND HATE CRIMES

TRANSCRIPT OF PROCEEDINGS

FRIDAY, 15 OCTOBER 2021

Brisbane

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The committee met at 2.55 pm.

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

My name is Peter Russo. I am the member for Toohey and chair of the committee. The other committee members here with me today are: Ms Jonty Bush, the member for Cooper; and Mr Andrew Powell, the member for Glass House. Mrs Laura Gerber, the member for Currumbin and deputy chair, and Mr Jason Hunt, the member for Caloundra, are attending via videoconference today. Ms Sandy Bolton, the member for Noosa, is an apology.

On 21 April 2021, the Legislative Assembly agreed that the committee inquire into and report to the Legislative Assembly on matters relating to serious vilification and hate crimes in Queensland. The purpose of today is to hear evidence from stakeholders as part of the committee's inquiry. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath, but I remind witnesses that intentionally misleading the committee is a serious offence. You have previously been provided with a copy of instructions to witnesses, so we will take those as read.

These proceedings are similar to parliament and are subject to the Legislative Assembly's standing rules and orders. In this regard, I remind members of the public that, under the standing orders, the public may be admitted to or excluded from the hearing at the discretion of the committee. The proceedings are being recorded by Hansard and broadcast live on the parliament's website. Media may be present and will be subject to my direction at all times. The media rules endorsed by the committee are available from committee staff if required. All those present today should note that it is possible you might be filmed or photographed during the proceedings by media, and images may also appear on the parliament's website or social media pages. I ask everyone present to turn mobiles phones off or to silent mode. The program for today has been published on the committee's webpage and there are hard copies available from committee staff.

McKENZIE, Mr Karl, Chair, Townsville Community Justice Group (via teleconference)

CHAIR: Welcome. If you wish, you can start by making a short opening statement. We have to be very careful during evidence that witnesses refrain from using unparliamentary language such as swearing or offensive terms, even if you are quoting someone. Under the rules of parliament we are not able to accept that. Thank you in advance for your cooperation.

Mr McKenzie: As an Indigenous man I understand racial vilification and hate crimes. We have been dealing with it and putting up with it for quite a while. In modern times in Townsville and with youth crime coming to the fore, we have suffered that a bit. As the chair of the Townsville Community Justice Group I get a lot of phone calls from emotionally charged people. People are quite racist and hateful about the issue. I understand where it is coming from.

The media and social media are not helpful. I think the media is not too bad. It is more social media that winds people up about issues involving vigilante young people, mostly young men, around the place. Some of our children have been bashed or frightened by these young people. We had the tragic accident in recent times where there was someone in a stolen car and someone decided that they would take the law into their own hands and it ended up with the car crossing the road and killing a motorcyclist.

I have been on the wrong end of these hate crimes. I do have some interest in section 131A of the Anti-Discrimination Act. As it is written, I do not see that it really needs that much of a change. I am concerned about the term 'incite'. That is the key term. I am really worried about it being too prescriptive. I think we need to stick with the term 'incite', because once we start changing things around so that we are not creating offence or offending people we can end up in a sticky situation. Offence can be taken at any time on anything. If you are making a presentation to a room of 10 people,

you might not offend anyone. In a room of 10,000 people, you are going to offend someone. Do the one or two people in a room of 10,000 people have a right to shut that down and say that it is inciting violence? 'Incite' is a very important word to keep there.

I want to talk about systemic racism in government, but I will link it back. There is a reason I mention this. I have been playing this game for quite a few years and I do not believe there is systemic racism in government—not in a very long time. I think government has done a great job at all levels to deal with that. What I have found is what I would call intermittent racism. It is more in the Public Service. I have dealt with people in the beginning when getting things moving and with those at the very top—with the Attorney-General and ministers—and they are all great. It is in the middle somewhere that you find not hateful racism but the more damaging, patronising racism.

I sit with the Chief Magistrate on one of his reconciliation action plan groups. What is never in those things is any power, authority or self-determination given to Indigenous peoples. Whenever acts and things like that are written, they never give Indigenous peoples the authority, power or self-determination to do something about these things. I would like you guys to think about that when you go and look at the act or any outcomes of it. In Queensland I also sit on QCAT for some things. I would love to see some powers from the government in relation to restorative justice. We find that works well with youth crime—that is, when people get to see the people they are talking about and what is happening. Then people get to understand their story.

I do presentations with TAFE and we bring up racism. I let them talk about anything. I open the door and they can have a go at anything. When we talk about it and they understand why something is the way it is and we educate them, they walk away with a better understanding. We are then normally able to deal with those issues. Restorative justice is really more important than punitive justice. I do not have too much more to say. Do you have any questions?

CHAIR: Laura, do you have a question of Karl?

Mrs GERBER: No, I do not, thank you.

Mr POWELL: You mentioned you have been on the receiving end of hate crime and vilification. At any stage have you taken that further? Have you tried to take that to the police and seek to use the existing laws around that?

Mr McKenzie: I will give you an example. My children have just graduated high school so a few years ago they were at primary school. I was on the school board. Whenever my profile was raised I would get attacked by text message. I would love to swear so you people understand what I was getting. It was: 'Why don't you f off you dirty black b and take your dirty piccaninnies with you,' and all this sort of thing. Calling my wife 'a dirty Abo c sucker', and those sorts of things. I think you would agree that that is racial vilification.

Mr POWELL: Yes, that works.

CHAIR: Karl, you have to be careful using profanities.

Mr McKenzie: That is why I said 'c'.

Mr POWELL: We can still work out what it is.

Mr McKenzie: We all agree that that is racial vilification. I took that for about two years and did nothing. It gets on top of you and it grinds you down. I took it to the principal finally and he had no idea. He said, 'What do you want to do with this? We will take it wherever you want to go.' I said, 'Actually, I don't want you to do anything. I want you to continue your fantastic assemblies and education because the second we go and bring these people to light, it pushes them underground where you cannot see them.' I have lived with that through the military. When it goes underground you cannot see it and they become more hateful and more active. I would rather see and know who it is and deal with it through education than push too hard back against it.

We have to be so careful in pushing hard. We need to understand where it is coming from and why it is coming and use education and restorative justice. Unless there is physical violence and people saying, 'You go out and kill these black people,' that is a different matter. We need to understand where the abuse is coming from and why it is coming from there and work to change it. I did not really want to get the police involved because I think it would have made it worse.

Ms BUSH: The member for Glass House's question was where I wanted to start—just giving a summary and a flavour of some of what you have experienced, so thank you for that. Are their particular scenarios that trigger that type of behaviour more than other scenarios? If a particular crime has happened in the area, does it trigger something? We have heard from other submitters that, to be frank, the darker someone's skin the more likely they are to be targeted. I want to get a flavour of what you see in your community around that.

Mr McKenzie: In terms of the first part of your question about whether there are incidents that trigger it—absolutely. The more personal crimes like breaking into people’s homes and things like that raise that up and get it moving on social media.

Around the colour of someone’s skin, I often bring that up when I do presentations. I explain that there are several versions of it. Black skin people get to see it. They will get to see people cross the street when they are walking. They will get to see eyes on them when they are in shops. They get to see it differently. I am of a caramel skin; I am in between. I get to hear it and get to hear the jokes. I actually use it as a bit of a weapon and a tool myself. I listen and watch people and get to know who is who in the zoo.

I generally do not jump on it immediately. I will jump on it at the right time. I speak up at the right time. I think we have to use our smarts around this a bit. In the one Rotary club I am with, someone did an acknowledgement of country and a couple of older members got up and walked out. I was able to speak to them about why we do it. They at least stay in the room now.

CHAIR: Is that recently?

Mr McKenzie: Yes, that was this year. There is a lot of misinformation and it is usually a lack of education and understanding of why people are this way or frustration because of crime. In Townsville it is mostly Indigenous kids doing it. There are a few non-Indigenous kids doing it, but it is mostly Indigenous kids. The emotion comes out and it gets targeted at Indigenous people. I am not sure how it would work if it were mostly non-Indigenous kids. I do not know how that feeling and emotion would come out and who would be the target of it. They would probably go after the good old single mums. They find the easiest target and chase that. It is wound up through social media usually.

Ms BUSH: We understand some of the barriers to reporting to police. It has been put to the committee that there might be alternative reporting options where people can flag instances of hate crime or hate speech without making an official police complaint—that is, flagging that that behaviour is occurring. I am interested in your feedback on what the uptake of that would be by people in your community if they knew if we tracked that behaviour it could build a pattern of behaviour that the government could then respond to.

Mr McKenzie: I think that is an excellent idea. That is probably one of the best ideas I have heard in a long time. A pattern of behaviour could be built up so we could deal with it that way—absolutely. What that would look like and who you would speak to, I do not know.

CHAIR: Do you have much interaction with the police in Townsville—not on a negative basis?

Mr McKenzie: Yes, I do. Generally when I work with them they are excellent. We are working on a program where the justice group will be doing the police cautions. We are working on a program to carry out police cautions with Indigenous kids.

I have witnessed at times the provoking and pushing of Indigenous people until they do something and then they arrest them. I sat in my car once and watched it. A man was asleep on the grass and I heard the police say they wanted him off the grass. He said that it was not hurting anyone. Then the police officer kicked his feet and kept annoying him. This was two winters ago—we do not have much of a winter up here! I think it was a Wednesday. The gentleman eventually got up and went to push the police officer—bang, you’re done; he was arrested and put in the car. There was no need for that. It could have been handled so differently.

We get reports of these niggling things. They will push until they respond and then they drag them away. That is not usually what happens, but it does happen. We have men from the men’s group say that they will get pulled over on the street and get street checked when they are not even on parole or there is not any reason for it. I do not think it is indicative of police actions, but it does happen. Again, a bit of education there might help because it raises the hatred of the police again. Just a few police doing the wrong thing means they all get tarred with it, like we get tarred with the crime. The police do a good job of trying to work with that and teach them. I am not going to have a go at police; they do a pretty good job there, but it does happen.

Ms BUSH: Is there a mechanism in that situation for you to provide feedback to a regional crime coordinator or to an OIC? Is there a feedback loop where that feedback can be given around a particular station or a particular officer’s response?

Mr McKenzie: Yes, it could be. It would be great if there were a mechanism there. There is not really one there and if there is we are not aware of it. That is a problem as well. As the justice group we should be aware of it. We are not really aware if there is. I try to do it on an ad hoc basis when I speak to one of the officers or whatever.

CHAIR: Thank you for addressing the committee. It has been very helpful. Have a good weekend.

BAYLES, Ms Yarraka, Private capacity

CASABUENA, Ms Journee, Private capacity

CHAIR: Good afternoon. The way we have been doing this is that we just want you to talk to us. We are here because we have an inquiry into serious vilification and hate crime. Everybody's experience is different but then there are similarities. One of the most important things is that—Journee, you heard Karl; he did not follow my instructions, but that is all right—we are not allowed to swear or use profanities. That is a rule of the House. We are not allowed to do it in the House, although some of us who shall remain nameless have been caught doing it. I know it is hard because we are asking you to talk about incidents that have occurred but then you are not allowed to use the words. The way around it is to say, 'I was at a pedestrian crossing and someone used bad language towards me which I found offensive.' Does that make sense?

Ms Casabuena: All good.

CHAIR: You have the floor.

Mr POWELL: And we will try not to ask provoking questions which I failed to do in the last session.

Ms Casabuena: That is okay.

CHAIR: Who wants to go first?

Ms Bayles: First of all, I would like to acknowledge country and pay respect to the local people and elders. My name is Yarraka Bayles. I am a proud First Nations woman. Last year my son's video went viral and since then we have been under constant attack. I have screenshots of the death threats, which are pretty much every day. I got another one yesterday, so it is very triggering. They are not just empty threats. Adults are threatening an innocent 10-year-old kid, threatening physical harm. Then there are the cyber attacks and the fact that when we go out in public people are recording him and taking photos and there are no consequences. That is why I am here today to share my story and hopefully bring about some awareness so that people know that they cannot get away with this any longer.

My son is at home right now. He has PTSD and anxiety. I have been friends with Journee since my son was born and she has pretty much been the only person who gets it and who understands. I have witnessed and experienced it firsthand with her and her son, who is also a child living with dwarfism. My son does not just cop it because he has dwarfism; it is because he is an Aboriginal boy with a disability. It is a double-edged sword. It is every single day.

I present so strong. I have to be—I have three children and two granddaughters. I am strong for them, but every day when I try to shelter my kids and make sure they are not seeing the death threats it has not always been successful. That is why they live with severe anxiety and PTSD, as do most people who are on the receiving end of discrimination every single day of their lives. It wears you down mentally, physically and spiritually. I would like something to be done.

I would like stricter punishments because everyone seems to be getting away with it and it is not okay. What is it going to take for laws to be changed? Is it going to take another suicide? My son was six when I first found him with a rope around his neck, and that is not okay. I hope that through hearings like this people can see how real it is.

You will not get Indigenous people coming forward and sharing their experiences. It is because of the fact that in my parents' generation if you complained you were beaten—sometimes to death—or punished, thrown into a cell or a girls home or a boys home. There is a real fear of anyone coming forward and speaking out, especially against authorities, because of the punishment that was in place. It is difficult just to be here and to share my story. I have done that and I have put in formal complaints against other departments and nothing has ever been done. We just think: what is the point?

CHAIR: Journee, would you like to add anything to what Yarraka said?

Ms Casabuena: I do have my own personal experiences. The main thing I find really difficult is doing my day-to-day tasks, so things like going to get petrol. For all of you here, that is something you would not even think twice about doing, whereas I have to map out what time I go and whether I get out of the car because I can see certain people that I know will abuse me or yell out or record me. I have had situations of being followed and I got into my car and someone opened the door as I was in the driver's seat and took photos. I have stood at the lights waiting to cross the street and had people pass by and yell out derogatory remarks and throw trash at me. I have had situations where I have gone to shopping centres and been followed into the bathroom and had people kicking at the door wanting to see me but using the derogatory term that is used to describe someone with dwarfism.

I do not ever go out without someone. This gentleman behind me is actually my support. I am 39 years old and I have to bring someone with me when I go outside so I can at least live my daily life. If it were not for Wilson—I am sorry, Wilson, for putting you on the spot—I would not be able to do anything. He has really helped me. There was a situation when we were out and there were some people right there laughing at me. It was so known. We were at a Timezone playing a bowling alley game. I was so fed up and so angry that I picked up one of the props, the ball, and I was going to lodge it at this person because I had truly had enough.

I know my son suffers from anxiety. He does not like going out with me knowing that when I go out with him it causes a lot of attention. I have walked down the street and I have had men—I actually get triggered when I see men in high-vis uniforms—tradies and so on, because they are the ones who tend to always yell out or follow me and then throw things or kick things on the ground towards me maybe to get a reaction. I do not know what they want. It has just been an accumulation of things over the years.

I have somehow come to a place where I can feel okay to go out, but I am lucky that I have the support to do so. There has to be some level of education, especially with men. I made a note here that my father and my brother would never do this to a woman. If they saw a woman walking down the street and she was a minority—you can tell I am different—they certainly would not do that. They would want to protect her. As a man, you protect women. You protect everyone around you. You protect your clan. To see men do this and treat me in this manner just blows my mind, because my idea of a man is that you protect people; you do not abuse them or break their spirit.

CHAIR: As a committee, we are trying to ascertain what needs to change. I have taken on board what you have said, Yarraka and Journee. I understand that part of it is education and part of it is making sure that the people you are dealing with on a daily basis also understand and are aware. Have you ever had the opportunity to talk to the authorities? I know that you have, Yarraka. One of the things I am trying to ascertain is: how do you interact with the authorities when you make a complaint, if you do, or is it the case that you do not?

Ms Casabuena: I have been in a situation where I have been out at a bar and I was being harassed. A guy wanted to pick me up. I obviously did not like that. I do not want a random person touching me or even picking me up because I am an adult. I went to tell the security and the security went over to the guys but I saw the security guy actually laughing with the boys, so it was very funny to them. Ever since then I have been like, 'What is the point of telling someone like security, who is in a role to protect people, only for them to join in and heckle and look like one of the cool guys?' What do I do? We leave. That is what we did. My girlfriends and I left. They were allowed to stay there, but the night ended for us because I decided that I was very uncomfortable and my friends were getting very upset, so the best thing for us to do was to leave.

Ms Bayles: How do you follow up or make a complaint against a random stranger who is threatening you or throws something at you? They get away with it and they probably do it over and over again at easy targets and minority groups, especially online. What are the ramifications? Who is held accountable for the constant death threats and the suicides and the bullying?

CHAIR: Yarraka, in relation to online bullying, have you ever made a complaint to anyone like the eSafety Commissioner?

Ms Bayles: Yes. Last year we were part of the Disability Royal Commission where we told our story. At the time my son's video went viral we made several complaints and brought a defamation case, which we were successful in because of the constant online bullying. They were saying ridiculous things about me and my 10-year old son, who was nine at the time. We had the police at our house. I had them on speed dial. We had the local PLOs come and circulate. We live in a gated community but our safety was compromised. I live in a gated community because I am a survivor of domestic violence, so security is everything for me, knowing that I live in a safe and secure area, but there were still people coming in. People were still following us, taking photos, taking photos and videos of our car and our numberplates. There is not much that can be done about that. I can show you about a hundred screenshots of the death threats. Some of them are in detail—not just to me and to my kids but to my grandkids—on my children's social media accounts. From our understanding, there is no accountability. What do you do?

CHAIR: Have you ever reported it to Facebook or any of those platforms?

Ms Bayles: Yes. George Newhouse, from the National Justice Project, and Eric Boone, who were involved in our successful case last year, were successful in removing 120 videos with defamation. They worked with Google, YouTube, Facebook and Instagram because it was going viral. It was this vicious cycle that was snowballing into all of these conspiracy theories about my child which

reflected on our family. It brought my whole family in—not just our Indigenous family but also our family with the short-statured community. They were copping hate. Whoever stood up in support of my son was copping it. I had people in America amongst the short-statured community who I had never met before who were in physical altercations with people because they were defending my son. This went worldwide.

People think it has all died down now, but we are still on the receiving end. It is what we live with behind closed doors. We are not reaching our full purpose and potential because my kids all struggle with that anxiety and PTSD. They are sick of going out with us. We have gone out several times—Journee is like my sister and her son is like my nephew; our kids are like brothers because they are a year apart—but the attention can get overwhelming. It is no wonder our kids do not want to go out in public. It is like they are denied the right of their very existence to live a full life because they are so impacted by the trauma, the slurs, the attention. There is so much negative attention for a person's difference.

Mrs GERBER: I want to thank both of you for sharing your stories. It is really important for us to hear them. I know it cannot have been easy, but it is really important for us to have that voice as part of this process. Some of the things you describe that happened to you perhaps do not fit in a box of offending, but they happen to you because of how people are viewing you and what they are doing. I was listening to some of the things you described and I could not think of an offence that would be applicable to those that would give justice to the intent behind those actions.

One of the things we are looking at is what we can do in terms of reform to make sure that the intent of people who did that to you is captured within law, policy or education. That is what we are looking at. Do you think change to the law is something that is needed in this space? I might expand on that a bit further so you have some context. There are two things there that have been raised by other submitters. One thing that could happen is to make hate crimes or serious vilification an aggravating circumstance of an offence, but that would mean there would have to be an existing offence for which that aggravated circumstance can apply. That would mean there could be a penalty that perhaps does fit the circumstance of the crime. The other thing is for it to be a standalone offence, its own offending. Do either of you have a view on that?

Ms Bayles: There definitely needs to be law reform. People need to know that they cannot get away with this type of behaviour.

Ms Casabuena: I agree. In the UK at the moment they are bringing in a law about harassment on the street, because a lot of women over there are getting harassed sexually, physically or emotionally. The moment you start putting those words out that they could get in trouble, it is more than likely going to rein in. It is just the fact that there would be a consequence.

Ms Bayles: There has to be accountability, but how do you press charges or make a complaint against a total stranger who you do not even know? That is where the problem lies. That is where the gap is, because it is random people we have never met before. It could be someone in person who is hurling abuse or throwing physical things at you on the street as they drive by or it could be online, but they are strangers. We do not know them. We do not know their names. The people who do this are trolls who have nothing better to do.

Ms Casabuena: One of the reasons they do it is that they get away with it. It is what you just said. If there are no consequences, they just think, 'Whatever.' That is why we have laws in place. You have laws so you do not do that because if you do—

Ms Bayles: You will know the consequences.

CHAIR: Jason, do you have a question?

Mr HUNT: No, other than to thank both ladies for appearing and for the courage they have displayed in coming before us today and bearing what they have offered. It was quite moving and very informative to this process we are going through, so there is just a personal note of thanks.

Mr POWELL: Journee, you said that blokes like your father and brother would never have done that. Please know that there are other men like that. My eldest is a chippie. He wears the high-vis and he has been brought up not to do that.

Ms Casabuena: That is good. I thank you.

Mr POWELL: At the same time, please know that I do not defend that action. I know exactly the kind of people you are talking about. They are out there and it is not okay. Like Jason, I thank you both for coming and sharing with us this afternoon.

CHAIR: I support that sentiment also.

Ms BUSH: Journee and Yarraka, I thank you for coming. The committee condemns the behaviour that has happened to you and your children. It is absolutely not okay and would never be okay. What the member for Currumbin said is that we are struggling with the idea of at what point it reaches a criminal threshold and at what point a bystander intervention program has a role. Other people should be calling that out when we see that behaviour, and it should not be on the recipients of that behaviour to have to keep standing up. There is a lot that we are thinking about at the moment.

Journee, you mentioned the UK. I do not know if that is like a ticketing offence or something that can be issued. I am interested in your views on whether that would be effective. I am also interested in your views on whether you would be interested in participating in a restorative justice model if that was an option. What are your views on restorative justice generally? Do you think that would be one of the appropriate responses?

Ms Casabuena: Can I ask what you mean?

Ms BUSH: Of course. Some people have raised this idea that, instead of going into court where you have the lawyers and the judge and everyone is fighting and it is quite adversarial, you sit in a circle with you, the offender and your family—whoever is impacted might go—and you talk about the impact. They have to hear from you what it has done to you and the impact, and they get to explain their life to the victim as well, which gives that person insight into their struggles as well. It can be therapeutic and you can reach an arrangement where that person undertakes to do particular behaviours. Rather than a custodial sentence, they might do counselling. It is that kind of model.

Ms Casabuena: From my position, I think that is really good. I think it is an education moment as well. They will get to see me as an actual person, not just a thing that you laugh at or harass or heckle—whatever it is on that particular day. Pick a word.

Ms BUSH: I do not think people appreciate the cumulative effect. They do one thing, which is absolutely abhorrent and wrong, but they do not realise you are getting that everywhere you go. I am interested in the spaces that are more likely to give rise to that kind of behaviour. It sounds like public spaces such as restaurants, nightclubs or sporting facilities.

Ms Casabuena: I would never go to something like a Broncos match or anything like that, because I know it is just going to be the worst.

Ms Bayles: Especially when people are intoxicated.

Ms Casabuena: Even more so.

Ms Bayles: As Journee mentioned, you know that when kids are hanging out after school at a shopping centre that is a no-go zone, because you just know that is peak hour for the phones and videos to start coming out. We both live near Westfield Carindale and we have both witnessed it and experienced it with ourselves and both of our two kids. You really have to map out your every move of every day just to get through the day and not break down or not want to punch people in the face.

My twin daughters are 22 and my son is turning 11 in a few months, and I have had to stop them so many times from grabbing people's phones and smashing them because we are so sick of people taking photos and videos. I have said, 'Would you like me to take photos and videos of your child? That is not okay.' How do people think it is okay? They get away with it because apparently it is not even illegal to photograph or video anyone in public. Why is that so? That is really creepy—that people are getting away with taking photos and videos of children, let alone vulnerable people in our community. Our most vulnerable are constantly under attack and there are no laws to protect them. They are taking their lives at the highest rate. The suicide rate is going up. All of these rates are going up, especially with so much disconnect in the last two years. We are not seeing any law reform or legislation in place to make sure these things are not on the rise, but they are.

In terms of law reform and restorative justice, we are all for that because I think that invokes empathy. Once people see that, even though they only said it once or threw something once or attacked us online once, when that is part of your daily experience it draws a person to suicide—kids as young as six years old. That is what people need to understand. It is not okay and it needs to stop. Unless they are aware of the impact it has on that person, they have no idea. They are just living their lives and having a good laugh. They think it is funny and they are going to keep doing it.

Ms BUSH: I do not want to put words in your mouth so tell me if I have got this wrong. It sounds as though there is the offending behaviour, which is offensive in the first instance, but the response to that—the justice response or the community response—can compound that more because there is no outcome for you. Is that a fair statement to make?

Ms Bayles: Correct.

Ms Casabuena: Yes, I agree with that.

CHAIR: Unless anyone has any more questions, that brings this hearing to an end. I would like to thank you, Yarraka, for your advocacy in this place and for assisting the committee to bring this to light. It is very much appreciated. Journee, thank you for coming today. It has been very helpful to the committee. You have shed light on an area that had not been highlighted to the committee by previous submitters.

Ms Casabuena: Thank you for giving me this opportunity to be here. Thank you so much.

CHAIR: That concludes this public hearing

The committee adjourned at 3.44 pm.

PROOF