



LEGAL AFFAIRS AND SAFETY COMMITTEE

Members present:

Mr PS Russo MP—Chair
Ms SL Bolton MP
Ms JM Bush MP
Mr MA Boothman MP
Ms KE Richards MP

Member in attendance:

Mr RI Katter MP

Staff present:

Ms R Easten—Committee Secretary
Ms M Salisbury—Inquiry Secretary

PUBLIC HEARING—INQUIRY INTO THE YOUTH JUSTICE AND OTHER LEGISLATION AMENDMENT BILL 2021

TRANSCRIPT OF PROCEEDINGS

TUESDAY, 16 MARCH 2021

Mount Isa

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The committee met at 1.00 pm.

CHAIR: I declare open the public hearing for the committee's inquiry into the Youth Justice and Other Legislation Amendment Bill 2021. I welcome Barbara Sam from the Kalkadoon community—a community representative—to do the welcome to country.

Ms Sam then gave a welcome to country—

CHAIR: 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 people, whose lands, winds and waters we all share.

My name is Peter Russo, the member for Toohey and chair of the committee. The other committee members here with me today are: Ms Sandy Bolton MP, the member for Noosa; Ms Jonty Bush MP, the member for Cooper; Mr Mark Boothman MP, the member for Theodore, a substitute member today for Mrs Laura Gerber MP, the member for Currumbin and deputy chair; and Ms Kim Richards MP, the member for Redlands, a substitute member today for Mr Jason Hunt MP, the member for Caloundra. Mr Andrew Powell MP, the member for Glass House, is an apology for the hearing today. The committee has also granted leave for Mr Robbie Katter MP, the member for Traeger, to ask questions at its hearing and also address the committee.

On 25 February 2021 the Hon. Mark Ryan, the Minister for Police and Corrective Services and Minister for Fire and Emergency Services, introduced the Youth Justice and Other Legislation Amendment Bill 2021 to the parliament and referred it to the Legal Affairs and Safety Committee for consideration. The purpose of today is to hear evidence from stakeholders, community members and submitters about their views on the bill.

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 guide for 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.

Our proceedings are covered by parliamentary privilege, which means that you can give your evidence freely and openly without any fear that your evidence could be used against you in legal proceedings. That being said, if you provide evidence that names an individual or reflects poorly on an individual or organisation, the committee may choose to receive but not publish that evidence or may, in the interests of fairness, provide that individual or organisation with an opportunity to respond to your evidence before the committee makes it public. If you have any concerns about sharing your story or speaking publicly about these issues, the committee may consider hearing your evidence privately. If that is the case, we just ask that you explain the reasons for this to our committee secretariat staff and we will see what we can do.

Once we begin, I ask that we avoid having any commentary from the floor or any other interruptions to the hearing. In this respect, the proceedings are different to a town hall meeting or open forum because there is more order in how we ask that you provide your input. Signs, placards, banners, posters, conspicuous badges or stickers or clothes such as T-shirts that are printed with slogans associated with a political cause or campaign are not permitted in the hearing.

Our Hansard reporters are making a transcript of the hearing for the committee's record of evidence. To ensure the transcript is accurate, only one person can speak at a time. That will also give our witnesses the respect they deserve, recognising that it is not always easy to speak in public.

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. No other photography or filming is permitted other than that expressly authorised by me. 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. The hearing will start with invited local stakeholders to hear their views on the bill. We will then open the hearing up to those who have registered to appear as a witness. I ask those who do speak to the committee to keep to the allotted time to ensure others also have the opportunity to speak. If there is time at the end of the hearing, we will invite anyone who did not register prior to the hearing but who wishes to speak to make a short statement to the committee. If you would like to speak to the committee but have not yet registered or have any other questions, please see one of our committee staff who will help you with your registration.

KEENAN, Mr David, Chief Executive Officer, Mount Isa City Council

SLADE, Ms Danielle, Mayor, Mount Isa City Council

CHAIR: I welcome the mayor and the chief executive officer of Mount Isa City Council to the hearing. Good afternoon. I invite you to make an opening statement, after which committee members may have some questions for you.

Ms Slade: Thank you. I would also like to acknowledge the traditional custodians of the land, the Kalkadoons, and pay my respects to elders past, present and emerging. I also acknowledge our councillors in the room: Councillor Kim Coghlan; Councillor Pet MacRae; Councillor George Fortune; Deputy Mayor Phil Barwick; and Councillor Mick Tully. I would like to acknowledge our local member, the member for Traeger, Rob Katter. I would also like to thank all of the residents in the room for attending this parliamentary committee hearing as well as thank the parliamentary committee for picking Mount Isa as a place to hold this hearing.

I will tell you a little bit about myself. I am obviously the mayor of Mount Isa, but I grew up in Mount Isa so I have a long history of living here and loving this community. As mayor of Mount Isa I am a representative for the community. I was elected by the community. Besides making sure we deal with rubbish, water and sewerage, one of our roles is making Mount Isa livable. We look at social infrastructure, infrastructure and ways to attract people to Mount Isa to not only live here but also make this place their home.

As someone who has lived in the community all my life, one of the deterrents at the moment for people wanting to live in Mount Isa is youth crime. From my perspective as a councillor, the solution cannot be just intervention—and I know that is why we are here. As a council we need to be working with local government, the state government and the federal government on prevention, intervention and rehabilitation.

It is not going to be one stakeholder that can deliver this. A lot of stakeholders have to come to the table. That is going to mean bringing police, Health, Housing and council to the table. There are a lot of youth organisations and key stakeholders out there that need to come to the table, including liquor licensing. About three years ago we had a similar inquiry into Northern Australia. One of the comments made back then was that Queensland and the Northern Territory need to work together. Some of the things that have been brought into the Northern Territory are driving people into Mount Isa. Mount Isa is trying to fix some issues that are really not from Mount Isa but are coming in from other communities. For someone who has lived here all my life, I find some of the things happening in Mount Isa very confronting. That is saying something, because I understand the community.

I believe it is great that you are looking into this, but if we are going to have intervention we need to understand that the problem for children is their parents. Any kind of intervention really needs to bring in the family. That may involve life skills or therapy and may be part of a broader fix.

I think we have made a pretty good submission. We have tried to cover all aspects of the challenges Mount Isa faces as a community. We talked about a juvenile detention centre. We see the families being involved in this as absolutely important. We cannot put kids in a juvenile detention centre and then send them back to their family, which is the reason they were on the streets in the first place. It does need to be addressed.

As a council we have limited powers, but we have reached out to Youth Justice. We have reached out to the minister. We have reached out to the director-general. We have reached out to Housing. We have reached out to the police. We have reached out to Health. We are trying to be part of different organisations. We have also reached out to the Kalkadoons and to DATSIP.

We have limited powers, but as a council we want to help. We recognise that we will need to work with the state and federal governments and may need to lobby. This is really important because, at the end of the day, Mount Isa is our focus and we need to make Mount Isa livable for the entire community. Thank you very much for coming to Mount Isa and for giving our residents and key stakeholders an opportunity to speak. We believe that if any change is to occur it will have to occur across 10 to 15 different organisations and key stakeholders. This is probably a good step in the right direction.

CHAIR: David, do you want to add to the opening statement?

Mr Keenan: I think the mayor has covered it fairly well. The committee is very welcome in Mount Isa. There are clearly some issues that have been articulated within the submission. I will highlight what the mayor said. We do not have a youth officer. Many other local government authorities would have a youth officer. We do not have a youth strategy. There is the opportunity to work with youth in the future and to certainly build on the proud recreation or sporting history that exists within Mount Isa, and do that through the construction of great recreation facilities. If you have a fit mind and fit body, you usually do not get into too much trouble.

What the mayor said about intervention and making sure that families are there is important. We would also be keen to understand whether there is the opportunity for me or my staff to get involved in mentoring to make sure that where young people are on the verge of doing something that is not great we can encourage them in different directions. I think the mayor summed it up pretty well.

Ms BOLTON: Thank you for coming. I also acknowledge the traditional custodians, the Kalkadoon. Mayor Slade, in your submission you highlighted some issues that you have not spoken about. One of those is the lack of coordination between different organisations and agencies working in this space and also when you have those entities competing in the funding space. Could you give a couple of examples of when you could see that that was not occurring and it could have made a difference?

Ms Slade: Unfortunately we have a lot of organisations that are competing for funding. Funding is critical, because it might mean the difference in having extra support staff. We have organisations that are virtually not talking to each other and not sharing information. They are also terrified that if a family that is no longer coming to them—the family has stopped coming—they could potentially lose some funding over that. Instead of having organisations all working together for the same outcome, we have organisations that are not working together and are not sharing information. They may both be seeing the same residents or families but, because of the lack of communication, there is no sharing of resources.

One of the other challenges that a lot of the organisations face is that if they do lose funding they could lose their own jobs. That is unfair in a lot of respects, because if you are trying to make some big changes it is not going to happen within 12 months. The way we are setting up the funding, where they only get it for a short amount of time, stops them putting long-term strategies in place as well. Instead of working and having partnerships with other organisations, they seem as if they are in competition with them. I do not believe they want to operate like that but that is just how the system is making it happen.

Mr BOOTHMAN: I too acknowledge the traditional owners of the area. Mayor, you spoke about programs that deal with the behaviour of these individuals. You also said it had to include the families. How would you proceed with that type of idea? What types of programs would you put in place?

Ms Slade: Is that if we were looking at a detention centre in Mount Isa or just in general?

Mr BOOTHMAN: Just in general.

Ms Slade: A lot of those kids are on the streets because there is overcrowding in their homes and they do not feel safe in their homes, so they are tending to hang out on the streets and not go home. That is where they are getting into a lot of trouble. I have asked many times: what can we do for the child who is born today so that in eight or 12 years time we are not trying to intervene on that child? It goes back to the parents. It is not the child; it is the parents. If we do not take the parents along on the journey to change the family unit, we are always going to be in this position of trying to intervene with youth crime. If we can fix the whole family unit—and these parents love their children and those children love their parents, but we need to intervene. A lot of the kids are traumatised so they need therapy. I also believe that the parents need therapy because there is lots of family violence happening in the home, they do not feel safe and there is overcrowding.

This is about bringing different organisations into the room and trying to fix a lot of different things. We have a lot of people coming from communities that do not have accommodation. That is another problem. If we can bring the family along on the intervention and the rehabilitation, we have more chance of that child not reoffending and also having a better outcome for the whole family.

Mr BOOTHMAN: You would like to see something like that actually in the bill to deal with the family situation, to have a better outcome?

Ms Slade: What is happening now is that you are sending the child home to the same family setup that made the child want to walk the streets in the first place, so they are doomed to failure. If there was some kind of detention centre in Mount Isa that got the family to come in as well, to get therapy as a family and learn some life skills together and more positive communication and some ways to build up confidence and have a few successful outcomes as a family, then when that child does leave the detention centre the family has an idea of how they should be progressing, as well as the child.

Mr BOOTHMAN: We have the same problems on the Gold Coast to a degree. What you are saying certainly does apply down there, too.

Ms Slade: Thank you.

Ms RICHARDS: I want to clarify what you mean. In my mind, a detention centre is different to possibly a facility that delivers wraparound services. We all agree that this is a generational and a complex issue that is multi-stakeholder involved and very much around trying to restore the integrity of family units. Is it a detention centre or is it more of a facility that provides wraparound services? In my mind, those are two very different types of things. A detention centre is somewhere that will normally take an offender away and they will be detained.

Ms Slade: That is right, and there is a good chance that if you send a child to Townsville they will probably come back with a few more criminal activities under their belt than they would have had prior to going and, again, they are sent back to the same family unit. If all we were allowed is a detention centre in Mount Isa and we could not have something more beneficial, I still think there is some progress to be made with kids having regular visits from family members and maybe an opportunity for the organisation here to try to engage with that family and the child in the detention centre. When you have that 900-kilometre distance, there is very little chance of that child getting too many visits from family and anyone being able to try to intervene with the family.

Ms RICHARDS: It is more outside of a detention centre, possibly. In his report Bob Atkinson talks about those key pillars of keeping kids out of custody. It is not necessarily a detention centre but a facility that actually helps provide the services needed and support services.

Ms Slade: We would like it if there was an option for both.

Ms RICHARDS: Last night we had a youth forum in my local area. It was extraordinarily interesting to get the breakdown of statistics. The explanatory notes say that that 10 per cent cohort is 390 Queensland children. What would that look like in a Mount Isa context? What sorts of numbers are we talking about?

Ms Slade: I do not think we are talking about great numbers. I think most of the kids in Mount Isa are doing the right thing. A lot of the children that we are talking about are reoffenders.

Mr Keenan: I believe it was about 40 to 50 who have been identified by the police. I am happy to be corrected on that. Just going back to Ms Richards's comment, at the fourth dot point we actually have a sentence that refers to a youth training facility. I would imagine it would be an issue between the two of those, rather than simply being a detention centre where they can get equipped with, as indicated there, some lifelong skills.

Ms RICHARDS: My apologies: I did not acknowledge the traditional owners.

Ms BUSH: I acknowledge the Kalkadoon people also. Picking up on a similar theme, I was also interested to see in your submission the reference to the youth detention centre. Given that a detention centre for perhaps 40 young people would cost around \$150 million, I wonder where else you feel that kind of funding package, even over a 10-year period, could be invested to make a real difference to the people in Mount Isa.

Ms Slade: \$150 million over a 10-year period: if the sky was the limit? Is that what you are saying?

Ms BUSH: Yes. I am interested in the reinvestment of that kind of funding envelope into the programs that you are talking about.

Mr Keenan: I think there are two different questions we have been asked. You were asking about the number of young people, but that would not necessarily be the number of people in a facility of that scale. I think they are two separate issues. What is put forward in the submission is the construction of something that would then supply local jobs for local people, keeping in mind that the mantra of the council is always to look at where there is alternative employment to mining, to help mining and complement mining—where there are those other opportunities as well. There could be a facility that would create employment with construction but ongoing employment as well, and not from just a security point of view but from an educational point of view and a wellbeing point of view.

Ms Slade: Jonty, from my perspective, if there was a lot of funding as a community we would need to focus on prevention whereas we are talking about intervention here. To me, prevention is so important. If we are going to get into intervention, we need to be working with the entire family. If there was an opportunity to have something that was a juvenile detention facility but that actually got the whole family involved—they got to be a part of the process, they all got therapy, they all learned some life skills and got wraparound support—it would be the best outcome.

Ms BUSH: I was also interested in your comment about not having a youth strategy. What is stopping that from happening at the moment? What benefit would it have for you?

Mr Keenan: There would be very few councils that say they have plenty of money. We do not have plenty of money, so it is identifying where we can do that. Again, there are other agencies involved. If we did have a youth strategy, that would inform a lot of the infrastructure that needs to be provided for youth, whether that be basketball courts, football fields et cetera. That would work out really well. The only way you get funding is if you have a strategy in place and the only way you get a strategy in place is if someone writes it. At the moment we do not have a huge community development area. We probably need to in the future because we appear in some of the SEIFA, the Socio-Economic Indexes for Areas, for different reasons. The councils are certainly very keen and they have given me directions on doing more in youth, but it is a matter of what the budget actually can fund.

Ms Slade: I think that is a really good question. I have been here nearly 12 months and something that we have been talking about is our role in that space. We definitely acknowledge that there is a lot more as a council we would like to do and hopefully will do. I think we have been quite honest in our submission in what we are deficient in. We see this as an opportunity to improve. Again, we acknowledge that there are a lot of services and a lot of groups that need to come together for us to have a successful outcome, because changing one thing like the bill is great but we are going to do about 15 things in a row to have some successful outcomes.

Ms BOLTON: Ms Slade, from listening to the conversation, what you are referring to is probably something we have not seen before. It would be quite innovative and it is looking at not only intervention but also prevention incorporated in that. I think that is probably where there was some difficulty understanding the words, so maybe 'detention' is not quite the right word. Where would you see, within the Katter's Australian Party's submission, the relocation sentencing? Would that almost fit within that as well, because it is about life skills and creating that sense of self?

Ms Slade: Definitely.

Ms BOLTON: It cannot be a four-week program; it has to be ongoing.

Ms Slade: You only have to drive five minutes out of Mount Isa and you are in the middle of nowhere. The good thing about being somewhere where there is a lot of space is that you can also introduce these children to growing things, looking after animals, having more outside experiences. Being stuck in a room, even with a TV and a games box, is not conducive to getting those kids out and about. At the end of the day they are children. We have some great opportunities to turn their lives around, but I do believe that the parents have to come on the journey.

Mr BOOTHMAN: I want to go back to Sandy's question. You made a comment about these individuals going to the Cleveland detention centre in Townsville and they are coming back educated about other criminal activities. I find that very interesting. I certainly understand what you are saying with that and it is one of my concerns. In a perfect world, how big would you like these types of programs that Robbie is talking about to go? You are talking about 40 individuals potentially. Obviously you would slowly deal with those individuals, but wouldn't there have to be a facility where you bring the families out there also to participate? What are your thoughts on that?

Ms Slade: I really, truly believe that is what needs to happen. These kids love their parents and these parents love their kids, so whatever we do to intervene they are always going to go back to the family unit—so if we can actually get the whole family unit a part of the process. It may not be what we

have written down here on these pieces of paper, but I truly believe about taking the parents with us to help rehabilitate the kids. I think we have already said in this room that it is generational abuse and trauma that is continuing on, so we need to break the cycle. The only way I see this going forward is to bring the parents along so they can actually get therapy themselves and learn from better outcomes. This has not been done before so they do have a lot of scope here to do something different.

Ms RICHARDS: I just want to try to understand the extent that alcohol and drugs play as part of this issue in the Mount Isa community. I know what it looks like in mine. Is that a big part of the problem?

Ms Slade: It is nearly the entire problem. Alcohol and drugs and addiction are a lot of the problem. These children have homes where there is overcrowding, where there are adults drinking and taking different substances, and a lot of these children are on substances themselves. A lot of these children have experienced trauma. The best outcome would be to get these children back in a school, but could you imagine being nine or 10 years old and not actually being able to read and write? Sending them to a school where they are on a grade 1 level but they should be on a grade 6 level is embarrassing for them. It really needs to be looked at holistically about how we get these kids back into school and back into sport, how we get their parents away from their current lifestyles and acknowledge that those lifestyles are having an impact on their children.

The other issue in Mount Isa is that we have people who have been victims of crime, and that is very daunting for them as well. It is enough to make people want to pack up and leave Mount Isa. Even if you catch the children, there is no restoration for your damage. We have seen it escalate so that we are getting graffiti and more damage to buildings around the city. We have a lot of angry residents who are looking not just to us as a council but also to the state member and to every organisation and saying, 'What are you going to do about it?' and that is understandable. It is fantastic that you are here looking at the bill and ways to make it more effective. We cannot thank you enough for hearing us.

Ms BOLTON: As you have just said, the community has gone through a lot and it is obviously very important that the community is protected. Whatever this innovative model looks like, it is separating from where they can continue to impact those 10 per cent, and those 40 or 50 per cent, so they cannot keep reoffending.

Ms Slade: You are right. We do have a youth shelter which is probably half a kilometre away from our CBD. It is things like that. You could be on the outskirts of town, but it is a good three-kilometre walk into the CBD and that puts you off doing that walk—instead of only having to walk down the street and then you are in the CBD. It is things like that. If we are going to do youth shelters and things like that, they need to have a couple of acres where they can grow things, have some animals and have some things to do. It is about thinking about the big picture.

Ms BOLTON: Or out working on a property jackerooing.

CHAIR: I would like to thank you for coming along. Thank you for your written submission and for giving evidence today.

HODGE, Ms Anne, Senior Manager, Save the Children

CHAIR: Welcome. I invite you to make an opening statement, after which committee members may have some questions for you.

Ms Hodge: Firstly, I would like to acknowledge the traditional owners on the land we are meeting today, the Kalkadoon people, and pay my respects to elders past, present and emerging. I am a senior manager for Save the Children across the gulf. I primarily work in Mornington Island and Doomadgee, and I have some services in Mount Isa and I have a base back in Townsville. I had a community member to come today from Doomadgee but there is sorry business so Isabel was unable to make it.

I have been asked to come on behalf of Save the Children to support the QCOSS submission that has been put forward. This has been supported by the Youth Advocacy Centre, ourselves and QCOSS. I acknowledge that Aimee from QCOSS, my state director and Australian directors will be presenting at the meetings in Brisbane as well.

As a selective partnership, we have a clear and deep concern around the proposed law reforms. While there needs to be reform of the law, there are some concerns around what has been put forward. From Save the Children's perspective, we are saying that children targeted in the bill should be provided with specific, targeted and sustained services where service providers are all working together with the same outcomes, while acknowledging the underlying concerns and causes of the behaviour and the story behind why the young people are caught up in the justice system and responding in the way they do.

One of the concerns we have is GPS trackers on children. The tracking of children is not something that would be welcomed in particular out in the communities. We need to look at other ways of supporting the young people before we get to that level of putting the trackers on. There would be quite a shame around being in community with that, even for kids back in Townsville, Mount Isa or across the state.

I was asked to do this only on Friday. The regular people could not get out there. When I spoke to Isabel, the community member who was coming with us, she raised with me that she was not aware of the bill and the process. I asked her how we can bring community into the discussion and hear their voice. I cannot speak on behalf of the communities where I work. How do we get their voice as part of the amendment so that we have an understanding of their responses to what we are suggesting?

We are committed to working with the government to ensure that children in communities are safe. Progress is being made through evidence based community-led programs and services that we know to be effective. Community led is key in the regions that I am working in. Even as recently as the past six months, there has been some strong drive from community to respond to the issues and concerns with the local young people.

The Queensland government's focus must be to prioritise services rather than push through laws as a reaction to the complex problems of youth offending. The Human Rights Act should also be used as a framework so that human dignity, equality and freedom are the measure of whether a solution is the best available as an option to the issues such as community safety.

Some of the services that we provide out in community and in Mount Isa are around My Just Bail Support. We have youth services across the state. We have children and family centres, DV services, IFSS and FACS services, so there is a very broad range of services that we provide, working strongly with local stakeholders as well. I believe as an organisation we need to strengthen those partnerships with the stakeholders in all of our regions. Thank you.

Ms BOLTON: I realise that you did not put the QCOSS submission in, but I think you probably feel the same. They stated that existing alternatives are effective. What we have heard and why we are all here is that there is that 10 per cent—or within the Mount Isa area 40 to 50 per cent—of reoffenders who obviously it has not worked for. Would you say that the process going forward working with community—and it is something that was mentioned earlier—would be some kind of a new look at how you can actually keep the community safe by separating not only the youth but also their families in a way that is ongoing and beneficial? Something like the relocation sentencing that is more innovative but takes everybody along on the ride, not just the youth and the family but the whole community as well: would you see that as something—

Ms Hodge: Absolutely—to be community led, and we need to bring families in, supporting what the mayor said as well. The young people are coming back to the same families. We need to support families as well as the young people and look at alternatives. We need to look at what has not worked

now and how we can look at that differently and come up with something that is community led, supported by community, supported by families and where we are working with everybody as a collective.

Ms BOLTON: But you would agree that they would have to be separate, away from town or where the activities are happening, to keep communities and towns safe?

Ms Hodge: As long as we are still keeping that engagement and people do not lose their identity or where their home or their place is.

Ms BOLTON: Thank you.

Ms RICHARDS: In terms of those supports and the community-led initiatives around support, and given the mayor has just said that primarily the key issue is alcohol and drugs, what are some of the supports that you think can be provided to improve current services?

Ms Hodge: We would be supporting when local people do come together with community-led ideas and hearing their voice and how that can be assisted. Community know community best, particularly in the communities that I work in. If we take time to speak to people in community with what they are doing now, the support should be led by themselves, and they will identify very quickly what support they need.

CHAIR: You have mentioned communities and you did mention some of the communities you worked in. Could you tell the community again where those communities are?

Ms Hodge: Doomadgee is up near Burketown, which is a 45-minute flight here with Rex or a six-hour drive. Mornington Island is across in the gulf. I have been working across those communities for the past 3½ years. We always encourage people to head out to those communities and speak with the people on the ground, community leaders and community members themselves. They are always wanting to be heard and to hear. Until I went out there Isabel, who I mentioned, was not aware of the process and what was happening. I think it is important for their voices to be heard as well.

CHAIR: We heard evidence from the mayor today that if youth are detained they are taken to Townsville. Do you have any contact with the juveniles who are taken to Townsville?

Ms Hodge: In our Strong Culture Strong Tomorrow program we have some contact, but it is a very small bucket of money in both sites where there is only one worker. You always see the planes flying the young people off to Cleveland and leaving their families and family contact. It is nine hours from here, but for family to maintain contact from Mornington Island and Doomadgee in Townsville would be near impossible.

CHAIR: What form would work as an alternative if an order was made by a magistrate or a judge that a juvenile be detained? What facility in the local area would be appropriate?

Ms Hodge: That is a question you would have to ask the communities themselves.

Mr KATTER: Do you think there is a problem with the procurement of staff? I certainly think there is. Perhaps I will make a statement first. There are people, often from the community, who have the cut-through with the kids but who have trouble getting compliance or accreditation to perform these roles. Would you identify that as a big problem in your organisation?

Ms Hodge: Huge. For Save the Children, our purpose is always not to have fly-in fly-out workers, but across the gulf a lot of our workers are FIFO. One of the key issues is the blue card. I do not know the statistics, but less than 10 per cent of the working population in some of my spaces can get a blue card, which then means we bring in the FIFO teams. People in community have the skills to do the work, but compliance with checks would be the biggest barrier. That has been ongoing for a long time. Particularly now with no-card no-start, it slows down the process even more.

Mr BOOTHMAN: In terms of the different community service groups around this area, it was said that a lot of them do not seem to work together. Do you feel that, if they do not work together, potentially some of these individuals will fall through the cracks and do not get the services they desperately need?

Ms Hodge: I would say yes. There are some very strong partnerships in the Mount Isa region as well as across the gulf, where I work, but there is always room for improvement.

Mr BOOTHMAN: How would you improve that?

Ms Hodge: If you look across the gulf, it would be more around having all the vacancies filled. While we have lots of programs out there, staffing is an ongoing issue. A lot of that is around accommodation. If we cannot get local staff and we have to fly staff in, accommodation is very limited Mount Isa

for people to be out in community. We need to talk to each other. We need to understand what each of our programs is offering and how we can all work together. It is like service mapping—understanding who is providing what service and how we can complement each other, not overlap to do exactly the same role.

Mr BOOTHMAN: Or compete with each other?

Ms Hodge: Yes.

Ms RICHARDS: Given that obviously there are multiple service providers out there—and I know back in my patch they have been able to develop quite a strong network themselves, just for the sheer purpose that they know they need to be communicating—is there a network structure that exists on the back of those NGOs wanting to come together and work better?

Ms Hodge: Yes. A piece of the work that Save the Children do is the LLA, the local level alliance, which drives the stakeholder meetings across the gulf. In the past 12 months that has started to strengthen in bringing all the service providers together. I have seen that across all of my region as well. Anchor, which was supposed to present today, is in Cloncurry.

Ms BOLTON: You have seen some improvements in the 12 months since that?

Ms Hodge: Yes, absolutely.

Ms BUSH: Many of the submissions have questioned this idea that placing young people in detention actually further criminalises them and leads to further offending and, contrary to our belief, can result in increased crime. I am interested in your views on that from a grassroots perspective.

Ms Hodge: That is a comment you would hear on the ground on quite a regular basis in informal conversation—that the young person has gone off and they have come back with a new set of 'skills'. I live in Townsville, and even in Townsville that would be a comment—that kids go off to Cleveland and come back with those few extra skills, particularly the little kids.

Ms BOLTON: You said before that nobody knows community better than community. This reoffending is not a new problem. What have been the greatest challenges to why community has not already come together and determined how to literally tackle this issue, not only of the alcohol and drugs but also of the reoffending?

Ms Hodge: I think community do come together, but it is a very transient population as well. People are always on the move, coming back and forward from the communities. I think now is a time where community is taking a lead and needs to be supported in that.

Ms BOLTON: What would you say is the key support needed?

Ms Hodge: Having the elders and the community leaders share their story and what they feel is needed in community, to hear their voice. I know that they have lots of ideas of what they would like to do and how we can support them and break that barrier that government is here and community is here but no-one is talking or listening.

Ms BOLTON: They have never been given that opportunity?

Ms Hodge: They feel they have not been given that opportunity, but if you speak to community they will be the clear guide. They will let you know what they need and what they want.

Ms RICHARDS: This is a tricky question because I know your position—you have been quite articulate about it—in terms of GPS trackers on young people. If young people who are in that 10 per cent of recidivist offenders are being sent away to Cleveland detention centre and possibly coming back with new skills, if there was a choice between either keeping that young person in their community but putting in place that sort of technology that kept them in the community or sending them to Townsville to detention, what are your thoughts on that as an alternative pathway? Currently it is detention and they are sent to Cleveland.

Ms Hodge: And they are back and forward.

Ms RICHARDS: I know it is a tricky question.

Ms Hodge: It is a tricky question. As a mother of three sons, if I put that hat on—and my children were not perfect by any means—I am not too sure that that kind of stigma would benefit, improve or change the trajectory of that young person.

Ms RICHARDS: Bob Atkinson's report and the key pillars were around how we solve this problem, keeping young people out of custody. If it was a choice between sending a young person on the periphery to a detention centre far outside of their community and keeping them in their community but putting some parameters around that—

Ms Hodge: I think it would be very individual to the families and how they would respond to that. Some families may see it as an option but other families may not. From our perspective, we just do not support that at all.

Ms BUSH: Obviously there is a lot of evidence out there about what can work in terms of early intervention. From a local perspective, have you seen programs here that have worked particularly well for locals?

Ms Hodge: We have two children and family centres which provide support in the 0-8 space in both communities. That is working with families around school transition and getting the families and the children ready for school. We have had some great outcomes in that process as well, but that is looking at the family holistically. It starts with mums and bubs, bringing in the school transition. We have Play2Learn. It is supporting the family as a whole. It works with a small group of families, but we get really good feedback from the schools around those kids that are starting preschool when they head over. They will visit the prep and the kindergartens once a week over a six-month period to get the children ready for school.

Ms BUSH: You believe that that would have a long-term impact on reducing crime?

Ms Hodge: I would.

CHAIR: Thank you for coming along and also for the written submission. As part of the program this afternoon, we will now hear from witnesses who expressed an interest in speaking to the committee. I will call the registered persons up in groups for each session, where you will be invited to give a short opening statement of about three minutes, following which the committee may have some questions.

BURTON, Ms Kim-Maree, Private capacity

SPARKS, Mr Gordon, Private capacity

WHITE, Ms Lyn, Private capacity

Mr Sparks: My name is Gordon Sparks. I have been back in Mount Isa for 30 years now. I came back here as an adult 40 years ago. I first came up here in 1960. In terms of intervention, I have personally witnessed what has been going on in this community. We have three generations of people living in one house, drug and alcohol abuse, other people living in the houses as well, and overcrowding. They are not all from Mount Isa. As the mayor says, people in this town love this place; the parents and children love each other. The children grow up knowing that this is the way they are going to live their lives. They do not know a better way of living. They see the drug and alcohol abuse and see the houses getting destroyed. They are not brought to school. The principal at Sunset State School had a little bus. He used to go around and pick up the children to take them to school. As a community we are trying to get together to help out these families, but they have been held back as well.

Ms White: My name is Lyn White. I am a concerned community member. I am also a foster mum to three beautiful boys. Since 2003 I have worked in a residential setting, firstly with Education Queensland and then in the out-of-home care space. I am now an NDIS support coordinator and five recidivist young people are actually clients of mine. I have quite a bit to say. People who know me usually know that I like to speak up.

I actually do support the idea of using electronic monitoring devices. It is a conversation that has been ongoing in this community for a number of years. In 2019 the Queensland government held a community meeting here in Mount Isa for an inquiry into jail and recidivism. I see a lot of familiar faces sitting here who were at that meeting. We told the Queensland government back in 2019 that we agreed that if you came to the local community we could give you the answers but you needed to listen to us.

I can say that monitoring devices can have some flow-on effects. If you have parents in this community who are willing and trying to look after their children the best that they can and who would willingly say to the court system, 'Please give my son or my daughter a monitoring device,' we are going to save police resources, because they will know where that young person was when a crime was committed and rule them out straightaway so it gives the kids an alibi.

The kids that I visit in Cleveland Youth Detention Centre will sit there and tell you they do not want to be there. They will tell you that they are going to do everything they can to stay out of trouble when they get home, but most of them do not last more than a week. Some of them do not even last 48 hours before they are back in the cells in Mount Isa. Maybe, just maybe, these monitoring devices would give them a way out because they can point to it and they can say, 'Sorry, Jill's not coming tonight.' Then the peer pressure goes away. They can save face.

I think if you only do it for 16- and 17-year-olds we are letting the younger ones down as well. We are trying to stop young people from getting in that cycle. We are trying to stop them from becoming the ones that go in and out. What are you going to do when parents and caregivers are the ones asking for them? Aren't the parents and the caregivers the best people you could be talking to about these things?

I also wanted to talk about some of the amendments. You talked about the amendment where it says 'indicated a willingness' to do one or more of the following: support the young person to comply with their bail conditions, advise of any change in circumstances that may impact the offender's ability to comply with bail conditions or advise of any breaches of bail. I am really curious to know why it says 'one or more of the following'? It actually should be 'willingness to do all of the following'. If you are asking someone to care for a young person and help them stay out of trouble, they should be willing to do all of those things, not just one or more.

I need to point a finger at the out-of-home care system. If you want it to work, you are going to have to make it law that the caregivers must legally comply with the following. When I was a service leader in out-of-home care residential here in Mount Isa, the guardians of those young people were Child Safety. I had a really good relationship with QPS. We wrote into their crisis management plans that QPS were to be informed if the young people breached their bail conditions. It was actually my employing organisation that told me I was not to do that. In fact, they strongly encouraged and had policies written around not involving QPS when people breach bail—when young people return with stolen goods, when young people smoke marijuana on the premises, when young people are caught with implements for smoking.

Young people can physically assault youth workers and police not be called so young people are not charged. Out-of-home care is a breeding place for gang mentality. In Mount Isa it is very common for young people from the same gangs to be housed with each other. The courts are told by Child Safety, Youth and Women that there are no other options for housing repeat offenders except with co-offenders. Child Safety, Youth and Women are right most of the time: there are no other options.

Out-of-home care tries to present young people with a therapeutic care environment where an emphasis is on natural consequences. The problem is that there are no natural consequences for young people who are already in the cycle of VSM behaviours, breaching bail conditions and constantly breaking the law. Out-of-home care actually equates to giving young people who are already in the cycle access to other young people who are not in the cycle. Through peer pressure I have seen young people who had 100 per cent school attendance and no illegal or high-risk behaviours enter the cycle because they were placed in out-of-home care residential facilities with repeat offenders.

I would also like to point out the fact that some parents and caregivers do not have the capacity to support young people to comply with their bail conditions. I believe that if a caregiver or parent has agreed a set number of times previously to support the young person and that young person continues to breach and the parent does not inform QPS then this is obviously not a place that should be considered for that young person to return to.

The practice of not involving QPS in out-of-home care issues is actually enabling our young offenders a safe place to run and hide and to continue on their own destructive pathways. We are allowing young people to develop no respect for the law we all must live under. The biggest issue with these practices is that these organisations' policies lead to no accountability and our young people think this is the way it will always be.

In 2019, at the discussion I mentioned earlier, a monetary figure of \$107,000 a year was given. That is how much it costs to keep an adult in jail for one year. The cost for out-of-home care is more than \$250,000 a year per person. In Mount Isa, for our recidivist young people in out-of-home care, the taxpayers are paying more than \$250,000—and it is not money well spent.

There is also the opportunity for NDIS to come into play when young people are in detention centres. I have worked closely with Youth Justice in Mount Isa. They strongly encourage to have these young people engaged with service providers. These are service providers who can actually support these young people in the communities. Also, there needs to be some help regarding the breakdown of barriers for support providers to work within detention centres. There are some assessments that need to happen for young people with disabilities. That cannot happen in housing here in Mount Isa because it is not a safe place to ask service providers to go. That can happen in detention, but we need to break down those barriers to make it happen.

Earlier I listened to what the mayor said, and there are several models of care that could be considered. There is a spider web model of secure care and it does not have to be one space. It does have to be spaces out of community. Also, it should be several organisations who are willing to work together.

I have read the amendments, but there is no placing accountability back on the young people. Without strengthening the law for young people to comply with Youth Justice directives from specific court orders, these young people remain unaccountable. As I said, I have visited with those kids in Cleveland and, honestly, when they are sitting there they do not want to be there. In Mount Isa these youth swear, abuse and threaten to assault our Youth Justice employees who are genuinely trying to help them comply.

The Youth Justice policies of needing to give a number of verbal and written warnings to young people who willingly breach their release conditions are a bit of a joke. If they breach them, they should be returned to detention. Without consequences of return being on a shorter time line, some of these young people laugh because they feel that they get away with it.

I do want to congratulate the government on these amendments because this is a start and these discussions are worthy, but please listen to the local people. We had this discussion back in 2019 and we have seen no results from that. We are the people in direct care of vulnerable young people. We genuinely want to see a change, but can we also remember that change is a process and not an event.

CHAIR: Lyn, you obviously read from something. Have you sent that to the secretariat?

Ms White: I only heard about this through Mr Katter's Facebook page two days ago.

CHAIR: Can you send to the secretariat what it is that you have just read from?

Ms White: Yes, I sure can.

CHAIR: Kim, I am conscious of the time.

Ms Burton: That is all right. To have Lyn say what she has said very succinctly, I think it has been well and truly worth just sitting here listening.

CHAIR: Before you go on, I note that you also have speaking notes. Would you mind sending that to the secretariat?

Ms Burton: By all means but, again, it was through Rob's website that I found out about today. My name is Kim-Maree Burton and I am a concerned citizen. I follow on and I take note of what Lyn has said today which is very important, and she has been very eloquent in her description of the problems that we have in town and in giving some solutions.

I would just like to pick up, from a citizen's point of view, on the number of juvenile offenders that we have in this town leading up to Christmas or Easter, when the number of crimes that are committed escalates. That is basically because the children have said—and I have been told personally—that they want to go to Cleveland for Christmas and Easter. Why do they want to go there? Because they get Christmas presents or whatever. It is not a deterrent going to Cleveland, and Lyn has said that already.

I am here to advocate that we have an area outside of Mount Isa on country for the children to attend their cultural lessons, their cultural upbringing—whatever it may be called. On a number of occasions I have been asked where I would put this and I have told the various organisations and hearings. One I have already identified. It would save a considerable amount of money. It is outside of Mount Isa. The buildings are already established. There is satellite communication. There is a power plant. It is established. It is an area that is not being used and has not been used for a number of years but is sitting there. The state government paid an exorbitant amount of money to build this establishment. The fact that it could very easily be turned over and become an area for juvenile offenders—not so much to call it a detention centre but a cultural centre for their elders to guide them and lead them—would be ideal. If the community saw that there was something productive being done with these children, the community would get behind it.

I have, like Lyn, read through all the papers that were sent through. What I am also concerned about is that there is nothing in there that portrays the victims of these offences. I am not talking about the cars being stolen, the houses being broken into or graffiti around town. What I am referring to is those people who have had confrontations with these young offenders in their homes.

Over the last six years a number of elderly people have experienced confrontations in their homes. They have woken up to these offenders being in their bedrooms. They have been harmed psychologically and physically, and some years ago there was even murder involved. Whilst ever you are talking about the rights and the human rights of these young offenders, please take note that there are also victims. It is not just about cars going. That is an annoyance; that is an area that can be covered 95 per cent of the time by insurance. What does not get covered is the personal confrontations with these offenders.

I sit before you as someone who has experienced this not once and not twice but five times in six years. Who cares? No-one. From the day I had those encounters happen to me, not once have the police come to me and ask, 'Are you alright? Is there something we can do?' Because I am outspoken, I fronted up at the police station and I have asked, 'What is happening?' I was told by the station manager, 'We have to wrap these children in love.' I have been told by the police that I have no right to know what happens to those children. So while you are talking about human rights for these young offenders, keep in mind that there are people who have come face to face with them—in my case, with one lying on top of me in bed while I was sleeping. Keep that in mind.

Ms RICHARDS: We certainly do.

CHAIR: Unfortunately, that brings to an end this part of the hearing. We have other people from the community who wish to address the committee. Thank you for your input.

CHRISTIE, Pastor Keith, Private capacity

OSMAN, Mr Gary, Private capacity

SCHULZ, Mr Heiner, Private capacity

CHAIR: Could you do your best to keep the opening statements to about three minutes? The reason I ask you to do that is not to cut you short but to allow the committee members time to ask questions. If the committee members run out of questions and there is time available, we can come back to you to make closing statements.

Mr Christie: I am Pastor Keith Christie from the Christian Outreach Centre Mount Isa. I have lived in Mount Isa since 1974. I have raised a family of three children here. I have been in the mining industry in for 26 years and in the ministry for 20 years. I am pastor of a church of 500 members. I deal a lot with youth and families, and that is where my heart is at—youth and families.

Each Friday night we run a youth group. Last Friday we had 139 youth attend. These kids come from all over town their own way—pushbike, walk or whatever. We provide meals, sports and then we slowly bring education into it. Once we do that, we go from there to the children's homes, to clean their homes up, to teach them about personal hygiene and stuff like that. The council have been really supportive in putting lights on the oval for us on a Friday night. The council also gave us free tip fees to dump the rubbish from the homes that we cleaned up. We are teaching children, without hard discipline, a better way.

I have many parents come to me heartbroken because the law is such that the parents really cannot chastise their child, otherwise the child will go to the police and will be taken from the parents and will get support. Before we go forward, we should look back to see whether the decisions we have already made have benefited our community or destroyed our community.

I have parents and young people come to me talking about working together. As I said, without the council's support we could not do what we do. We do everything we do without funding. We do not want your money; we are just happy to do what we do. The people who do this without funding are doing it because their hearts are in it. If we get funding, we have to justify the funding, count the heads and all the rest. We do not want to do that. We are happy to supply our own deal and everyone does everything for nothing.

I look at these kids. Some years ago there was a youth worker in town called Seriana Patap. She would bring the hardened ones to me personally. Not one of the children she brought to me ever committed a crime again.

We want to take what we do to the next level, to the Lions camp out at Lake Moondarra. I have a program that I want to instigate because I really am against, to a degree, sending children to prison. They only get educated there the wrong way. From my experience over the last 20 years with these kids—and we have the runs on the board. It is not something we want to do; it is something we have done. What I have found is that 90 per cent of these kids do not want to commit crime, believe it or not. They are forced to by the older kids.

We did a few tests. One of my friends trains professional bull riders. We set up a program where if kids attended school for three semesters they would get to go to the bull-riding clinic. Every one of those kids attended three semesters. He had more attenders than he could deal with. This is because we are talking to kids where they are at.

As I said, I am 74 this year. I have been around the ridges for a while and I have grown up with Indigenous people. I have ridden at rodeos with them. People in this room have known me since 1980. I have gone out to Yalarnnga and those sorts of places. I love people. That is what I am about. I do—

CHAIR: Pastor—

Mr Christie: Can I say something quickly? Could our courts please have a duty of care or a safe working procedure before they release hardened criminals into our communities? Give back authority to parents or guardians to correct their children. Many parents who come to me say that they cannot do anything with their children because the children just go to the police or whatever. Repeat offenders should not be given bail, as part of a duty of care and a safe working environment. Industry has to come under that law, so the courts should come under the same law which they are trying to provide. Thank you so much.

Mr Osman: My name is Gary Osman. I have had 36 years experience with Scouts, I have had over four decades experience in mining and for the last six or seven years I have run successful Men's Sheds. Mr Chairman and committee members, it is impossible in three minutes to put forward courses
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and ways to go forward; hence, this morning I submitted a 25-page paper for the committee to read. Complex, historical, evidence based factual data shows the underlying reasons we have record levels of youth crime spiralling out of control. Record arrests, remands, detentions and overcrowded police cells show a complete failure of the justice system to appropriately sentence offenders.

It takes 18 months to three years of rehabilitation programs to help develop and change the progressive functioning processes to lead offenders to better wellbeing, lifestyles and pathways to functioning families, employment and community. That is what is missing. Short-term programs do not work. Of over 60 government funded agencies, a large number are not producing real outcomes. There is a lack of networking and many duplicate programs. Clients go from agency to agency. I have been to at least 15 meetings in 20 years about trying to get agencies together. It does not happen.

State housing is an absolute disgrace. They allow families and tenants to destroy houses. They allow yards, rubbish dumps to be overboarded. Currently, around Mount Isa 50 are boarded up and have been empty for months and months. These youth grow up in this environment.

I believe that in order to fund new realistic rehabilitation programs a cutting of government agencies must be done. Redirect tens of millions of dollars to fund actual positive programs. This can be done in 12 months. We are sick of talking and talking. It is just another talkfest. I do not know how many tens and dozens of meetings I have been to with many people in this room, talking the same thing all the time. Nothing gets done. To give some figures: 80 per cent of offenders—

CHAIR: Can I just correct something? The committee is here because legislation has been introduced—

Mr Osman: I appreciate that, Mr Chairman.

CHAIR: Just let me finish. We are here because there has been legislation introduced into parliament. The committee's role is to go out into the community and get their input into the legislation. We will present a report to parliament and then sometime down the track there will be a second reading debate of the bill. The reason we are in the community is specifically to address the bill that is before parliament at the moment.

Mr Osman: I appreciate and understand that. I suppose where I am coming from is all the things that have been happening prior to you coming, sir. To give some figures: in Queensland, 80 per cent of offenders reoffend in five years; five per cent reoffend within four months; and only 15 per cent will not reoffend. Some 55 per cent of youth incarcerated are First Nations Australians and 45 per cent are mainstream. That may surprise people, but those are the facts of 2020.

Our law and order justice system is broken. Some 85 per cent of youth suffer. This is the Achilles heel to everything to do with youth problems. They suffer from transgenerational trauma, neglect, abuse and separate trauma. Transgenerational trauma is felt by our Indigenous Australians. Dire family dynamics and lack of employment lead to people living in poverty. That is what we are talking about.

CHAIR: I am going to pull you up there because I am conscious that Heiner wants to speak.

Mr Schulz: My name is Heiner Schulz. I am a proud Mount Isa local. My family has been here since 1952. I left for a while, but I returned in 1988 and made my home here. My mother, who is 95, still lives here. She lives on her own. She is part of this story. In all the time that my family have lived here, until about 2011, I have to say that we probably felt fairly safe. I cannot remember not feeling safe in my own house. That is the way it was. I am going to go through a time line of break-ins that have happened to me and to my mother in the time since about 2012. It is pretty unbelievable.

In late 2012 my home was broken into. Money and keys were stolen. We did the obvious thing: we changed all the locks and installed a padlock on the front gate. Two weeks later the thieves came back. The padlock was no problem; they just cut that. They then stole a laptop and they stole our car, which they had stolen the keys for two weeks earlier. We got the vehicle back, thankfully. We then installed a six-foot Colorbond fence around our yard—our whole yard has a six-foot Colorbond fence around it—and we installed security lights on our property.

In early 2019 I noticed that there were some things missing from a table at the back of my house. There was a torch and other minor items missing. When I inspected my shed, where I keep what I call my cunning kit—money—they found that. It was gone. It was about \$600.

Late in 2019, early in the morning my wife heard a noise and said, 'That's a bit strange. Someone is trying to get in the front door.' She went out and opened the door and these kids immediately fled. As I said, we have a six-foot Colorbond fence around the place, and there is also a six-foot Colorbond gate. They could not open that, so they just scaled it. When we had a look at the front door we saw that they had been trying to open it with Stilsons. That was the noise that she heard.

That is four break-ins at my place since 2012. Now I turn to my mum's place. She was 93 years old at this stage—she is 95 now. The first break-in was 2017. The thieves gained entry and ransacked my mother's house and stole all the jewellery out of her bedroom.

CHAIR: Can I interrupt for one second? Have you sent that document you are reading from to the secretariat?

Mr Schulz: I have not. I only found out about this late as well.

CHAIR: Are you able to send it in or can you leave that copy with us?

Mr Schulz: I can leave it with you if you like.

CHAIR: I am going to stop you for one second—there are three minutes before we finish this part of the hearing—just to ask the committee if they have any questions for anyone on the panel. If they have, it will probably be one question only.

Ms BOLTON: I presume all are supportive of the bill?

Mr Schulz: As far as it goes, yes.

Mr Christie: Yes. I am a little bit dubious, because I believe the court should have a duty of care.

Ms BOLTON: So it does not go far enough but you are supportive?

Mr Christie: Yes.

CHAIR: Gary?

Mr Osman: Same as the pastor.

CHAIR: You have three minutes.

Mr Schulz: I will not need that. I was up to mum's first break-in in 2017. In January 2018 they came back again, after breaking in during December 2017. They could not access the doors because of the new locks, so they removed a narrow little bathroom window about that wide and squeezed somebody in. That person got inside and opened the door, so they then got in and ransacked the place again. That was No. 2.

The third break-in was when someone tried to climb in through the laundry window, which is not part of the main house. A neighbour saw what was happening and yelled out. The thief jumped out and ran away, so they did not get in that time.

The fourth break-in was when Mum was awakened by something. She thought she saw a light and she got up to investigate and somebody grabbed her by the throat in a chokehold. The attacker then fled through a spare bedroom window, which they had smashed to get in. The reason Mum had not heard the window smashing was that she has big thick curtains and carpets. They smashed the window, it fell in and then they climbed in. They could not get in the house any other way.

The fifth break-in was in February 2021, which was just the other day basically. Because she is 95, Mum has trouble putting a deadlock on the kitchen door, which is the main door that she uses. It has a little flip deadlock. She was having trouble turning that deadlock and mentioned it to me, so she did not lock the kitchen door. Back they came again and robbed her again. The previous night her next-door neighbour was broken into as well and money and other things were taken. Two weeks ago another friend of mine was robbed at four o'clock in the afternoon. They stole his vehicle, but he got it back; they picked them up in Townsville.

There is a police report for each one of these incidents I have mentioned. My experience is that the police have been very courteous and thorough in the initial investigations. My only criticism is the lack of follow-up to victims. My point would be that the material cost of break-ins is many thousands of dollars. Then there is the psychological damage to victims, which you cannot cost, and restitution—that word does not even exist. To me it is absolutely crazy that you can spend \$15,000 a day on a child in detention but there is no chance of restitution.

CHAIR: Can I ask you to give what you have written there to one of the staff?

Mr Schulz: Yes, absolutely.

CHAIR: I would like to thank you for coming along today and presenting to the committee.

HILL, Mr Jimmy, Private capacity

JAMES, Ms Carina, Private capacity

MARSHALL, Ms Joan, Private capacity

CHAIR: Thank you for coming. Would you like to start by making an opening statement?

Mr Hill: Good afternoon, everyone. My name is Jim Hill. As a bit of my background, I have spent the last three or four years in youth justice, in the court system. I have a pretty good understanding of the practical side of it, the reporting side and also the legal side of dealing with youth and adult crime. I was saying to a lady before that I read the youth justice legislation amendment bill last night. From my understanding, it is trying to approve or run a trial of tracking devices on youth. My question is: what do the reports on the trackers on adults say? How do they fare as to whether they work or not?

I find that here in Mount Isa youth crime is a big issue, but there are not enough services provided to deal with youth in the crime system or even if they are held in the prison system. My experience in dealing with adults alone is that most of them are charged and have to wait 18 months for the judge, which basically binds them to the Mount Isa district. A lot of them do not come from here, so they just have to sit around for 18 months and wait before they have a judgement made against them and then they can go back to the gulf or the territory. In that process, a lot of them are left homeless but also no workloads and have to report to bigger statutory bodies like Centrelink, and in between they get penalised. There is a much bigger issue when it comes to dealing with youth.

In the last 12 months I have been dealing with parents and mostly grandparents who try to manage and look after kids because a lot of their families are dysfunctional and broken down. There is a system that is not really working to deal with youth crime or even with rehabilitation, which I find a bit frustrating in this day and age. In the whole mechanics of dealing with youth crime, you have to look at each layer and how it all plays out in trying to reach the desired end result, which is about helping our young people to become self-empowered to identify and connect and to be a productive part of the community. At the moment it is just a bandaid solution of trying to fix something, being reactive in dealing with something, not being proactive in the sense of how we move forward.

Ms Marshall: My name is Joan Marshall. I have six children, 18 grandkids and eight great-grandkids. I have seen a lot go on here. They forget about our input, our Indigenous input. We as grandparents really need to be a part of it. Our kids get sent to Cleveland. What culture do they have there? We have a culture, but if they go down there they will come back and they will break and go back again. There is nothing there from our part of it to try to change the kids. A lot of the children in the schools are lost too, because there is no cultural history in the schools.

I fully support what the mayor said earlier. We have to have a place out of town where they involve us. These children are a part of us and we need to be a part of the input in growing them and making them better. We are not getting that chance at the moment to make better or to grow them to how we want them. We were born and bred in the bush and had animals and chooks and things like that. If they can refer back to caring for a horse or a cow or something and have that respect, they will have the respect for us, too. I come from a droving family where I had all that support and respect for animals. Our children today do not have it. We are lost.

The kids are lost in the system. They do not have their own culture. They have somebody else's culture. They do not have an identity where they fit in and where they belong. When I say 'where they belong', a lot of our kids do not know the history of the past. If they knew their past history, what happened to us and things like that, I think the children would have a better understanding and say, 'I can't do that.'

At the moment, sending them to Cleveland is just a place for them to go. I had a mum come to me and ask for me to ring for her daughter. She had to go to court. I rang Cleveland for her daughter and the people in Cleveland said, 'You're lucky. She just missed the bus to go snorkelling.' We are not sending our kids down there to have fun. They should be going down there to have schooling or work experience or something. Then when they come back, if they have done six months work experience, they could look for a youth organisation who could take them on and carry it on so they can be somebody in their community. At the moment they are nobody. We are not doing it to better them; we just keeping building on what we have. We just keep building, building, building and not making any changes. There is nothing like going out and working. If they are given that opportunity to go out and work using their hands, we might make a difference. If we are going to keep doing this, we are not going to make a difference.

Mr Hill: Can I add to what Joan was saying with regard to programs and service delivery? What Joan is trying to express is that there are no proper procedures that allow for Aboriginal families to take responsibility for their children in their own way. Everything is structured in a legal format, where you have policy and laws for foster carers and everyone else to basically manage that child. However, for the parents or the grandparents who want to get involved there is too much red tape that prevents them from being the decision-makers and also to care and monitor how the youth should be groomed up and looked after.

The biggest problem we have out here in the west, whether people like to hear it or not, is that we are still dealing with a privilege structure and a process of dealing with racial discrimination. Those sorts of elements sit across legislation and also in policy and service delivery in non-government organisations that actually deliver. I do not know what the answer is, but there need to be better ways of reconciling and dealing with those matters so that people like Joan and the elders can have a voice and sit out there and work out how they want to move forward.

At the moment there is too much red tape. I know when I was in Doomadgee with Robbie when we talked about dealing with the blue card within the community system, it can work. We had elders over there who had committed crimes 30 or 40 years ago, but as far as I am concerned they all deserve a second chance. Everyone goes to one of the old fellas in hard times, but at the moment because of red tape he does not have a job anymore. To me, if he is recognised and acknowledged within that community structure then there should be a process that allows for them to become a part of dealing with reconciliation programs. At the moment we just keep creating policy on top of policy and eventually it just does not work. I deal with people in government who do not even understand half the policy that is out there. It is still a bandaid type thing.

Joanie has been working with community families for a very long time. A lot of it is in a voluntary capacity, but also she has a cultural responsibility and obligation to care for younger people. The service provisions and the funding resources are not there, so you are placing a huge burden on one family trying to deal with five, six or 10 kids, which to me should not be allowed in this day and age.

With a structure of whole-of-government, it should be time for people to come together and sit at the table. I do not know if you are aware, but years ago there was a pilot initiative called the Ten Year Partnership and it was structured around local, state and the Commonwealth coming together and community basically chucking an issue on the table where people who had decision-making would formulate some sort of way to move forward and how they would deal with that particular issue. A lot of programs have worked over the years, but every time new politicians come in they just want to scrap everything.

I understand that people will come here and talk about the burden of loss and the trauma that they have suffered. When I was growing up as a kiddie in Mount Isa it was pretty good. You could play any sport you wanted. You could do anything. All that is all gone now. Your big corporate companies like Mount Isa Mines contributed a lot back to the community, whereas now it is just process of 'I will meet my requirements and I will do my reporting to say that I am a good company'. Big companies need to be held accountable and make more effort to address the issues.

CHAIR: Carina, would you like to say anything to the committee?

Ms James: Yes. I would just like to let you know I have dealt with a lot of organisations here: Child Safety, Youth Justice, Injilnji, YPA. Headspace I had to push away. Save the Children I had to push away. I had all those organisations and I only got two that support me and my children. I took on a lot of children. I am a mother of nine, but out of the 25 children I took on four of them was my own. When my kids got in trouble I sat at this courthouse. In 2016 right up to 2020, every kid that I took on I sat in this courthouse. If I could not go, the old man or my daughter would go. If my kids did anything wrong we worked with the police, but if I knew my kids did not do anything wrong the police would still come out and target them. We had to stand our ground.

I worked with the police. I worked with Youth Justice. Sometimes when you ring Youth Justice, when they are referring kids, they are passing the buck backwards and forwards. Child Safety brought me back one child. He was that messed up. The parent had everybody discipline this kid, but all he wanted was his mother. I took this kid to Child Safety, to the police station. Now this kid is keeping himself out of trouble. As for the rest, I had to send one back over the border to his own people. He is out of trouble. The rest of the boys are in my house. They do not even bother going on the street. If they do fight I go and get them off the street, but I do not own transport. When I ring the police for support, do you know what they tell me? 'You need to go and look for your own children.' I live way out Mount Isa

here and I have to walk to the other side of town to take my children home. Then they will come out and ask me about one of the other kids: 'So-and-so is missing.' I said, 'What makes this child different to my child? You guys told me to walk for my child.'

I have dealt with a lot of organisations here and all my boys are keeping out of trouble. I am trying to work with the SES mob now to see if they have anything for kids, because Mount Isa is really sad. There is nothing here in Mount Isa for our children to go to. You have MultiSkills. They have to get on a bus seven o'clock in the morning, three days a week from Curry. The bus driver nearly killed all the kids so they stopped going. Then out here you have the Mona project. A lot of us came together with the Mona project but no-one in this community knows nothing about it. We have MultiSkills, Mona project and someone else has something over here. No-one knows anything about them, so who are they talking to in the community?

CHAIR: Does the committee have any questions?

Ms James: That is all I have to say about Mount Isa. The community all need to work together. Yes, it is a black-and-white issue here in Mount Isa, but everyone has to stop looking at colours. To make this community work, we all have to work together as one.

Ms BUSH: People here today have been either suggesting or saying outright that things are getting worse for young people in Mount Isa. I was just curious about your views on that, if that has been your experience.

Ms James: Stop giving funding. Make things here in town work now. Do not keep giving a tick and flick for all these kids for the funding to roll in, because the people who are working here in Mount Isa are worried about dollar signs and they forget about the community. That is all I have to say.

Ms Marshall: I think it is getting worse, because the discipline was taken from us. A long time ago we had discipline. We could smack our children. We could do whatever we wanted to. I was going to work one morning and a mum was making a girl go to school. She had a stick and she just whacked her around the legs, but the police stopped so I stopped behind the police. The police said to this mum, 'You hit her again and I'll have you in court.' The mum just got the girl and said, 'Here, you take her.' From that day she is a mum of three. She never completed schooling. If she had said, 'Take her to school. Chuck her in the police car and take the kid to school'—not say to the mum 'don't hit her', you know? The discipline has gone from us.

Ms James: I have asked the police to help me with our kids getting to school and do you know what they have told us? That is not their responsibility, that at the end of the day it is the children's choice. They do not enforce it.

Ms Marshall: It is the discipline that has been taken from us.

Ms James: I know, but they do not enforce it.

Ms BUSH: The official crime statistics for Mount Isa would say that crime has actually been going down over the last four years. Are there things that are working that you see that are making a difference right now?

Ms James: I do not know. I only just deal with my 25 boys that I took on.

Ms Marshall: I do not see anything working. When the kids go to Cleveland they are given a choice to go snorkelling. They should be saying, 'You come here for six months then go do work experience.'

Ms James: They get paid at Cleveland for doing their little chores. When they are in Cleveland they do chores and they get paid.

Mr Hill: In response to crime, I think it is still there but probably not as out in the open. I think the other issue in response to crime is that there has been a high increase around dealing with mental health in youth and adults. We need to look at the reason those indicators are sitting there and what we are doing about it. We tried to have a nephew referred to rehab. Basically ACROSS said, 'You can go and google it and look it up.' There is really no good service delivery. You are paying public servants to sit there and provide assistance, but you have to go and find it yourself. I do not think there is any package to say, 'Here's 10 places. You can evaluate them and go and have a look.' Even to get them off to rehabilitation, there is really no support in how you would draft that or how you would finance that to get them to go somewhere.

The other issue is around whether some services are really culturally competent, to find an integrated service delivery. Even with psychologists—I have worked with them—a lot of them are trained in the discipline but they do not fully understand our cultural structure of values and belief and Mount Isa

how important that is to make sure a youth is given identity or the purpose in life that he has as a human being and also to be productive within a community. It is very hard for adults to get employment, let alone a youth trying to get a job or some training.

I used to work for DETIR years ago. We have employment agencies now that are private companies who have shareholders. At the moment there is no avenue to provide funding financially for employment, for training, except to come down, sit down and draw pictures and tick a box and have a transaction made between government and that enterprise and get paid. One time you used to be able to provide support for going to work, work clothes, even to access training, but that system is all gone now.

Ms BOLTON: Jimmy, you said in your opening statement that you take responsibility for your own children. Were you referring to once in the justice system or from the time your children are born?

Mr Hill: I think it is probably more from the time children are born. As you will be aware, a lot of parents here are subject to chronic illness, alcohol or drug dependency, so going through a cycle where from a teenager to 20 to 30 they are just like kids themselves but in an adult form having kids. No transitioning of education or anything has been filtered down properly.

Ms BOLTON: If you went back to community and there was a choice between going to Cleveland or utilising a GPS tracker so they did not have to go to Cleveland, what do you think the response would be?

Mr Hill: I think the talks with community need to be fair talks and pretty straight talks, because at the moment you have corporate bodies who monopolise funding—basically, ‘This bloke has been doing it for a long time. I will send him the funding.’ But who actually scrutinises the money that comes into this region? There is probably \$20 million worth of social funding that comes in here, but who scrutinises to see where it goes and how effectively that money is being used? Is it just propping up a wage for somebody or are we helping?

Ms BOLTON: Do each of you support the bill?

Mr Hill: I think it has to be carefully monitored in the sense that it is not a case where everyone in prison is put on it. It is a bit like the BasicsCard. Why is everyone subject to the BasicsCard and their financial management structures all broken down? Some kids are all right.

Ms Marshall: I believe a lot of them should not be. We should be dealing with a lot of petty crimes ourselves. Give the elders in the community a go. If you had an elders group, give them the power. I am talking about petty crime.

Ms BOLTON: Yes, but for these repeat offenders, are you supportive of the bill?

Ms Marshall: Yes. You have to read between the lines proper.

Ms James: I am not really supportive of that. They already got the tracker. The kids are cutting it off and putting it on the dog. The dog is running around in the yard while the kids are on the streets.

Ms Marshall: It just goes to show: what is a tracker going to do?

CHAIR: Thank you for coming along and thank you for being as candid as you have been with the committee. It has been very helpful.

Proceedings suspended from 3.00 pm to 4.00 pm.

CHAIR: I declare the public hearing for the committee's inquiry into the Youth Justice and Other Legislation Amendment Bill 2021 resumed. 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 people, whose lands, winds and waters we all share. My name is Peter Russo, the member for Toohey and chair of the committee. Other committee members here with me today are Sandy Bolton, member for Noosa; and Jonty Bush, member for Cooper. Mark Boothman MP, member for Theodore, is a substitute member today for Mrs Laura Gerber, member for Currumbin and deputy chair; and Ms Kim Richards, member for Redlands, is substituting today for Mr Jason Hunt, member for Caloundra. Mr Andrew Powell, member for Glass House, is an apology for the hearing today. The committee has also granted leave for Mr Robbie Katter, member for Traeger, to ask questions at its hearing today, and he will also be making a small presentation to the committee.

On 25 February 2021 the Hon. Mark Ryan, Minister for Police and Corrective Services and Minister for Fire and Emergency Services, introduced the Youth Justice and Other Legislation Amendment Bill 2021 into the parliament and referred it to the Legal Affairs and Safety Committee for consideration. The purpose of today is to hear evidence from stakeholders, community members and submitters about their views on the bill. 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 guide for 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.

Our proceedings are covered by parliamentary privilege, which means that you can give your evidence freely and openly, without fear that your evidence could be used against you in legal proceedings. That being said, if you do provide evidence that names an individual or reflects poorly on an individual or organisation, the committee may choose to receive but not publish that evidence or may provide that individual or organisation with an opportunity to respond to your evidence before the committee makes it public, in the interests of fairness. If you have any concerns about sharing your story or speaking publicly about these issues, the committee may consider hearing your evidence privately. If that is the case, we just ask that you explain the reasons for this to our committee secretariat staff and we will see what we can do.

Once we begin, I ask that we avoid having any commentary from the floor or any other interruptions to the hearing. In this respect, the proceedings are different to a town hall meeting or an open forum because there is more order in how we ask that you provide your input. Signs, placards, banners, posters, conspicuous badges or stickers or clothes such as T-shirts that are printed with slogans associated with a political cause or campaign are not permitted in the hearing. Our Hansard reporters are making a transcript of the hearing for the committee's record of evidence. To ensure the transcript is accurate, only one person at a time can speak. That will also give our witnesses the respect they deserve, recognising that it is not always easy to speak in public.

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. No other photography or filming is permitted other than expressly authorised by me. I ask everyone present to turn mobile phones off or to silent mode.

The program for this afternoon has been published on the committee's webpage and there are hard copies available from committee staff. The hearing will start with invited stakeholders to hear their views on the bill. We will then open our hearing to other registered witnesses to hear their views. I ask those who do speak to the committee to keep to the allotted time to ensure others have the opportunity to speak. If there is time at the end of the hearing, we may invite anyone who did not register prior to the hearing but who wishes to speak to make a short statement to the committee. If you would like to speak to the committee but have not yet registered or have any questions, please see one of our committee staff, who will help you with your registration.

HARMAN, Ms Emma, President, Commerce North West

JAMES, Ms Jessica, Secretary, Commerce North West

CHAIR: Good afternoon. I invite you to make opening statements, after which committee members may have some questions for you.

Ms Harman: Jessica and I have come to speak to you specifically about how the crime situation in Mount Isa is affecting businesses, affecting our members. In January 2020 we ran a survey of our members specifically asking them questions about property crime in their business. Ninety-two per cent of the respondents were victims of property crime at their business. Damages in excess of \$1,000 were quite common, but the highest single event was \$50,000-plus. We found that school terms did not affect the crime rate. It did not make any difference whether it was the holidays or school; crime happened anyway. Ninety-one per cent of the crimes were reported to police but only 25 per cent lodged an insurance claim for damages. Forty-four per cent experienced more than five separate attacks and roughly half of the respondents felt that the crimes took an emotional toll on them. We asked for some verbal feedback, and these were two of the examples we received that I felt were most pertinent to this setting. One person wrote—

The judicial system is failing us and needs to be more accountable for the way it delivers penalties.

Another said—

People are trying to help, but nothing is changing because the specific group of kids offending are not being dealt with.

We know from anecdotal evidence that the situation has gotten worse in Mount Isa in the 12 months since we conducted this survey. As far as Commerce North West goes, we have recently—just this morning—submitted a letter to council asking them to reconsider looking at manning the CCTV cameras that are currently already established in town. They are there, but we believe we need to use them proactively rather than reactively, and Jess will be able to speak more about that. After again talking to police and talking to businesspeople, the feedback that we have received is that there need to be intervention programs that happen immediately once these kids are arrested, not just after they have been incarcerated—that is, during their bail conditions they are able to receive intervention programs and not just wait for when they are finally locked up.

The issues are extremely complex and cannot be solved in just one space. It needs the community, the police and the judicial system all to work in harmony. When you drill down, I personally believe that we need to fix family units en masse in order to resolve the issue. We also consider that on-country sentencing and intervention programs could be a very real solution that go some way to reconnecting young Indigenous offenders with their culture and their community. That is all that I have had time to prepare for you in my opening statement.

CHAIR: Thank you, Emma. Jessica, would you like to address the committee?

Ms James: I am also from Commerce North West; I am the secretary. Crime activity in our city centre is out of control. As Emma said, since the survey took place in January 2020 we know it has gotten worse, and I will give you just a few stats. One of our members within the accommodation and hospitality industry has been targeted by youth crime 13 times this year alone, as of 28 February 2021. Another member who owns a business locally in the CBD has had \$40,000 worth of building damages in the last five years directly related to youth crime and vandalism. They are no longer able to claim this through insurance, and we do not believe that this should be the cost of doing business in Mount Isa.

As Emma said, as of this morning we have submitted a letter to council. We believe that if Mount Isa City Council, together with stakeholders, Queensland Police Service and Commerce North West, implement a trial similar to the CitySafe operations in Cairns, we will be able to be more proactive rather than reactive and we will actually be able to stop crimes before they occur. The key offenders are much younger than 16 and 17 years old, and they are regular key offenders. That is something that I noticed from the bill. I do not think the age is going to help us here.

CHAIR: That is with the trackers?

Ms James: Yes.

CHAIR: When you say that the age of the offenders is lower than 16 or 17, do you know what age group you are talking about?

Ms James: In my business alone I have had issues with six-, seven-, eight-, nine-year-olds. I would say the key offenders were between eight years old and 13 years old, so they are much younger than the ones that will be fitted with trackers, and I know them by name. If I know them by name, they are well known to the police.

CHAIR: Jessica, do you mind if I ask what your business is?

Ms James: I am in the accommodation and hospitality industry. I would prefer not to name the business.

CHAIR: No, that is fine. Obviously you have reported those offences to the authorities?

Ms James: Every single one.

CHAIR: Thank you.

Ms BOLTON: Emma, you mentioned on-country intervention, and during the last session we spoke about quite an innovative way of looking at not so much a detention facility but one that was outside of town where families could actually come and be with their children engaged in more holistic programs and support services. In amongst that was also the relocation, reducing the risk of them creating any more trauma within community while giving them and their family the best chance, as you said, of going on that journey together. Is that something that you believe the business community would be supportive of?

Ms Harman: I think the business community just wants the problem solved, first and foremost. There are always concerns when you build a facility—whatever you call it, including right up to a high-security prison—in that there is a fear that if you have this facility nearby then you are inviting criminals to be nearby and therefore escalate the problem. Like I said before—and this is less of a Commerce position but mine personally—we need to do anything we can to work with family and build family and build culture and strengthen culture and strengthen these kids' connection to their history and to their culture and to their roots and their sense of who they are and give them a pride in that. I have spoken to another local businessman in town who is an Indigenous man. He works with young people. He said that one of the things he gets told is, 'Oh, I'm just a blackfella. It's expected of me.' There is that defeatist sense amongst the kids of, 'This is just my life. This is just how it is.' It does not have to be like that and I do not know how to fix that, and as a whitefella I do not think I can.

Ms BOLTON: Are you both supportive of the bill? Do you believe that the bill will be of assistance or do you think it does not go far enough? What do you feel about the bill?

Ms James: I personally think it probably does not go far enough and I do not think it is specific enough. They are repeat offenders, they are very young and it is just not working. I do not see the new bill fixing all of those problems, no.

Ms Harman: We are on the hop because we did not know about this forum until yesterday. We have had very little time to prepare anything for you. We have not yet completed a submission, but we did ask for an extension and we will get you a submission by the end of week, as requested. I do not feel like I am able to answer that question fully because I have not had a chance to dive deep into the specifics. I suspect that legislation alone is not going to fix it.

Ms BOLTON: I do not think anyone has said that.

Ms Harman: Like Jess said, it needs to go to the heart of things. It needs to cater for very young offenders. Ordinarily we would not expect children to be offending, but they are.

Ms BOLTON: I am curious about where you normally get your information. You just said that you did not know about this. Where would you normally source this information? Who would get notified within the community about these types of hearings or anything like that?

Ms Harman: We would expect an email through to the Commerce North West email address.

Ms BOLTON: And you normally get that from government?

Ms Harman: We do from government departments, yes. We have engaged in other things. We found out about it on the ABC website.

Ms BUSH: You say that for your business and other businesses you are working with there have been repeat instances of offending, you know who the offenders are and you are reporting them to police. I am interested in the exchange with police. What is the analysis of the problem? What is that conversation like?

Ms James: Police are not telling me their names, but I know the children because they wear the same clothes. They are often in the same clothes every day of the week. I see them on our CCTV footage so I instantly know who they are. My process is that I contact the police, which is generally through Policelink. We are very privileged to have a great CCTV system. This means that a lot of the issues at our property are solved, but because they are juveniles we do not get any compensation. They are getting out on bail and they are reoffending—that night is the general consensus that I am aware of.

Ms BUSH: Have the police come out, spoken to you and given you feedback about what they are doing around that?

Ms James: I personally believe the police are doing absolutely everything they can. I think they are just as defeated as our businesses are. They are doing their job. They are solving the crime. They are bringing the children in. Then they are getting a slap on the hand and they are back out to reoffend and do the exact same thing a few days later.

Ms BUSH: I was interested in the CitySafe program, the CCTV program, in Cairns. Could you quickly explain that to me?

Ms James: Quite a few years ago Cairns implemented the CitySafe program, which basically is CCTV cameras, which we are very lucky to already have installed in Mount Isa. The infrastructure is there. We are not asking council for huge amounts of capital investment. These are used by the police, but they are used to try to catch the perpetrators. They are not being monitored. The camera system is in the police station. What we are asking for is that we actively monitor these CCTV systems. I am not asking the council to do that 24 hours a day.

We have requested the council meet with stakeholders, which would be the Queensland Police Service and ourselves. We will talk about key times. For me personally, a lot of issues occur between 10 pm and 6 am, so to me that would be a key time. The other thing is that we could work with the police and know when people are being released. The police know the hotspots so we could be a lot more on top of this and stop them before the crime occurs.

CHAIR: Jessica, can you tell the committee what types of offences juveniles are committing at your premises?

Ms James: Yes. There are numerous break-ins of guests' cars. There are property break-ins, vandalism and graffiti being done at 8.30 on a Sunday morning in very busy streets. They are the main ones. Car break-ins, trespassing and property break-ins are big ones for us.

CHAIR: When you say property break-ins, they are actually breaking into the unit?

Ms James: They are scaling the building, getting in through an open door and then gaining access to the building or they are breaking windows to get in.

Mr BOOTHMAN: How brazen are they? Obviously you have cameras around the building. Are they walking straight in front of the cameras so you can easily identify them? They do not care?

Ms James: Yes. I was hopeful with our new system that they would know they are going to get caught, but it does not matter. I can see on the footage when a guest opens their door to scare them that they look up and walk away. They do not run. They are not scared.

Mr BOOTHMAN: When you talk about on-country intervention programs, how would you like to see that unfold? Would you like to see the community itself get behind these individuals and families to potentially break the cycle of crime? Obviously you are concerned about the bill not going far enough and the need for there to be further action to correct these problems.

Ms Harman: Again, due to the time, I do not feel I am adequately prepared to answer that. I know of instances that are already in existence in the territory and different parts of Queensland. It is often just a private individual who takes the initiative, takes these kids in, takes them onto a station or onto their farm and gets them doing things with the hands and working. It is not slave labour, but it is hard work. It is physical work that forces people to be grounded. You cannot do that kind of work and not be grounded by it. If you do that with the support of elders and family then I cannot see it not working.

Mr BOOTHMAN: It gives them a sense of purpose.

Ms Harman: Yes. I would be looking at examples that are already in existence. I can name a man in the Northern Territory who would be the prime candidate for taking these kids on and helping them. He is in the territory and we are in Queensland.

CHAIR: Thank you, Emma and Jessica, for coming along. We are now going to hear from witnesses who expressed an interest in speaking to the committee.

FLETCHER, Mr David, Private capacity

JENNINGS, Ms Danielle, Private capacity

CHAIR: Good afternoon. Thank you for coming along to address the committee. We have time lines, so I ask you to keep your opening statement to about three minutes so we leave some time for the committee to ask questions.

Mr Fletcher: I am David Fletcher. I am active in the community here, but not as much as some. I have a reasonable understanding of some of the issues. I think I am probably in the middle of the argument. I see a lot of people who are at the extreme left of the argument who say it is not the kids' fault. I see a lot of people on the other side of the argument who say that we have to round these kids up and throw them in jail. I think we probably need to do a bit of both—not one or the other.

I know the current approach is not to criminalise children, but the result is that the current legislation is criminalising children younger and younger and much more violently. I sometimes do delivery work late at night. I regularly see kids out on the streets at three o'clock in morning. I will see a group of kids—I do not know how old they are—one will be this tall, two about that tall and one you wonder how they could walk they are so young and might be in nappies. One year in the middle of winter in the drizzling rain I saw three kids sitting in a phone box at three o'clock in the morning. Why are kids out on the street in weather like that at that time of the morning?

I grew up in Papua New Guinea and in country Queensland. Back in the good old days, if the country copper felt someone was running amok they would grab them by the scruff of the neck and drag them home and they would probably get a flogging—not that I am advocating flogging. The thing it did was give kids a consequence and did not give them a criminal record. I think we need a commonsense approach of carrot and stick, and not just carrot or not just stick. If a kid mucks up they get another chance. If they break their bail once they should be let out. How many times do they have to breach their bail conditions before something happens? There is absolutely no consequence.

CHAIR: David, would you say that the bill now addresses that?

Mr Fletcher: I am sorry, I have not read the bill properly.

CHAIR: That is okay.

Mr Fletcher: It is all very rushed, I am sorry. One enabler I see is the current legislation. These kids are not dumb. They know their rights and they know what they can get away with. If you give them something, they will figure out a way to get around it in two seconds flat. The other big enabler is mobile phones. I am out and about here and I am also out and about in Townsville. These kids jump in cars at night. There are still a couple of cars a night getting stolen in Townsville. What happens is that one gets a car and they ring all their mates and say, 'Come on, we have a car—let's go.' That is what happens. I know it happens.

Granted, a lot of these kids come from very bad backgrounds and they cannot actualise behaviour that they have not seen themselves. They have no respect for the system. There are a lot of things that need to happen. We need to divert kids out of the criminal justice system, prison system, youth system or whatever at all costs. It costs roughly \$160,000 to put a kid in prison for a year. It is a revolving door. They go in and out, and 10 years later we have spent \$1.6 million. What would you rather spend \$1.6 million per kid on?

Father Mick will tell you what happens. We have people walking around town here that people call million-dollar men. They have been incarcerated that long and the state has spent that much money on keeping them in prison. We need to divert these kids. Like I said, the little kids are following the big ones. They learn off their friends. It is their buzz. It is all they have in their lives, basically. I went to boy scouts; they go and joy-ride in cars.

Underlying this is a serious racism issue. You cannot really say, 'There is no racism.' I see black people pointing the finger at white people saying, 'Look at these racists.' I see white people pointing the finger at black people saying, 'Look at these racists.' They are both right. There is a lot of racism going on. A lot of big issues need to be solved. It is not just a bandaid approach that we need. It is such a waste of human life and money. I saw a figure the other day—I do not know whether it is true or not—that one-third of Indigenous kids commit suicide. Is that correct? I heard two in six. That is just horrendous.

I am really begging the Premier to do whatever it takes—to do something concrete to fix this problem, because it is rotting away at the basis of our society. In a town like Mount Isa, where everyone knows everyone, we have pensioners being assaulted in their homes by teenagers. It is not just black kids assaulting white people; they are assaulting their own elders. Anecdotally, the major sex offenders of Indigenous kids are other Indigenous kids. We have a lot of issues here underlying. I do not want to

be too pessimistic, but you cannot really sugar-coat it. There are dysfunctional families. Things are only getting worse and worse. I do not see how it gets better. What happens is the outlook just gets worse and worse for these kids and the next generation of kids and then what does another generation look like? We really have to fix these issues.

One issue here is alcohol tourism from all the dry communities around the place. People flock here to drink. They sit in the riverbank. The reality is that for Indigenous people there has never been a better time to be alive—honestly. For kids there is just so much opportunity there and things that could be done that were never possible before. At the same time with these kids, all kids in society, we are going through this transition phase of the digital economy. All the things we thought were constant in our life are changing and this is affecting kids more than anything. Indigenous kids have all of that going on and they have their race issues so they are probably the canary in the coalmine. That is probably all I have.

Ms Jennings: I am nowhere near as prepared as David or anyone else. I came into this via Angela and Dave Sammon. Ten years ago they had a small program. They are the people who are running On Country in Mount Isa. Ten years ago they had a small program going on our property just outside here. We are an hour west of here. I do not even know how long that program went for. Two months? I had a small business running and I came across parents whose children had been with that program, and the good comments that came back from them were that it is a good program and we have to develop it. It has taken 10 years for Angela and Dave to get it back up and running again and it is now running down on our other property down at Boulia. The problem is they are not getting the children long enough. It needs to be increased and it needs more backing from all sectors of the community, be it businesses or the Indigenous community. It should not just be Indigenous children. There are a lot of white children out there who are in the same situation who need the support that they get from this and they are not getting it.

The schools are kicking these children out. They are not getting their education because the schools cannot control them so therefore they are expelling them. Expelling should be outlawed. If a child cannot be controlled in school, how is it going to fix anything else? If they are a danger, yes, then something has to be done, but if a child mucks up, you are just creating more problems by expelling them. There should be more schooling and more sports and activities. We have taken away all their activities, basically. It is hard to get into sports clubs. Mount Isa is not a good example because Mount Isa has heaps of sports clubs, but these kids that need to be doing sports every weekend do not have the backing; they do not have parents taking them to the sports or doing anything. If they do go to school they sit in school all day, then they go home and they sit on the computer or they sit in the home watching TV. Years ago, all we ever used to do was be outside and active. Children need activity. My kids all went to boarding school. The girls were not active and they had trouble with the girls all the time with fights and different things. With the boys, as soon as they got home from school they went swimming or went and played Rugby. They did something. The school had this idea that girls should not do that, but all kids need plenty of activity; otherwise they are out stealing cars, they are out wrecking businesses, they are destroying things.

The On Country program is a good thing, because if they do not have their parents' support they need something else to get them thinking in a different frame. The parents that I came across through my business would say, 'My kid went out on your property and it made such a difference to him and now he is doing this and he is doing well at school.' If you change one kid that is—like you said, a million dollars it is costing for some of these people. There has to be another way. Call it a prison, call it a boarding house or whatever. When police are dropping these kids back to their carers or these places that they are put when their parents are not available, before the police even leave the front door those kids are out the back door again and gone.

If you cannot lock a kid up—I know locking up is the wrong word, but they should not be out. An 11-year-old child should not be out on the street in the middle of the night. The same as David, I have done runs through this town. I would go up Abel Smith Parade at one in the morning, because I used to pick up meat from Cloncurry and bring it back here and sell it. Going down that street—they never did it to me, but I heard about people being stoned driving down that street in the middle of the night, at one o'clock in the morning. The police building off Abel Smith Parade got burnt down. When I have gone down there there would be 10 cop cars and 20 policemen running up and down that street chasing young kids. That is Mount Isa. They are out of control. It is not totally their fault, and putting them in jail is not the right way to go, but we have to do something.

The other lady said that we might attract criminal elements, but we are not trying to do that; we are trying to put them in a situation where, one, they get schooling and, two, they get regular meals and counselling and they go to school and they learn sports and they learn activities that will take them

off that course. At the moment they do not see any other course. The fun is going out with those older kids and smashing something. Give them an alternative. They might find something else to go along with. We will not fix all of them, but we could possibly save a lot of money rather than sending them to detention centres, where I am told—I do not know if my facts are right.

I came to Mount Isa and stayed overnight and my car was smashed. My back window was smashed for a \$10 bottle of champagne. That car was parked in view of five security cameras. They only identified one out of those five kids that smashed my back window. The back window cost \$400. It was a \$10 bottle of champagne. That is all they took. They did not unlock the car. There was money in the console, there was sunglasses and there were seven new camp chairs in the back. They did not touch any of it but one bottle of champagne. They had hoodies on. There were five security cameras there. They identified only one out of those five kids. That child now is not going to be charged. Apparently he is not able to be charged because of the mental effect on him. I asked for mediation. If he agrees to mediate with me I can have mediation. I was the one who had the crime done to me but I cannot say, 'Okay, I would like to sit down and speak to that child.' No, he has to agree to mediate with me. That should not be acceptable. I do not want to abuse him. I just want him to understand that he took a \$10 bottle of champagne but that was four day's work for one window. It might not have any effect on him, but it might. The fact is that if he does not agree to it I cannot speak to him. I could probably go and find him myself. He was not convicted, but his name was made public on my statement. I could go find him myself and go and talk to him, but I would probably get in trouble for actually facing him and doing that. I should have the right, and so should any of these businesses, and it would make a difference. If they had to look you in the eye and sit there and listen to what they have done and how it has affected you, I think it would make a difference.

CHAIR: Danielle, I do not mean to cut you off, but we are getting close to the end of this session and people may have questions for you.

Ms BUSH: David, this bill aims to strengthen the bail framework by removing the presumption of bail, by asking parents and guardians to take on a more active role in demonstrating a willingness to support them with their bail conditions, by prescribing that offending on bail might be an aggravating factor in sentencing and in some instances by requiring them to wear an electronic monitoring device. I appreciate that you have not read it, but what is your view? Do you think those things would make a difference, in your experience?

Mr Fletcher: It is all very wishy-washy. It needs to be black and white: you get another chance, but if you betray the trust it is prison.

Ms Jennings: They do not have the support. The parents of the child who broke into my car are both in jail. Where is the parental support for him?

Mr Fletcher: Car windows are particularly annoying in Mount Isa. They smash a window and it is \$600. Even if your car is insured, the excess on the insurance policy is \$600. They smash a window, go through the ashtray and get 20 cents or something out of it and it costs you \$600. Then they will walk down the street and smile at you the next day.

Ms BUSH: I guess what this is aiming to do is strengthen that bail framework. If those conditions cannot be met they would not be given bail; they would remain in detention. I know it is hard.

Mr Fletcher: It should be cast iron, black and white: if you breach your conditions, goodbye. I also know that we do not want to criminalise kids and keep them out of jail so I am really strongly in favour of relocation sentencing. We already have relocation sentencing in Mount Isa. We do not have a prison here. If someone gets convicted and receives a custodial sentence they get sent to Townsville—relocation sentencing. The only difference is that if you are taking Indigenous people from here to Townsville there is no family support network and no extended family—nothing—so then they just get dumped back on the street.

Ms RICHARDS: Are you saying that the relocation sentencing as it stands is not working, if you are saying that that is what happens on the ground?

Mr Fletcher: I am saying that we de facto have it anyway here for the people in this community.

Ms RICHARDS: That is what I am saying, and are you saying that that is not working?

Mr Fletcher: You are arguing a moot point. That is splitting hairs.

Ms RICHARDS: I think you proposed that relocation sentencing was something that could work, but then in the same context you are saying that that is happening on the ground.

Mr Fletcher: It is good for city kids to get them away from those bad influences. It is the same gangs at the end of a mobile phone. I heard someone say they were against the bracelets because that would stigmatise the kids. That is just rubbish, from my point of view. We have plenty of technology.

The kids should either be tracked on their mobile phone or monitored on their mobile phone if they are under any sort of supervision like that. The day the woman on the motorbike got killed in Townsville there was one person who was not in the car with those kids but who was getting phone calls from the kids in the car saying, 'Come on, we got a car,' but this kid could not get there.

Ms RICHARDS: That matter is before the court.

Mr Fletcher: Yes. Mobile phones are a big enabler.

Ms BOLTON: Are you supportive of the bill as it stands?

Mr Fletcher: I support anything to make it better, but when it does not work are you prepared to reassess properly? What is your benchmark?

CHAIR: It is going to be reviewed.

Mr Fletcher: What does success look like to you? No cars?

Ms RICHARDS: David, in addition to the legislation that is before us, there is going to be an announcement of the task force headed up by Assistant Commissioner Scanlon, who is well versed in the North Queensland region. There are a number of prongs running in parallel to the legislation at this time to look at how we can work together.

Ms Jennings: But it is just a bandaid.

CHAIR: That brings this part of the session to a conclusion. We will now hear from a community elder.

DOYLE, Ms Christine, Private capacity

CHAIR: Thank you, Christine. You have been sitting here for most of the day so you know the rules. You are welcome to make an opening statement and then the committee will have some questions for you.

Ms Doyle: My name is Christine Doyle. I am a community elder. I have eight children that I brought up and 12 grandchildren, mostly boys and about four girls. I have come here today to talk to you about the concern that we have. My husband and I put a program together called Kwiri Wiria, the Youth Back on Track Program. We were trying to get funding for that program with the other community people in a group called the WC Originalz Aboriginal Community Corporation. We had a committee called the Muka Ruda group, involving all of the traditional owners. We had 20 gangs in the community. The parents of all of those gang children got together. We called a meeting with DATSIP and sat down for many months, getting things together and talking as concerned parents and grandparents about our children on the streets, what they were doing and why the kids were offending. Parents and grandparents were talking to their children about what offences they have been doing, trying to keep them at home, trying to tell the children not to commit the crimes. We have spoken to the police many a time to ask them to come out to help and support, but when the kids offend they come out and get the kids and take them to the jail. They never listen to what the parents have to tell them before it starts. Parents put it to them and tell them that the children have offended. Like Coreen said earlier, parents do let the police know what is going on with their children and how they have offended.

They also look at the kids stealing, breaking into cars, smashing things. They do that in our homes as well, those children who are on the streets. They come back to fight with other children on the streets and then they come into your home and smash it up. I had my house smashed, my windows. I had to report it to the police. But sometimes our homes get broken into and the police do not look into that. Then we have to talk to Housing and get the support of Housing to make a report for those windows to be fixed. Sometimes we have to try to fix the windows ourselves. We all rent from Housing. Sometimes we do not get the support. We tell Housing that we try to keep other people out of our homes and then Housing will get onto the police for us. We say to the police: 'When things are happening in our homes you do not come out. It takes you up to 40 minutes while some kid or some man is lying on the ground, all busted up and bleeding, before you ring the ambulance or something to come along.'

As Aboriginal people out there we are trying to stop our kids from committing crimes. We are trying to stop our people from fighting with each other. We are doing other things. We tell them on the street as well, 'Don't break into other people's houses because those people work very hard and they have to pay for those things. You kids break in. Those people have a lot of things to afford. You don't understand. You need to go to school. You need to get an education. You need to get all these things set up.' But when they do go to school the teachers are suspending them. Kids can get suspended for two or three weeks in one month of a term. How are our children going to learn when they keep getting suspended from the school?

They put up with a lot of racism in the schools. I can remember when one of the boys went to school. There was a little boy who was crippled and he could not get into the library. He helped him up. The Aboriginal boy helped the little white boy into the building. He walked into the library and said, 'Miss, he couldn't get up so I helped him.' That teacher did not even thank him. She did not say thank you very much for that. She just said something nasty. That little Aboriginal boy said to her, 'I've a good mind to slap your face because you did not appreciate what I done' and he just walked out of the classroom. That is the racism that our kids have to put up with.

I know violence happened in my daughter's house. My grandson was sniffing. He was only 11 or 12. He did some things wrong. All my family members, my husband and myself as grandparents all tried. Youth Justice and restorative justice came and spoke to us about him, but they said they have to take up to three months to work with that child. I said, 'I can't wait for you. I have to do this myself.' I went and saw a counsellor. I sent him into a program. I worked with YPA, Young People Ahead, which supported me and helped me pretty well. That counsellor helped me with my grandson and now he is off sniffing. I gave him rules that he was not allowed to have phones, no rooms were to be shut in the whole house, he had to sit where the parents can see him and we dropped him to and from where he has to go. I can give my whole family a pat on the back for that, as well as Coreen, because my brother-in-law and my sister, as well as the majority of my family, supported me in my crisis.

I have asked Save the Children and Child Safety to help me. I never got any support or help from them. Being an Aboriginal woman I find it very hard and Aboriginal parents find it very hard to get help and support. My daughter is still on drugs and drinking. She does not have her children. I stepped in and took her children off her. I have a son who has motor neurone disease. He is dying this year.

My son was bashed at the Irish Club by young kids who belted him—kids from the age of 18 upwards. They belted him but there was no support from the Irish Club, no duty of care, no police or ambulance put on site to give him support. My husband and my whole family rushed to his aid to help him and take him home. To this day my son is going down and I still have not got any support. My son will not press charges against those kids because he is in fear of his life. He tried to kill himself. The only person I had was from Save the Children from Cloncurry who rang me here in Mount Isa to go over there to talk him out of it. He turned 38 this year. I have been really depressed and stressed with all of this going on.

My grandson was chased around the street by a gang of children as well as adults in a car. I rang the police. I told them about it and I gave them the names of the kids and the name of the car. I said, 'If you don't do anything about this, my children and grandchildren cannot even walk to and from.' They were just walking from Abel Smith Promenade back to Sue See Avenue and they were attacked. I told the police but nothing was done about that. The police did not come back and report it or said that they got kids or anything. Another time they did the same thing. We have a lot going on there too. Our children are being chased and threatened on the streets.

My niece and nephew's home got broken into. Only one person out of that went to jail. The other seven children that did that are still walking free today. My nephew—when he walks around, those kids target him. They smashed his whole house and there were eight little grandchildren in there. The niece had to lock the door to save those eight little children, and the baby was only about six weeks old. She pushed a cupboard up against the door to stop them from getting in there. One of the boys who was asleep on the couch got bashed. They smashed the windows all around. They smashed his wall. When they jumped in, they bashed and jumped all over that young boy. My niece was asleep. They threw a rock through the window and nearly hit her six-year-old daughter. We can thank the police for that because they did do their job, but they put only one child out of seven in jail.

As we said, these kids do go to jail. They go into Cleveland, but when they come out they are still committing the crimes. They are not only stealing cars and smashing businesses and homes; they are smashing Aboriginal people's homes too and breaking in and belting people while they sleep and jumping all over them. That is attempted murder. What they have done to my son is attempted murder. He cannot even lift his hand. He cannot even walk. He was 37 years old and he looked like a 60-year-old man walking around. My son went to school. Robbie knows my son. My son went to school with him. They went to Mount Carmel College. He graduated from school. He was a very sporty, active young man. Now he walks around looking like he is 60 years old. He cannot even hold a spoon or a knife. I am pleading for him to press charges against those people who did it to him but he will not; he is terrified. He does not like walking around much. We have to drive him around here in this community. He rings us and lets us know where he is at all times because we have to follow him around and do things. That is a 38-year-old man. Those people who did that to him were 17 or 18. They are not only belting young children; they are belting old people, like everyone else was saying.

With the program that we were setting up, Youth Back on Track, as a group and community people we were going to get our program set up to identify Aboriginality so those kids can show their respect through their laws and customs. We are going to take those children out of the community, say 10 kilometres out of Mount Isa. We did not want to take the children back to a station where you are under the hack. Our old people lived under the hack. We do not want those kids to be treated like that, with stolen wages and a stolen people. We are taking them out to teach those children their laws and customs and their respect to other people—Aboriginal people and other people—and to identify as Aboriginals. Do the right thing. Our old people never done that back in the day. Our old people worked on stations. They lived there. They supported people. But these young children have lost their way. They have lost their Aboriginality and their respect. This is what our program was about.

The children were going to go out on that program and it was going to be mum and dad and the grandmother talking to that child, teaching them their language, teaching them about their country, showing them how to look for food, showing them how to hunt kangaroo or goanna—all of those things. Those are the things they have lost. We have said, 'We all live in a white man's world but you have to learn your own culture as well.' We talk about it all the time. We were taught all of that when we were kids. That is what we are trying to bring back for those kids, to teach them respect and to learn their laws and customs. We came to try to ask for help to form a committee, but my corporation has stopped at the moment because of my son with motor neurone disease. I am having problems with my own grandchildren and then my son is sick.

We know the Mona project is out there, but we never heard anything about the Mona project. We need to sit down and talk, because if we are sending our children up we want them to go back and learn their Aboriginality, to know who they are, to know about their tribe and who their family is. Back

in the day, if you did something wrong you were punished for it by your people. Your people punished you. If you were a pretty girl and you were the one making trouble, two men fighting, one had to die. If they were all fighting, they would get in a ring and be bashed. This is how the laws and customs were back in those days.

If you were from another tribe, you were not allowed over here. My tribe is Wangkamdla but I cannot go and sit in a Kalkadoon meeting. I cannot sit in a Pitta-Pitta meeting, because I am not from that tribe. They still live those laws and customs today, but these young children do not respect. Mount Isa as a community is for everyone, but the traditional owners here are Kalkadoon people. We are trying to tell the Kalkadoon people that they have to get all those people who are not Kalkadoon to respect their laws and custom in their community. That is why we had those different clan groups: the Warluwarra, Pitta-Pitta, Yalarnnga, Kalkadoon, Gangalidda—people from Doomadgee, Normanton, Burketown and Camooweal. We even had people from over the border sitting at that table talking about how the children lost respect. It is not only respect for Aboriginal people; it is respect for the community people. That is what we were talking about in our meetings.

Ms BUSH: In terms of the experience of Aboriginal people in Mount Isa, what has been the change? It sounds like things have changed in recent years. I am just trying to understand.

Ms Doyle: It changed a lot. Children would not go to someone else's house and commit a crime or abuse someone at their home. If they did that, the parent in that home would go back and talk to those people to say, 'Look, your child has done this.' That would have been dealt with the right way. Or the parent would say, 'Well, get the policeman onto them if you think that kid done something wrong to you.' Like we still say now, 'If you break someone's window, you can go work at that place for that person and help pay for that thing that you broke.' People still do that today. We go back and talk to the kids who commit the crimes or come to your house. That is what they are still doing today—talking to each other. The parents are talking to each other. We take it to the police. Some parents do not, but the other parents help. You have community help within the Aboriginal community itself anyway. We all say it is not all about money; it is about us working together as one.

Ms BOLTON: Throughout the day we have heard a couple of key messages. This is such a complex issue. It is not going to be one thing that addresses it. I keep hearing about accountability and responsibility, because we all need to take it on together. You are talking in terms of laws and wanting to do a program. I do not understand why everyone is not handing down that information anyway, as you would when you have a child and you talk about family history, laws and so on. Why does it take a program to be able to share that knowledge through the generations?

Ms Doyle: If my grandson committed a crime, me or my husband or our daughter would deal with him. We are trying to get the mum and dad to be involved here, too. We know that a lot of these kids commit crime because mum and dad are not paying attention. Mum and dad have lost their way, so their child is doing the same thing. They lost their way as well. If that child comes from Doomadgee, that grandparent and mum and dad take that child back and talk about all their laws and customs and whatever else they had there. Then they tell the children, 'We done this back in the day.' They talk about corroborries, how they spear the kangaroo or how they caught the goanna, how they dug into the ground for mungaroo or something like that. They could teach them about the differences of the trees and about how they made things. This is where the kids are going back, learning their culture. That then gives them more respect because they have to respect this community. Mount Isa is a community, yes, but for Aboriginal people this is Kalkadoon land. They have to respect that but also respect everyone who lives on it. That is what we were aiming to do.

Ms BOLTON: I think we have understood that. I think it is about why it has not been done already.

Ms Doyle: Well, we do do that. We do that at home, but some of the kids lost it because mum and dad are on drugs. We need to get mum and dad interested. If you are working with those children and those kids see what you are doing with them and their grandparents are telling them this, then they go back. If mum and dad are sitting there with those children—I know this has happened in the past because we did it—and the mum is mucking around, that kid will say, 'Oh mum, you know why I commit this crime? Because you never did this with me' or 'you told me that I cannot do this or that. When I told you that I did something wrong, you went and got the police.' Instead of that mum and dad listening to that child, that child went ahead and did what they needed to do because they were not getting any attention from mum and dad.

This program we were going to put together was going to get those children—the person working with them was not going to tell the parents—working there for two or six weeks. Then you would get mum or dad coming in and that child would spill their guts about what they learned, and mum and dad

would say, 'Oh, this is really good.' We have done that in the past. I did that with all my older nephews and nieces in the past, the things that they learned. Little kids and older people spill their guts to their parents and their grandparents, but the parents do not realise what their kids are telling them until they are really sitting there, because mum and dad are doing their own things. You have a program going and that child is listening to mum and dad or the grandmother telling them about what they did, because those mums and dad have lost their culture as well.

It is not just about the children. That is why children are doing things—because mum and dad lost their culture. We try. I sit and talk to my grandchildren. They sit there listening to history from me, but I tell them a lot and then they know everything. I talk about all my culture, where I come from, from my generations—from down here up to there. We talk of things that we did back in the seventies and the sixties right up to today—even with the Kalkadoons, because I am married to a Kalkadoon man. The kids know all this. They know to respect this because I tell them, 'You cannot break into someone's house, smash someone else's car.' I said, 'If you ever did it, I would take you back to that person who you stole that car off, whose window you broke, and I would say to that person, "You can take my son"—or grandson or granddaughter—'and get them to work it off," because that is a lot of money they are paying for.' I tell the children all the time, 'These people work very hard. They are hardworking people.' I said, 'Your grandfather is a hardworking man and I do not think he would like you doing that to his home.' That is what Coreen says to her children. 'What if you go over there and smash aunty's car up? They have all the cars in the world. Go and steal one of their cars. You are frightened because you will get a hiding. They will chase you up. They will belt you.' That is what we are aiming to do but, like we said, these days you cannot belt your kids.

Ms RICHARDS: Consequence is a valuable lesson. You have articulated that quite well. This is probably a little bit outside the bill, but you mentioned your grandson and the program with a counsellor that was successful.

Ms Doyle: The YPA.

Ms RICHARDS: What was it within that that helped you achieve the change and the turnaround? I am just interested in what that looked like.

Ms Doyle: Restorative justice came out and spoke to us because my grandson was sniffing. To this day, I do not know what happened. Violence was in my daughter's home. My grandson started sniffing and other things happened. A restorative justice person rang me and I said to him, 'Look, I already have things in place because I cannot wait for you.' He told me that it would take up to three months to get back to me because that is the process. I went and done it myself. I went over to YPA and spoke to one of the counsellors. I asked the manager if there were a counsellor there. I was very upset. I know the manager. I broke down and said, 'I need help for my grandson.' He appointed me to sign him up with YPA. I used to drop him off every Tuesday for counselling. He was having problems at school, but it was him; it was not the school. He was just lashing out because of what he was going through. The counsellor did well. She spoke to the school to let them know not about his situation but what to do with him when he goes like that, because he was missing school most of the time. I praise the YPA pretty well. Most of my grandchildren are signed up with YPA now. They do programs with them, take them out, take them swimming, go out to the dam and other things. They pick them up at certain times. The children know what day they are going and what time they will be picked up. YPA is really good.

Ms RICHARDS: A bit of counselling, a bit of mentoring and a bit of fun.

Ms Doyle: Yes. My grandson Tristan is having a bit of a problem now. YPA is helping me to get him to another school. I want him to go to Mount Carmel Catholic College. That is where all my children graduated from. He is at Spinifex school because all his friends and family are here. I do not think it is a good environment for him at the moment with what he is going through. I wanted to put him into another school. We find it hard to get him out of the bed sometimes. We practically have to drag the blankets off him. Like they said, my grandson will sit up until three o'clock in the morning playing computer games. They need to get out and interact with other children.

Mr BOOTHMAN: What I hear from you is that these individuals need a sense of belonging, that they need some type of connection back to their original roots. do you think that would be beneficial to these individuals and especially the families to have a facility in close proximity of Mount Isa but where they could potentially leave the city area?

Ms Doyle: Yes, with a program that is run—like the Mona project. Like I said, I do not know what the Mona project is doing with its program, because we have not sat down and talked on a one-on-one basis. They are doing things with them. Our program was about the identity of being an Aboriginal person. Talking to your parents and learning your tribes is what we are talking about. Even today, Mount Isa

Northern Territory people come over here, but some of them know that they cannot do things wrong here because they do not belong to this country. If the people in Northern Territory want to get rid of the Northern Territory people, they only have to talk to the Kalkadoon people to tell them through their laws, 'You are doing the wrong thing on wrong country.' Being an Aboriginal person, that is what you identify as. They need recognition from those traditional owners to say that they accept them on their country. I know that we all live here, but people do respect the Kalkadoon people. Sometimes people come in for safety, but they have to be respectful to the country. That is not only Aboriginal people; that is other people from overseas—Torres Strait Islanders, the Tiwi people, Tongans. They need to show respect, because they are traditional people as well. That is just my opinion anyway.

CHAIR: Thank you, Christine. That brings to a close this part of the hearing. Thank you for coming along and addressing the committee with the valuable information.

Ms Doyle: I have one more thing I forgot to tell you. The children who have committed these crimes are children who have been going to school. My group and I wrote a letter to Ian Stewart, letting him know how the police were treating the children. They were profiling these children. They were stripping them on the streets, dressing them down—even a little six-year-old. They were dressing down these children even when they were going to and from school. All the Aboriginal parents who had children going to school had to drive to pick up their children because they did not like the police taking photos of them. Those children now are all being profiled and they are in the book of records. You probably know all about all those kids who went to school and are already in the book of records. We tell those kids, 'You are already put down in the book of records.' It is not the book of records with the law; it is the book of records for the police. Now these kids are 18—my grandson who lived in Cairns got picked up because his name was in the book of records. He got picked up going from home to school.

CHAIR: Thank you, Christine. The hearing is drawing to a close. I now invite the member for Traeger, Mr Robbie Katter, to address the committee.

Mr KATTER: Thank you, Mr Chair. I really appreciate the fact that you have come here and the time you have given everyone today. This is probably one of the longest hearings for any bill I have seen before a committee, so I am very appreciative of the time you have given up to be here and the latitude you have allowed for people to voice their concerns. Thank you very much for that.

I will try to be succinct. I do not want to repeat a lot of the contributions. I am very grateful as most of the contributions have done my job for me today. Most of these people have been through my office at one time or another saying the same things to me, which I have then done my best to try to communicate in parliament. I will try to fill in a few gaps to allow for some value-add.

In responding to the bill directly, there is nothing in the bill that I could say I disagree with. I am sure you will understand once you are in Townsville, but we added in something in relation to breach of bail to include hooning and offences with cars as another offence to be looked at. I am surprised that was not included. I am sure there is a reason it is was not included, but I do not know what it is. I do not want to spend too much time on that. I appreciate what the government is trying to do there.

However, I would make one criticism. It is not necessarily a criticism of the government themselves, but I have heard in the media from the government as well as from stakeholders locally, as we heard earlier, that there is data indicating that crime has gone down. I think it makes it enormously difficult for the government to make good policy decisions when the data being fed up is saying, 'The things you are doing are working.' Perhaps the committee had some sense today of a ground-truthing of the data with reality. The reality for me is far from that—in fact, almost entirely the opposite. I think it is important to try to establish whether that data is a true reflection of the situation on the ground. On that note, I would say that this is, perhaps by a factor of 10, the biggest crowd I have seen appear before a committee. I probably did a poor job of advertising, as a few people—

CHAIR: That is not what they said, Robbie. They said it is all down to you!

Mr KATTER: Well, they did not get much notice, so I will wear that one. Regardless, we have had everyone, including councillors, sitting here for the whole session. I feel a bit vindicated in that it is consistent with the level of inquiry I have had in my office, which completely contrasts to the data or the suggestion that there has been a decline in crime. I make that comment at the outset.

There are a few things I want elaborate on. There was a question put to Save the Children about procurement. Whatever amendments you make to any act, you still have people on the ground at the interface, and the challenge is engagement. It is no good getting me; I am not qualified to do that. I know some of the kids, but they are not going to listen to me. You need some people, and quite often the procurement of government—trying to get the right services or the services trying to get the right

people to get the accreditation or the compliance with policies made in Brisbane—is not working on the ground. That is a big challenge to whatever amendments you make to any act or any policy decision. I think procurement is important to acknowledge. I do not have great solutions for that; I just know it is a big problem. There are good people here and around town who are willing to act and would make a great difference but who cannot engage in the process, and there are perhaps some services that want to engage yet they cannot. One thing I talk about often is blue cards. That is not the only one; there are a number of things in that space.

The Northern Territory has been mentioned a couple of times. The mayor brought it up straight up. It is a really pertinent issue. You will not hear it in Townsville and Cairns, but it permeates through to there because there is displacement. There are federal government intervention laws that mean you get your BasicsCard and no alcohol, and there are communities that are literally entirely vacated. Housing and health services are here or in Alice Springs. Mount Isa has been forced to carry the burden of social dysfunction. Sometimes people will come in for health reasons, sometimes they have had a family fight—there are any number of reasons—and there are probably individuals or some agencies sometimes trying to get in that space and repatriate or help people to get home, but it is not a dysfunctional space. I think this legislation misses an opportunity to deal with what is a really big problem that is getting in the road of trying to solve this issue. My view would be that very little effort is being made to try to address the impact of the federal government intervention. There is an alcohol ban on Mornington Island, so you have the same dynamic there. If you come to Mount Isa, you have the freedom to do what you want.

I should add, we have always had a challenge with the census data. I have a strong view and there is some empirical evidence to validate it. We worked on a survey after the last census to demonstrate it. The last census said there had been no increase in population in Pioneer. Every agency in town said, 'That is ridiculous. There is no way.' The visibility from government's point of view, again from the data, is, 'It doesn't make sense. There's not that many more people in Mount Isa.' That does not ground-truth. We are trying to handle all this pressure and these issues without the resources here in Mount Isa. Disruption in a family or overcrowding in a house can displace another family to Townsville, which causes a whole other level of tension.

As Christine mentioned earlier, a regular visitor to my office is Kalkadoon saying, 'We want to express our rights here to try to deal with this because there are people coming not from our area.' That is not necessarily healthy tension either. It does not help. It has to be acknowledged that that is a really big part of the problem, so I appreciate the mayor bringing that up.

One of my current issues is Dajarra water. One of the issues added in to that was that they are saying there seems to be an influx of people to the town, perhaps from the Northern Territory, at the moment. I am just saying that at every level this is disrupting services and making it very difficult to deal with. I would argue that it is not helping anyone when there are people just informally occupying a house. No-one is fixing anything if those matters are not dealt with. That is a really big problem.

When considering legislation and any amendments, I think more effort should be directed towards two main principles which represent deficiencies in the legislation. One which is a recurring theme here is the remoteness. I often hear that there is no evidence to support remote sentencing location. The only personal evidence I have is that I went to the Urandangi School a number of years ago and I have to say that the kids were perfect. There is no mobile phone coverage, there is no skate park and there is no pool for them. I felt sorry for the kids while I was driving there because I thought, 'These kids have nothing.' However, it was one of the best classrooms of kids I have ever been into. I was just shocked. They had attention from the kids and attention from the parents. There was no mobile phone coverage. I have mentioned it a thousand times since, because somewhere in there is the answer. I think a big part of that was the remoteness, because you can begin to engage there.

I think it works on both levels, too, which takes me to my second point. One principle is the remoteness. The second principle is forcing kids to do something. I think there is a deficiency in the laws at the moment. Academically it is not seen as the right thing—'If you are forcing them, they are not going to engage properly'—but you have to give these people something, in my view. There has to be a bit of give to the victims of the crime who say, 'Well, you have to force them to do something.'

I think the beauty of the situation is that if you force a kid into a remote area—they may not want to go there at first, so it is a good deterrent to not commit the crime initially, but I would argue that the majority of them will benefit from the experience and probably in the long run will enjoy the fact that they were forced out there because they will engage in skills, education and all sorts of cultural activities. I am not set on what kids should be taught or what programs should dominate out there. There are a lot of good programs around.

I think there are two principles and two deficiencies in the existing legislation for youth justice. One is having remote facilities available, and perhaps a lot more than one. I think they are a very affordable option to the taxpayer. The second is having the legislative instrument for the magistrate to force the kids to do it. It is one thing to have a program that works; it is another to get the kids engaged or the referrals to get them there. As we have heard from people, restorative justice is a good program but the kids are not forced to do it.

Ms BOLTON: The parents, too.

Mr KATTER: For parents, too. A lot of the time you have the good kids attending the programs but the hardcore ones who you want to engage are not, and that is the difficulty. That has been my experience. Those are probably the main points I would like to get across.

CHAIR: Earlier today we were told that the dislocation of juveniles who are sent to Townsville, to the Cleveland detention centre, is creating issues. The theme that came through is a need to have, as you just mentioned, something closer to home so that the simple matter of a parent being able to visit their child can occur.

Mr KATTER: That is a really good question. Father Mick has talked about adult prisoners before, for that same reason—to keep the connectivity. In fact, I was going to talk to you later about having a look at the recovery centre service here now because it is a little bit of a window into what could happen.

CHAIR: Is that the Salvation Army one?

Mr KATTER: Yes. It is to deal with alcoholism, and I think it is self-referral so people need to check in there, but it is a good example of when you have a service that is sort of close. I am not necessarily advocating something just three or four kilometres out of town, but it works and it is a good example of what could be the modern adult prison where you are achieving something out of it. That is a really good question to ask because there is definitely a benefit in keeping that service—

CHAIR: Connection to home.

Mr KATTER: Yes. I am no psychologist, but I try to put myself in the mindset of a kid who has a disruptive family environment, problems on the streets, doing it tough. One contributor today said that they do not like going to Cleveland. I have heard that more often than not there is a will to go or it is no deterrent at all. That speaks to some of that bail issue, because you think even if you breach bail the end game is Cleveland and most people do not have a problem with Cleveland. If I put myself as a kid from the gulf, the Territory or something and say, 'You're going to Townsville, where the Cowboys are, the city,' it would sound pretty good to me if I was doing it tough at home and on the streets. However, if you said to me, 'You're going to Urandangi for the next six months,' that is a different proposition.

Ms RICHARDS: No mobile phone coverage.

Mr KATTER: Yes. That is probably where I was coming from more, but it is actually a good point to say that, if you have some of these programs that are here, you can easily connect them up when you have a facility. Not every program is going to be in situ, but for your YPA or your Mona program or Christine Doyle—any of those programs—I think it would be much easier to facilitate that and it would be much more effective if it is done on country.

CHAIR: The secretariat has reminded me that I made a commitment to ask people if they wanted to come forward to address the committee. Is there anyone in the audience who would like to do that?

LOWCOCK, Father Michael, Private capacity

CHAIR: Welcome. Could you please make your statement?

Father Lowcock: I will put in a submission, even though I know it is late. I will preface it with some work from Don Weatherburn, who has put a book out this year with Sara Rahman called *The Vanishing Criminal*. He did a press conference about it. There are a couple of things in that that I would like to note. Western Australia introduced legislation 20 years ago when they were trying to change all of this because they had 16 people killed in 18 months as a result of crashes. They made it mandatory for all cars to be sold with immobilisers and also dealers could not accept goods without proof of identity and ownership. That is probably not a big issue here but I think the immobiliser issue is a bit of an issue.

Ms RICHARDS: There is an inquiry underway on vehicle safety that you might want to make a submission to. It is on the parliamentary website. We will send you a link.

CHAIR: One of the themes that has come out today is that people are concerned they are getting short notice about parliamentary work. Can you give a more fulsome explanation of the inquiry?

Ms RICHARDS: I think I mentioned earlier that there are multiple issues being looked at with the task force and this legislation as a result of the youth crime that is occurring, and we know that vehicle theft is a very big part of that. We know there is technology out there and that there are opportunities to look at how we can harness that technology so that cars are left in their carports—so they are stopped in their tracks. The transport committee of the Queensland parliament have an inquiry underway and they have called for submissions. If you have an interest in not necessarily car theft but in solving part of that problem and contributing, then that committee would be delighted to hear from you.

CHAIR: I will make sure that Robbie gets the information so he can feed it through his channels.

Father Lowcock: I would like to acknowledge the Kalkadoon community on the land where we are here today. Robbie talked about the Northern Territory issue. It is not just an issue for courts; it is also an issue for health. There is an extensive amount of money being spent here and it is mainly because alcohol is so easy to produce in the Northern Territory now. After intervention, they have this whole system of providing identity in the Territory. You have to provide your own identity and you can only buy a sixpack a day. There is a limit on what you can do, so you come over here with whatever you have and you can spend unlimited money. There are two significant hotels in the centre of town that will not join the liquor accord. It makes it very difficult when others around the place, clubs especially, are trying to do something and two of the significant hotels will not be part of that.

I agree with a number of people: I do not think going to detention is a real deterrent for a number of people, and people have expressed a number of those things. In the last couple of years here, there has been an increasing number of young women who are becoming involved in antisocial behaviour. The increase of that has been to me one of the biggest issues we are facing at present.

I would like to talk about whether these places are on country or whatever it is. Scandinavia have really reduced their youth crime, they tell me, and it is partly because they have these places where people can go but only for part of the time. For instance, you might be in the home four days a week and you are at home three days. Also, you can involve the whole family in the process. I think there is something in all that process behind the legislation that we could look at to say how we can make it more realistic. We are always talking about how we can deal with the whole family. People could do a bit of work on that whole model from Scandinavia and see what is behind all of that.

A number of people alluded to the Police Service and their lack of follow-up of crime. One of the older officers said that to me today. We have such a number of junior officers here for the first two years of their police service and they do not see the need to follow up, and I think that is something that really needs to be looked at. I do not know how many things we have had happen to us—break-ins, taking cars from us and all of that. They broke into a women's shelter that we run in Doomadgee and took the car. The police found the car but the keys were kept. The next night the car was stored in the police compound and that night it was stolen out of the police compound. We are dealing with some young people who have no fear of any of those sorts of things. I think the police need to do a lot more follow up. It is the personal contact that people need, to say, 'What's happened to your issue?'

I know that the state government has no appetite for building an adult prison out here. As the minister said to me, 'I can build two in the south-east corner for the price of one out here.' I understand that. To build a Catholic school here two years ago was going to be twice the price of building a school in Brisbane. I understand that; I get it. He then referred us to the federal minister and said that under the black deaths in custody there is a whole lot of work that needs to be done about locating things where people have their issues. I think the federal government in cooperation with the state government probably needs to look at what people have raised today about location sentencing and all those sorts of things. I do not think it is just a state issue; I think it is also a federal issue, if that makes sense. There are ways in which people need to be working together.

What happens is that people get sent to Townsville and then they come back into the same environment here. We get a notice to say to pick them up from the airport and you put them back in the same house. Literally, one kid cried one day and said, 'I'm not getting out of the car. Look, they're drunk. They're playing cards.' It is really difficult. Whatever happens in detention over there does not seem to reflect what happens in terms of when we come back. For example, it would help if we knew they were doing an education program. There should be a seamless transition. The whole show needs to be streamlined a lot more so that when people are going we are able to tell them what happens, and when they are coming back we need to be told what happens.

Madonna King was on *The Drum* a couple of Wednesday nights ago. It was about a few things, but the final bit was in relation to a book she has written called *Ten-Ager*. She was saying that originally the pacifier was the dummy but now the pacifier is the mobile phone and that what kids were doing at 15 they are now doing at 10. We had a discussion only yesterday about sexualisation of young people

at 10 years of age and what is happening in their lives. What we are dealing with is little kids with adult toys, so to speak, and their whole lives are being wrecked by it. What is there left in life? I was looking at a couple of kids the other day and they were walking around sad and I thought, 'You've experienced everything in life and you've got nothing left. I can understand how suicide becomes a thought in your mind.'

Can I talk about the court process for a minute. What happens is there is a youth court, say, on a Tuesday. The magistrate sits there, and there is the police prosecutor, your solicitor and probably someone from Youth Justice, and the poor child is there. The magistrate says, 'Stand up,' and the kid stands up and the police read out the charge. Then the solicitor puts in a good word for the person and he sits down, and then they talk about it and the magistrate says, 'Stand up. Do you understand?' The kid mumbles, and the magistrate says, 'I didn't hear what you said,' and then the kid says, 'Yes.' The magistrate then just goes to the sentencing part so the kid is not involved in the process at all. They are disengaged from the whole process. To me, the whole court process needs to change dramatically if you are going to introduce any of these bail options, because they just agree to whatever the solicitor says. Sometimes the solicitor might do it just to get rid of the case because it is only a small case or they have too many cases they are dealing with that day. The person needs to be more involved.

With Murri Court, the person is far more involved. In Murri Court, the person pleads guilty in the Magistrates Court, opts to go to Murri Court and then we have a Murri men's group or a Murri women's group. In six months or nine months time they might say, 'I'm ready to be sentenced,' so they come back to the magistrate, having dealt with the elders before they get into the court. They might get sent to Stuart for one year wholly suspended. Hardly anyone is ever sent away to jail having done the Murri Court program.

I think we need to look at other ways in which we are dealing with young people in court because the court system does not relate to youth offences. You can change the act all you like, but really we need to be looking at what happens in relation to the process. For example, two months ago the present magistrate said, 'Can we get some elder people to sit in court and tell the young person the effect of their crime on the court so they might realise what they've done?' We have had a couple of young elders, men and women, come along. We did not want to touch the Murri Court elders because they are older and probably get worn out, so we are trying to get a new group.

They said, 'I just can't sit there and say something to that fellow if I don't know him.' Then we sort of said, 'Would you take one of those young people who is on the serious charge and get to know him before court?' We are trying to look at how we engage elders or other people more in the court process. I am not disagreeing with the bail conditions and all of that; I think a much bigger issue is what happens in the process of the court.

CHAIR: One of the other issues with juveniles—no matter where they are from or who they are—is that they are in trouble already because they have become disengaged with the system. They are not going to listen to what their lawyer says and they are definitely not going to listen to what a magistrate says because it is a bit like they have already disengaged with authority and the magistrate is just another authority figure.

Father Lowcock: That is right.

CHAIR: I have heard of incidents where kids have said what was on their mind to the magistrate.

Father Lowcock: That happened in Townsville recently.

CHAIR: It is helpful in a sense because at least then you know that the person is completely disengaged but still has a point of view.

Father Lowcock: We had a child who had just turned 11 who was on a number of charges, which is not unusual. The magistrate ordered a mental health assessment. The word we got back was that he was probably not fit to plead guilty, which means every time he does an offence it is just going to be thrown out. We got down to the court—and his carer is not here now, but she was here before—and his carer said to me, 'Father Mick, he's going to court today and they've done a mental health assessment.' I said, 'I know. I've rung Legal Aid, ATSIILS. They can't get a copy of it.' We are from a community justice group so we are entitled to get a copy of it but, no, we could not get a copy. I said, 'I've rung Youth Justice but they can't get a copy.' She said, 'I can't get a copy and I'm his carer. How does this work?'

I have met with mental health in the last day or so to see if we can do something about that whole issue, because there is an issue in terms of all these groups going to court but there is no bringing together of the issues. That needs to happen for the whole bail system. We can talk about everyone in the community working together, but we need all those professionals working together in the court system as well. To me, that is another issue that we face.

A lot of youth crime, as you have heard today and as you know, occurs outside of hours. One of the issues to me is: a lot of what we do is deal with mothers in court. Fathers are the unseen people in the whole life of the person. One of the issues that has been created in the last three years with the change in domestic violence laws is that we have had a 100 per cent increase in Mount Isa in the number of people in jail. Every Christmas I send a Christmas card to the guys in Murri Court. Three years ago it was 50; this year it was over 100. What that says to me is that we are creating more fatherless families. I am not against that, but if you do any work on fatherless families you know that that just reproduces itself in the children. There are DVDs you can watch and all sorts of things about that. To me, this whole process of what we are creating by having so many men in jail is creating another generation of people who become disengaged because there is no significant male in their family, in their life. I think we need to be looking at those issues behind it all. The issues of police powers to stop a person and the use of scanners I do not think are particular issues for here, but they are just some of the issues that I would like to draw to your attention today.

Ms BUSH: Thank you, that was really useful. You have touched on restorative justice. In fact, a few people today have touched on restorative justice, both for the benefit of holding people accountable and potentially for the therapeutic value to a victim of explaining what has happened to them and its impact. I do not expect you to speak on behalf of the whole of the city, but how well do you think that kind of practice would be received here?

Father Lowcock: I can comment for two reasons. One is that in court last week the magistrate said, 'Would you be engaged in that?,' and the boy said no so she said, 'Well, I can't order you to do it.'

Ms BUSH: Sure, but if it was.

Father Lowcock: If it was? Okay, I will give you an example. Fifty bucks was stolen from the poor box at church. Eventually, 18 months later—this is part of the problem with the courts, of course: the offence that happened there is heard here and there are five other things that have happened in the person's life and we are still dealing with back here. So, 50 bucks. We come to the conference with Youth Justice, his parents, myself and another person from the parish and I say, 'Would you like to say something?' He says, 'It's only 50 bucks, Father Mick.' I say, 'I know it is only 50 bucks to you but it is more than that to me. That could have helped two families. Not only that, I called the police. That's two police that came. Then the police called the Scenes of Crime and the Scenes of Crime submitted that to the prosecutor and then you had a solicitor appear for you. We are talking about thousands of dollars now for 50 bucks.' Where does the system begin and end? I think he probably got the message because he said it was only 50 bucks, he just bought some cigarettes and went to Macca's.

In answer to your question, I think there is a place for it. It was helpful for me. It is like them saying it is a free hospital. I say, 'It is not a free hospital. Someone has to pay for it.' It is the same as that. It is not a free legal system. Someone is paying for it. It needs to be brought to their attention. I agree with trying to have it, but the number of cases is small and by the time it comes, even after the court case, it could be nine months. Time lines need to be pushed together.

Ms BUSH: I thought at some point, and maybe Robbie can speak to it, there was a place based case-conferencing program happening here. Is that my misunderstanding?

Father Lowcock: I am not sure what that is.

Ms BUSH: Where agencies bring out the information they have on an individual child and work together.

Father Lowcock: That is Community Connect. That does exist, but it is trying to get it in a much sharper focus and to make it more practical and also dealing with the agencies then who deal with them and then hold them to account.

SHEARD, Mr Scott, Private capacity

Mr Sheard: My name is Scott Sheard. I am a local and a ratepayer. I read over the amendments before the meeting. There are prescribed areas. They actually have Surfers Paradise and other Gold Coast areas. Why wouldn't Mount Isa be in that?

CHAIR: That is only in relation to carrying knives in public and the safe night precincts at the Gold Coast.

Mr Sheard: What about the kids who carry knives here in Mount Isa? Obviously in the amendment—obviously no-one has read it—it comes down to scanning obviously a child under the age of 18, whether the police have the grounds and the legality to put a detector—it is only a metal detector—over a child to see if he has a knife on him.

Ms RICHARDS: The intent behind the wandering is within two very defined safe night precincts where there is mass conglomeration in a very confined area of young people.

Mr Sheard: Have you seen Mount Isa on a good night at three in the morning?

Ms RICHARDS: It would be a slightly different context to the Gold Coast.

Mr Sheard: I have seen 400 people fighting on our main highway—400 people at two o'clock in the morning. There were plenty of knives there.

Ms RICHARDS: I am giving you the context of the legislation. It is a pilot, as I understand.

Mr Sheard: It is a pilot program? So it is Broadbeach as well?

Ms RICHARDS: There are two precincts, yes.

Mr Sheard: I was just curious, that is all. If we are going to change the law for a specific spot and we are having similar crime, why not Mount Isa? I know the council can tell me not to put a barbed wire fence up, but when the kid breaks into my house they do not want to pay the break-in costs.

CHAIR: That is a different issue.

Mr Sheard: I realise that.

CHAIR: We have taken on board what you are saying about the scanners.

Mr Sheard: So you can add Mount Isa into that?

CHAIR: I cannot tell you what I am going to put in my report.

Ms BOLTON: You would like to request that Mount Isa be put in?

Mr Sheard: Yes. It just gives the police in Mount Isa an opportunity to—

CHAIR: You have used up your three minutes.

Mr Sheard: Thank you.

CHAIR: That concludes the public hearing. Thank you very much to all the witnesses who have participated today. Thank you to our Hansard reporter. A transcript of these proceedings will be available on the committee's parliamentary webpage in due course. I declare the public hearing for the committee's inquiry into the Youth Justice and Other Legislation Amendment Bill 2021 closed.

The committee adjourned at 5.54 pm.