



# ***LEGAL AFFAIRS AND SAFETY COMMITTEE***

**Members present:**

Mr PS Russo MP—Chair  
Ms SL Bolton MP  
Ms JM Bush MP  
Mrs LJ Gerber MP  
Ms KE Richards MP  
Mr AC Powell MP

**Members in attendance:**

Mr AD Harper MP  
Mr MC Berkman 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**

**THURSDAY, 18 MARCH 2021**

**Townsville**

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### **The committee met at 6.00 pm.**

**CHAIR:** I declare open the public hearing for the committee's inquiry into the Youth Justice and Other Legislation Amendment Bill 2021. Before I commence I acknowledge Scott Stewart, Minister for Resources and member for Townsville. I also acknowledge Les Walker, the member for Mundingburra. I respectfully acknowledge the traditional custodians of the land on which we meet this evening 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. I am the member for Toohey and chair of the committee. The other committee members here with me are: Ms Laura Gerber, the member for Currumbin and deputy chair; Ms Sandy Bolton, the member for Noosa; Ms Jonty Bush, the member for Cooper; Mr Andrew Powell, the member for Glass House; and Ms Kim Richards, the member for Redlands, who is substituting for Mr Jason Hunt, the member for Caloundra. The committee has also granted leave for Mr Aaron Harper, the member for Thuringowa, to ask questions as well as Mr Michael Berkman, the member for Maiwar.

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 to the parliament and referred it to the Legal Affairs and Safety Committee for consideration. The purpose of the hearing 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 ask that you explain the reasons for this to our committee secretariat staff and we will see what we can do. At this stage it has been decided that if there are members who wish to address the committee in private that will happen at the end of the hearing.

Once we begin, I ask that you avoid making any commentary from the floor or making any other interruptions to the hearing. In this respect the proceedings are different to a town hall meeting or open forum because there is order in how we ask you to 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 reporter is making a transcript of the hearing for the committee's record of evidence. To ensure that the transcript is accurate, please, 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 permitted 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 should note that it is possible you might be filmed or photographed during the proceedings by media and that 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 mobile phones off or to silent mode. The program has been published on the committee's web page and there are hard copies available from the 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 take this opportunity 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.

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 and you will be invited to give a short opening statement of no longer than three minutes. Following that, the committee may have some questions. I now welcome the following registered speakers: David Cassells, Brett Geiszler and Jeff Phillips.

**CASSELLS, Mr David, Private capacity**

**GEISZLER, Mr Brett, Private capacity**

**PHILLIPS, Mr Jeff, Private capacity**

**CHAIR:** Good evening. I invite you to make a brief opening statement of about three minutes, after which committee members may have some questions for you.

**Mr Phillips:** My name is Jeff Phillips. I will start with some personal experiences with youth crime. Several years ago my wife was attacked by five Indigenous girls aged from 14 to 17 at 4.30 on a Friday afternoon on Bayswater Road. It was a targeted attack. It was later revealed in court that they saw her park her car and watched her walk over to a medical centre. They went and hid behind a fence in the school and waited for her to return. They then came out and performed their assault. They did not get the keys for the car, which were in my wife's pocket, but they got her handbag and other things. That was found in the shopping centre. The police got the CCTV footage and were able to identify them within half an hour. They were well known to police. They were repeat offenders.

Last Saturday night we were returning home from a function. I was a passenger in a car. We were travelling down Bayswater Road. As we approached Hughes Street and were about to cross the intersection, a blue Holden Cruze travelling at probably 80 to 100 kilometres an hour came straight through the red light. If it were not for the peripheral vision of our driver and quick action, we would have been T-boned and probably four of us would not be here now. That car was identified as a stolen car the following day.

Moving onto the bill and the trialling of ankle bracelets, while a positive move, I do not think it goes far enough. I think it is too limited in its approach to targeting 16- and 17-year-olds for certain offences. I think it should be more broadly used for known repeat offenders; offenders who have been arrested, charged or convicted and are on bail; and it should not have any regard to age. I know that breach of bail is a hot topic at the moment. I believe that that is probably the first thing that could take repeat offenders off the streets and make the community safe. A lot of these kids do not respect the law. They do not respect their families. Sometimes they do not have a good family network to back them up anyway. They are out there driving around at high speed on the wrong side of the road, blowing through red lights. It is a regular occurrence. It is only a matter of time before more people are hurt and killed.

A couple of weeks ago there was a stolen Amarok that we missed by about a minute. There is dash cam footage of it. It has been widely shown on the news and in social media. At Stockland it went through a red light at speed in the wet—again, probably travelling at about 80 to 100 kilometres an hour on the wrong side of the road. It crashed a couple of hundred metres down the road into the Centrelink building. I think four offenders were arrested. Two days later one of those offenders was observed on CCTV using a stolen credit card to buy fuel for a Ford Territory that was stolen. That Ford Territory was recovered the next day in Mackay, where a Mazda was stolen. That Mazda was recovered two days later at Cranbrook, where it was involved in a violent carjacking. That same offender was arrested at that point and the key to the Mazda was in his possession. Again, it is a repeat offender who has committed three potentially dangerous acts in a number of days. That is probably the most compelling reason for breach of bail to be restored.

**Mr Cassells:** I am making a statement as a private citizen. I am a fifth generation resident of Townsville and district, so I have some family history in the area. I am a retired environmental scientist. For most of the latter part of my career I worked in international development with the World Bank and Townsville

a number of UN and NGO agencies. I think the youth justice challenge is what development practitioners would call a wicked problem. Wicked problems are complex cultural and social problems that are either difficult or impossible to solve for many reasons that I think this committee will probably be familiar with: incomplete or contradictory information and knowledge, the number of people concerned and the variety of opinions, large potential economic burdens and the interconnected nature of these problems with other problems. I think in this regard it is helpful to remember Al Gore's comments on the wicked problem of combating climate change: there is no silver bullet but there is silver buckshot.

Much of the local media coverage of youth justice in Townsville seems to have focused on instances of crime—we have just heard some—and the greater use of incarceration as a primary or in some cases it has been suggested the only tool for addressing the problem. However, they are not the only perspectives. I think there was a really perceptive presentation in the *Townsville Bulletin* in the form of a cartoon on 10 February. It had the heading, 'Getting tough on juvenile crime'. It had four subheadings: 'Increasing the police' and there was a little sketch of more police; 'Strengthening the laws' and there was a picture of a very stern magistrate, I assume, holding up a book that said 'Bail conditions'; 'Tightening the controls' and there was a picture of a young person's leg with one of the GPS trackers on it; and, lastly, there was a picture of the Premier and the heading was, 'Addressing the cause' and her comment was, 'This is the toughest one of all.' I think that is a pretty useful perspective.

Based on the available criminological research—and it is not my specialty but I have read some of it—I believe the proposed amendments by themselves clearly will not be a silver bullet, but I do think that if they are appropriately implemented they will be part of the silver buckshot that is needed to create a safer community. I would hope that they could be implemented in a way that does not undermine what I think is the greater challenge of addressing underlying cause. Otherwise I think we will just be kicking the can down the road. It will be a very temporary respite and we may end up with more serious problems.

I have become aware—and I would say it is largely by word of mouth and contact with people—of the really large number of initiatives that have been attempted, many of them started by local members, the state government and many community groups. Some of them are: Project Booyah—I think there are now over 1,000 participants and I believe the completion rate is over 80 per cent; the Stronger Communities initiative; the work of the Clontarf Foundation in some of the local high schools; and Transition to Success programs. There are many others. Clearly, one of the problems locally is that none of these programs have had wide coverage so there is not much community knowledge. I think most have actually received very little. None have proved to be silver bullets, but I think they are all part of that silver buckshot. I think the challenge is that they need to be maintained and extended.

Lastly, if I could make a short comment, a few weeks ago the president of the police union said that the elephant in the room—and we have already heard—is that a very high proportion of offenders are Indigenous youth. I think the statistics back that up. Personally, I think that is one of the outcomes of a modern society essentially built on stolen land without ceded sovereignty. The sorts of things we have talked about with the Uluru Statement from the Heart about voice, truth-telling and treaty are really essential prerequisites if we are to address those broader problems.

**CHAIR:** Thank you, David. Brett.

**Mr Geiszler:** I have a picture here as well and I have a few for the committee to take home. I am here because on 5 February a young lady by the name of Jennifer Board was killed in an incident with a stolen vehicle. My son was a very close personal friend of Jennifer's to the extent that we were present on the accident scene within minutes of the incident.

I have read the bill. I have a policing background. I have been a proponent of youth justice. The last year I was in the police I was in a policing schools program, instrumental in kicking that program off. I am not here about just locking people up, but right now what we need is a safe community. This is the Legal Affairs and Safety Committee. Your job is to make our community safe. It is not safe right now. It is downright dangerous from what we have heard and, to take from David's comments, everything he said I totally agree with. There are complex problems that need long-term solutions that will take a lot of money and a lot of people a lot smarter than me to fix the root cause, but I can tell you right now that there are serious, dangerous criminals running rampant on our streets continually night after night after night. This beautiful young 22-year-old lady, who may well have been the mother to my grandchildren, is dead because of it.

**CHAIR:** Brett, you just need to be careful talking about current matters that are before the courts. There is a rule.

**Mr Geiszler:** I respect the rule of law, and that is true. Somebody has been charged. Everybody knows what happened. To move on, the police do not have the power at the moment to take these offenders off the streets. Breach of bail needs to be restored as a criminal offence immediately, and it needs to be a serious criminal offence that carries incarceration. We are not talking about kids who have not been given a chance. As a police officer, I cautioned kids time and time again before I went to a power of arrest. Once they go before the court, they are then admonished and discharged once, twice or maybe three or four times before even a conviction is recorded. Then we start the process of, 'Okay, now we have a conviction,' and some of the more serious matters like presumption against bail can even start to apply. This legislation goes nowhere near far enough to making our community safe because the police right now know these offenders are out on the streets. They know the recidivist offenders.

**CHAIR:** Brett, I am sorry to interrupt, but I want to give the committee the opportunity to ask the people on the panel some questions.

**Mrs GERBER:** Thank you so much to all three of you for your appearance today. Brett, I would like to hear the rest of what you were about to say. I am really interested in whether or not this bill is actually going to do what it has been drafted to do. Will it effect change in this community and protect this community, because that is the purpose of this bill? If there are any legislative changes that need to happen in relation to this bill, I would like to hear from you about that, particularly given your background as a police officer.

**Mr Geiszler:** I believe breach of bail needs to be an offence so that, when police see the offenders who they know are out there to commit further crime, they have the power to intervene before another crime is committed and we see another stolen car or another break-in.

The second part about the legislation is in relation to the prescribed indictable offence. The Youth Justice Act is a mess. It is subsection upon subsection upon subsection, but in relation to the prescribed indictable offence it only relates to unlawful use of motor vehicle, section 408A of the code, in relation to the driver. These kids operate in groups. It does not take a rocket scientist to work out that they will just take turns at who is going to be the driver. 'Oh, you are on bail, you cannot drive tonight. I'll be the driver.' They are not silly.

When Sir Samuel Walker Griffith wrote the code in 1899, he had 'parties to offences' in it. In terms of these groups of kids, if there is a passenger in the car and they know it is stolen they are committing an offence the same as the driver is. The Criminal Code has served us well for 122 years but it has been watered down now to the point where people are literally dying on the streets—not only Jennifer. Four young kids were killed here last year; they did not need to die. The committee needs to see the loopholes that are there right now which are letting these serious, ongoing, career criminals running rampant and ruining lives night after night after night.

**Mr BERKMAN:** I really appreciate everything we have heard from all of you so far. Brett, I can understand, particularly with the recent trauma that you and your family have faced and your experience with police, how passionate you are about this. Do you accept the many decades of evidence that suggest that engagement with the criminal justice system, incarceration and putting kids in custody increases the risk of them reoffending in future? How do you see this bill dealing with that?

**Mr Geiszler:** It does not, but we are talking about—to use the government's terms—a core group of serial recidivist offenders. We have to have an acknowledgement that there is a group of kids out there right now who probably cannot be saved. That is the hard, cold facts of it. They need to be taken off the streets, and they need to be taken off the streets yesterday because they are going to be committing more offences tonight.

**Mr BERKMAN:** Indefinitely? For how long should they be taken off the streets?

**Mr Geiszler:** The legislation says seven years for unlawful use of a motor vehicle. I am not the magistrate, I am not sentencing them. There is plenty of scope there for penalties. This is where we need reform. This is not political—I do not care whether it is the Liberal Party or the Labor Party in power. I am going to speak up if things are not being done right. There is one party that is advocating relocation sentencing. Magistrates should have a third option to get these kids out of the community. I am not saying to put them in Cleveland and leave them there; I am saying that they need to be removed from society until they are going to obey the law. Where they are black, white or brindle, the criminal law is there. These kids are of the age of criminal responsibility. The gentleman here used the term 'silver buckshot'. The extra pellet that we need right now is for the police to be able to lock them up before they commit serious crime again. We are not doing them any favours by continually letting them go. There have to be consequences for action. We would all be rapists and murders if there were no consequences. For goodness sake, that is the whole thing.

**CHAIR:** I am just conscious of time. We are due to finish in one minute.

**Ms BOLTON:** Brett, I have a quick question because you were a law enforcement officer with the police. I note that tomorrow at the hearing we do not have any police from around here as witnesses or attending. Would you know of anyone who would come? We had one at Cairns and it was really helpful. Would you have in your network someone who might come along tomorrow as a witness?

**Mr Geiszler:** I could make suggestions, but I know that the police are reluctant to speak out, because they are bound not to criticise government policy and to speak out would be an indication of that. I can certainly find out.

**Mr HARPER:** You talked about the reversal of the presumption of bail and what the benefits of that might be. I think you indicated that it does work at a point. Can you unpack that?

**Mr Geiszler:** It is a good first step, because right now the presumption is in favour of bail. By the defence having to show why offenders should be granted bail is good. Bail is a privilege, not a right, but it does not go far enough in that I believe any first-year law student could mount a very convincing case as to why some of these kids should be given bail despite the fact that they are continuously reoffending.

**CHAIR:** I thank you all for coming along and addressing the committee. I now call Geoff Rath and Kristy Clancy to come to the table.

**CLANCY, Ms Kristy, Private capacity**

**RATH, Mr Geoff, Private capacity**

**CHAIR:** Thank you for appearing. Kristy, you have three minutes.

**Ms Clancy:** I like to talk and I talk a lot, so please give me a signal when it is getting close to time. I wish to acknowledge the traditional custodians of this land that we are meeting on for this official business today. We are on the land of the Wulgurukaba people. We all live and work in Townsville here across the lands of the Bindal and the Wulgurukaba peoples. I think it is important to acknowledge that we all live on stolen land, that this is Aboriginal land—always was, always will be. I thought it was wonderful how David spoke as a fifth-generation Townsvillian and gave credit to the fact that sovereignty was never ceded and for many generations Aboriginal people, Wulgurukaba people, lived on this land. I do concur with what David said about the fact that, if there is not some sort of recognition and truth-telling, it really does feel like all of these initiatives are limited in how far they can go in helping First Nations youth and the complex problem.

I really do not have that much to offer. I was hoping to be able to ask questions and hear more about the fact that we had this massive community consultation throughout 2018 for *Townsville's voice*, a very comprehensive report produced with brilliant recommendations that I know have been actioned to some degree, but there has not been any real transparency about what has happened with that. Then there is the Atkinson's report, those four pillars and all that has been documented about the need to intervene early and to keep kids out of jail. As Michael mentioned, the outcomes are not good when kids are inside in terms of the type of abuse that they suffer at the hands of other young people. We do not get good outcomes from putting kids inside. I am desperate to know that there will be other measures to intervene early to try, through those recommendations and other efforts, to address the root cause.

I want to bring attention to the fact that, from what I can gather from the statistics, around half of the young people offending are not in the care of their families; they are in the care of the department of child safety. How is that being looked at in terms of parental responsibility? There needs to be major investigation and reform to both youth justice and child safety for us to really be able to make a difference.

**CHAIR:** Geoff, would you like to make a three-minute statement?

**Mr Rath:** Thanks for running this discussion and thanks for the invitation. I only just picked it up this morning in the paper. You could almost call me a local. I have been here for most of the last 65 years, so I have seen how the place has changed. My involvement with the juvenile criminal element goes back well over 20 years. I had a hire car stolen from the house. Luckily I had full insurance on it. I have seen a man in his mid-30s chase a 15-year-old girl across a park with a carving knife because she happened to talk to a schoolmate. The next time I saw them was about 15 months later. They were together down at Stockland and she was nursing a baby. The problem is generational. It is now with the third generation. I do not know how we break it. I have some suggestions. Some of them are radical; some of them are very radical; some are quite radical.

We have several groups of people who are involved: the law; the courts, of course; lawyers and solicitors; the police, who are overworked and stressed; the public; the criminals and their supporters. In relation to the law, we will never change the way the magistracy and the judiciary operate. They work purely and simply on precedent. You could come in with a new law right now and lay down chapter and verse on new laws and they would refer back to the history of what they and their forebears have done in the past 20, 30 or 50 years. I have had that from judges. I have had that from lawyers. If anybody wants to challenge me, go right ahead.

In relation to the police, we are short of numbers—way short of numbers. They have my utmost support. I have said this once publicly in the past. I was invited by a group of, let us say, mid-range officers to speak at Mundingburra cop shop at one stage on TV on the subject. A lovely young reporter started questioning me and I said, 'Just excuse me. I'll explain my side of it and we'll go from there.' I think it was eight minutes later that I stopped talking, and it had gone from four or five police officers to well over a dozen and they were applauding. I am fairly well set in my ways. As far as the public is concerned, we have to look after ourselves. Nobody else will—no lawyer, no politician, no-one.

Going back to the incident with the knife chase, a senior officer was there very quickly. They actually got him. He was charged and he got a slap on the wrist and got away. The courts let him go.

**CHAIR:** Geoff, that is your three minutes.

**Mr Rath:** Mum was upstairs. At that stage, mum was still home. He said, 'What happens if he comes in the yard.' One of the guys stood up straight, reached around behind me and picked up the top end of a hoe handle, and he said, 'We just don't want to find the evidence.'

**CHAIR:** Geoff, your three minutes are up. I am sure there will be questions that will allow you to finish your statement.

**Mr HARPER:** Mr Rath, you said in your statement from what I picked up that we cannot change laws. Last year we introduced and passed amendments. They were introduced in February. COVID aside, it took a little while to get through the parliament, but it said that serious offenders must not get bail. That had to reach assent, and I think it was passed in July and then we went into the election period. I am only starting to read in recent months in papers like the *Townsville Bulletin* reports from magistrates saying, 'I am now required by law to assess if you are a serious risk. You are. You are refused bail.' I just make the point that we did that. We have the opportunity to build upon laws with this suite of reforms that are in this bill. Do you have any commentary around the presumption against bail?

**Mr Rath:** Regardless of what political parties of any persuasion say, we had promises for well over 20 years under the previous Liberal coalition government. Changes came in, they stuffed it up and we are back with Labor at the moment. Unless some radical changes come through on the political and legal side, nothing is going to change. One of my rather radical suggestions is that—how can I phrase it—all police protection for politicians be withdrawn. They have to look after themselves and the police go out and look after the public, the people who really deserve it. I can guarantee that will not get through. I could just imagine. It will never happen.

**Ms BUSH:** I was wondering where my protection was. I do not have any protection. Kristy, we have heard in other hearings about the need for some after-hours responses for some of the other agencies. What is your view on that from a Townsville perspective?

**Ms Clancy:** Thank you for raising that really important point about services outside of working hours. So much of what is offered to support young people in Townsville—and I can imagine across the state—is just Monday to Friday, nine to five. There definitely is a need for, and a massive amount of community expression on, the importance of 24/7 support—having community centres open outside of work hours, on weekends, in the evening—so we as a community can do more to connect with young people. I really hope that is something that is being looked at to implement as soon as possible.

**Ms BOLTON:** At other hearings there have been a lot of suggestions regarding relocation sentencing to remote areas to keep the community safe. Offenders would be taken to remote areas as an alternative to jail. What do you think about that? Do you believe the community would support that?

**Mr Rath:** There is one point I would raise that I found rather interesting if not funny. There was a report in the *Townsville Bulletin* recently that there were actually solicitors prowling the juvenile courts, almost 'soliciting'—please note the use of the term in inverted commas—for business from the criminals. There are lawyers, barristers, attending the juvenile courts waiting and ready to step up and act for the criminals. What is my chance of getting a lawyer?

**Ms BOLTON:** My question was in relation to relocation sentencing and remote areas being utilised instead of imprisonment.

**Ms Clancy:** I would like to speak on that. We have seen on country proposals put forward and we do have people in this region—I cannot speak for others and I do not wish to speak for them—who are able to immediately roll out those sorts of programs out of town with supports. Locally we have elders who want to be able to do that work with First Nations youth or others. There are connections with our armed forces here and there are all sorts of people who want to be involved in developing the skills of young people as a circuit-breaker—to get them out of this environment, to spend time getting a good night's sleep, to get good nutrition and to have good people around them to help them look for a different kind of future.

What we have had funded here locally has been so small and has been limited to such a degree that we have not seen it reach its potential. We would definitely like to see—as I indicated earlier, we are desperate to see this—a whole lot more done in that early intervention space and the rehabilitation space with a whole lot more put towards it. I do think that those sorts of proposals should be well implemented with a whole lot of support over a long term. There were three-day camps, but it needs to be a very long-term approach with ongoing support that helps transition young people back to their community with ongoing supports that help them on the right track.

**Mr Rath:** One part of my point is that we have to break the cycle, not just try to coach them into making the right move. If that means depriving the parents and guardians of access to booze or gambling, why not? If that means the offender is banned from getting within 100 metres of somewhere Townsville

they have committed a crime, why not? It has worked in other countries. I has worked in parts of Europe and it has worked in the States. I have some good connections in the US on law but of course their laws are different to ours. This is something I have looked at very, very closely. It has to be broken.

**Ms RICHARDS:** Kristy, within the legislation there is a greater emphasis on engaging parents in the bail process. Do you think that is a good thing and do you think there is an opportunity to expand that further?

**Ms Clancy:** Yes, definitely. You made the point about looking towards the parents. I want to counter that with recognition of what I mentioned earlier about how many of the young offenders are no longer in the care of their parents, so we need to look at who does have parental responsibility for them. I definitely think that there needs to be a more holistic approach to working with all people involved in that young person's life and their support network. If family are there, definitely.

At the moment it seems like our services are very much youth focused and looking towards the young person. We have family services and looking towards family. It is great that there has been movement towards working with a young person and their family, and I do think that is an important way to go. I would like to see more geared that way. Again, what we have available to us in this community to do that kind of work is only very small.

**Mr Rath:** If I was silly enough, but I am not, I could name at least three families in Townsville where the criminal activity is into the third generation. Of course if I do that I am the fellow who goes to jail.

**CHAIR:** Are there any more questions?

**Ms Clancy:** Are we able to ask you questions?

**CHAIR:** You can ask questions. I do not know if you are going to get an answer.

**Ms Clancy:** I am really keen to hear your thoughts on all of those submissions that I read that present such strong cases against this bill. So many different organisations put forward such compelling cases against it.

**CHAIR:** The committee will deliberate in private about our thoughts.

**Ms Clancy:** Is there anyone able to go on the record?

**CHAIR:** The report will be published.

**Ms Clancy:** Wonderful. Whatever way it goes, I hope that all of that thought, effort and evidence based work—

**CHAIR:** The committee is always grateful when we get submissions.

**Ms Clancy:** They were very strong.

**CHAIR:** The submissions help us do our job, so we are grateful for anyone who has put in a submission.

**Ms Clancy:** With them being so heavily weighted against the bill, if there would be any way that it is addressed—

**CHAIR:** It is not for us to reveal our thoughts. It is for us to hear from you.

**Mr Rath:** If you look at Cairns, Townsville, Rockhampton, Sunshine Coast, Gold Coast and Brisbane, there would probably be, say, 250 to 300 prime offenders. Those prime offenders are being very well looked after. What about the other 2½ million Queenslanders? We are being ignored.

**CHAIR:** That brings this session to an end. I now call Maureen Robson, Graham Robson, Luke Jenkins and Lit Chien Cheah to the table.

**CHEAH, Mr Lit Chien, Private capacity**

**ROBSON, Mr Graham, Private capacity**

**ROBSON, Ms Maureen, Private capacity**

**JENKINS, Mr Luke, Private capacity**

**CHAIR:** We have four people, so please keep your opening statements to three minutes. If you are not quite finished saying something, I am sure that one of the panel will give you the opportunity to finish by asking you a question.

**Mr Robson:** I have a copy of the statement that I will hand over, if you like. It will simplify things for you and your staff.

The way I see it is that bail is a privilege, not a right. What should happen is that people who breach bail should automatically be incarcerated. It is as simple as that. You have given an undertaking to behave yourself and one thing and another, and if you cannot do that—and I do not care if it is an adult or a juvenile—you go directly back to jail before you front a magistrate. It is as simple as that.

The situation we are faced with out in the western suburbs in particular, near Mr Harper's electorate, is that we are on the verge of virtual anarchy. I watched *A Current Affair* on Monday night and saw the situation at Alice Springs. I do not know if any of the panel have seen that. I thought, 'My God! All you have to do is move the name or caption 'Alice Springs' from that particular TV report and put 'Townsville', particularly Thuringowa Central around the Riverside area down the road from my place, and virtually the anarchy that is happening in Alice Springs would be transferred to Townsville in the western suburbs where I am situated.'

We live near a particular area on Ross River Road where two people have been killed in the past five years—all attributed to dangerous driving and the unlawful use of motor vehicles. That is not good enough. You cannot—and I would not—walk from, say, Stockland plaza westward to the Willows Shopping Centre at any given time. At night after 7 pm you cannot go near Forest Avenue without being accosted or abused or something of that nature by juveniles. With the juveniles around this town—and you can go near Parkside shopping centre, Coles, Kmart—you will be abused. You will be called a 'Captain Cooker'. I did not know what a 'Captain Cooker' was until a couple of years ago or probably about 12 months ago. I found out that these people attribute Captain Cook with the invasion of Australia. Me—I am the invader!

**CHAIR:** Graham, that is your three minutes. Are you happy for the document that you have handed us to become a submission to the committee?

**Mr Robson:** Yes. That is why I have handed it to you, sir.

**Ms Robson:** My name is Maureen Robson. I have been a Townsville resident since 2003. I am actually a retired nurse, for what it is worth. Tonight I am here to ask the government to actually listen to the Townsville community on breach of bail laws. That is what I am concerned about. I have studied the five-point plan that you have drawn up, but the breach of bail laws is my concern.

We have been victims of crime by both adults and juveniles after having our house broken into on at least four occasions and having the car stolen. I am here tonight because I am directing the state government and the three local members to change the existing laws to make breach of bail a criminal offence. This must be done. Without that change the offenders have no consequences and without consequences the situation we, the community, find ourselves in continues to escalate out of control.

People are afraid to go out and do even basic things such as shopping, picking kids up from school and even going for a walk. We live not far from the river and there are lovely walkways, but I am not game enough to go down there by myself anymore. With picking up children and going shopping et cetera, people are afraid to get out and about in their cars at the moment because you do not know when there is a stolen car running around and driving erratically as they do. We afraid of having our bags snatched. We have had a couple of bag snatchers in recent times and carjackings also by some of the recidivist offenders.

I have studied a little of the data, which shows a drop in crime in Townsville. For me, and in my opinion only, it is far from the truth of what is actually really happening here in Townsville.

**CHAIR:** Excuse me, Maureen. That is three minutes. I am sure that the panel will pick up on your concluding statement and you will be able to finish.

**Mr Jenkins:** I am Luke Jenkins and I am here as a private citizen. I currently work as a freight coordinator, which to some degree is a fairly dangerous job. It has its high risks. I think that on the outside in my personal life I am also at risk just about everywhere I go now. I have been paranoid in Townsville

waves about wherever I go and whenever I take my life in my hands because, like some in the community, I also lost a best friend last month to dangerous driving. That has affected me greatly. I am lucky that it has not happened to me personally, but it is more about being able to see my friend one day and then the next day hear that she is no longer here. It frightens me. It could be me. It might be me any day or it could be anyone else.

I am still understanding the laws. I am pretty keyed to it. With the system that we have in place, I agree with some things and I do not with a fair bit of it. It is only because nowadays it has become so strong that I think at a time like this I appreciate being able to come here and present my thoughts on it.

In regard to breach of bail, as Maureen stated, it needs to be reinstated. It has to be reinstated as an automatic criminal offence in the Youth Justice Act, plain and simple. That is simply because these kids know right from wrong. They know what they are doing. Regardless of the age of these juveniles, they pose a high risk to the community the less that they are dealt with. The more that they keep getting released, just because of bail, does not make sense. They know that they are going to keep doing it because they keep getting away with it.

I do agree with some of the bill. Trialling the use of electronic devices I do consider is a decent idea. However, I do believe that it should be permitted for all offenders regardless of age and not just the 16- and 17-year-olds, as I read it. Also, I agree with permitting the court or a police officer to take it into consideration the parents or guardians who have a willingness to consider bail; codifying the sentencing principle; and enhancing the enforcement regime against dangerous hooning behaviour. I believe it is clause 50 of the Youth Justice Act that states that detention is considered a last resort. I am not a big fan of that personally. I think judges and magistrates should be able to come to the decisions objectively based on the idea that juveniles should not reoffend if they have been convicted and they have been found guilty. That way they do not cause harm to the wellbeing of the public.

When dealing with serial juvenile offenders, it has come to my attention only this week, quite prevalently in media commentary, about relocation sentencing. I would be in full support of that. There are SCARE programs that I hear coexist in prisons in places such as the United States and in parts of Europe. I understand the risks of that not working as well. Personally, I do want to support this bill but I still hold legitimate concerns for my own safety and I am sure the community feels likewise. Hopefully the proposals before us tonight will help with that and we have helped the parliament's understanding.

**CHAIR:** Thank you, Luke.

**Mr Cheah:** My name is Lit Chien Cheah. I want to share some personal experiences. Early one morning I was riding my pushbike. I was towing my two young children in a trailer on a very quiet suburban street next to the river. Screaming down coming in the opposite direction was a big four-wheel drive Range Rover going at really high speed. I was stunned: why on earth was that happening? The next thing to my knowledge that car made a U-turn and we had a really close call, brushing side by side with my bike at very high speed again. Immediately my heart sank. I thought, 'If this car hit me and my children, none of us would survive the impact.'

I was shaken. I went into work. Immediately I lodged a police report and I said, 'This is not acceptable.' I got the registration number, the time and date. I even talked to my colleagues about it. To my surprise, a day or two later the police rang me and gave me a very plain and simple answer: it was a stolen car. That was it. There was no follow-up. There were no consequences. He was not the owner of the car. They cannot issue him a fine. That was the end of the story, very sadly. There are no consequences at all with these crimes.

Another experience was at home. Early in the morning we were woken up. There were young juveniles in our backyard. I do not know what they were trying to steal, but I had to scare them off with abusive words and I chased them away. That was in plain sight of my young family.

We actually moved from Western Australia. I had the privilege of living on Christmas Island, one of the safest places in Australia, and I moved to a crime scene such as Townsville. I regret that move. Why on earth are we in Townsville? If the situation does not improve, I will have no choice but to remove myself and my family from the town and relocate to another safer place in Australia. Up until today I still regret moving my family from Western Australia to come and work in Townsville.

**CHAIR:** Lit, that is your three minutes. I want to go back to something that you said earlier. You said that the police rang you and told you that the vehicle was stolen. Do you know whether they ever, for example, recovered the vehicle or found out who the driver of the vehicle was?

**Mr Cheah:** Yes. The car was gone for a couple of days. The car was later found abandoned. There were multiple sightings, multiple reports with the driver—

**CHAIR:** Did they find the person or persons who actually stole the car?

**Mr Cheah:** Yes, I believe they found them, but I have never been given information—

**CHAIR:** There was no follow-up as to what happened?

**Mr Cheah:** No. I had to find out myself on social media or the news. I think it was on the news everywhere.

**CHAIR:** Thank you.

**Mr POWELL:** My question is to the Robsons. You both mentioned that you would like breach of bail brought back as an offence?

**Mr Robson:** Correct.

**Mr POWELL:** Is there any other change that you would like to see in addition to that?

**Mr Robson:** As I said, in relation to the granting of bail, if a person does not shape up as a proper person to be granted bail, it should not be entertained in the first instance. Bail should be denied. That will save a lot of problems. That is for both adults and juveniles. It is well understood that, as I said, bail is a privilege; not a right. If you breach your bail conditions, you should go straight back to jail or go back to a watch house, before a magistrate. It should be dealt with appropriately as an offence. It is as simple as that.

**Mr POWELL:** Maureen, is there anything you want to add?

**Ms Robson:** No, I think Graham said it all with regard to making breach of bail an offence. It is just that small cohort of recidivist offenders that we are talking about. At the moment, they seem to be getting bail multiple times. It just does not sink in for them, because they just go out of the courthouse's revolving door. They have been in court in the morning but they are out stealing cars again that night. It makes no difference to them. We really do need to make breach of bail an offence. It must be done, because there are no consequences at the moment. There needs to be a consequence for their actions.

**Mrs GERBER:** Luke, thank you so much for your courage today in appearing before us and sharing your story. I really appreciate your time and acknowledge what it must have taken for you to be here today. I would like to offer you the same opportunity that was just offered to the Robsons. I have heard loud and clear that you want breach of bail brought back as an offence and that you would like the age bracket for the trial of GPS trackers to be extended to apply to all youths. From your personal experience, is there anything else that you would like to see in this piece of legislation that is meant to protect the Townsville community?

**Mr Jenkins:** Nothing comes to mind at the moment. As was said very loud and clear before, whenever someone commits a crime they become eligible of criminal responsibility. I understand that the minimum is 10 years of age. In regard to electronic devices, a lot of the time it is a bit specific and it is only for the case of the trial. Even though it is just a trial, I think it needs to be expanded because the majority of crime is not by 16- or 17-year-olds but preteens. That is why I feel so strongly about that. The offence of breach of bail is a start, but it obviously will not fix the problem completely.

I do not think I have anything else other than what I do support in the bill. Currently the bill is not of the highest standing in terms of tackling the youth crime that exists not just in Townsville but also in large regional cities. It has been quite prevalent not just in the last month. Sadly, Townsville has been known for the amount of youth crime and general crime that exists. A lot of it is based in the government area that is Townsville.

**Mr HARPER:** Thank you all for coming and sharing your personal stories with us today. Luke, earlier I referred to the law that was amended last year that serious offenders must not get bail. Did you know that that had been passed?

**Mr Jenkins:** No, not definitely.

**Mr HARPER:** The opposition has asked you about breach of bail. There has been plenty in the media around that proposal. From the data I have, 186 people across the state were charged with that between 2012 and 2015—approximately 29 were in Townsville—and 90 per cent reoffended. Is anyone aware of any evidence to suggest that it is a workable solution, because the evidence in front of us would say that it failed?

**Mr Jenkins:** I agree; it did fail. That is the whole point of why we have to provide feedback. We need to be doing this to a higher standard. It is not just in regards to the presumption of bail; it is not just about the electronic monitoring devices. With police having to release people time and time again, I feel that they do not really have the power to be explicitly permitted as such.

**Mr Cheah:** The reforms in the bill will be welcome but, again, the tools to do a complete job are not there. An example is the anti-pursuit law. We understand that you cannot pursue a high-speed car so that it does not further endanger the public, but you have to have some monitoring as well. I never see any helicopter in the air at least monitoring that situation. There is no briefing of the people of the township that something is happening, to avoid such-and-such area so that you not putting yourself in danger of the criminals. Those tools are missing.

**Ms BOLTON:** I am going to give the last word to Maureen, because she did not get to finish. What was the last piece of what you wanted to say when we started tonight?

**Ms Robson:** Bail is actually a privilege and not a right. I reiterate: the Townsville community demands action. We have had enough. We are fed up with what has been happening. We need to feel safe again. I personally do not feel safe anymore. I do not feel safe when I need to go to the shops. I have been harassed by young people for money or for cigarettes. When you say sorry, you get a mouthful of abuse. I am an older lady now; I am not young anymore. I feel very vulnerable when I go shopping, so much so that my husband, Graham, mostly does the shopping for me now and I stay at home with all the doors locked. There is not much of a life for me anymore as far as being able to go out, feeling safe, being able to walk down to the river and feeling safe doing that as well.

**CHAIR:** Thank you, Maureen. I thank everybody for coming along, sharing their stories and making submissions on the bill.

**GALLIMORE, Mr Julian, Private capacity**

**JORDAN, Ms Trish, Private capacity**

**WITHERS, Ms Sue, Private capacity**

**CHAIR:** Everyone knows the three-minute rule. Who would like to go first?

**Ms Jordan:** I am a very concerned member of the community. I have not put in a submission as such, but I have written many emails to most of the politicians around town for the last few years. I am quite disturbed by the amount of damage to people's cars and houses. I am really alarmed at the number of police who have been injured and their vehicles damaged. I am totally over it. These people are all out there earning money and trying to get a good life for themselves, yet the law is failing them and failing us as a community. I agree with what everyone has said. I agree with Kristy. One of my submissions involved sending these people back to country, because I think that would be really good. I have been nursing out in the bush for a fair few years but I have been back in town for more years. In being out there well away from electronics, without an ability to steal cars or to break into houses, they can get back to basics.

I do not believe jail is the answer to this problem, to be quite honest. I am really happy to chat with you all instead of sending emails, because nothing seems to get done. I have not had any concrete information: 'Yes, we can do such and such.' I remember one night when I was with a group of other nurses and we went out somewhere for a coffee. This kid—he must have only been eight years old and the other kids were not much older—was asking me for a match. I said, 'None of us smoke.' That is the end of that story.

These kids should be at home. I think the failure is with the families. The families have to be taught. It is historical. It has gone from generation to generation. I think it is really sad. I have worked with a lot of Indigenous people out in the communities and have loved every minute of it. It was sad what I saw there, but I think it is far worse here in Townsville. I love Townsville to bits and do not want to leave. At the end of the day, definitely breach of bail has to be dealt with, but I do think they need to be taken out of the town and into the country.

**Ms Withers:** I am a grandmother of a 16-year-old recidivist offender—he is actually in juvie tonight—who is under a child protection order until he is 18. He is in Townsville. I have read the proposed changes in this bill. I want you to consider this little bit of input because it impacts on everything, on everyone's lives—on this whole community. I feel like a target, but this is the truth.

I would firstly like to mention that last year I woke up to a newspaper headline with a photo of my grandson, arrested with handcuffs on. It was a big bold headline saying 'Born to be bad'. I was pretty shocked. I was heartbroken actually. I contacted the editor of the paper and he gave me an apology and an opportunity to have my say, which I thought was good. The journalist rang me and we chatted, but she did not write anything I said in the article. You can find that in the newspaper's archives. This is what I said—and this is what I would like to speak about it.

The article headline should have been 'Is there a soft place to fall?' Sadly, the kids in Cleveland Youth Detention Centre already see themselves as born to be bad. There are many reasons, as the article pointed out, such as alcohol foetal syndrome. I say from experience, from 3½ years of visiting every Saturday: consider the broken boundaries, the fatherless homes, the lawlessness and careless parenting. This 'all about me' generation considers possessions and wealth a higher priority than the raising of children. What gave us a safer passage throughout our childhood was a Christian world view. *The Living Bible* translation of Proverbs 11:11 states—

The good influence of godly citizens causes a city to prosper, but the moral decay of the wicked drives it downhill.

People were created to thrive in families, but what most of these kids have done is create their own families, and they are called gangs. They may not even have basic food or clothing or any soft place to fall. The streets of Townsville have become their home. I have assisted police to keep citizens safe. I have rung them after witnessing crimes, and I have been a target for criminals because I have tried to have my grandson arrested several times.

Society's rules are ignored and these kids feel like they have been ignored. All they have is grief and emptiness and a culture of payback. They are prey to adult drug dealers and encouraged to steal for drugs and alcohol. I personally have fed them and picked them up off the street. I have clothed these kids—10, 12, 13—only to see them form stronger bonds with their gang family ties back in the youth detention centre.

Emergency services and other people have tried. They have seen this repetition. They have tried to be effective but they cannot. The broken children defy anyone to love them enough to stop them from going on this downward spiral. They do not want to do it. Rehabilitation has been jaded at best and millions of dollars have been dished out to contractors, counsellors, Youth Justice, Child Safety, CYDC and others. All that money needs to be put back on the table until we can have a measure by which we can quantify the effective use of this 'cycle of abuse' funding. Everybody wants a piece of the pie.

Something that does not work should not be repeated. This has been repeated and repeated and repeated. I have watched this little boy go from a baby-faced child to a 100-kilo thug. If we had realistic expectations from the lawmakers and caregivers of the effectiveness of the reality of changing the hearts of these young kids, perhaps we could make some headway. They are hungry for truth and hope. Only the acknowledgement of the loving power of God, our creator, is able to reconstruct such brokenness in Townsville today. This place is broken. Where there is unity, there is strength. Let's at least start to be honest about the effectiveness of the current use of services.

**Mr Gallimore:** Thank you for allowing me to voice my theories. I used to work with the Lord Mayor of London and another lord mayor—Boris. It was to bring in trans people and give them human rights. A lot of this work was based on me living with an Aboriginal tribe in Alice Springs in 1998. My girlfriend was Aboriginal.

When you have a society that puts people on one side of the fence that we have had in Namibia and Shark Island, Australia, in 1816—martial law—they do not forget it. It causes knock-on effects for generations. Joe Biden has been elected in America. He said that his plan 30 years ago for a working law on drugs and incarceration has not worked. It is not working in England. It is not working in Australia. We should bring about the decriminalisation of marijuana. It should be sold in the chemists to people over 21 with low THC because what is sold on our streets and in the schoolyard is spiked with high levels of amphetamines. Talk to the barrister who works for Aboriginal Legal Aid. He will tell you that.

I left England to come here to sort out the problems we have. We had a meeting at GLA, which is Greater London Authority. Why does Australia have such a high Aboriginal incarceration rate? It is because we have high levels of youth unemployment. We do not even have car factories or washing machine factories anymore. I cannot work in the Northern Territory because it would put my Aboriginal family there at great risk. She has already had a sister stabbed in the heart and she is dead. We had a similar thing happen in Bowen. When people take one of these amphetamine pills and they are not used to it—the ones that are sold from the farm or the townhouse are 90 per cent pure.

**CHAIR:** Sorry, Julian. That is your three minutes. I would like to hand over to the panel. Who would like to go first?

**Mrs GERBER:** My question is to Sue. Thank you so much for your appearance. Did you get to finish what you wanted to say?

**Ms Withers:** Yes, I did.

**Mrs GERBER:** The amendments in this bill are proposed to target the recidivist offenders—the 10 per cent of youth that are committing 44 per cent of all the crime. You have identified your grandson as potentially one of those.

**Ms Withers:** He is.

**Mrs GERBER:** What can we do to help him, in your view?

**Ms Withers:** I spoke to Dale Last, the member for Burdekin, which is where I live. I have been speaking to him about this very question over the years. He used to be a mentor in that place. He used to go in there weekly or fortnightly and sit and talk to the kids. Everyone that he went and spent six to 18 months with, not one of them went back in.

What these kids need—they are fatherless. You can find the statistics. In every classroom in this town, one of those children is fatherless and one of them is in jail tonight. These children are fatherless and parentless. He has been raised by Child Safety, despite our best intentions to try not to. He has a lot of mental health issues. They are not going to be easily solved. I think sometimes dignity and a chance to be listened to—give him a voice. Sit down and talk to him. I know it sounds really simplistic but it works.

**Mrs GERBER:** We heard in Cairns from a police officer who said that the bill is a great first step but potentially what needs to happen is when youths first come into contact with the justice system—that first time they are in the watch house or that first time they are in contact—

**Ms Withers:** When they are scared.

**Mrs GERBER:**—they need intervention then.

**Ms Withers:** Yes.

**Mrs GERBER:** The services we have right now are not doing that because they have some sort of criteria or they wait for them to become recidivist before they intervene.

**Ms Withers:** Exactly.

**Mrs GERBER:** Is that something that you think we need to look at in particular, in addition to strengthening the legislation?

**Ms Withers:** Strengthen the legislation definitely. He said to me, 'I didn't even realise it was that easy, but these kids showed me how to do it, Nan. I wouldn't even be game to steal, but they showed me how to do and nothing happens.' So he went out and he did it again and he gets bolder and bolder. It is not who he wants to be. It should have been nipped in the bud there and then.

The money is spread so thinly and everybody is running for it. You have this group wanting to do this and another group wanting to do that. Who is checking on all of this money? Why don't we all just sit down and say, 'Let's make good use of this'? We have a great opportunity here. Thank you for giving us a voice. Money does not solve it but targeted money and targeted people do.

**Mr BERKMAN:** Sue, I referred in a question earlier to the decades of evidence that show that when kids come into contact with police and when they go into custody it increases the risk of them coming out and reoffending. Has that been your experience with your grandson?

**Ms Withers:** Yes.

**Mr BERKMAN:** Would you have concerns, then, with parts of this bill that are actually going to increase the likelihood of kids finding themselves in custody?

**Ms Withers:** It is a terrible place. It is a like a zoo, believe me. I know that there are good people working there, but the system is broken. I hate leaving him there. He is a human being. I do not like leaving him there but, yes, he has to pay for his crime. It is a terrible place for them to live. He has been living there on and off since he was 13 years old. He had a care factor. He had 17 different government funded organisations that were meant to look after him and get him to school, organised under Child Safety. None of it was done until four or five days later. They knew he got out on the Monday. They should have had him in school on the Tuesday—immediate response.

The problem is that, when you are working with a government department so large, with so many children with so many issues, nothing is done immediately. It is all bucketed out to management and you cannot do anything unless six people up the line give you permission. Yes, immediate action on point of contact with police is needed. Those kids need to be listened to. Talk to them. Police do not have time. They are not social workers. It does not take a social worker, though; it takes a person with a heart of love. Everybody is too busy. They are too busy. It is always the kids from birth to death—they are the ones who carry this weight. It is the children. It breaks my heart.

**Ms RICHARDS:** Thank you, Sue, for sharing what is obviously deeply personal. The legislation seeks to engage more with the parents. As a grandparent—I am not sure whether you were the carer at the time—would it have made a difference for your grandson if there was more involvement with you in that bail process?

**Ms Withers:** Yes. I had him for two years. He went to school every single day. Child Safety had him and the moment he hit Townsville—within three or four weeks, there goes my little boy. I could show you a photo of him then and a photo now. You would not believe it was the same person. He is empty. He turned up at my house two weeks ago with a gang with a stolen vehicle. These kids are dangerous—these are not kids in the driver's seat; these are adults, drug dealers, in the Burdekin. He wanted a feed and just to check, 'Do you still love me, Nan? Last time I spoke to you you were angry with me.' I said, 'Why was I angry with you, grandson? Because you got back into crime and you were doing so well.' He goes, 'It's just easier, Nan. It's just easier.'

I gave him a banana and a glass of water. I said, 'Let's go down the police station now. Let's stop this.' He jumps, 'Nan, I gotta go. I gotta go.' He was gone. I went to the police station. They found them and he is back where people are safe from him. It does not solve the problem. If he had an ankle bracelet on, he would find a way of cutting it off. They would get together and they would find a way of cutting it off. It would be a lot of expense. I think the bail laws are great because he does not get bail. He gets picked up and put straight into juvie. It is a terrible place to live but it is his consistent choice. I do not know any more than anyone else does.

**Ms RICHARDS:** Over the last few days, in Mount Isa and Cairns, we have heard from witnesses that the Cleveland detention centre is possibly a place where they want to get back into. Is that your grandson's experience—that it is a place he wants to get back into—or is it a place that he is trying to avoid?

**Ms Withers:** In the early days, he wanted to go back in there. He was in the child safety environment. They are a wonderful organisation and they are doing what they can, but they subcontract out people to look after these very troubled kids. For a lot of the people who run these, the highest qualification they have is a first-aid certificate. These kids are troubled. There is a position in there at the youth centre. They have a bit of power. They have a bit of recognition.

My member of parliament went in there for years and sat and talked to these kids. You get down and dirty with them. That is what I do. I walk around the streets and pick them up and feed them. They have got empty eyes. They are broken. Nobody cares about them. Why do you think they are doing this? They want someone to notice them. They do not know how to handle a car. Of course they are going to smash it. If they get threatened they are going to hit people and they are going to hurt people, because they have got the 'I don't care' factor. They have gotten to that place where they do not care, and that is really sad.

**Ms BOLTON:** Thank you, everyone, for sharing your stories. Sue, your story is heartbreaking. Julian, you did not get to finish what you wanted to say. Do you have something brief to say that points to the bill?

**Mr Gallimore:** A lot of my family work in criminal intelligence. I was head of operations in the Middle East. We had Heston Russell here the other day. He is a major and commander of the ADF. We have had 700 suicides in the military. These military personnel should be running what I want to bring in—that is, these people who are riding around in cars who break bail go to jail. If they are convicted three times, they do mandatory three months cold turkey in a new 320-bed facility. These magistrates in Bowen, Townsville and Ayr have nowhere to send people. I watched a case here the other day where they got three days jail because the jail was full. This is happening all the time.

After three months cold turkey—I do not know if you know what that means, but there would be no drugs and no doctors giving out Xanax and other crazy drugs—they get six months no tea and coffee but they are working. This base would be near Abbot Point terminal and they would be working on the farms, earning a wage, sending the money back. We are on a third generation of people who have never had a job.

I have a disability and I live in cheap social housing. I have to live with druggies. I watch the families. I watch the ice queen and the ice king at night with the ice pipes. She has a baby in the oven. It will be born with cysts on its lungs. This is happening all over. I say that we need to bring back council social workers. They are in England and America but not in Australia, because Tony Abbott removed them and brought in school chaplains. Social workers report and make statistics to the ABS; chaplains do not. This council here and in Ayr and Bowen have nothing to do with druggies.

We do not go out. My Aboriginal elder in Bowen has a \$10,000 bond on her head, to have her knocked off, because she is helping people, but she has also been told that she is a dog and a whistleblower. Australia is the only country I have worked in where whistleblowers are called dogs. The lawyer here, Townsend, will not work with whistleblowers because he fears for his life. I was with Bob Katter when I was talking to him about it and he said that he was shitting himself.

**Ms BOLTON:** Julian, I am mindful of the time. Are you able to submit what you have written as a submission?

**Mr Gallimore:** I am very ill. I hopefully can get this generated in *Hansard*. I was also here in parliament over three days because I was on the Ross River talking to young people in their 30s and 20s who are dealing with this.

**Ms BUSH:** Thank you everybody for appearing. Sue, the data demonstrates that a number of young people incarcerated in youth detention have disproportionately high instances of disability, mental health issues, and drug and alcohol addiction. Can you share any insight on the screening of your grandson or other young people around testing and treating some of those things in CYDC?

**Ms Withers:** When he lived with me for two years I had a psychologist visit him every Friday to try to work through these dissociated personality disorders that he had developed from trauma as a small child. We got to the point where Child Safety had to take him from me because the psychologist said I was living in a domestic violence situation with my own grandson, because the medication was not working and he was getting violent. It is a very difficult way to try and deal with that. He goes from me to Child Safety to a clinical environment and then to them. Yes, they have some nursing ability. I

actually spoke to the counsellors and the psychologist in there and gave them a bit of history because they had none. Child Safety did not give them any of his mental health history when he was placed in there. They did not visit him for the first six months. I did every Saturday. The care factor was not there. That is a very important thing that they recognise. The staff do not know how to react to somebody with those mental health disorders so they just immediately think it is rebellion, hate and all sorts of things. They give it a name because they do not understand it. No, he was not screened and he was not treated and he still is not.

**Ms BUSH:** Sue, you said there was not screening but I just want to clarify this. It sounded like there was a diagnosis though.

**Ms Withers:** He has been diagnosed by a psychologist.

**Ms BUSH:** There is a diagnosis and he has been receiving treatment?

**Ms Withers:** No. He will not take medication now, but it is on his record in there. They are aware of it but it is not being treated. There is no way they can treat it.

**Ms BUSH:** In detention?

**Ms Withers:** No.

**Ms RICHARDS:** Trish, you mentioned technology. An earlier witness, Luke, also talked about technology and social media. Could you speak about the role social media plays in terms of crime here in Townsville and what impacts that might have on the community?

**Ms Jordan:** I think it has a big part to play. A lot of these young offenders seem to have the phones and all of those sorts of things. The media and the news people take photos of the broken cars, the broken people and all those sorts of things, and I do not know whether they get together and say, 'Oh, my God.' I think they might get a kick out of it.

**Ms RICHARDS:** Do you think prolific posting becomes a badge of honour? I know right across the state some of these crime pages have extraordinary amounts of following and an awful lot of commentary goes on behind those posts. I wonder if there is an unintended consequence of those pages around gamifying crime, if you like.

**Ms Jordan:** A good case in question is when I went out with my girlfriend to have breakfast at nine o'clock. I apologise for people who are affected by what I am going to say in terms of the incident where the four kids were killed. They said, 'What a terrible accident.' I said, 'What accident?' They live at Rupertswood and I live in Riverside. They said, 'Haven't you heard?' and then they told me. I asked what time it was and I remember getting up to have a drink and I actually heard that crash from where I live in Riverside, but it was on social media. They said what it was, so you are absolutely right: it plays a huge part.

**Ms RICHARDS:** I know it plays a valuable part in highlighting an issue, but I also wonder about those unintended consequences of pages and what that might mean.

**Ms Jordan:** Yes, absolutely.

**Mr Gallimore:** Can I add one thing? I have a brief over there. I have been studying the courts here since 2010. It shows a complete revolving door. Unless you get these rehabilitation centres built, putting them in Stuart, the detention centres with children—

**Ms RICHARDS:** That is not what my question was in regard to. My question was about the social media piece.

**Mr Gallimore:** The thing is that throughout Australia we are scared to go out. Alice Springs is far worse than here, but here at night at Ross River Road I have seen it myself. It is horrific. These people tell me, because they do not attack me anymore. I told them my plan that I will push for a big rehabilitation centre, with 320 beds—

**Ms RICHARDS:** That is a bit off the question that I had put.

**Mr Gallimore:** But the thing is that if you do not build it—you are putting them in jail, they are out within three weeks to three months and they are back at it again.

**CHAIR:** Julian, thank you. Unfortunately, we have a number of registered witnesses who have not turned up. Is there anyone here who has not had an opportunity to speak but who would like to speak? If so, could you register with the secretariat? Melissa will take your name and you will have an opportunity to address us. I thank those at the table for appearing before the committee.

**GARROD, Ms Gina, Private capacity**

**HAWKS, Mr Clynton, Private capacity**

**SOUTH, Mr David, Private capacity**

**CHAIR:** You have seen the format that we have been running by. You may make an opening statement and I will pull you up after three minutes. If you have not finished your spiel, I am sure someone will ask a question to allow you to finish.

**Mr South:** I would like address two items that I included in the submission that I lodged. The first item is: when bail is granted, is there a court ordered or legally appointed adult to supervise that child—a parent or guardian—who is responsible for the behaviour of the child and if the child is recalcitrant and breaks bail that legally appointed adult who is supervising the child is compelled to advise the police that he or she has broken bail? Is there a legally appointed adult to supervise the child while on bail?

The second thing that I wish to mention is the way forward, which has not been addressed here, at least in detail. When I retired, one of the things that I noticed was the number of school-age children roaming the streets during school hours. Many of them were Indigenous but not exclusively. I see that the way forward is in education. It is to compel parents or guardians of all children in Queensland that from prep to grade 12 they are sent to school in such a way that they are rested, fed and resourced to learn. If that is not happening, there needs to be an intervention into that family. I think that is the way forward. That will take several generations, because we have a generational problem here. I believe the way forward is to involve the kids and the parents more into the school community and therefore the wider community.

**Ms Garrod:** I want to reiterate how frightening it is living in your own home here. We moved here 12 months ago to be near our daughter, who has worked up here for 11 years. Daily I say, 'What have we done?' I have never been so frightened in my own home. What we are doing is not working in any shape or form. We have had to spend \$1,000 on security. I am a nurse. I was getting up for work and trying to work on two hours sleep because I am too frightened to go to sleep. When I work a late shift, I am terrified getting in my car and driving home for fear that I am going to meet one of those cars driving up the wrong side of the road. A colleague of mine was driving home at seven o'clock in the morning after a night shift two weeks ago and faced exactly that and got run off the road. None of us should be expected to live like this. It is terrifying.

I am too scared to go to the shops. I am a fit lady for my age—very fit. I am too scared to go to the shops on my own because these thugs are hanging around the shops all the time. I will not go without my husband. I was invited into town a week ago with some friends for an evening out. I was too frightened to drive in here.

I am not the exception. This is the general feeling of the Townsville population. This is no way for us to live. I am about to retire and I thought I was going to enjoy retirement. I am not going to enjoy retirement here living like this and I am not the exception to the rule. The general population here are terrified and too scared to go to the shops on their own. We have to change something and make this a better place to live, for everybody's safety.

**Mr Hawks:** I am a truck driver. I travel all over Queensland so I see it every day. Obviously it is no secret that there is a bloody big crime problem here in Queensland, and that is why we are all here. Basically, the bill you have put forward is good—it is—in certain parts. The ankle bracelets are good but they need to go further. You need to change the age bracket to allow younger people to also wear them. Beach of bail is another thing that would be good. Yes, as the member for Thuringowa also alluded to, under the previous government it did not work. Why didn't it work? Perhaps it was because there were not the systems in place while they were in detention for when they re-entered society. Relocation sentencing is another good thing. I go to cattle stations all over the country. Why do we not get them out there working on them—maybe one or two per cattle station? It would help them a lot.

**Ms BUSH:** David, a number of people here have mentioned that what may be required is early intervention and continued intervention. You mentioned that it might take a generation to see the effects. On the other side of the submissions we have people who want real and urgent change and to have a strengthened bail framework. I am interested in your views, from a Townsville local's perspective, on how we reconcile those things. Does this bill attempt to reconcile that, perhaps?

**Mr South:** For the here and now, as in tomorrow, jail for breach of bail—no argument. We need to make the community safe. These people need to be taken out of the community for the benefit of the whole. That is the immediate. There also needs to be a plan for the future. What that is I do not know, but from my experience in seeing these little tackers roaming the streets they are not in school Townsville

and that cannot be good. Where are the parents of those little tackers who are roaming the streets? I think there needs to be a stronger addressing of the issue of truancy so that from prep every day through to grade 12, as I said, those people are packed off to school fed, rested and resourced to learn so that they are in the school community and therefore the wider community. To use a term that was used earlier, that might be one small piece of silver buckshot.

**Mr HARPER:** David, you mentioned two areas of interest: bail being granted and legally appointed people.

**Mr South:** Yes.

**Mr HARPER:** Those are good points. Were you aware that the police also give bail, not just the courts?

**Mr South:** No.

**Mr HARPER:** They must go through a risk assessment, I would imagine, but I am not a copper so I cannot answer that. Your point on education is excellent. The Townsville Stronger Communities Action Group did a body of work. Are you aware of the Townsville Stronger Communities Action Group? It is a whole-of-government group.

**Mr South:** No, I am not, but I am aware of the children roaming the streets.

**Mr HARPER:** Yes, that is a fair point, David. We are all here to talk about that. In 2018, from memory, they identified 248 kids who were disengaged from education in the Townsville district, and an initiative of working with those particular families identified was done through that action group. I am wondering if you are aware that they had about a 78 per cent success rate. They got quite a number back into education through the learning programs of the Clontarf Foundation. I was wondering if you knew about those outcomes.

**Mr South:** I did not know about that group. They have done a good job, but there is a lot more to be done.

**Mr HARPER:** Absolutely. I do not disagree at all. Gina, I absolutely concur with you: we should not live like that in our community. If I get the chance, if the chair allows, I will speak on behalf of my community in a moment. I take your point: we should not be living like that. Clynton Hawks is a name I remember from the last state election with Jason Costigan.

**Mr Hawks:** Yes.

**Mr HARPER:** You talked about breach of bail. What are your thoughts on the presumption against bail? Do you think that has a place in this suite of reforms?

**Mr Hawks:** It does have a place. This reform is really good; it is. It is a step in the right direction but it does not go far enough.

**CHAIR:** I understand there are no more questions and that Aaron wants to address the committee. Thank you for coming along and thank you for your input.

**HARPER, Mr Aaron, Member for Thuringowa, Parliament of Queensland**

**CHAIR:** Aaron, you have three minutes, but you will be used to that.

**Mr Harper:** Thank you, Chair, and thank you to the committee for coming to Townsville. I did say in the House that I wanted the committee to come up here to hear from people, as we have heard tonight. We thank you for travelling to our community.

Youth crime is a serious problem in our community. I speak on behalf of my constituents, who have simply had enough of the lawlessness of some—and it is a small percentage of people—whom we are trying to target with these reforms. Some of the worst recidivist offenders put our community at great risk. To summarise it, I think our community is fatigued.

I speak on behalf of the many victims I have personally spoken to. They have shared their frustrations and anger and their personal stories, as you have heard tonight. I am part of that community. I live and raised my family in Thuringowa, and I want change as much as everyone else. I speak of the outstanding men and women of the Police Service here in Townsville who put themselves at great risk from some of the worst recidivist offenders, who target them and members of the public with no regard to the safety of themselves or others. We have heard of the frustrations of people. You have heard that here today.

Like them, I want a safe community. We must hold offenders to account. These reforms, I believe, will make change. We simply cannot allow serious criminal behaviour to continue. I support the reforms as outlined in the bill. I note the submission of Katter's Australian Party, submission No. 47, on the issue of breach of bail, which we have heard raised here tonight. I quote—

The KAP supports the return of breach of bail, however we do not believe it is key to addressing the issue of youth crime.  
Townsville

I note the LNP opposition has been in Townsville over the past 24 hours talking about breach of bail. It clearly failed in the time they had it, between 2015 and 2019. I want to put on the record that, of the 186 people who were charged, 90 per cent reoffended, including a very small proportion—I think around 27 or 29 that I read—here in Townsville. We must do more.

This is above politics, but I want all levels of government to work together to address this serious problem—that is, local government and federal government. The federal member here continues to handball it over to the state. I have not seen anything with regard to community safety being delivered since the time of Ewen Jones, the former LNP member, some years ago in terms of lighting. We have a current member who does not engage and will not engage and simply blames.

I ask that the committee also notes that more should be done and can be done around the areas of youth rehabilitation, voluntary substance abuse, ice and drugs. I know that our government is doing a body of work in that area. We have to address the causes. We have heard tonight of the importance of getting this work done in early education.

**Mr POWELL:** Mr Chair, I have some questions.

**Mr Harper:** You could always save it for the chamber, member for Glass House.

**Mr POWELL:** They are very short. You could have saved that three-minute adjournment speech for the chamber, too. Can I just check, member for Thuringowa: is the Queensland Police Service a state responsibility?

**Mr Harper:** If you are talking about the federal issue that I just raised—

**Mr POWELL:** Is the Queensland Police Service a state responsibility?

**Mr Harper:** We know that we have a Queensland Police Service—

**Mr POWELL:** Is the department of child safety a state issue?

**Mr Harper:** Yes, and the federal government has a role to play in youth justice.

**Mr POWELL:** Is youth justice—

**Mr Harper:** Member, I will be happy to debate this in the House.

**CHAIR:** Excuse me for a minute. We have been very orderly up to this point. I want it to stay that way. I understand your point of view, member for Glass House.

**Mr POWELL:** You cannot blame the federal government for state government responsibilities.

**CHAIR:** You can keep your argument for the chamber.

**Mr Harper:** Thank you. I am not blaming; I am asking them to join us.

**CHAIR:** Thank you to everyone who has attended. I thank the local members who have given up their time to be here with us tonight. I know of the pressures that local members are under, and a minister faces more challenges than some of us. Thank you to the audience and thank you to everyone who gave evidence and participated. That concludes the public hearing. I thank all the witnesses who participated. I thank our Hansard reporter. A transcript of the 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. I want to add that we are here again tomorrow between 9 am and 2.30 pm. If you know of anyone in the community who you think would like to come and give evidence to the committee, it is a really simple process. All you have to do is register with the secretariat staff. If you have made a submission, that is fine. If you have not made a submission, we can still accommodate you. The idea is that we want to hear from as many of the community while we are here.

**Ms GERBER:** Not the member for Thuringowa. We want to hear from you.

**Mr Harper:** I have the right to represent my community.

**CHAIR:** Thank you.

**The committee adjourned at 8.03 pm.**