



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 KM Richards MP
Mr AC Powell MP

Members in attendance:

Mr AD Harper MP
Mr DR Last MP
Mr N Dametto 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

FRIDAY, 19 MARCH 2021

Townsville

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The committee met at 9.02 am.

CHAIR: Good morning. I declare open the public hearing for the committee's inquiry into the Youth Justice and Other Legislation Amendment Bill 2021. I 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, member for Toohey and chair of the committee. The other committee members here with me today are Mrs Laura Gerber, member for Currumbin and deputy chair; Ms Sandy Bolton, member for Noosa; Ms Jonty Bush, member for Cooper; Mr Andrew Powell, member for Glass House; and Ms Kim Richards, MP, member for Redlands, who is substituting for Mr Jason Hunt, member for Caloundra. The committee has also granted leave for Mr Aaron Harper, member for Thuringowa; Mr Dale Last, member for Burdekin; and Nick Dametto, member for Hinchinbrook—who may join us later—to ask questions at this hearing. I also welcome to the committee Michael Berkman, the member for Maiwar, who will be permitted to ask questions at this hearing.

On 25 February 2021 the Hon. Mark Ryan MP, Minister for Police and Minister for 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 to witnesses so we will take that 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 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 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 at the hearing. Our Hansard reporter is 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 the 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 their mobile 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 the committee staff. The program may be subject to change, depending on whether people present or whether people have time constraints and need to be called on earlier. 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.

McKENZIE, Mr Karl, Chairperson, Townsville Community Justice Group

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

Mr McKenzie: My name is Karl McKenzie. I am an Aboriginal man of Koori heritage. I would like to start by acknowledging the traditional owners of the land on which we meet and pay my respects to their elders past, present and emerging and all elders in the room, aunties and uncles. I am chair of the Townsville Community Justice Group. I will start by reading out what I do in the community specifically to help you understand that we have the expertise and experience of what we talk about.

Currently I am on the Queensland Civil Administrative Tribunal as a JP adjudicator. I am a current member of the Queensland Parole Board. I have been doing that for nine years. I work with Dale Last there. I am a current member of the Community Gro board of directors; a current chair of the Townsville Community Justice Group—we are in the domestic violence court, Murri Court, the high-risk youth court, restorative justice program, we do programs at the jail and also at Cleveland Youth Detention Centre; current chair and board member of Wontulp-Bi-Buya, which is an Indigenous college; current facilitator and counsellor of the justice group's Indigenous men's domestic violence group; current member of the Queensland Health Human Research Ethics Committee; current chair of the Townsville Diocesan Finance Council; current chair of the Townsville Indigenous Catholic Council; current chair of the Townsville branch of Queensland Justices Association; chair of the Ryan Catholic College Indigenous Education Advisory Committee; on the diocesan reconciliation action plan committee; and on the Ryan reconciliation action plan committee. What I am trying to lay out is that I have a lot of experience in this field. I have worked as a youth counsellor up at Community Gro.

We are not here to attack the current plan you guys have. We are not looking at the top end of town, that 10 per cent; what we are here to look at is the kids that are riding in the car with those main offenders. We want to stop them coming through to be the big-time offenders. We are looking at a proposal that came out of *Townsville's voice: local solutions to address youth crime*. That came out in 2018. One of them, I think it was 15—we nominated the Townsville youth Murri Court in there. We wanted a few changes to it in that we believe it should be run by two Indigenous JP elders, specifically for reasons we see in court. When we were in the high-risk youth court, for example, when the kids were appearing by video link and the camera was just on Magistrate Mosh—and I have to use the language the kids used to make you understand. While Magistrate Mosh was saying things, he said, 'Well, why don't you fuck off, you white cunt.' He turned the camera around and showed the elders in the court and they went, 'Oh, damn.' Elders have a lot of power and responsibility, and those kids recognise that. Having another magistrate running an Indigenous youth Murri Court would be pointless. We think it should be two JPs. That is all in the legislation. We are not asking for any change in the legislation. What we want is the entry offenders and the small time offenders or any offenders that the police or the children's lawyer believe should be in that court.

A few differences are, and the reason I have my daughter here—we want to give these kids right up-front a big brother or a big sister, someone separate from the family. They have to be, say, 17 to about 19 or 20, and they will be their life journeyman. They will not be a mentor. They will be someone who is a circuit-breaker—someone who, if these kids are off later with their friends and their friends are starting to sniff or get into trouble, they could text and say, 'Can you come and get me? This is getting out of hand.' Then that person could go and pick them up and carry them through all the programs and be there for the next four or five years, to carry them into adulthood. It is separate from a mentor. A lot of these kids do not have siblings who can do that for them. We want kids who are stable. We have had interest from the university—students who are doing criminology studies and those sorts of things. We have a pool of students that we can look at to do that.

We also have a group called Townsville Youth Crossroads that we want to work with. They are going to come in and give a submission later. They will help us with the programs. The youth Murri Court is a 12-week program. The kids come in, we do a cultural report, we find out a snapshot of exactly who and what they are all about and what their needs are, if mum or dad is in jail, and who they are staying with and whether they are on drugs so we can tailor our orders specifically for them.

Murri Court does not decide law. They have to plead guilty before they come in. It is a treatment court. Basically, you make orders for their treatment. We get that cultural report and then we set them up with programs they need. They come back for a progress report after six weeks of the 12-week program. If they are working with the program we keep them. If they do not want to work with us and are not engaging, they go back to the Magistrates Court: 'You don't want to work with us? Fine, you can go that direction.'

The whole idea—and I think it is a great idea—when Crossroads came on board was that we really need to be loading these kids at the front end. We have 12 weeks to get them engaged and then Crossroads will work with other programs to keep them engaged for the next several years with programs and things they need. It is a holistic approach and a longitudinal approach to these kids. It is not just a single point in time—12 weeks—because we know it does not work. If you get them for 12 weeks, half the time they do not turn up. That is why we want to have the big brother or big sister in there, which they get right at the beginning to help them turn up to programs.

The reason it is so important to have Indigenous people sitting on these matters at the bench is that we want it to be the meeting place of black law and white law. We want them to understand that, 'Yes, you have to work under white law. You are going to work within it—within black law too.' We think that is really important. Usually you have two JPs on a panel. We want an elder and someone young. We have some young people lined up. These kids always have elders going at them all the time—they are used to that—so if I am sitting there I will have a go at them, but then I will hand over to the younger JP who will say, 'Hey, look. I'm 18 or 19. I was where you were. If you work hard, you can be doing this; you can be doing that. We can change your life around if you work with us.' I think having two older people sitting there going at these kids is not really going to work. They switch off like that.

CHAIR: In relation to the process, the juvenile would appear before a—

Mr McKenzie: The process already exists; it is already enacted. There are Murri Courts in other places. We are not reinventing the wheel, but they go to the police, they go to court or they plead guilty.

CHAIR: Let me finish. The person appears before a juvenile magistrate, and that is where the plea would be entered, and then they would be referred off to the Murri Court; is that the process?

Mr McKenzie: Yes, that is part of the process. If the police have someone who has pleaded guilty—they have said, 'Yeah, you've got me'—they often go to Youth Justice, so they could come in to do restorative justice in that process as well. They can come through that way as well, to come into the Murri Court. We can use restorative justice—it is a great form for that—or it could be used for—

CHAIR: There are two ways they could end up in the Murri Court: one is through the restorative justice referred by the police; and the other way would be pleading guilty before a magistrate, who would refer them to the Murri Court.

Mr McKenzie: Absolutely. That is similar to adult Murri Court.

Mrs GERBER: Thank you so much for your submission today. I want to make sure I am understanding it. It is really important for the whole committee to understand that you are talking about a holistic, multifaceted approach here, that you are one prong in that approach and that this legislation is another prong in that approach dealing with that recidivist cohort of, say, 300 offenders who are really terrorising communities. We heard a lot in Cairns in relation to more needing to be done to intervene when youths first come in contact with the justice system. I just want to make sure that is what you are talking about as well with the Murri Court?

Mr McKenzie: Yes, entry-level offenders and simple offences. They may have been offending for a little while but simple offences—shop stealing and those sorts of things. We are looking at those. We do not want them graduating into the higher level offending, absolutely.

CHAIR: Because you were part of my introduction, Karl, I ate into your time. I propose to give you back that time.

Mr McKenzie: I have covered most of it. I had to shrink it down pretty quickly.

CHAIR: People would like to ask you questions and I am sure you will be able to add.

Mr McKenzie: I think we can go that way. I would like to acknowledge Aaron Harper and also the Attorney-General, Shannon Fentiman. They have been a great help. We have presented to them. Aaron has been supporting us—as has Dale Last, one of our locals from the Burdekin. We as the community want you guys all working together with us. We do not want any infighting. We need to solve a serious problem. We want our communities back. We also call on you guys to work together

collegially. We also call on the community. I personally call on the community to stop attacking you guys the way they are at the moment. Some of it is quite vitriolic and it needs to stop. We have to work together on this. Some of the attacks on Aaron have been quite disgusting. We do not need that sort of thing. I call on the community not to do that.

CHAIR: Thank you for those thoughts. I am conscious that the committee has questions. I welcome Nick Dametto.

Ms RICHARDS: Thank you, Karl, for that presentation. I have read through your submission. You say there is no impediment. Could you give us an update on where the process is at for the potential of that program?

Mr McKenzie: We do not really have an update yet. I think the government is concentrating on that top end of town, and we understand that. I think we are going through in the second lot of bills to go before parliament. We understand that we have to really nail down these top-line offenders first. There is no real update. We will be back in contact with the Attorney-General's office to look at that and work with them as soon as possible. The Courts Innovation Program works with us and JAG as well.

Ms RICHARDS: You spoke about restorative justice. We have heard about that across the last three days. Could you talk a little more about your experience on the success of restorative justice and anything you think we might be able to do to improve that process?

Mr McKenzie: Absolutely, yes. I have a friend who has just come back from a world conference on restorative justice. It is a great program; it works well. We are one of the few countries where we do something a bit silly in that we give the child the choice. I think the victim should be given the choice, not the child. The child should be coming in and, if the victims feel secure, facing their victims. They did not give the victims the choice when they were breaking into their homes or whatever.

It is done in a secure way. We work within that. We do restorative justice. We are in the act to work with Youth Justice. We have elders do that. It always brings great benefits. I do not think you will find any negative information around the world on it. It brings about some great outcomes. We just think it really needs to be taken out of the hands of a child, because if you ask them to do something where they might have to talk to someone, which might be a bit confronting, nine times out of 10 they say no. We think maybe they should not have that option. It would be done in a safe, respectful way, but the option should be given to the victim and not so much to the perpetrator. It could be handled in the Murri Court.

Mr HARPER: Good morning, Karl. Thank you very much for those kind comments earlier. I look forward to continuing to work with you. I just commend the work that you are doing in this space within our community justice group. Parking that aside for the moment, do you have any views on the suite of reforms in front of us, particularly around the presumption against bail?

Mr McKenzie: Bail is one of the big issues, isn't it? I was there when they first proposed the bail houses and sitting with the magistrates when we were discussing this. We said, 'Can you keep the kids there?' They said, 'No' and then we said, 'Well, bail houses aren't going to work.' It was a great thought, but the kids just put two fingers up and they walk off. Bail is an issue.

When you are dealing with those kids, you are not dealing with the 90 per cent; you are dealing with kids who do not care and who come from broken homes, which is where the problem is. The kids are just a symptom of the homes and the background. We have to get in and work with those families. We really need to look at bailing these kids and getting them back out for their own safety. It is not just for community safety; it is also for their own safety. We need to be a lot tighter around bail and whether we look at breach of bail as a criminal offence. That is still to be gone through. Maybe it should; maybe it should not. I am not a legal expert in that area. That needs to be looked at correctly. We need to keep the high-end offenders off the streets, for their own protection as well. We have people who are going around—vigilantes—causing issues with even innocent kids. We need the high-end offenders off the street, like we do in adult crime where they go out on remand.

A demonstration of the problem is that most of the kids at Cleveland are not sentenced. They are there for other reasons, because they do not have families to go back to. They do not have stable families. They do great things. Have you been out to Cleveland to have a look? There are great programs there. I am not saying that it is a holiday camp. It needs to be a place where these kids can go and get structure, decent food, education and all those things they should be getting. Maybe we should be looking at whether these high-end offenders should be out there, because we know that they get back out on the streets. I work with these kids and I know who these kids are. We know the families. They do not have stable families to go back to. I think bail is a particular part of it that we need to look at.

In terms of electronic monitoring, we do that with parole. That has been rolled out quite a lot. I do not know how that would work with the kids. Would they cut them off? We have heard stories that they would say, 'Hey, look, I've got one.' It would be a symbol that you are an offender now and you are a pretty cool dude. There is that side of it we have to look at in terms of electronic monitoring. There is more to look at than just throwing out these ideas; we have to look at the social impacts of them as well.

Ms BUSH: I have a question of clarification. I have not heard the term 'life journeyman'?

Mr McKenzie: A life journeyman. That is an old term: they are with you for your life. We will use Hillary and Mary as an example. If the child—Mary—is 14, Hillary would be with Mary for at least the next four years. Hopefully that relationship is built and they are there forever as a life journeyman—someone they can rely on. We are looking for young people who are stable, who are good role models for these kids. They would also receive training from Crossroads, who you will hear from later. They will understand the dynamics of families and what goes on. Most of them will be Indigenous kids anyway and will know these kids and the families and what goes on in the families. It would be particular to that child. It would not be to the families or to the big brother or big sister; it would be to that child, so they have someone they can rely on in their life to carry them through.

Ms BUSH: Correct me, but that is not a feature of the current Murri Court? It is a new feature that you are proposing?

Mr McKenzie: Yes. It comes out of working with kids as a youth counsellor. It was something they were missing. Their role models around them were mostly negative. That is why they are doing these crimes. We need a positive role model who can walk them through things.

Ms BOLTON: Dot point 3.2 of your submission, under 'Impediments', states—

The ... upgrade can only take place in specially zoned Indigenous remote communities.

Can you explain that?

Mr McKenzie: There are remote Indigenous courts at the moment. They are only in remote, discrete communities. The upgrade actually can take place here. We found out that that is not correct. At the moment, courts sitting on youth matters really only happens in those discrete communities. I am not sure whether it is in legislation or in policy, but that is what they have chosen to do at the moment. For the two-year trial that we are asking for, we do not know whether they will give us an exemption or say, 'Okay, Palm Island is one of those zones,' and just extend the zone to the Townsville courthouse for that to happen. There are ways around it, which we have discussed. That could happen. It is only a small impediment; it is not a major one.

Mr BERKMAN: I want to ask specifically about some risks that have been raised by submitters about this legislation and the likelihood that it will lead to more kids being held in custody, potentially beyond just that top 10 per cent. Are you concerned that kids other than the high-end offenders, as you have described them, could come in contact with carceral sentences or outcomes, and what are the outcomes of that for those kids?

Mr McKenzie: If the model continues the way it is, the outcome is that they will progress through the system. We see them through the Parole Board. Usually they start from 12, 13 or 14 and they do not really get any common sense until about 45. That is a lot of wasted years. That is why our proposal with Crossroads will journey them through in a positive direction. It is a bigger model.

In terms of the court model, it only happens for 12 weeks. You cannot do a lot. You can start that process. All the programs are pretty good. They get the kids out. I am not going to argue about on-country programs and which one is the best and which is not. They get the child out there and teach them life skills and character skills. But we put them back into a broken family. Part of what we want to look at is making orders around the family as well. Maybe parenting programs could go into that home and help the parents learn how to be better parents—nutrition, behaviour and a whole range of things. It has to be holistic. It will slow down the process with what we are doing, but it will continue so that in two years time those kids who went through on simple sentences are now escalated into that.

Mr BERKMAN: You mentioned before that you know these kids. You obviously have a lot of direct experience dealing with them. We have also heard lots of evidence about the sorts of disadvantages they face. Can you speak to the kinds of disadvantage and vulnerability those 10 per cent of kids are facing, be that cognitive impairment, mental health issues—the list goes on?

Mr McKenzie: It is quite easy. Besides the ones you just talked about, the mental health issues, we have a lot of young mums and teen pregnancies, and any of the ladies here who have babies know that you can go to hospital, have your baby and be out again in under one day. A 15-year-old girl can come home with a baby, with no manual, often her partner has gone and she is in a broken home. That child from that point is at risk. There is trauma in that family that needs to be addressed.

We have been into homes where one of the boys we were working with had a mattress on the floor. He did not have his parents around; he had to be with his grandmother because dad was an ice addict and so was mum and they were out of the picture. All he had on the floor was a mattress. You would not have known that was a bedroom. You would have thought it was an abandoned room. He had no clothes in the wardrobe, no pictures, nothing. If that boy wants anything that he sees other kids have—because often the parents come back and take things from grandma—how will he and his mates get those things? There is only one way it is going to happen: they are going to steal it, break and enter somewhere.

I am not suggesting a softly, softly approach, but you have to understand the problem. If you do not understand that these kids are coming from very little or nothing and almost no parental guidance, what do you think is going to happen? That is why we need to work with the families as well. The kids are the symptoms; the kids are not the problem. It is our families. They need help. They desperately need help.

If this two-year trial that we are asking for works, we want to expand it to all kids, Indigenous and non-Indigenous, because we think it is a great program. We think it is great to start small, because we can start with a group we can control and then work with it, review it and see how it goes. We know it is going to work so we can then extend it out to everyone. You have to work with the families, where the issue is, and not the symptom.

CHAIR: That brings to an end this part of the morning session. Thank you for your evidence today. Thank you for your hard work in the community and good luck.

PATTEL, Uncle Graham, Private capacity

CHAIR: Good morning.

Mr Pattel: I was not planning on speaking but I am never short of a word so I will have a go. I am familiar with a few people here. A year ago our great-grandson was killed in a car accident at Garbutt so it has a personal effect on us. He lived with us for a period of time. Some of the comments made in social media were absolutely appalling and we had to go to the papers and tell them to stop using his name. We said, 'We know you've got a job to do but stop naming him please. He wasn't the only one killed in that accident so stop naming him. It's hurting us. We're getting very hurt over it.' You can see I am getting very emotional about it now.

The strange thing about it is that I worked in Cleveland for 10 years as a youth worker. I used to tell the boys in there, 'If you boys keep stealing cars, one of these days the lot of you are going to get killed and then your parents and grandparents are going to cry. You're going to cause a lot of hurt in the community.' Little did I know it was going to hurt me.

I have been a youth worker for about 30 years and I spent 10 years in Cleveland. I have also been a victim of crime. It affects everybody—non-Indigenous and Indigenous people. The problem I see in Cleveland is that there are no consequences. As a youth worker, you have a lot of kids coming in from remote areas who come from very traumatised childhoods, backgrounds, environments, whatever you want to call it. A lot of them are suffering from drugs, alcohol syndrome, a social disorder, emotional and social wellbeing. You name it and they have got it, so when they come in there, we have to try to deal with these kids. If you do not understand their environment, you have no hope.

When a lot of these kids come in there, they do not even know social skills. They do not even know how to make a bed. They do not even know how to mop a room. We have workers there who are saying, 'What's wrong with this kid? He can't even make a bed.' It is because he does not know how to. They have to be taught. They do not understand. They have never done it. Their home or their environment where they come from is overcrowded. They do not do that at home so you have to teach these kids the basic skills.

Getting back to the consequence, I have been there heaps of times when there have been riots. The Indigenous staff were not allowed to engage with those kids up on the roof because the egos of the hierarchy down here were hurting. Those kids used to talk to us. They would pelt stuff at the non-Indigenous staff but they would not throw it at us. We used to say to them, 'Get down off the roof, you idiot. You've caused a lot of problems.' They would say, 'No, Uncle.' When we were given the okay to get them down off the roof, they would come down from the roof straightaway. We would say, 'Mate, this is what's going to happen to you. You're not going to get restrained but you're going to get put in separation. There are consequences.'

At the moment there are no consequences. When we all grew up we learned there were consequences. If you do the wrong thing, you have to suffer consequences. That is what they are not doing in there. The youth workers in there are disempowered. They are not allowed to do a lot of things. People have laughed at me, but I have said that we need a juvenile corrections act. You need to separate the powers from child safety and juvenile justice. You need to separate those powers to make it a dedicated juvenile justice act where you can empower the workers in there to give consequences. I am not talking about throwing them up against the wall, but it is giving them some power—empowering them. At the moment, sadly, Cleveland is a place where those kids feel safe. They are not getting interfered with at night-time, they have a clean room and they get three meals a day. If they swear at the staff or do something wrong, there are no consequences; there is nothing. What do they have to fear?

Out here in the community, I have said to politicians that you have to involve the Indigenous elders. You have to get them in the process of making decisions, because at the moment the Indigenous elders and Indigenous community members are not helping you with the crime rate—because you cannot do anything about it—because nobody has asked them to come to the table. How do we solve this? How do we solve these problems? You have to do it from a community level. The police will tell you, the youth workers will tell you, all the departments will tell you: you have to have Indigenous people at the table, because then it becomes ownership of the problem so they are helping you resolve the community issue. If we have this problem that we have now where it is, 'Oh, it's a black issue,' it is going to keep happening. The crime rate is going to happen. That is my little rant for the day. That is my take on it.

CHAIR: Thank you. The committee will now ask you some questions.

Mrs GERBER: We heard from Karl before, and you have just spoken about having elders at the table. Is what Karl said—in relation to a Murri Court and in relation to specifically engaging black law with white law so that they are more empowered—something you were talking about just there?

Mr Pattel: Yes. If you study some of the countries that have a lot of Indigenous problems and issues, like the Canadians, they always engage the community elders in trying to resolve problems. Here in Australia for some reason we do not want to do that. You have a lot of wisdom, you have a lot of people who know those families and know the issues and you can cut to the chase and get rid of all of these problems that are going on. They will tell you what is going on. People criticise the Murri Court. The Murri Court is good. It is designed specifically for Murri kids but the problem is that it has been hijacked by other people who have other agendas.

I used to run the community justice group here in Townsville and we started the Murri Court here. We put it in place. We were involved in the Palm Island riots. I was involved in that and all the so-called rioters had to come and report to us every day. What a lot of people do not understand—and it comes to what we are talking about—is that a lot of those people are homeless. All those people who were on bail were sleeping in the parks. We have so many social problems out there that we are not addressing, and we are still doing it with our youth.

If you went out to the home of one of these young kids, you would see the place overcrowded and that they have no positive role models around them. Nobody is giving them any positive mentoring. Nobody is telling them when they are doing something good. That is all part of growing up. When we all grew up, we always had someone who would say, 'Hey, you're doing a good job, mate. You're doing well.' A lot of our kids are disengaging from school, from the education system. There used to be alternative schools. I do not know why they got rid of them, because they had outstanding results. When a lot of these kids disengage from the education system, they do not go back to school because they are way too far behind. Why would you want to go back to school if you are called an idiot because you do not know what is going on? Where is that kid going to go? He is going to gravitate to crime. He is going to go to people who have the same problems.

If you want to re-engage these kids with the education system, I strongly urge governments to start these alternative schools back up again, give them something positive to look towards. My father used to tell me, 'When you get out of bed every day, I want you to get up for a reason. I'll give you a reason every day to get out of bed.' It is the same with these kids. You have to give them a reason to get out of bed. If you do not give them a reason to get out of bed, they are just going to wander through life doing the same old thing.

Mr LAST: Thank you, Graham, for your forthrightness, as per usual. You talk about consequences in the detention centres, and you interact with a lot of these young offenders in our community. Do you believe that they understand the consequences and the responsibility attached to being released on bail? Do you believe that they understand the consequences of what it means to breach bail? I would appreciate your thoughts on that.

Mr Pattel: Yes, I think so. It depends on the situation, I guess. I am not trying to dodge the question. It depends on those circumstances of breaching bail. Like I said before, we all have to face the consequences. We all have to face them. If it is a blatant disregard for the bail conditions, I do believe that, yes, you should get bail revoked. If it is circumstantial where there are reasons for that bail breach, then I think it should stay the status quo. However, if they are blatantly refusing to follow bail instructions or abide by bail, they should have consequences. I used to say to kids in there, 'When I go to work, I see those red lights. I do not want to pull up for them but I have to. I feel like going straight through them, but society says that I've got to pull up. It's the same thing when we tell you to do something. You've got to do it whether you like it or not.'

Mr DAMETTO: Thank you for coming along and giving your account this morning. I appreciate it. One thing I would like to acknowledge is the Silver Lining School that is in the Hinchinbrook electorate near Mutarnee that is doing some good things around alternative Murri schooling at the moment with Jacob Cassidy and the Nywaigi group. Off the back of that, after kids are sentenced, should there be another option for magistrates rather than just sending them out to Cleveland or out on bail? Do you back putting them into, say, an alternative schooling system or something where they are no longer going back into that destructive family life?

Mr Pattel: Absolutely. I totally agree with you. This is not a criticism of the programs that are currently running, but who wants to be a cowboy? Did you all grow up wanting to be a cowboy?

Mr DAMETTO: I agree with that, but not everyone wants to be a barrister either.

Mr Pattel: Surely that is not the society we want to grow up in. We want to be lawyers and doctors and such. You know the old song? As you say, we need to give them more options. I used to work at a school—I was the training officer—and I would sit there and talk to these Murri kids. If I saw Townsville

a plane go over—it was at Inala—I would say, ‘See that plane there? I’m going to drive that one day.’ They would all laugh. I would say, ‘Do you know the only thing that’s stopping me? Because I’m too lazy to get off my butt and do the study to do that. So if you blokes are sitting here telling me you want to be a mechanic, are you prepared to do this? If you’re not, you’re having pipedreams. Life is all about getting off your butt and working, making things happen.’

To get back to your question, there should be more options. We should be doing some more counselling with the person and asking them, ‘What is it that you want to do? What do you want to achieve in life that you’re currently not doing and why do you want to do it?’ There should be more counselling going on. I believe there should be more alternative schools to re-engage those kids and get them back into the mainstream. They used to have good success. If you want a kid to get up and doing something positive, send them to school. Get an education in an environment where they are comfortable, but if they go to the mainstream schools they are lost. They will not go to school.

Believe it or not, in Cleveland those kids love going to school. They love structure in their lives. They love it. If you lock them down for the day they cry like big babies. It is socialising; it is learning something. By the way, I just want to tell people that they do not have iPads in there. They do not take iPads into their rooms. They do not have video games. They do not have any of that. Every day they are judged on their behaviour. What I mean is that in order to get a TV their behaviour has to be at a certain standard. If they are judged to have been playing up during the day, the TV goes off at night. You want to see how they carry on when you take their TV off them, because it is like cutting their arm off. It really has an effect on them. They do not have iPads. They have iPads in school. Like any other school, they are learning tools. They do not have video games in their rooms like someone was saying here. They do not have any of that. That is a myth. I will put it this way: I would not like my kid to be in there.

If you look back on these remote area kids, some of these kids are away from their families for months or years. They do not even see their families. Could you imagine the emotional and social impact on your child, who is thousands of kilometres away, who is down here because they have been breaking and entering, stealing bread or whatever, and they are spending two or three years here and they never see their families? That has to have an effect on you. As a worker, you have to understand that and manage that behaviour and look at where they are coming from, because they look on you then as a role model. You are their de facto mum or you are their de facto dad so that is how you have to treat them, but there are consequences. You have to give them consequences, positive feedback. When they are being troublesome you have to give them feedback and you have to let them know, ‘If your behaviour is not acceptable’—

CHAIR: Graham, I am just conscious of the time. There being no further questions, thank you, Graham. Your evidence has been very helpful. You said earlier that you did not think you were going to speak, but we are glad you did.

ROBERTSON, Ms Bobbi, President, Family Inclusion Network

Ms Robertson: I am the president of Family Inclusion Network. We are a volunteer parent advocacy network that helps families who have children in care or who are at risk of becoming wards of the state. All of our workers, including myself, are volunteers and we get students from JCU. We are a parent-led organisation, which means that all of the parents who are involved have lived experience of Child Safety. A lot of the time we see parents involved with Child Safety because they cannot control their kids because they are classed as unwilling and unable to control their children. It is not that they are unwilling or unable; it is that the laws stop them.

As a parent myself, I have been involved with Child Safety a couple of times, unfortunately—not because I am a bad parent, but that is another story. I also had a child who was out committing crimes, who was using drugs, who was running amok in the streets—not stealing cars but very close to it—and every time we went for support we were told no. The problem our parents have is that they cannot go and seek help without the fear of Child Safety being called in. If you cannot go and get help, what do you do? As parents, we are not allowed by law to stop our children from walking out that front door and saying, 'Eff you, I'm not coming home. I'll see you when I feel like it. I'm going to go do drugs. I'm going to do this. I'm going to do that.' I also find that foster carers have the same problems. We have children as young as 12 being taken by their foster carers to a boyfriend's place to have sex. We have children as young as 14 who are pregnant and who have become pregnant while they are in foster care. These children have also said, 'I don't want to live at home because I don't like the rules.' They front up to Child Safety and say, 'I don't want to live at home. I don't like mum and dad's rules. Put me somewhere.' They are allowed to do that, and as parents we cannot stop that.

I was trying to stop my own child from using drugs. I asked a police officer, 'Can I go and grab her from that house, which you have just told me is dangerous, and take her home?' 'No, that's assault and deprivation of liberty.' 'Can I lock my doors to make sure she doesn't leave the house?' 'No, that's deprivation of liberty, and she's smart enough to ring us and tell us that that's what you're doing, so we'll charge you'—not her but me, the parent, who has this responsibility to make sure my child is educated, to make sure she is healthy, to make sure she is fed, to make sure she is not out there committing crimes, yet I cannot act on that responsibility.

Like I said, when you are going to seek support, Child Safety is involved because of mandatory reporting. The trauma that children are going through continues. It has been proven. It is intergenerational trauma, but the biggest thing that people need to do is speak to the people who have lived this experience. You can spend millions and millions of dollars going to universities and getting professors and everybody to do this research, which is great, but unless you speak to the parents who are involved with these children—or trying to be involved with these children—and get their points of view and ask them what needs to be done, you are never going to get anywhere.

We cannot stop this without the parents. There is a lot of parent blaming. I see it all the time on Facebook. I have to log out at times because I get so frustrated. Knowing that parents are legally not allowed to stop their children from doing anything means we should stop the parent blaming and support the parents, talk to the parents. Without parents we cannot stop this crime. Without parents we cannot stop the drugs. Without parents we cannot make sure our children are growing up to be productive members of society, and that is all that most parents want for their kids: to grow up to be well-mannered, productive members of society. I did write some other stuff but I think I have covered it all.

Mr DAMETTO: Thank you very much, Bobbi, for coming along this morning and giving your account. I also heard a similar scenario. I talked to a constituent who had a grandson they could not control. This child was in and out of Cleveland, but when the child was out it was very difficult to get him to engage with programs as part of his parole and things like that. In Cleveland they were able to force the child to do certain things which they could not do on the outside. Would you care to comment on that?

Ms Robertson: I am a volunteer and I support about 25 parents who are involved with Child Safety. From a parent's point of view, I have found that the services are not engaging. If a child does not show up once—or in this case if a parent does not show up once—then they will give them a call and say, 'Hey, what's going on?' If they do not show up a second time for whatever reason—transport, kids running amok, illness, whatever—the service will generally just say, 'We're not dealing with you anymore.' We need to make sure that those kids are able to get to appointments or get the service provider to those children. Instead of relying on the children to get there, turn it around and make the service provider accountable for engaging.

Mr POWELL: Thank you, Bobbi. I appreciate your input today. I recall that prior to becoming an MP I worked in the department of child safety. What you raised at the outset is so true: parents are looking for help but they are concerned that the minute they ask for it Child Safety is going to become involved. We have heard from a couple of speakers, including one earlier this morning, that it would be great if we could intervene with children when they first offend, not when they offend for the seventh or eighth time, so it is exactly the same. We need to really bump up that prevention and early intervention interface alongside the things that we are looking at in this bill. This is probably not a question but I just want to reference what you were saying.

Ms Robertson: Child Safety makes parents do courses. You have to do 1-2-3 Magic, Circle of Security, Keeping the Sharks at Bay for predators out there and PPP. They are not really relevant to the problems a lot of these parents are having. If you are a victim of DV and you go to a counsellor and say, 'My husband's beating me up. I need help to get out of the house. I need to get him out of the house,' the first thing they do is ring Child Safety. That is not providing support because Child Safety walks in and thinks, 'You're a bad parent. Let's take the children,' because you cannot protect yourself. My ex-husband and I went to Child Safety and said, 'Our kid's stoned.' She was actually assaulting me more than her father ever did. When we went to Child Safety they said, 'What do you want us to do? Deal with it. Be a parent. Do some parenting courses.' How is a parenting course going to make her do something when she is not going to listen? If she had that support—which she now has and has had for a few years—we would not have been at that point where she was running away from home at 16 and doing drugs and thankfully not pregnant. That support when she was 10 would have saved us years of stress and heartache. I can see that all of the parents I support need that for their children. That trauma is not going to go away. If they get that support with that trauma without having to worry about, 'If I go this service, if I talk to my GP, are they going to call Child Safety?' then that is where that support can start.

Ms RICHARDS: My question is probably outside the scope of the bill but I am interested to know. With a young person, obviously 14, 15, 16 are the problematic years. In relation to your daughter, what role did technology play in terms of mobile phone access, connectivity and social media?

Ms Robertson: With my daughter in particular, it was not a lot because I got smart and I restricted her. I was paying for everything, so I restricted her data. That was actually very hard to do. When we kidnapped her from the street to get her home to detox one day, I was able to block her phone and all of her devices from our internet, so once she ran out of data on a prepaid she could not go online. Then I got to the point, when she was not at home, that she would check in with me every 30 minutes to say, 'I'm here.' If she did not do that every 30 minutes on the dot, I would call the police. She knew that I would do that. Technology was able to help with that. She was not really using technology a lot when she was going through her really bad times.

Other kids are very distracted by technology. They are trying to keep up with the Joneses. If you can get yourself on TikTok or Facebook or Instagram committing a crime then you get a name for yourself. As adults it is not a positive name but as kids it is a positive name. It is hard to restrict children getting access to technology because every plan comes with data for whatever they use.

Ms RICHARDS: Our school based police officer did a presentation to parents at a P&C meeting about the dangers of apps and gave a very good reminder that children cannot enter into contracts for mobile phones; it is the parents who do that. I think that is a very interesting point to reinforce. I am pleased that you again highlighted that social media is being used as a tool for children to glorify what they are doing in that crime space. It is a very important reminder to all of those crime groups out there that proliferating is actually exacerbating. Thank you for sharing that.

Ms BUSH: With the indulgence of the chair, I am interested in your experience and the experience of your members. When you first realise you need help, where do you go for help? Where are the top three places that you go to get assistance or support for yourself?

Ms Robertson: When I realised that I needed help, I was involved with Child Safety. I had left my abusive husband and I had gone to a counsellor to say, 'I need help because I have been abused. I have just left my husband.' They rang Child Safety to say, 'She is a bad parent. She cannot protect herself, so how can she protect the kids? That concerns us. If you cannot protect yourself, how can you protect your children from a perpetrator?' Child Safety pretty much rocked up on my doorstep two days after I left my husband. When my daughter started doing her thing, they were already involved. I was able to get some support through the UnitingCare community. The parents I work with now do not know where to go. They come to us. They reach out on Facebook. Then they get blamed for being a bad parent. They get shamed.

They should be able to go to their GP and get that support, but even GPs do not know a lot. There is Headspace. Headspace does this and Headspace does that, but it is not for everyone. There is not one size fits all with Headspace. When we are aware of a parent having these sorts of issues with their child, we say, 'Go to Headspace. Get a mental health care plan from your GP. Get some counselling.' I have not seen anything out there that is really good to support families with teenagers or even with tweens, if you want to use that term. We see kids out there eight, nine or 10 years of age committing crimes.

I just got back from Brisbane last night. I was supposed to have a meeting with Minister Linard about this. One of the things we said is that there is a huge gap in support for children because no-one knows what to do. We cannot force them to go to places because as parents we are not allowed to. We need to be able to go somewhere ourselves as parents and say, 'My kid's doing this. What support is there?' We need to be able to go to a GP and ask, 'What support is there?' or go to a neighbourhood centre and ask, 'What support is there?'

We are working on a charter of rights for parents. Like I said, we do not have any. That includes being able to go and seek support without the police or Child Safety getting involved, having appropriate places to go that are really willing to engage with the children. Off the top of my head, it is hard. I tell parents, 'Go to your GP. Get a mental health care plan. Try Headspace.' There are waiting lists as well for a lot of services, and Townsville is missing out on a lot.

Mr DAMETTO: I have asked this question periodically throughout the hearing today. Do you think the legislative changes that are put forward in this bill will do a lot to curb the Townsville youth crime problem we are seeing today?

Ms Robertson: No. You don't want a reason?

Mr DAMETTO: If you want to give one. I appreciate your forwardness.

Ms Robertson: In terms of the GPS trackers for 16- and 17-year-olds, they already have more rights than anyone else, so they are going to cut them off. We see adult criminals cutting them off. What will stop a kid from doing that? They are smart. If they are working out ways to break into homes and steal keys from hidden places then they are going to cut off a tracker. That is not going to help.

In terms of the presumption of bail—again, it comes back to the support that the families have. If a family does not have support and does not know where to go, how can they ensure their child is going to follow the bail conditions? If my child can walk out that door and say, 'See you later, Mum,' and I cannot ring the police and say, 'My kid has just disappeared,' even though they are on bail, what is the point?

Mr DAMETTO: When you have no powers to detain, how can anyone else control these children?

Ms Robertson: Yes. Kids are taken off parents because parents are classed as bad and the kids are put into foster care. A lot of those kids—and I think the number is around 75 to 80 per cent of children in care—are committing these crimes. I think that is the state figure. Do not quote me on that, but that has been the figure that has come up in a lot of discussions I have had recently. If parents are classed as bad because we are 'unwilling and unable'—which is the big term in Child Safety—to keep our children safe and do everything that we need to do and if foster carers cannot do that, where is the problem?

I do not want to see more kids being thrown into Cleveland. I do think we need another detention centre. After listening to Mr Pattel, I was under the impression that they had a lot of things as well, but now I know better. That support needs to happen between the parents and the children, working together to ask, 'What is the problem? What can we do? How can we help? Where can we support you better?' For some it may just be knowing what to do when their kid walks out.

CHAIR: Bobbi, I am conscious of the time. The member for Thuringowa would like to ask a question. This will be the last question for this panel.

Mr HARPER: In regard to the GPS trackers for 16- and 17-year-olds, you said, 'We see adults cutting them off all the time.' Do you have any evidence of the number of times that has occurred? Can you substantiate that?

Ms Robertson: No, I do not. Honestly, I am going from reports I see in the newspapers and on the news channels.

Mr HARPER: I am trying to get an idea in my head proportionally how many people in the parole system are wearing trackers and how many times that occurs.

CHAIR: Thank you, Bobbi, for your evidence. Thank you for coming along.

GLASS, Mr Kane, Private capacity

ROBINO, Ms Erin, Private capacity

CHAIR: Erin, I understand that you have already made a submission, which has been tabled. Do you have an additional submission?

Ms Robino: Yes.

CHAIR: Is that in addition to the one you have already tabled?

Ms Robino: Yes.

CHAIR: So it is different?

Ms Robino: A little bit. It is something I have added.

CHAIR: When you finish making your opening statement, could you provide that to the secretariat? We will accept that as an additional submission, subject to the secretariat vetting it through the normal process. Would you like to make an opening statement? Then we will move on to the articles you want to tender.

Ms Robino: Yes, please.

CHAIR: Do you want to give them to us in bulk or one at a time?

Ms Robino: There is only one, less newspaper items.

CHAIR: Will it upset your flow for you to hand that over now?

Ms Robino: No.

CHAIR: Erin seeks leave to table an article from the *Townsville Bulletin* of Saturday, 6 March 2021.

Ms Robino: There is another one with it as well, Chair.

CHAIR: It is the one underneath it? Is it from the same date?

Ms Robino: No. It is the following Monday.

CHAIR: There are quite a few articles.

Ms Robino: There is 'Kids wanting to kill people' and 'Taking a life is a value hit'. Have you got that?

CHAIR: I seek leave of the committee to table that. Is leave granted? There being no objection, leave is granted. Sorry, Erin, I have cut into your time, but I will give you three minutes starting from now.

Ms Robino: Thank you for inviting me to this inquiry today. The Queensland government has a duty of care to safeguard all Queenslanders. Act now. Please help. Expedite urgent legislative amendments to stop more carnage by recidivist youth offenders. A public meeting was held in Townsville in February 2020 to curb this city's out-of-control youth crime. State cabinet ministers, members of parliament, the Queensland Police Commissioner and senior police, including the Police Union president, met with victims of crime and residents to discuss urgent remedial action. However, and sadly, serious crime continued. From June 2020 to February 2021, eight Queenslanders were killed in accidents mainly involving stolen cars driven recklessly. Prompt remedial action is needed now. Please strengthen bail laws and provide appropriate penalties and consequences for repeat youth offenders.

The Youth Justice Act amendment recommendation in clause 26 with new section 52AA(1)(a), 'Court may impose tracking device condition', concerns me. It is recommended that a child is at least 16 years. Sadly, serious crimes are now committed by some younger offenders. Will this tracking device be effective? It needs charging two hours a day, and I have sought expert advice on this. What happens if the battery runs flat or if the offender removes it? How are these offenders then tracked?

The life-endangering behaviour must cease immediately, and that is why I am here today. I have presented newspaper reports which your committee can peruse. This community needs safeguarding. Stolen cars and knives are used to terrorise this once safe, carefree city. Refer to paragraph 5 of my submission about February 2021's shocking local crime details. March 2021 was even worse because a lady was almost carjacked at knifepoint and now there are rival gangs in this city that have a point system. They compete against each other, with the ultimate points being given if they hurt somebody. Taking a life is known as a valued hit and everybody could be targets. There is no discrimination with this crowd.

In the last fortnight, 17 cars were stolen in one week and some were crashed into motorists and police. Youth offenders engaging in life-endangering acts in my opinion must remain in custody until they are assessed as safe. They know no fear, but they cause much fear and misery to others. Bail is a privilege, not a right. The offender on bail must behave in a lawful manner until the next court appearance, but sadly some juvenile offenders continue to commit crime while they are on bail.

The youth sentencing laws at the moment do not reflect the community's expectations. Repeat serious youth offenders require secure and close supervision by someone who is able to be responsible for strict guidance and stringent conditions, even curfews if that situation arises, to maintain the offender's personal safety and the safety of the community. Unfortunately, in the case where people are using drugs or ice or whatever they are using, some of these young offenders may even need to be referred to an acute mental health unit until they are deemed recovered to return home.

CHAIR: Erin, if you were to hand that document over now, would that limit you in responding to questions from the panel, or do you want to hang on to it until we are finished?

Ms Robino: I will hold it if you do not mind, because there are just a few more important items.

CHAIR: Yes, that is fair enough, but your three minutes is up so just bear with us. I am sure the panel will ask you questions to allow you to finish during question time. Kane, would you like to address the committee for three minutes?

Mr Glass: I have some copies of my document—five copies. I did not realise there was a cast of thousands.

CHAIR: Five will suffice. We can share. Before we can table that, we will have to look at it. Is it the same as the submission that you—

Mr Glass: Yes, it is. It is exactly the same as this document, which I am about to read and refer to.

CHAIR: Did you table a submission?

Mr Glass: No, I have not. I apologise.

CHAIR: No, I am just trying to ascertain. There are 67 submissions, so I am just trying to see whether yours is one of them—

Mr Glass: You have a lot of balls in the air.

CHAIR:—but it is not. Continue, Kane, and we will deal with it at the end of the session.

Mr Glass: Thanks. Mr Chairman and members of the panel, thank you for hearing my submission. My name is Kane Glass and I reside at 267 Kelso Drive in Kelso. I understand that the youth justice amendment bill proposes a number of measures that it is hoped will support community safety, reduce youth offending and reduce crime victimisation. Having read the Youth Justice Strategy, which I endorse, I just want to reflect on some data that is freely available on the Queensland police site, specifically the police record of offences from January 2000 to February 2021.

In starting, my plea to the panel is as follows. One is to direct the Queensland police to concentrate their efforts on drug offences both in Townsville and throughout the Queensland region. There should be a zero tolerance approach taken to class A drugs—I am showing my Kiwi background there, as I am not sure if it is class A drugs in Queensland—as part of an effort to stamp out the use of these substances. Secondly, there needs to be due regard for the gains made by the police in reducing the number and severity of offences, both here in Townsville and in Queensland overall. Thirdly, we need to continue to monitor progress in both crime and harm reduction through the use of statistics, leading to fact based decision-making, which perhaps is a bit lacking. We need to resist the temptation for dog-whistle politics into a media mindset that seems inclined to generate clicks rather than informed journalism.

Turning to my evidence, which is available in my presentations, part A is a summary of the dataset that I have used to construct the argument that I have here—that is, the all-district offences database available on the police website—the first part of which starts in table A on page 1 and that refers to all Queensland offences. It is worthwhile having a look at those in your own time, because it is a very rich dataset and the numbers tell a lot. The second part of that dataset is partway down on page 2 and refers to offences committed within the Townsville police district, once again between the period of 2000 and 2021. The columns contain the mean number of offences, the mean or average offence rate per fortnight, the standard deviation and the maximum and minimum number of those offences. My appendix B contains a series of snapshots of offences that typify table A.

CHAIR: Kane, your three minutes is up, but I am sure the panel will allow you to expand during question time.

Mr Glass: So I cannot read any more of my submission?

CHAIR: No, not at the moment. There will be questions asked of you. You can refer to your submission during question time.

Mr LAST: Thank you for that, Kane. You have given us a lot of evidence in terms of statistics. Did you want to make comment regarding the reason we are here today to look at those Youth Justice Act amendments which are being proposed in the bill before the parliament? What are your thoughts and your comments regarding those proposed amendments?

Mr Glass: The common denominator, amongst all the data, is the acceleration of the prevalence of drugs, particularly in the adult population which has an immediate ripple-down effect into minors. It impacts right across our community. Possession of drugs as a class of offence has largely plateaued with police help, but the number of serious drug offences is still accelerating. In terms of the minors who are picking up a car and taking it around the town at night, this data cannot tell us what sorts of drugs they are on, if any, but dollars to doughnuts it is going to be part of the whole package. In my experience in Auckland in New Zealand, getting those kids out of that situation of availability of drugs is No. 1, because as a minor they cannot afford it. They have to get them from somewhere because they cannot afford them. My plea is that, whatever else the panel decides to do, you recommend that the full weight of the Queensland police budget be put towards just trying to get rid of this scourge. We are not going to get where we want to be without a very strong-minded focus. As you know, once it gets into a community—I have seen it in Auckland with methamphetamines—it is an absolute disaster.

Mrs GERBER: Erin, you did not get a chance to finish your oral submission, so I will give you that opportunity now.

Ms Robino: Thank you kindly. I agree with previous speakers. There has to be an emphasis on education, training then work to help break the crime cycle. Specialist learning by offenders during school hours may improve their literacy and numeracy. It will give them a sense of purpose to get up in the morning and go to school and study. There is no point saying to a kid in grade 9, 'You're going to go and learn this foreign language or science,' or whatever when they cannot read properly. Another thing is that the student truancy problem at the moment needs to be resolved in Townsville. There are often kids roaming around when they should be in classes and parents have been paid financial entitlements to have them in classes. Some children might not like the classroom experience. They may gain better from going to the great outdoors to learn activities there. The camp facility at Mackay, which is presently being worked by veterans, can also benefit from input and help from elders and other community representatives who can work as mentors to help reform troubled youth.

More importantly, we also have to look at the rights of the innocent victims. Day after day I come across people—they could be great-grandparents, and I spoke to one this morning—in the community who are caught up in these crashes or violence or crime. Even now there are some young children who are in cars that are being targeted by these ratbags driving around trying to smash cars. They are not only suffering loss of money, because they are out of pocket to replace items; they are also suffering injury and anguish. Several of them to date have asked me to mention this. Another thing is that they are not in a position to go back to work to replace their cars. SPER debts have to be pursued. There is a pile of them at the moment in this particular city that are outstanding. They can be done on a payment plan, even if they go over 10 years—even if people are paying \$100 a month or \$100 every two months—just to pay the debts back to give some sort of assistance to the victims whose lives they have disrupted.

Another thing is that parents and carers of young offenders are responsible for their children's actions, education and welfare while they are in their care but unfortunately, as we have heard from previous speakers, if kids just feel like walking out the door they go and the parents have little control over what they can do. Those laws need to be strengthened and parents need to be involved so they can use their responsibilities. The public and victims of crime have often had a say in the past, but unfortunately our concerns appear to be ignored. Queensland government: it is time to act now and decisively before more innocent lives are callously and needlessly lost. Hopefully as a result of this inquiry Queensland will become safer. Thank you for your time.

CHAIR: I would like to acknowledge Les Walker MP, member for Mundingburra, who is in the audience.

Mr HARPER: Thank you both for your submission. You have done a bit of research on those GPS trackers and that is good. Yes, they do need charging. The advice to hand is that that is why this suite of reforms require a responsible adult or guardian to accept responsibility if GPS tracking is a condition of bail. If they do not, the person is remanded in custody. I wanted to put that point to you. In regard to your submission, in the bottom paragraph you talk about the use of a former school camp

facility in Mackay in a positive initiative jointly operated and administered by the Queensland and federal governments. Can you unpack that particular program a little bit for me, because it seems interesting?

Ms Robino: It is very interesting and thank you for raising it. I happened to take my mind off checking the crime alerts every day, and 47,000 people in this city belong to Townsville crime alerts. We check them, which is very miserable. You wake up and you are not sure where a stolen car is. You hear sirens but you are not sure if it is in your neighbourhood.

I try to look at other newsfeeds. I happened to see the Channel 7 newsfeed from Mackay and it spoke about this Camp X-ray. They are taking a disused school—probably somewhere that was used as a school camp—and returned servicemen, veterans, are coming in and learning maintenance skills. They are going to be doing their job to clean it up, to have it looking presentable and liveable. Then they will bring in troubled youth and these people are going to help them. They are out in the great outdoors. They are probably going to teach them environmental skills and things like that which will assist not only the people leading these camps but also the participants. In addition, in my submission I suggested that respected elders should also be employed to provide their input regarding cultural and traditional ideas, because their knowledge is of great value to the whole of this community and Queensland.

Mr HARPER: I just want to confirm that this is an initiative that is federally funded?

Ms Robino: Yes, it is. The news report I saw said something to the value of \$2½ million. If you have a look, the news report was made in February on Channel 7 Mackay and they talk about Camp X-ray.

Mr HARPER: Do you think all levels of government should work together to address this issue?

Ms Robino: I think all governments should be doing it jointly right across the whole of Australia, looking at the things that have been happening lately. In relation to the tracking devices, apart from speaking to an expert on this—and there was a young lad running around Alice Springs. That was on *A Current Affair* on Monday night. It was half past 11 at night. He had an ankle tracking device and he was racing around the community. There were people throwing shovels at each other and fights going on and all sorts of things. Unfortunately, that lad was not in a secure environment. That is what made me think about these tracking devices and their effectiveness.

Ms BOLTON: Thank you both for coming today. Kane, I so wish we had this submission, because we have read the submissions that have been tabled and it is very difficult to do this on the run. Do drug offences include alcohol?

Mr Glass: No, they are specified in the police database as a separate offence. Drunkenness is a separate offence. They are generally intertwined. It would be great if there was a better dataset available. There probably is a better one available to the likes of the members, but there does not seem to be for the general public. These issues are multifaceted. It is possible to get some really useful answers if you have useful data, especially around the sorts of programs that are already in place in the legislation. You can then build out some models which might give you a heads-up as to what might happen if you do this; you can build scenarios.

I would like to urge the panel to consider that you would get a lot more bang for your buck if there is more information available on how these current programs are doing. If that is available to the public, I would love to see some. They are expensive and they all take a long time to gestate before you get some outcomes that you can measure. If you can do some work on that, that would be great.

Ms BOLTON: Just to clarify, you could not obtain the data you needed to be able to table in relation to the alcohol; is that correct?

Mr Glass: No I could not, nor could I for any of the programs that are in the current juvenile legislation. If I had that I could have presented you with something which potentially could have given you some guidance.

Ms RICHARDS: Erin, you have raised a number of points, particularly in regard to the 46,000 followers on the crime page on social media. You have tabled a lot of media and you are clearly a very close follower in that space. What potential unintended consequences are coming from the proliferation and promotion of crime on these pages? I was wondering about your thoughts on those pages, particularly the role they might play in glorifying crime for young people. It becomes a platform with a large following. I would be keen to get your thoughts on that.

Ms Robino: Yesterday I was quite alarmed. There was a young girl aged 12, this poor dear little thing, who was out with two children, who were probably aged five. They would be kids getting ready for prep. They had broken into a home and they were stealing items. She then went out and tried to

chrome. Somebody had filmed all this and put it all on the crime page. That was not the Townsville one; that was a suburban one. Every suburb has a page, sadly. That is how we have to live now. It is terrible. I would rather watch *MAFS* anytime than watch the crime page. I would rather have something that keeps me happy. What happened? The advice that came from the public was: 'Do not chase her because her heart might be racing. Ring triple 0 or ring child support or ring the police.' Where are her parents? That is the million dollar question.

I am involved with a JP association, and a few years ago I was asked, 'Would you like to come up to the watch house so you can help these children? You can talk to them when they come in, when they are first arrested.' I said, 'No, sorry. I'm watching my own house because I have kids there and I have to make sure they do their homework and I have to get them ready for school. I have to make sure that burglars do not walk into my house.' I said, 'I think you'll need to talk to the parents because the parents may be more effective, or maybe someone respected like a grandma.' There are lots of people in the community—

Ms RICHARDS: Can I take you back to your earlier comment where you said that using social media and media is a value hit; it is pointsoring? That is the point I am trying to get at—the value hit.

Ms Robino: These are the crowd that are driving around. They think the V8s are going on every day in Townsville all over the main arterial roads and other streets instead of in a specified zone. These people, these gangs, are driving around and having little bets with each other as to who is the superior gang. As I said and as the newspaper will confirm, if you injure someone it is an ultimate prize.

A couple of weeks ago a lady was driving along with two little kids in the back of a Mercedes. She was coming down the right side of the road and another car was coming down the wrong side of the road and smashed into her car. The occupants of the crashed car had to go to hospital. These are the situations. The police are often targeted as well. If they take a life, that is a value point and that is shocking. They think they are watching—

Ms RICHARDS: What I am trying to articulate is that social media—

Ms Robino:—is being used by these kids.

Ms RICHARDS:—is being used amongst crime groups as an opportunity to promote their bad behaviour.

Ms Robino: That is right. They may have to place restrictions on that. I was thinking of just saying to these kids, 'You're not playing *Grand Theft Auto*,' or dealing with the community.

Ms RICHARDS: Every time that is put on social media, that becomes a badge of honour?

Ms Robino: That becomes oxygen for them. That is right. It does. They get brownie points for it. The sad part is that we are the collateral damage. I would like to live a bit longer, thanks.

Ms RICHARDS: Do you think there is a role in how we moderate that going forward so that it does not become that platform?

Ms Robino: That is right. They might have to block that.

CHAIR: We need to do a little bit of paperwork to tidy up this session. First of all, do I have leave of the committee to table Kane Glass's written submission?

Mrs GERBER: Yes.

CHAIR: Erin, you have a submission. Could someone collect that for me?

Ms Robino: Mr Chair, it was like a precis of what is in my submission with the information about the reckless drivers.

CHAIR: Thank you. Committee, I am going to make that supplementary to Erin's original submission. Do I have leave? Leave is granted. Thank you to both of you. I would now like to call forward the next witnesses.

COSTANZO, Mr Sam, Private capacity

MASTERSON, Mr Craig, Private capacity

NUNNARI, Ms Nikki, Private capacity

SANDEMAN, Mr John, Private capacity

CHAIR: As some of you have been sitting here for quite a while, you would have seen that you can have three minutes each and then we will open it up for questions. Who wants to go first?

Mr Sandeman: My name is John Sandeman. I have spent a lot of time in the courtroom. I have been a victim of crime. My grandson was 17 months old when he was murdered. When we went to court I cried for the fact that I was happy that that guy went to jail.

When you go to court, you sit there and you see these—I do not like calling them people—young kids laughing and carrying on. When they go into a courtroom it is, ‘Yes, sir. No, sir. I’m sorry, sir.’ As a schoolteacher I got sick and tired of the word ‘sorry’. All I have heard today, apart from one speaker, is people talk about the ‘poor kids’. I am afraid that if they do the crime, they should spend the time. Lock them up—no bail, no parole—for three years. The first time they do a crime, we can sit down and have a talk. If they commit a crime while they are on bail they should go straight to jail; do not pass go. We are too soft.

In my case, the judge said ‘life’ and then the judge said ‘20 years with 15 years parole’. You are joking. The government is a joke. The magistrates use their discretion. There are only two cases in Queensland where the judge or the magistrate does not have a say. The first one is murder and the second one is manslaughter. The rest of the time it is up to the judge’s discretion. I do not think that is right. I think that stinks.

If a person steals a car, goes to court and pleads guilty, they are out—no sentence; they are out. Then they go and do it again and this time they get bail. If they commit another crime while they are on bail, what happens to them? ‘Sorry little boy. Don’t do it again, please.’ You are joking. It is a joke.

This is the biggest joke I have ever seen in my life and I have seen some big ones. It took five years for the government to introduce mandatory reporting for day care centre workers—five years, and this is a bigger joke than that. We spend too much money on kids, the ones that commit crime. What about the victims?

CHAIR: Do you want to table the document you refer to?

Mr Sandeman: No, you have it.

CHAIR: When you say that we have it, is it a Queensland government document you are referring to?

Mr Sandeman: Yes.

CHAIR: Can we have a copy of that?

Mr Sandeman: Yes.

CHAIR: Do you seek leave of the committee to table the document?

Mr Sandeman: Yes. One thing I would like to say in closing is: when was the last time any of you went to court and saw what was happening in the courtroom? When was the last time? Aaron, you used to be an ambulance driver; you would have seen what happens to young kids who get hurt or victims of crime. Do something about it.

CHAIR: John, your time is up. Craig, Nikki or Sam, would you like to address the committee?

Mr Masterson: Thank you for allowing me to speak. My wife and I are self-funded retirees in Townsville. I come from a rural background, living on cattle properties. We seem to be shielding the Indigenous people a lot. I grew up with these people as a kid. We have a lot of them working on our cattle properties. We had some good men. Unfortunately, due to alcohol and drugs, the whole system started to fail and they moved to town.

I stood up at the third Take Back Townsville rally at the bowls club and addressed Police Commissioner Katarina Carroll, Minister Ryan and quite a few others in front of me here. I alerted Minister Ryan to what was happening with the number of retired graziers and older people living in this city now—how they were fearing for their safety so they were bringing weapons down and dogs to protect themselves in their houses. I got a mixed response to this. We now have three dogs at our place and, I tell you what, no-one will get into our house.

The issue that concerns me is that only this week in New South Wales a man who was protecting his wife inside his own house was sentenced to five years jail because he killed an intruder. It makes us wonder: how far can we go? Three days after I gave that speech we were visited by two senior police, mainly to allay our fears. They ended up staying for an hour and a half. We had a very good conversation. The thing that really stood out was their total frustration with the system—the catch-and-release program we call it, and the revolving doors.

It is just not working, people. We are pouring millions of dollars into these little schemes. The committees that are running them are not even running reviews to see whether they are working. The bail houses did not work. You see it time and again. The courts seem to be protecting the criminals while the victims, like I mentioned earlier, are out of pocket in big ways. Okay, the car might be insured, but the person might have an \$800 excess. That person is innocent but they have to pay.

As a child, if I broke something my parents had to make restitution. That is the way we were raised, as honest people. In those days we respected police and we respected our elders. Unfortunately, that has gone by the wayside because there is no deterrent. You only have to read the comments made by the defending lawyers representing these young kids in court: 'Oh, he has had a terrible upbringing,' and all the rest of it. Yes, that is fair enough, but do not forget about the victims, too. I had a pretty good childhood. I worked hard. We did not play sport much on weekends because we had to work on the farm, but it taught you responsibility.

CHAIR: Craig, I am conscious of time. I am sure you will be able to add to your submissions by answering questions from the panel.

Mr Masterson: I do not have a formal submission.

CHAIR: You do not need it.

Mr Masterson: I just wanted to speak because I speak from the heart.

CHAIR: Thank you. Nikki or Sam?

Ms Nunnari: Thank you, Chair and committee, for the invitation. The reason I am here is that, a week before I saw the submission to the Queensland government response to the youth justice amendment bill, a friend sent me a copy of a video of two children breaking into his house. He and his wife were in the house, watching the two children break in. The community talks on a regular basis about the crime that is being committed by very young people. I have also been a victim of crime, but that was years ago. Like Craig, we now have a dog.

We arrived in Townsville in 2006 from Victoria. For four years Townsville was the most amazing place to live. It still is, but for four years there was nothing; it was just living. In 2010, within a period of six to seven weeks, we were burgled five times. We would come home from work and find that the house had been ransacked. I woke up one morning to find that my car had been vandalised. The interior roof of the car was made of canvas. My car had an immobiliser, so they could not start my car, so they instead burnt holes into the roof with their cigarette lighters. The windows were also vinyl and they burnt holes into them as well. The bonnet was open, the boot was open and my CDs were gone. So we bought a dog, and from 2010 until 2021 we have not had any more problems.

My friends who sent me the video were a husband and wife. Their two daughters also live in Townsville. One daughter's husband works at the mines. At Christmastime last year, she was on her own with one of the children at home. She woke up in the morning to a bit of a noise. She went into the lounge room to find that the Christmas presents had been opened and some had been taken. They had also taken things out of the children's rooms. This woman and her child were alone, as her husband was away, and people were in her house—children were in her house, in her children's rooms. The other daughter, who lives in Bushland Beach, had a similar thing happened. The criminals went into the house, took the keys and took the car, and the car was found burnt several days later.

It is confronting. It is confronting to hear the stories of these crimes happening. I listened to the witness, Erin, before. To have these groups on social media for each of the suburbs, taking care to advise people down the road when they are being burgled—this is wrong. This is not the way to live.

CHAIR: I am just conscious of time.

Ms Nunnari: Thank you.

CHAIR: Sam?

Mr Costanzo: By way of background, I am a long-time Townsville resident—born and bred, which is a rarity these days. Briefly, for the past eight years I have attended many, many meetings and rallies, listening to the same thing over and over again, with little to no action being taken by anyone in government, not to mention not listening. We are told that we are being listened to, but if nothing changes then clearly no-one is listening.

Many years ago in my suburb I had to put up with people in stolen vehicles travelling in excess of 100 to 150 kilometres per hour on suburban roads which are limited to 50 kilometres per hour. Around the corner from where I lived there was a repeat offender living on Kings Road, and another one was on Hugh Street. These repeat offenders started offending when they were approximately 12 to 13 years of age. I know this because I used to watch carefully and would call triple 0 all the time. One of these offenders was recently rearrested. He is 21 years of age and still offending. He is still offending because no-one in government intervened to stop him at a young age. Because he was continually getting released with a slap on the wrist when he was young, he is now a 21-year-old repeat offender.

Getting onto the proposed changes, I honestly cannot see how GPS tracking is going to stop offending because if an offender is in a stolen vehicle travelling at 100 kilometres per hour with his GPS tracker, police are just going to wave at him and he keeps going. This is absolutely a waste of time, as far as I am concerned. To limit it to 16- and 17-year-olds is also a waste of time, given that most of the offenders are young. Some start as young as 10 years of age, and I have witnessed this personally. The fact remains that because they start at a young age and they are continually given a slap on the wrist or given a caution by police and sent home, they keep offending. They then reoffend and then they keep reoffending. They become a 13-year-old offender and then they become a 14-year-old offender. By the time they are 16 years of age, it is almost impossible to rehabilitate them because it has been engrained in them that it is okay to steal. It is engrained in them that it is okay to drive at 100 kilometres per hour in suburban streets or it is okay to run through red lights on the wrong side of the road, which I witnessed a couple of weeks ago—a stolen Amarok at Nathan Plaza, 30 seconds before it impacted a set of traffic lights. That vehicle was doing 100 kilometres per hour. I gave the footage to Channel 7. It was on the wrong side of the road. I was sitting at the front at the lights. Had I pulled out 10 seconds earlier or had that vehicle come through 10 seconds after, it would have collected me.

I am sorry, but GPS tracking is an absolute waste of time. If there is no breach of bail reintroduced, what happens when they cut their tracker off? My understanding is that even if they cut their trackers off—this is what I have been told by a former police officer—it is just a minor offence. I think it is wilful damage and it is only an \$80 fine or a \$200 fine—something ridiculous like that. How can you hold them to account if there is no breach of bail? Essentially, if you put a tracker on them it is an absolute waste of time.

CHAIR: Sam, you are going through the bill. How much more of your presentation is talking about the bill?

Mr Costanzo: Pretty much half is on the bill and the other half is on other matters which are not touched by the bill.

CHAIR: The three minutes is up, Sam, but I am sure you will be able to add to your opening statement through questions from the committee.

Mr DAMETTO: Sam, there is a lot of crime going on out there with youth offenders that is causing havoc in the community. Why do you think these youth offenders have a particular like for unlawful use of a motor vehicle, causing havoc out on our streets and trying to cause harm to the everyday people out on the roads?

Mr Costanzo: Quite simply, it is because they are allowed to do it freely. If they get an adrenaline rush out of this then that is their drug, essentially. It becomes an addiction, as far as I am concerned. Speaking of drugs, some of them are under the influence—whether it is alcohol, marijuana or stronger stuff like meth. I have come across stolen cars, and also from speaking to owners who have recovered stolen cars, where there is drug paraphernalia like crack pipes or little baggies in the vehicle, and these are vehicles that have been driven by juveniles. None of this is addressed whatsoever.

The drug use by these kids while in a stolen car is not addressed. Nothing is addressed in relation to the adults who supply them either. Obviously there are some adults who control these kids and use these kids to deliver drugs. I know this is fact, because QPS have actually admitted this at several meetings I have attended and I have witnessed drug dealings happening from stolen vehicles in my suburbs being carried out by juveniles. I have seen one young child—it looked like he was approximately eight years of age—being driven around in a stolen Commodore with a 16-year-old Caucasian boy who was going to and from a residence. It was quite obvious what was going on. At the end of the day, it takes police several weeks before something actually gets done, which to me is disgusting because if you do not stop it right away it keeps going. I think the term is called positive reinforcement. Because you do not curb the behaviour they get that little rush: 'Look at us. We can do

what we want when we want. It doesn't matter what we do. We can run red lights. We can drive on the wrong side of the road.' It does not matter to them whatsoever because of the fact that no-one curbs their behaviour.

Mr LAST: Sam, you have highlighted the issues. You clearly believe that this legislation we are here to examine and take evidence for today is deficient. Specifically, what would you like to see happen in this space? If you were to make some suggestion to this committee here today about what needs to take place and what changes are needed, what would you like to see?

Mr Costanzo: Certainly I would be looking at mandatory drug testing in terms of alcohol and drugs, as in meth and the usual types of other drugs, with these juveniles. If they are not rehabilitated or if that is not looked into then, again, we are wasting time. By putting them into mandatory rehabilitation, some form of boot camp or something like that—it does not really matter; you can combine everything in there, I guess, but it has to be mandatory and it has to be done as soon as it occurs. You might say, 'For the first offence we will let you go,' but if a second offence occurs and it is exactly the same—they have stolen a car and they have been caught or they have drugs in their system—then something needs to seriously be done to curb that behaviour. If they are continually being released with a caution then it is a pointless exercise. If they are given a GPS tracker it is a pointless exercise, because there is no punishment and no rehabilitation and they just keep doing that over and over.

The other thing, which is not touched on, is that there are certain elements in the community here who do control these kids, and I am talking about drug dealers. It is quite evident. I can give an example if I am allowed to. It will be vague. I will not give names or anything.

CHAIR: You can give an example in kind, but if you start naming people that is where it gets messy.

Mr Costanzo: I will not be naming people. There is a young repeat offender. He started out stealing bicycles. Obviously, because he was very young, every time he was caught by police he was given a caution and sent home, sent back to the same environment. He then graduated to stolen cars. He crashed a dual-cab ute into a power pole in Heatley about a year and a half ago. Again he was given a caution and driven home. He was then seen in multiple stolen cars. On his profile on Facebook—his name was known—there are now at least 20 adults who are well-known drug dealers.

CHAIR: Sam, you are talking about his own page?

Mr Costanzo: Correct, his own personal Facebook page. Again, if a child is being targeted and has adults on their Facebook page, questions need to be raised. It is not just him. The Facebook profiles of some of these repeat offenders are full of drug dealers and drug users, and these are all adults in their 30s. You have to question why these adults are on their Facebook page.

Ms BOLTON: John, you have just heard Craig and Sam regarding mandatory drug testing and mandatory rehabilitation but also boot camps, rehabilitation camps. Whatever you would like to call it, it is a place out of the community so they cannot do any more harm and also they receive the help they need. Do you believe that that would be the most effective way right now to keep the community safer or do you believe the contents of the bill are needed as well? It is a multipronged issue. We are hearing everyone's concerns. What can we do right now to make it safer? Do you believe that if the courthouse, the watch house and the jail are full then a remote facility is something that would be supported by the community?

Mr Sandeman: No. We have had boot camps. You see ministers going up there and see that there are flying foxes and so on. It is a joy. We have to lock them up and punish them. Somebody said before that there are no consequences. Well, there are not. We have to lock them up and that is it. As a schoolteacher, I had a student who kept getting into all sorts of trouble. I would take him up to the principal's office. We would walk in there. He would say, 'Sorry, Principal.' We would ring his father up. His father would take him out from school, take him down the shop and buy him toys. What we have to do is punish them, the same as when I went to school. If I did something wrong at high school I got the strap—a three-foot ruler across my bum. I never did the same thing again. You have to be cruel to be kind. Lock them up. Somebody said before, 'Take away their TV.' They have to earn that right to enjoy life. I am not saying that people cannot be rehabilitated, but you have to be cruel to be kind—the same as we were brought up. If we did some damage to something, we had to pay for it or we worked: chopped wood, cut lawns. At the moment it is not happening. They go to court and, honestly, they get a slap on the wrist. I can give you a prime example. A very close friend of mine went to a nightclub in Townsville. He took a knife. He got caught. His lawyer kept on getting it adjourned until the right magistrate came along, because there are no guidelines—none whatsoever—for a magistrate. One day in the courtroom the two barristers were arguing what case they were going to look at that is similar and how many years he got.

CHAIR: I am conscious of time, John. This brings the session here to an end. I would like to thank you all for coming along and addressing the committee.

Proceedings suspended from 11.09 am to 11.45 am.

ABDUL-RAHMAN, Mr Albert, Private capacity

McGINTY, Professor Suzanne, Private capacity

CHAIR: Welcome. I am not sure if you have seen how the proceedings have been running, but we try to give everyone three minutes to do an opening statement, after which we have questions from the committee. I have been a little bit strict with three minutes because of time constraints, but if members of the committee pick up on something said in your opening that they feel you need to expand on, use that opportunity.

Prof. McGinty: My name is Sue McGinty. I am an adjunct professor of education at James Cook University. I am also on the board of the Tropical Brain & Mind Research Foundation. My area of expertise is education for young people who have dropped out of mainstream systems. I have been doing this over the last 30 years. I have been involved in setting up and researching the development of flexible learning centres across Australia, particularly with Edmund Rice Education Australia. My work in this area has led me to believe that fetal alcohol spectrum disorder, FASD, is an underacknowledged condition that is really staring us in the face. Firstly let me say that FASD is not just an Aboriginal problem. It is caused by mothers drinking during pregnancy. The symptoms along the spectrum are poor impulse control, cognitive impairment, the inability to see right from wrong, aggressive behaviours as sometimes exhibited in ADHD et cetera. I believe that all children who come before the justice system need to be assessed for their level of FASD before they are sentenced so that appropriate services or sentencing are provided.

The big gap in Queensland's approach to youth justice is capacity in the system. For example, in Townsville there is a nine-month wait for young people to get an appointment at headspace. Even magistrates have told me that they are unsure as to their capacity to request an assessment prior to sentencing. The Koori Children's Court in Parramatta has a healthcare clinic involved to do this sort of assessment. It is a good model and from all I have heard it is a success.

The last comment I have in relation to this issue is that incarceration from 10 years on just perpetuates the learning of criminal behaviour from an early age. The WHO recommendation is that the age of incarceration be no less than 16 years. This means that alternative rehabilitation has to be found. In Queensland, there are a number of experts in the area of FASD. There are two paediatricians on the Gold Coast who have done considerable work—Heidi Webster and Doug Shelton—and at UQ Natasha Reid has researched the area of FASD over a number of years. The only one to make a link between FASD and incarceration or juvenile delinquency is the Bower article which I sent you in my submission. Australia's leading expert in FASD, Elizabeth Elliott, who is at the University of Sydney, has been working with communities in the Kimberley on management of FASD affected children, and her writings are prolific.

Finally, there is a very good resource website called FASD Hub Australia. It lists a number of programs that are possible. I hope this inquiry takes into account this issue and that it is dealt with in the legal context. Thank you for the opportunity to present a case for this condition.

Mr Abdul-Rahman: My name is Albert Abdul-Rahman. I was born in Papua New Guinea. I know 800 languages, 600 dialects. You will have to pardon me if my pronunciation is all over the place. Townsville is my beautiful place. I love Townsville. Townsville is a wonderful place. The problems we are having now do not reflect the holistic view of what Townsville is about; however, there are ways and means to deal with this matter in our community.

Certainly I want to put to you people, ladies and gentlemen, my experiences in the Murri Court system. It is great to hear that FASD is on the agenda. It is very important that that comes into the court system that I am about to talk to you about. The Murri Court was established some years ago but it has been taken away. We used to have the Murri Court in Townsville for adult offenders. A group of elders worked with magistrates, lawyers, prosecutors and probation officers to determine sentences. This was a referral to a 12-week rehabilitation program with various agencies. The outcomes were excellent. Any person who failed to complete the course was brought back to the court for resentencing. It saved a lot of money for everyone. It brought the responsibility back to the person who had offended. We need a children's version of the Murri Court which would involve families and carers.

The proposed changes to the legislation only focus on amending and strengthening the existing laws. This bandaiding of the problem does not take into account the social and psychological issues with offending youth; nor does it deal with vigilantes who took the law into their own hands. This needs to change. It needs to include the following: that all children who come before the courts are assessed for FASD, psychological and other health related issues—also PTSD—so that sentencing is appropriate; that funding be available for rehabilitation services, provided by professionals, for these

young people—this includes working with their families and their carers; and that the Murri Court be introduced for young offenders. The good professor mentioned a program in Parramatta, New South Wales. You know what happened last night? Parramatta beat the Storm, so it looks like it is a really successful program! I think we should take that on board and try to establish the Murri Court for young people.

Mr POWELL: Thank you both for your contributions. Professor, I will look with interest at that FASD Hub Australia website. If a diagnosis is given as part of what you are suggesting, is there a treatment? How do we subsequently manage or heal the child who has a FASD diagnosis?

Prof. McGinty: Can I make a roundabout reply to that?

Mr POWELL: Sure. I am a politician; I am quite used to that!

Prof. McGinty: I called Professor Elizabeth Elliott earlier this week and told her that I was coming to this. She gave me some very good information. The assessment process involves multiple people. There is also sometimes difficulty getting the young people to participate. However, when the research was done in Western Australia—it was sponsored by the telethon over there—they found that up to 47 per cent of Indigenous children had some form of the spectrum and that about 36 per cent of all incarcerated youth had some form of FASD or some cognitive impairment. The assessment involves a paediatrician, a clinical psychologist, a speech therapist and so on. Once a child is diagnosed, there are programs that those specialists run.

In Fitzroy Crossing, Western Australia, Elizabeth Elliott was working with the parents and carers of those young people. They have now had a 10-year program and she has only just begun an assessment of whether or not it has been effective. There is no cure for this condition. Once children are affected, they have this cognitive condition forever. Early intervention does give carers, teachers and the community some skills to manage these young people. She is a key person. I looked before I came here at the FASD Hub Australia website, and it mentions quite a number of activities and programs. It would be worth following up and having a look at that.

Mr HARPER: Firstly, thank you for the work that you do in the community. It is valuable. You mentioned the youth Murri Court. I do not know if you were here this morning when Karl McKenzie spoke. He is doing a lot of work in that space. We have brought him together with the Attorney-General. Just watch that space from now to see where the youth Murri Court goes. It was a recommendation out of the Stuart Smith report. I am keen to see that go forward as well.

Professor McGinty, that is an excellent BMJ article by Carol Bower et al in terms of fetal alcohol syndrome. I want to follow on from the question of the member for Glass House. The treatment involving all of those specialists will be quite expensive, no doubt. If there is a diagnosis of disability, do you think there is a role to play—maybe under the NDIS umbrella—to fund these assessments? I see some heads nodding in the background. Do you have any views of whether that would fit as part of the criteria?

Prof. McGinty: It makes a lot of sense, but I am not an expert in that area. It would seem to me that that would fit perfectly.

Mr DAMETTO: Thank you, Albert, for giving your evidence today to the hearing. Thank you also, Professor. Professor, in relation to FASD, you have stated that there is not a lot of treatment to control these people who have these cognitive impairments later in life after early intervention has failed. How do we protect our community from people out there causing a lot of these problems if we cannot treat these people and incarceration does not work either? What is your solution?

Prof. McGinty: I wish I knew. Over the last 30 years I have been involved in setting up these flexible learning centres for young people who have disengaged from schooling, usually in the late primary, early secondary years. I have been party to at least 22 of these schools being set up around Australia and I have researched the cost-benefit analysis of these schools and I believe they do a very good job, but young people have to be willing to go to them. It is not one-solution-fits-all. I think there is a range of solutions. As I say, this is a bit of an under-researched area. I think the program Elizabeth Elliott has commenced in the Kimberley might be something to have a look at too, but I cannot give you a pat answer to that because I do not think there is one solution.

Mr BERKMAN: I really appreciate your contributions. Professor McGinty, the statistics you referred to earlier say that up to 56 per cent of all incarcerated children experience FASD to some extent. That was on one study.

Prof. McGinty: Thirty-six.

Mr BERKMAN: Thirty-six, sorry. The legislation that we are dealing with here is intended to focus on a relatively smaller group of children and their engagement with the youth justice system. Do you know if there is any research or any figures about the proportion of those more frequent offenders and the extent to which they might be affected by FASD?

Prof. McGinty: I had a conversation with one of the magistrates here in Townsville recently. He is in the Childrens Court. He said that he believes up to 80 per cent of the young people who come before him have some form of spectrum disorder.

CHAIR: That brings this part of the hearing to a conclusion. Thank you for attending and thank you for giving your evidence. Just before you go, have you sent the document you were reading from to the secretariat?

Mr Abdul-Rahman: Yes.

Prof. McGinty: I have this one here if you want a copy of that. It is slightly different to my submission.

CHAIR: That would be wonderful. Thank you both. We will treat those as additional to your original submissions.

HILL, Ms Jenny, Mayor, Townsville City Council

CHAIR: Good afternoon, Mayor.

Ms Hill: Good afternoon, Mr Chair, committee members and committee staff. I welcome the opportunity to make a submission to the Legal Affairs and Safety Committee's public hearing for the Youth Justice and Other Legislation Amendment Bill 2021. I am speaking not only as mayor of the city that has seen an appallingly high level of crime by recidivist and youth offenders but also as a citizen that is fed up with the system that is letting down our community. I am one of thousands of Townsville residents who have been impacted by youth crime personally. I welcome the fact that this committee is holding its hearings in Townsville, and I hope the real stories from real people will encourage this committee to make recommendations to the parliament that will mean legislation that will tackle the crime affecting Townsville, Cairns, Mount Isa and other regional centres.

I have several concerns about the bill before the committee for examination. While I acknowledge some elements as positive steps forward, I think as a whole these reforms fall short of what action is needed by government. I welcome the government's proposal to require the fitting of GPS trackers to recidivist high-risk offenders aged 16 and 17. I urge the government to consider expanding the requirement to younger recidivist high-risk offenders who are above the age of criminal responsibility in Queensland.

In relation to the government's proposal to create a presumption against bail for youth offenders arrested for committing further serious indictable offences while on bail, the proposed inclusion of the offences of break and enter, serious sexual assault and armed robbery are welcomed as prescribed offences, but I would suggest the charges of unlawful use of a motor vehicle and/or dangerous operation of a motor vehicle should be included.

I doubt the effectiveness of the proposal to seek assurances from a responsible adult that bail conditions will be complied with before the release of an offender. Many parents and/or guardians of youth offenders are already well known to Queensland government agencies, including the Queensland Police Service. This would conflict with the proposed changes in focus of the charter of youth justice principles to be focused on community safety. I propose an alternative of requiring the enforcement of a cash bail on youth offenders where parents and guardians are contactable.

In relation to existing bail laws, I would welcome the proposal to amend the Youth Justice Act to include reference to the community being protected from recidivist youth offenders in the charter of youth justice principles. I would ask that you would further consider or make a further recommendation on legislative changes to the Youth Justice Act to provide schedule 4 with a definition of serious risk to the community. I believe this would provide greater guidance for magistrates or judges when making decisions on bail. Further, I welcome the proposed reforms to anti-hooning laws as well as the establishment of the parliamentary inquiry to examine the implementation of remote engine immobilisers. That is all I have to say on elements of the bill as it currently stands.

I do have one further proposed measure that the committee and government may wish to consider. By way of background, I am aware that in some sections of the community social media outlets such as Facebook, Snapchat and TikTok are being used by people aged older than 18 in order to encourage and support criminal activity. I recommend the implementation of reforms to the Criminal Code to strengthen the offence and penalty provision for these adults who actively encourage people under the age of 18 to commit offences. There is anecdotal evidence that some youth offenders commit these crimes because they are told it is some ludicrous part of some rite of passage. That is not acceptable in our community and the law should reflect that. Thank you again to the committee for coming to Townsville and I would welcome any questions.

CHAIR: Mayor, the document that you just read out, has that been—

Ms Hill: We will make it available to staff. We will email it to the secretariat.

CHAIR: Thank you.

Mr DAMETTO: Madam Mayor, thank you very much for your address to the committee this morning. I have a quick question around sentencing options for youth offenders for magistrates. Right now they have two options: putting them out on bail or parole or putting them through the youth justice system out at Cleveland. Do you see scope for a third option for magistrates?

Ms Hill: I do not know if you are aware, but there is the option around community service orders. The problem for us—and we have examined this in Townsville—is the difficulty of firstly having everyone acquiring blue cards and white cards for training and the cost of supervision. There are a number of barriers for local government to do this sort of supervision as part of CSOs. Particularly for Townsville

your low-risk offenders, we would love to have these juveniles cleaning graffiti. In the past we were able to do that—15, 20 years ago. In light now of workplace health and safety and child safety provisions, it is near impossible for us to engage CSOs on juveniles.

Mrs GERBER: Thank you for your appearance today. It is really appreciated. I have heard from you today, which has been backed by the community that have made submissions, in relation to GPS trackers and the age limit applicable to those. The community has asked for that to be broadened. One other aspect that I have heard loud and clear from the community today is around bail and breach of bail. I am after your views on that. Do you support the community in their submissions that they would like breach of bail reinstated as an offence?

Ms Hill: I understand the community wanting that and I understand there are views out there that reintroducing the breach of bail laws may not deal with the real problem. There is an argument to say that maybe government should consider this as a trial: formally ensure they are documented to see whether or not it does work. That may be the solution for everyone at this table to agree on. There are people out there who believe it does not work. Well, if we trial it for two years and it does not work then all parties should say, 'Fine,' and go back and look at what might work in terms of dealing with these children.

The reality is that we have two issues here. We have the here and now, which is what we are trying to deal with, but there is the broader issue that you heard from Professor McGinty that we really need to deal with as a whole of community.

Mrs GERBER: I think the committee has heard that loud and clear as well in terms of early intervention and being able to deal with that. That is part of what you are suggesting well.

Ms Hill: That is another issue. We work with Professor McGinty and there is enough work there. There are a number of clinicians and physicians and nursing staff who have seen the effects of FASD in our community. I can tell you: I see names of people coming through the courts that I remember we detoxified as newborns when I was working at the hospital. This is a generational problem. We need to deal with the here and now but at some point we need to deal with alcohol and drug use, particularly through women who are pregnant. The federal government collects \$6 billion a year on just alcohol excise. We do not see enough of that invested north of Brisbane in terms of dealing with that issue.

Mr HARPER: Thank you, Madam Mayor, for the work the council does in the community safety space. I just want to raise breach of bail, which has been raised previously. There was a former iteration of it in 2012 to 2015, where 186 people were charged with an offence under that previous law and 90 per cent reoffended. I think over three years we had a trial of that. I just wanted to point out that only 27 people in Townsville were charged with that out of that 186—or 29. I am not exactly sure of the number. I did want to talk about the level of investment that local government puts in. You might not have been here earlier, but we had a lady talking about the federal government funding a program in Mackay, to the tune of \$2.4 million I think she said. Do you think we have a role to all work together—all levels of government working together? There seems to be a blame game happening: 'It's too hard. Pass it over to the state.' Do you think we can all work together? I know that you have put an enormous amount of money in the budget to put in additional cameras and things like that.

Ms Hill: You are well aware that we are spending probably three per cent of our general rates revenue on security, cameras, staffing. Every time you put in CCTV cameras, there is a number; we are now required to have three staff, 24 hours a day and seven days a week, looking at cameras. It costs council and community a small fortune. That is money that we are not investing in roads, parks and other social activities. Consequently, a lot of the burden falls onto us and, quite frankly, the demand for cameras outstrips supply. If we were to put a camera everywhere it would not stop the crime; it just makes it easier for the police to prosecute. We really just cannot afford that.

What we need is a tripartite agreement. We need to be looking at programs that deal with the parents and that deal with the fact that we have very poor housing outcomes. We are seeing a lot of people moving to Townsville, particularly from remote communities and out of traditional Indigenous communities. It ebbs and flows to our city. We know from speaking to the police that there are about 150 homes here at the moment that are overcrowded and the kids are wandering the streets because it is not safe for them to be home. There are alcohol, drug and gambling issues in those properties. Fundamentally, people are not acting as responsible parents. How do you make them responsible if their children are charged? Do we ask for them then to pay for bail? At some point parents have to be responsible for their children.

Ms RICHARDS: Thank you, Mayor, for raising the social media issue. I think that has a very large part to play in our communities and in the promotion, encouragement and incitement of crime. Thank you for raising that. You just raised a point that has been raised in both Cairns and Mount Isa—that is, Townsville

the restriction of alcohol and the unintended consequence of that in communities, which is that they are being knocked on into other communities to become the issue there. Can you talk a little more about that in the Townsville context?

Ms Hill: There is a real issue. This comes back to the member for Thuringowa's point about tripartite—working together. There was the NPARIH program that was being run through Indigenous communities, I believe quite successfully, ensuring there was housing and things like that. It was a program predominantly funded through the federal government. That money seems to have dried up and what we are seeing is a drift out of community and into main cities such as Mount Isa, Cairns and Townsville. There is no doubt that the overcrowding in housing and things like that and some of the elements that are not welcome in these communities are moving into our cities and causing problems.

Ms RICHARDS: It is creating a critical mass of problem in centralised areas. We heard in Mount Isa that the federal government's implementation of the cashless welfare card was causing Northern Territorians to move across to Mount Isa for access to what they could not access in their own homes and places.

Ms Hill: That is probably a fair statement. We have always had a natural movement in the dry and wet seasons of people moving into Townsville or to the coast. The issue, though, is not just an Indigenous issue. The problem we are having with crime, when you speak to the police, is that it is a mix. It is about how you deal with that. Predominantly it is environments that are encouraging this sort of behaviour and it is also people with addictive behaviours not understanding the consequence of those behaviours and what that means to their children. It is the rest of the community now that is trying to pick up the pieces but it is shattering the lives of people who just do not deserve it. Taking their cars when they are not insured—that is their lifeblood in a place like this. The threats and the physical threats now—it is not what this community is normally like. Those are issues that have to be dealt with here and now.

Ms RICHARDS: I have had a chance to look at the social media across Cairns and Townsville, particularly those crime pages. It is really quite alarming some of the commentary that runs around that. It becomes a catalyst for a bigger problem.

Ms Hill: It does. Social media has a tendency to amplify what is really happening. If I could make Facebook a publisher and hold them accountable, I think that would be part of the solution.

Ms RICHARDS: Agreed.

Ms Hill: Maybe take that up with federal government colleagues.

Ms RICHARDS: I intend to.

Ms Hill: I would dearly love to see Facebook designated as a publisher.

Ms RICHARDS: Agreed.

CHAIR: Thank you, Mayor, for your time.

Ms Hill: If I could make a submission: we have some proposed programs that we have been trying to seek support on to engage with the community to try to break that cycle.

CHAIR: Is leave granted? Is that something that you are willing to have made public, Mayor?

Ms Hill: Yes, certainly. It has been publicised. We are desperate to try to break that cycle.

CHAIR: Thank you for your time. I know that you have a very busy schedule.

Ms Hill: Thank you, Chair and committee.

BROWN, Ms Jenny, Co-convenor, Amnesty International Townsville Action Group

HANLEY, Mr Peter, Co-convenor, Amnesty International Townsville Action Group

FRAZER, Mr Ian, Member, Amnesty international Townsville Action Group

CHAIR: I do not know if you have been here for any of the earlier sessions. I apologise if I have not recognised you from them. You have three minutes to address the committee. I am conscious that you are all from the same organisation so you may have a spokesperson or you may wish to each use your allocated three minutes. I am in your hands as to how you progress. Obviously we try to stick to that strictly so that the committee can ask you some questions.

Mr Hanley: We are proposing that we will each speak briefly and then we will have time for questions. I have with me Jenny Brown, who is a co-convenor of the Amnesty group and a psychologist, and Ian Frazer, who is a member of our group and a journalist. We represent a mailing list of about 400 supporters and there are around 50 active members in our group. We have been interested in this area for a long time. We gave a submission to the 2016 inquiry into the Human Rights Act for Queensland and our focus then was on youth justice, so we have had a longstanding interest in this area. We are also aware of the public outcry about youth crime. We have heard other people speaking. We are very aware of what is happening in the papers and in social media.

We are concerned that the government, under pressure to fix the problem, is focusing just on using the reason of protecting the community from serious recidivist offenders. We believe really what still has to be central are the rights of the young person and the rights of children in most cases. In our submission we have opposed all of the changes to the Youth Justice Act and we argue that none of the amendments are likely to reduce reoffending. In fact, with tougher bail provisions the assumption is that reoffending is inevitable and we do not believe that that is so. We believe that with funds and resources made available there are programs that have been proved and could address the problem and reduce the amount of crime that we are seeing in our community.

Mr Frazer: I am a long-time resident of Townsville. As I said in my personal submission, luckily I have had no firsthand experience of this spate of youth crime in Townsville at present. Speaking on behalf of myself and our group, we want the government to do better than simply change or tighten the Youth Justice Act in the way that is proposed. We want the government to do better with reforms to our youth justice system focused on the best interests of the child and on keeping children and young people out of prison except as a very last resort and to address the traumatic underlying causes of crime. I heard the mayor speaking about it now and I am sure that is the subject we all are concerned about and very well aware of.

There is evidence that better resourcing of community-led diversion programs and other services working on the causes of crime have far better outcomes for children and for society as a whole. By saying that, I mean that they have better outcomes than, to use the buzz words, getting tougher on crime. The Amnesty group believes that the provisions regarding bail will funnel more young people and children into police watch houses and detention. Codifying breach of bail as an aggravating factor will lead to stricter sentences, including custodial sentences. Presumption against bail means kids will not be able to participate in diversion and prevention programs—that is, those who do not receive bail. Those programs need to at least deal with the causes of crime and they are meant to lessen recidivism. The Convention on the Rights of the Child clearly states that legislation affecting children must operate in the best interests of the child.

We reject the proposed use of electronic monitoring devices as a condition of bail in certain circumstances for repeat offenders aged 16 and 17. Such monitoring is likely to result in more bail breaches and would interfere with basic rights of privacy as set out in the UN Convention on the Rights of the Child. We believe that the proposed changes will disproportionately affect Aboriginal and Torres Strait Islander young people already over-represented in the youth justice system. Many of these are figures that we probably all know well: in Queensland, Aboriginal and Torres Strait Islander children and young people are 28 times more likely to be in detention than non-Indigenous youths.

CHAIR: Ian, I am sorry to interrupt but you have used up your three minutes. Do you have much more?

Mr Frazer: In short, we believe that the government must continue to fund Indigenous- and community-led programs to keep children out of prison and to address underlying causes of crime, for example, the on-country program in Cairns, Mount Isa and Townsville.

Ms Brown: Like Peter, I am a long-time Townsville resident. I have been living here for over 50 years. I have worked as a psychologist and also a disability support worker. Like the rest of our group I am concerned about the proposed changes to the act, which seem to be based on the central principle

that the community should be protected from serious recidivist offenders. This conflicts with the Convention on the Rights of the Child, which clearly states that any legislation affecting children must operate in the best interests of the child. We all know that children involved in the youth justice system are some of the most vulnerable and disadvantaged children in our community. We believe that these children need help and support rather than harsher punishment.

As Professor McGinty pointed out, there are concerns that fetal alcohol syndrome is possibly widespread in these children. I am aware that many of those who continue to reoffend are exhibiting behaviours suggesting mental health problems and cognitive impairment. I would like to refer—and Professor McGinty probably did—to the Western Australian research conducted at the Banksia Hill detention centre, which documented a high prevalence of FASD and severe neurological impairment in young people in that detention centre and recommended the need for improved diagnosis to identify their strengths and difficulties to guide and improve their rehabilitation.

These changes also ignore Queensland's own Human Rights Act, which clearly states that a child who has been convicted of an offence should be treated in a way that is appropriate for the child's age. We should be looking at keeping children out of detention except as a last resort and addressing the underlying causes of crime.

In relation to the proposed changes of strengthening bail laws, I understand the Cleveland Youth Detention Centre is already operating at maximum capacity. Past experience suggests that strengthening the bail laws and making breach of bail an offence will result in more children being detained somewhere, possibly in watch houses and other places that may not be appropriate. I believe that the government needs to consider what actually works to reduce recidivism rather than rush through measures such as the use of GPS trackers that are not supported by evidence based research. We feel it is disappointing that many positive changes that have been made in the youth justice area in Queensland are now in danger of being reversed. We would urge the Queensland government, instead, is to invest in well-resourced—

CHAIR: Sorry to pull you up, but you have used your three minutes.

Ms Brown: I just have one sentence. We urge the government to invest in well-resourced Indigenous and community led diversion and prevention programs to address the underlying causes of youth crime that would create safer communities for all of us.

CHAIR: Each of you were reading from a document. Has that document already been sent to the secretariat?

Mr Frazer: No.

CHAIR: Would you be happy for us to take a copy? You can hang on to them until we finish our questions in case you wish to refer to them.

Ms Brown: This is the research from Western Australia that I referred to.

CHAIR: Do you wish to tender that, too?

Ms Brown: I am happy to give you a copy of it, yes.

Mr POWELL: Thank you for your contributions. I think it has been fairly consistent over the course of the committee being in Mount Isa, Cairns and Townsville—and I suspect we will hear the same in Brisbane and the Gold Coast—that to look at this piece of legislation in isolation as the solution to the problem is wrong, that it has to be part of a broader package of solutions including early intervention and diversionary programs, as you suggest. I want to focus on one aspect. Obviously Amnesty International are going to focus on the rights—in this case, the rights of the child. Equally, there are rights of community members to feel safe, as we have heard today. A government's role is to balance those rights at times. Do you accept that there are members in this community who have been victims of crime and that they equally have a right to feel safe?

Ms Brown: Interestingly, I have been asked something similar before in another capacity at a crime forum. As a psychologist, I have worked with both perpetrators of quite serious crimes and those who have been impacted, being the victims or survivors. Yes, we all have rights to feel safe. However, I think it is important to remember, as Mayor Jenny Hill pointed out, that many of these children do not feel safe in their own homes. They are as much a victim, too.

Mr POWELL: Do either of the gentlemen want to respond?

Mr Frazer: I think that is a fair point. Following the concerns that have been raised in the local press over the last three or four months, it is obvious there are lots of people who feel quite afraid—older people who feel afraid. Of course, we tend to take it for granted if life is plain sailing, but we do have a right to feel safe and to expect that the government, through the laws of the land, is doing its Townsville

best for us to be safe. Our analysis, as I have set out, is that we do not believe, and I am exaggerating, in locking up kids and throwing away the keys—that is not what anyone proposes—or that, quite simply, getting offenders off the street will, in the long term, speak to that right or ensure that right that we have to feel safe. However, I take your point.

Ms Brown: Could I just make a slight additional comment to that. I think Professor McGinty has already pointed out that some of these children appear to be unable to learn the consequences of their behaviour due to their neurological impairment.

Mr BERKMAN: We heard some evidence—it was actually in camera, so I will not refer to it specifically. There are plenty of submissions which have made the point that exposing kids to the criminal justice system actually increases the risk of recidivism and, as a consequence, increases the ultimate risk to the community. Do you have any views on that that you would like to share with the committee?

Ms Brown: I think we have to be guided by the research, which does seem to suggest what you are saying—that early exposure to the criminal justice system can put people on a pathway to adult imprisonment.

Mr Frazer: Throughout my life I have had some family connections with the justice system. I have been a jail visitor when I lived in New South Wales. I was talking off the top of my head, but I believe somehow that this institutionalisation can help to perpetuate offending. This is a cliché, but the detention centre at the jail can become a home away from home. I have heard the comment that kids who go into a detention centre basically do not learn things that are going to help them but learn even more things that will lead to further crime. That is off the top of my head, but that is my belief from my life experience.

Ms BOLTON: You can see the difficulty that everyone is having. We understand that there are programs and rehabilitation and a lot needs to be done in the early stages, and we have seen the gaps there. That is obviously a problem. However, at the moment we are dealing with this 10 per cent. Earlier there was a comment made that of the 10 per cent who are repeat offenders creating so much trauma in our communities 80 per cent could be suffering from spectrum disorders. You have just made a comment that they are unable to learn about consequences, so right now, if those 10 per cent are to be put in prison, how do we keep the community safe from them?

Ms Brown: I possibly misquoted that. The point is that they would have more difficulty learning than people without cognitive impairments. I think everyone can learn to a degree, but these children struggle to learn and to foresee the consequences, and that is part of the syndrome—the impulsivity and so on. We would understand that driving a car fast is dangerous and I would not do it for that reason. We know we would get hurt. People with fetal alcohol syndrome do not have that same degree of control, but it does not mean that we cannot do anything with them, if that is the implication.

Ms BOLTON: No, I am just asking about that 10 per cent that is causing the—

CHAIR: Thanks, Sandy. I need to tidy up a few things.

Ms Brown: That is the paper I referred to.

CHAIR: The submission you read from and the paper from you, Jenny, and Ian, your document—

Mr Hanley: Mine is the same as Ian's.

CHAIR: Could someone from the secretariat please collect those documents? Is the committee happy that they form part of the submissions? Thank you for your attendance. I now call forward the next witnesses.

Ms Brown: My submission—what I basically read—was submitted as my individual one but it supported the Amnesty one, so the committee already has it under my name.

CHAIR: If we already have a copy, that is fine.

Ms Brown: It is under my name but it is basically the same.

CONGOO, Mr Malcolm, Indigenous Mentor, Gr8motive Aboriginal and Torres Strait Islander Corporation

STEWART, Ms Cherrie, Gr8motive Aboriginal and Torres Strait Islander Corporation

Ms Stewart: We were just walking out the door and got called back. We do not usually like to speak about the program too much because there is a lot of negativity that is always around what we do. Sorry to cut in front of you there, my aunties and my uncles. I work for Gr8motive on-country program. This is Malcolm. I am a senior cultural mentor. I was going to say a new cultural mentor that started with us last week.

To shine a bit of light around what we do, this is my passion—what I do, the on-country program. I absolutely believe in it and I believe it works. That is the only reason I am doing it. I have volunteered on committees previous to this, which is the hope and healing camps that we run in Townsville which are all voluntary as well. We fundraise our own money to do that. I was a part of that committee, which is why when I found out this was a job opportunity I came on board. I believe and I see the positive outcomes in terms of what the kids get from the camps. We got funding last year. I started in August last year and since then we have done seven camps. We had a camp recently, on 26 February. We did have camps booked in January, but due to flash flooding and then the cyclone we had to postpone. Then we had this camp and we took the kids out. We had a five-day camp booked, which was cut short because a lot of rain came in and kids were starting to go mad on the Sunday. We do have a camp booked for next week as well, which is just for our young boys and men. It is all around men's business and connection back to country.

There are a lot of positive outcomes from that and conversations that we have with the young people. It is about building resilience as well within this community. We are taking you back to country to identify with your culture, but what does the culture look like for you when you walk outside the door in this community? So we are helping to instil resilience as well. We can take them out on country here and they can learn stuff, but they also have to come back into town.

That is a lot around what we do. At the last camp we had 10 kids who attended. We are currently working closely with a lot of other organisations such as the Wulgurukaba Walkabout Boys and the PCYC. We are looking at attending an event together with other organisations so that way we can have a bigger target group. We can only take so many kids and so can they, but if we can come together we can have a bigger target range.

Mr Congo: I was brought into the organisation just recently. They brought me on for some of the cultural knowledge that I bring—all of the stuff that has been passed down through generations. We are just looking at integrating the kinship system—how to respect your father but also how to respect your kids. I have to treat my kids how I treat my father. It builds that relationship up and that resilience within them to figure out respect for everyone in their own certain way and just figure their way out in life. I think that is going to give them a good understanding of their culture, because if you do not understand that respect and that kinship then everything else will be a lot harder.

Just integrating on how to make spears, boomerangs, coolamons and all that kind of stuff. Take them out on country and direct them, 'This tree is for this and you use this for spears.' Just give them a better cultural understanding of who they are as themselves. Just try to integrate culture within them or back into them. We have just been collaborating with a lot of other organisations as well—Youth Justice, child protection, Education—just trying to find a good understanding of what is out there and trying to see what opportunities these kids have and to let them know that they are not alone. There is stuff out there for them. For us as a community, it is to get together and find out these opportunities and let them know that there are people out there for them.

Mrs GERBER: Thank you so much for taking the time to appear today and give us some of your experience. It is really valuable. I am interested in how your organisation interacts with the justice system. How does what you do interact with the courts and the youth justice system?

Ms Stewart: We have a really great relationship with Youth Justice themselves. We do weekly meetings with them. We are in the office. We are heading there now. We work closely with the whole Youth Justice team, the Stronger Communities team. We have been working in with the Townsville Community Justice Group. We support so many different areas. There is only so much sometimes we can do, but we do support some of our kids on our books when they attend courts themselves. That way we can go in there and speak on their behalf and say 'Yes, they have attended this program,' or 'They have been disengaged. They have not attended.' We do work really closely with them. They are a great, strong backing for us.

Mr LAST: Can you advise how long your camps go for and what your outcomes are measured against? What does success look like for your participants? Is there something measurable at the end of that camp that you can take back to a baseline?

Ms Stewart: I will go back to the beginning of where we started. For us, even when the funding came to us it created a divide because when the funding was given to Gr8motive, which is a company up north, it then created a divide between the community and ourselves because the money was not actually through an organisation in Townsville. I just found that in itself created a divide between our organisation and the community and the elders; therefore, it made it hard for us to focus just on the youth because then we are coming into this program not only trying to justify who we are within the community but also trying to work with the kids. Because of that, that created a barrier for the first few months of even getting referrals to the program. Now we have had to build that and strengthen that in the community.

We are getting a lot of referrals, which has only just started to happen at the beginning of this year. The outcomes of that obviously are trying to get the kids in and break down those walls and barriers and really find out what is happening in their home life. What do we need to help support them with? When we measure those outcomes it is more about, if they are not at school, are they attending school? Are they now doing employment and training? Are they reoffending still? Are they staying outside? We have stuff in place, coming up in June, which is a program that we are implementing to help support them to stay out—

Mr LAST: Do you have those figures available?

Ms Stewart: I do not have them on me.

Mr LAST: Could the committee get those figures about how many have re-engaged in school et cetera that you just talked about?

Ms Stewart: Yes, I could get those figures. Like I said, they are not going to be measured at a great level in such a short time. The community expects this program just to come in place and magic is going to happen: we are going to wave a wand and all of a sudden we have community engagement or the community getting involved. Then from January to February it is, 'Wow, all the kids are doing well and they are all going to school now.' That measure will take some time as well.

Mr DAMETTO: Thank you for coming along and giving your evidence and addressing the committee this afternoon. I would have loved to talk to children who reoffend during this hearing, but legislatively there is no ability to do that so you are the closest person to one of these children. Why do children who reoffend feel they have the right to walk into somebody's house, steal their car keys, steal a vehicle and then go and do something untoward with it?

CHAIR: Member for Hinchinbrook, you are seeking an opinion.

Mr DAMETTO: Chair, Cherrie talks to these children all the time. What have they told her? I am trying to understand this.

CHAIR: It may be something that Cherrie is not willing to answer. I am just concerned that the question goes one step too far in relation to trying to elicit from Cherrie confidential information that she may have from her clients. It would not matter whether they were juveniles or adults, you still—

Mr DAMETTO: Mr Chair, may I rephrase the question?

CHAIR: We are running out of time, so be quick.

Mr DAMETTO: Cherrie, will the raft of measures in this proposed legislation go far enough to deter some of these youth offenders from reoffending?

CHAIR: Cherrie, are you across the new legislation?

Ms Stewart: No.

CHAIR: Cherrie, it is not a test. If you are not across it, just say so.

Mr Congoo: I am not aware of it, but I think a lot of people are trying to find negative issues instead of trying to find positive solutions for negative issues, and I think that is what is wrong. A lot of people are trying to look at statistics and all this other kind of stuff instead of trying to find evidence based stuff that actually works at a grassroots level in these communities.

SURHA, Mr Nathaniel, Private capacity

van AAKEN, Dr Bruno, Townsville Youth Crossroads

WARLAND, Ms Jacinta, Townsville Youth Crossroads

Ms Warland: This may be a bit different to what you are expecting, because we are here with solutions that help the whole community. Townsville Youth Crossroads is a group of grassroots people who have come together in the last six months to look at better options. We have come up with an idea to partner with NGOs and intervention programs that will help young offenders. I just want to be clear that we are not looking for permission to do this. We believe that this has to happen. We do not need funding. We are looking for community buy-in more than anything. What we want to achieve is the bringing together of current programs and support for young offenders. Crossroads is more about supporting the young person. I do believe there is a 10 per cent to 90 per cent situation going on there, but I think all of the kids can benefit from what we are offering.

Think of us as a conduit to an effective future for the young person—a court ordered self-development and individual identity program that brings all of the agencies together to support that young person. A lot of the submissions called for punitive action in the update of the legislation. The Townsville Youth Justice Group offered solutions, and we would certainly partner with them in looking forward to the implementation of the Indigenous youth Murri Court.

We agree with many that the child/young person is already at a disadvantage and needs to look for solutions as an holistic approach. First and foremost, we must embrace the wisdom that exists within our community. Our mentors and peers will be sourced from the Indigenous community of Townsville. At the beginning of the discussions this morning there was a mention that the media has called this an epidemic. I say to you: what we do if there is an epidemic? We would find solutions through a treatment plan. We would look for specialists. We would look for some intervention. I would suggest that we should do this here. There are family and societal issues, including lack of a home, lack of education and health issues. These can all be treated. There are many agencies already out there that are funded to do this. What is not out there is a single point of referral for these current systems. We also have buy-in from business and industry. They are eager to find long-term solutions that impact these young people. We have been in discussions with organisations like AgForce, TAFE and bigger primary producers who have come on board and said they will offer support.

CHAIR: Before we move on, you said you have a 10-page document. Has that been submitted?

Ms Warland: Yes, you have that.

CHAIR: It is a submission. Thank you. Dr van Aaken?

Dr van Aaken: I have so much to say but so little time to say it in. What we are proposing is, as Jacinta has pointed out, a conduit. We are back-ending the Indigenous Murri Court. Where the Indigenous Murri Court and its orders run for 12 weeks, we will then provide a big brother and big sister scheme to accompany the young offenders as they then transition into adulthood. As Karl has already said, this will be a long-term project.

There are many services out there. I pose the question: do the current systems that deal with young offenders all know where each service is and how to access them? I dealt with a program in Tasmania where we ran a service audit. It could possibly be propitious to run a similar service audit in the Townsville region. I was talking to Michael Berkman, who suggested that even a statewide service audit might be welcome, but I will leave that for others. That audit showed us where services were and we then worked together with those services. We held a forum. We wrote MOUs between services in a spirit of collaboration so that we could spend the service dollar more wisely and minimise service duplication. We are not arguing for a service takeover. That would be, of course, a failure.

The strength of this program is the big brother and big sister concept—that each offender is matched up with a trained big brother or big sister to keep the young offender hopefully on the straight and narrow, to build a long-term relationship which would then work on trust. I ran a drop-in centre in Hobart for many years. It was safe for me to walk the streets of Hobart at 3 am because I had trust—I had street cred. This is the type of relationship that the big brothers and big sisters would form with their charges as a long-term prospect.

CHAIR: Thank you, Doctor. Nathaniel, would you like to address the committee for three minutes please?

Mr Surha: I will come from a straight cultural background. I am an older person. I am 62 this year. I have been working in this area for a long time. I am one of the people who was considered disadvantaged from day one. My whole life has been trying to create a balance so that we are not

considered disadvantaged from day one. I am an ex-group training manager. I have put through about 300 apprentices. About 50 or 60 of those were Indigenous. Some of these guys did not have the basic education, so we were looking at putting our time into people who had the right attitude.

I have a program and I am working in with these guys here. We talked about rites of passage. Someone mentioned TikTok and the rites of passage of young people. They have tests such as young people might have an hour to go out to try to steal a car or something and that is a rite of passage. The question is: what is the rite of passage for a 21st century young man who is trying to stay on the straight and narrow and who is trying to go well? Where are the strong men? We already have enough statistics. One statistic I heard was that there were 70,000 single-parent homes. You only have to do your numbers on that. I am pretty good at numbers. There are thousands of young boys who have no male person in their life.

To work in the system, you have a number of NGO contracts to deliver programs. They will seek an Indigenous male or person to connect with community to be able to make the system work. Part of that is certificates and counselling certificates, which is good. If we look at all the certificates that we have in this arena of trying to help our young people, the one thing that we do not have is cultural authority. There is no recognition for men like me and others who have cultural authority. We do not get those certificates through university. I am looking at going to university to try to make my cultural authority carry a bit more weight. I do not have much time left to pass on what I know.

What is the effect of cultural authority on young men? Why is it that, in a normal home, when a man comes in the woman says, 'He turns up and the kid does what he is told. I've been shouting at him all day trying to get him to do things.' That male presence comes in and the kid does what he is told. What is going on there? People do not recognise some of those things. That is with men across the board. We need to bring that back in. How do we do that? Why does someone like me have to go through a non-Indigenous group to get to my community now because I do not have a degree or a diploma in things like this? Why is that? Yet when we come to forms we say, 'Where are the men?'

We know that routine and structure work. That is why they talk about the Army and all of that sort of thing. How can we create routine and structure that is more around the cultural base? How do we get education and all of those things to be recognised as something important to survive in the 21st century? How do we relate that education from a cultural perspective? How do we do that? There are ways that we can do that. I see that I am out of time.

CHAIR: Your three minutes are up.

Mr BERKMAN: We did have a really interesting chat in the break about the potential for a services audit to identify which of those early intervention services or other wraparound services such as family support services could be better provided, and where and how. Dr van Aaken, if we were to undertake the sort of service audit that you have described, what would be the scope of the services that should be looked at and who might undertake them?

Dr van Aaken: The first thing that would need to be done is: who is out there and what are they doing? The point of the service audit would be to add depth to the cultural assessment that takes place at the youth Murri Court level which then identifies individual needs, rather than putting children in a box children, saying, 'You're Aboriginal. You've been a naughty boy. You steal cars.' That puts you in a box as a car thief.

As we know, there are tragic stories behind each Aboriginal child and each Torres Strait Islander child but also behind each white child, but that is another story and we will come to that after this scheme. Those stories need to be addressed in an appropriate way. Therefore, you need to know where you can access effective intervention and what that looks like, not just say, 'We will give you to this service and they will do what they can.' It is an individual thing.

Ms BUSH: My question picks up the point around service mapping. I am aware QCOSS attended Townsville and undertook service mapping, I thought, in 2018 specifically looking at young people at that time. Doctor, were you involved in that at all or are you aware of that?

Dr van Aaken: I come from a slight disadvantage here. I moved to Townsville in mid-2017. I have family here, which is why I am here to stay. I have learned as much as I can as quickly as I can. I am still learning a little bit here. I am guided by Karl, Jacinta and Nat in terms of what services are available. I am told that there are a lot of good services here. I am not criticising those services in any way, shape or form. I asked Karl a question: 'Did you know about that service?' Karl said, 'No.' We came to the conclusion that if we did not know then who else does not know? That is why we probably need to revisit it—there is a document, I believe—and see what gaps there are in that document. Also, there needs to be some sort of mechanism for those services to be able to talk regularly.

Mr HARPER: I commend you on your work with Crossroads. It is fantastic that you are collaborating. I just wanted to comment on that and also go to Nat's point about having structure and understanding culture. It almost goes to your point that there are many programs out there. I do not know whether you are aware of TAIHS, the Townsville Aboriginal Islander Health Service, which has many programs. Are you aware of the Clontarf Foundation and the 500 young Indigenous males that are in the three academies in Kirwan, Thuringowa and Heatley in my electorate? Are you engaging with them?

Ms Warland: Yes, we will.

Dr van Aaken: We will.

Ms Warland: This is a beginning. It is not set in concrete.

Mr HARPER: They are a fantastic organisation.

Dr van Aaken: Clontarf do very good work. I have also talked to some of the Clontarf workers.

CHAIR: Thank you for coming along and for addressing the committee.

AMBROSE, Ms Wendy, Secretary, Townsville Crime Committee

CHAIR: Wendy, I know you have been sitting here for most of the morning, so you understand the ground rules. Please make a three-minute opening statement and then we will go to questions.

Ms Ambrose: Yes. I know my statement is a little over three minutes, but stop me when my three minutes are up. I am the secretary of Townsville Crime Committee. Firstly, I would like to thank the committee for the opportunity to speak today. I have to say: I really hope this is not just another ploy to allow the government to claim they have consulted with the community yet take none of our concerns on board.

Breach of bail must be reinstated as an offence. There is absolutely no point in giving an offender bail if breaching that bail is not a criminal offence. Simply adding words like 'must' instead of 'may' does not constitute a strong enough change to the act and does nothing to ensure community safety. There have been a number of shocking incidents here in Townsville where the offender was already on bail for previous serious offences when detained yet again.

The community is fed up, frustrated and angry that the level of offending has been allowed to get to where it is. We have been crying out for help for years and have been ignored. There have been times when police have asked the community to avoid being on the roads and to travel only if absolutely necessary because of rampaging convoys of stolen vehicles. Is this really acceptable? What other city has had to shut down its airport because the airspace was occupied by rescue helicopters tracking juveniles in stolen vehicles who were posing serious risk to the public?

We are continually told that there is a core group of recidivist offenders who are offending and they are being heavily targeted. This has been going on for years. If you do the math, it is clearly evident that this is not the same group of offenders. A child who was 15 four years ago is no longer a juvenile, yet the numbers in that core group have not decreased—clear proof that younger children are being recruited into that group of hardcore offenders because habitual offenders are repeatedly put back on the streets.

The onus has been placed on us to ensure our safety. People are spending thousands of dollars upgrading security in their homes, and just recently we were told by one of our senior police that we should look at buying safes to keep our valuables in. Why? Why should we have to go to such lengths to defend our property? We understand that many of these kids come from disadvantaged backgrounds, but their actions are leaving an entire community traumatised. I know of young children from multiple families whose parents have had to seek counselling for them after their homes have been broken into and ransacked and the children left traumatised by waking up to offenders in their bedrooms. The financial burden that some people experience after the theft of their property will take years for them to recover. Meanwhile, our insurance premiums are going through the roof, with some people reporting that certain companies are refusing to cover vehicles garaged in certain suburbs.

Some 32 kilometres north-west of Townsville we have a property that runs a highly successful program for troubled youth, putting them through a training program that is teaching them not only work skills but also everyday general life skills. This program has an 86 per cent success rate in turning around the lives of young offenders and finding them real and meaningful employment upon completion of the program. Sadly, the state government made changes to funding arrangements which meant that any child wishing to attend would have to pay thousands of dollars to do so, a cost that is so far out of reach for most children who desperately need the program. The reality is that most of them do not even know where their next meal is coming from.

CHAIR: Your three minutes is up. Wendy, have you submitted that to the secretariat online?

Ms Ambrose: No.

CHAIR: When we are finished questioning, would you mind giving that to the committee?

Ms Ambrose: Yes, not a problem.

CHAIR: Thank you. I open it up to questions.

Mr POWELL: Would you like another 30 seconds to keep going for a bit?

Ms Ambrose: I could finish what I was saying, if you like. It is astounding that when we are crying out for solutions to this juvenile crime epidemic the state government refuses to fund programs such as this and yet throws money away hand over fist on other programs that have no statistical data to prove they even work.

It is the state government's responsibility to ensure the safety of all citizens. Laws need to be changed to address this problem. Reinstating breach of bail as an offence is a must. Bringing in extra police does not solve the problem. Our police go above and beyond when doing their job and we are

grateful for the service they provide; however, they have basically become highly skilled babysitters. They cannot stop juveniles driving dangerously on our roads and are forced to watch the same car full of children, sometimes for days on end, rampage through the streets. It is pure dumb luck that more innocent people have not lost their lives on our roads.

Entire communities are being held to ransom because of the actions of a few. Where is the help and assistance for victims left devastated, both financially and emotionally, by juvenile crime? I will answer that: there is none, yet millions of dollars of taxpayers' money has been poured into assisting the perpetrators of crime. There is something very wrong with this picture and it is about time elected members started listening to the people they represent and putting the safety of their constituents first.

Mr HARPER: Thank you, Wendy. I wish to address a couple of points. Are you talking about the Wonderland Station certificate III? What is the name of the program?

Ms Ambrose: Certificate III in Rural Operations.

Mr HARPER: Yes, I know that one, but the particular person that runs it.

Ms Ambrose: Geoff Toomby.

Mr HARPER: Toomby, yes. You made a statement that we refused to fund. Do you have any evidence that the state government refused?

Ms Ambrose: The Townsville Crime Committee have brought this up several times and asked for funding to be reinstated, and it seems to just be fobbed off.

Mr HARPER: I worked with Geoff and Vicki in 2015-16. We got additional funding through the Cowboys to run that program again. You say it has a success rate of 82 per cent. The department reviewed it. It is way less than that. It is less than 40 per cent.

Ms Ambrose: No, that is not true, Aaron.

Mr HARPER: Well that is the information I got from the department.

CHAIR: Don't argue with the witness.

Ms Ambrose: I will be honest with you: I am aware of your personality clash with Geoff, but I think it is really unfortunate that a program that is so successful is no longer given funding.

Mr HARPER: Are you part of a Townsville community group, did you say?

Ms Ambrose: The Townsville Crime Committee. I also serve on the Youth Offender Accountability Board.

Mr HARPER: That is what I was going to ask. So what are the outcomes of that board, Wendy?

Ms Ambrose: The Youth Offender Accountability Board is a group of people—youth justice; there is a whole group of us—who look at what children who are sentenced to community service orders can do as meaningful ways of serving out that order.

Ms BUSH: Wendy, you have referenced reinstating breach of bail. I am curious if you can point us to any evaluation or evidence around the efficacy of that.

Ms Ambrose: I do not personally have any evaluation on it, but with what is happening in our communities something needs to be done. We cannot take a step back and make things easier. We need to make things tougher to stop this happening. It is not fair. I know of a little boy who is now terrified of police. His home was invaded. Of course, police were there attending and the house was swarmed by police. Now he associates police with bad things happening. It is just really sad that young children are being traumatised, through no fault of their own, and having these sorts of issues because of what is happening in the community.

Ms RICHARDS: Wendy, I have asked a number of submitters today—and it was very interesting to hear Mayor Jenny Hill talk about the committee considering the potential of implementing a criminal offence for the misuse of social media due to its impacts and its ability to incite and encourage youth crime. Across the regions we have been to—here in Townsville, Cairns and Mount Isa—we are seeing tens of thousands of people following these crime pages, which are being used as an opportunity to glorify youth crime and perhaps incite further. What are your thoughts on that?

Ms Ambrose: It was interesting to hear somebody earlier say that crime pages were being used for these kids to post their videos.

Ms RICHARDS: For others to post their videos.

Ms Ambrose: Yes. That is not entirely true. There are some pages where admin are not so—what is the word I am looking for?—vigilant about what happens on their page. Many pages like ours—Townsville Community Crime Alerts and Discussions—do not allow those videos on their pages. The admin remove them immediately. We do not believe that there is any productivity in posting those videos to social media. It only fuels the anger and the frustration within the community.

Ms RICHARDS: You would agree that there should be some recourse on the use of social media?

Ms Ambrose: Definitely.

Ms BUSH: I really appreciate your point around needing to do something. My question is in relation to this bill, which seeks to strengthen the bail framework, including reversing the presumption of bail, GPS monitoring, having parents and guardians go guarantor almost for them to get bail, and committing an offence whilst on bail as an aggravating factor in sentencing. How do you feel about those reforms?

Ms Ambrose: I think reforms need to happen. Personally, I do not see how trackers are going to work. We are aware that a huge percentage of these kids do not have family support and are really disadvantaged. I really cannot see how children who are out committing crime—and hardcore crime like they are—are going to go home and charge a tracker. I just cannot see that happening. I just do not see the value in it.

Ms BUSH: That is the point in the bill: if they cannot satisfy those conditions, they will remain in custody.

Ms Ambrose: Yes.

Ms BUSH: Do you support that?

Ms Ambrose: Yes, but I do not see the value in trackers at all. As somebody else said earlier, police are not allowed to pursue these vehicles. If we know they are in a vehicle, that is fine; we know where they are. Most of the time they know where the vehicle is, so what is the point of having a tracker on them? That is just my opinion. Also, it is only for 16- and 17-year-olds when there is clear evidence that a lot of these kids who are committing these hardcore crimes are a lot younger.

CHAIR: Thank you. That brings this part of the hearing to a conclusion. We will adjourn until 1.40 pm. If there are people in the audience who have not spoken today or last night who would like that opportunity, please see the secretariat and we will look at our timetable to see if we can accommodate that. Thank you.

Proceedings suspended from 1.26 pm to 1.53 pm.

CHAIR: This concludes the public hearing. Thank you very much to all witnesses who have participated today. Thank you to our Hansard reporters. 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 Youth Justice and Other Legislation Amendment Bill 2021 closed.

The committee adjourned at 1.54 pm.