



LEGAL AFFAIRS AND SAFETY COMMITTEE

Members present:

Mr PS Russo MP—Chair
Mrs LJ Gerber MP
Ms SL Bolton MP
Ms JM Bush MP
Mr JE Hunt MP
Mr JM Krause MP

Visiting Member:

Mr RI Katter MP

Staff present:

Ms K O'Sullivan—Committee Secretary

PUBLIC HEARING—INQUIRY INTO THE WORKING WITH CHILDREN (INDIGENOUS COMMUNITIES) AMENDMENT BILL 2021

TRANSCRIPT OF PROCEEDINGS

TUESDAY, 6 SEPTEMBER 2022

Mount Isa

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The committee met at 11.19 am.

CHAIR: Good morning, everybody. I declare open this public hearing for the committee's inquiry into the Working with Children (Indigenous Communities) Amendment Bill 2021. My name is Peter Russo, member for Toohey and chair of the committee. I would now like to welcome William Blackley, an elder, and Cameron, to do a welcome to country.

William Blackley and Cameron Blackley then gave a welcome to country.

CHAIR: Thank you, William and Cameron, for your welcome to country. I would like to commence this morning by respectfully acknowledging the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander peoples whose lands, winds and waters we all share. With me here today are Laura Gerber MP, member for Currumbin and deputy chair; Sandy Bolton MP, member for Noosa; Jonty Bush MP, member for Cooper; Jason Hunt MP, member for Caloundra; and John Krause MP, member for Scenic Rim. The committee has also granted leave for Robbie Katter, member for Traeger, to ask questions at the hearing today. Robbie will join us shortly.

Robbie Katter introduced the bill into the Queensland parliament on 1 September 2021 and it was referred to the committee for detailed consideration. The purpose of today is to hear evidence from stakeholders, community members and submitters about their views on the bill. This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee can be a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee. Our Hansard reporters are making a transcript of the hearing for the committee's record of evidence. To ensure the transcript is accurate, can I please ask that only one person speak at a time and this will allow 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 by media during the proceedings 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. The program for today has been published on the committee's webpage and there are hard copies available from the committee staff. I ask everyone present to turn mobile phones off or to silent mode. The hearing will start with invited stakeholders sharing their views on the bill. If there is anyone else present who would like five to 10 minutes to speak about their views on the bill there is time allocated between 12.35 and 1.25 and between 2.55 and 3.55. Please make yourself known to Marjorie and she will organise it.

ILES, Ms Rose, Elder, Waanyi Tribal PBC

ILES, Ms Hayley, Board Member, Cloncurry Justice Association

ARTHUR, Ms Julie, Manager, Cloncurry Justice Association.

CHAIR: I would now like to welcome Rose Iles from the Waanyi Tribal PBC and Mount Isa community. I invite you to make an opening statement if you wish—we say five minutes, but if you go over no-one is going to pull you up—after which committee members may have some questions for you. For the benefit of Hansard, the first time you speak if you could just say your name so that it shows up on the recording. Thank you for coming along today.

Ms R Iles: Thank you very much. It is a great opportunity for us all in Mount Isa. We service our whole communities. I want to thank everybody for turning up too. It is great. My thanks also have to go to Robbie Katter who we hound with our issues. He is very responsive. He works very hard for our communities and I want a big thank you and acknowledgement to go to Robbie. To the issues, this has come about because we hounded Robbie a little bit about, hey, these mob have to come and talk to Mount Isa

us and find out what is going on. We have a lot of people who possibly could be in work, but we have a real issue with—well, there is an issue for them—the blue card. It also goes back to I think Save the Children. We have to include that. That comes first and then the blue card. However, in small communities, I will call them lockdown communities, like the gulf communities, so you have Doomadgee, Normanton and Mornington Island, that is the gulf communities that I am aware of where the issues are really foremost. We have other communities like Dajarra, Boulia and places like that and I am not quite sure how they go because we do not have a lot of interaction with them.

With the blue card I thought there has to be a way around this so people could get back to work. Okay, they have committed offences and what have you, but the offences may not be serious enough to keep them out of a normal job so let us go and have a look at that. Somebody that has stolen a vehicle, it might be two or three years ago, these are a lot of things that young people do—old people as well, I suppose—but with the communities there is little chance for change because it is locked in. The devil makes work for idle hands. This is where we have a lot of non action. People are not developing and looking into the future. My idea is that if we could look at their offences, if they are not so severe we could possibly consider them for a temporary blue card.

I see this as a panel, like through the justice groups in each of the communities having elders on their panel because the elders from that community know their people best. They know who is trying to turn their life around, who would like to have a go, but does not know how. It would be good if we could further this to a stage where we have community making a strong recommendation that a blue card be issued to whoever is coming to look for work. It will probably be very slow at the start, but I do believe once we get going we hope that it will be a spiralling effect that, okay, so-and-so has got a job now, he got a blue card or she got a blue card so I am going to go and see if I can get one as well.

Let us have a look at Mornington Island. I read in the pamphlet Robbie sent out that at the kindergarten on Mornington Island they only have one employee because everybody else does not have a blue card and cannot get involved. They are not employable. These are the situations which are very dire, but we have to find a solution and a way around this because it is a locked-in community and whether we have murderers or robbers or whatever, those people remain in the community and they remain with their families. Somewhere along the line with our elders, through the justice group, I am hoping this will be some kind of solution to turn their life around. They are going to benefit the community, they are going to get off welfare and earn a pay so straight away we are going to instill some pride in them. This is lacking. The idle hands tend to look for company. They drink, they take drugs, they do silly things, but if we could get them to do some kind of work, have some kind of action taking place in the community, some projects being done, then I am sure—well, I am not sure, but I do really hope—that we can help to make a change in their lives.

That is probably about it. I may come back to a few things later on because I never wrote any notes down. I thought, no, I am going to come here and tell you how I feel and speak from the heart and cut to the chase. I am not one to mince words. There you have it. Thank you.

Mrs GERBER: Thank you, Rose, for taking the time to appear and give us a submission. One of the issues that I wanted your opinion on is that it has been raised with the committee around the community justice groups as a potential issue that they may feel pressure from other family members or other elders to make a decision one way or another. I am just interested in your perspective around how the community justice groups would work in the blue card space and how they might be able to overcome some of the barriers that you have just talked about there in relation to getting a blue card.

Ms R Iles: Again this will be just my opinion but also from previous experience that our people can tend to get very envious of those who are trying to make their lives better and they can be quite destructive. I am hoping that the elders that sit on that community justice panel will be strong enough. This is where we have to make sure we get strong people on there who will apply the letter of the law that they are responsible for. We have to deal with the jealousy and the envy and the aggro of somebody getting better than me. That is the case and we know it exists, but we have to address it. We have to try and find a solution around that, which I am hoping will help.

On this panel you would have to get police records to find out how serious the offences were. Even though the community knows that, you would need real proof. They have to make a decision on the lesser offences to try to get them back into work. Most people in the communities know they do not have any work, they would like to have work—well, the majority of them would like to get into employment. When people come through the Murri Court, and I sit on the elders panel, we talk to them about future plans and the way to get there is to find some sort of employment. I say to them, 'What are you doing in five years time? What is going to happen in 10 years time? You are the next generation to keep everything afloat, to carry on.' We are trying to plant the seed and get people to think about a future, which is not part of the Indigenous mob. But the constant aggro that will go towards this group, Mount Isa

if they are finding it too hard and having a lot of problems with certain people in the community then I think they have to call on others, maybe a more serious group, that could oversee any of those issues and come to the fore, not necessarily from that community, but come there and spell out the responsibilities. This is all trial and error and I am just thinking off the top of my head how I think this could help.

Ms BUSH: Thank you so much for being here. Just so I can understand, the Waanyi Tribal PBC is not a community justice group, it is involved in native title.

Ms R Iles: That is correct.

Ms BUSH: The area you represent is Doomadgee, Normanton, Mornington predominantly.

Ms R Iles: Waanyi native title includes all Waanyi people, whether they live in Doomadgee or in the gulf or in Normanton or wherever, but the PBC, which is the Waanyi PBC, takes care of all business for the Waanyi people. You have other native title groups, like Normanton has theirs, Burketown has theirs and Mornington has theirs as well. They have their own centre. It is like a management committee in each of those is the best way I could probably make it simple to explain.

Ms BUSH: Thank you. That is good. I know we have Julie and Hayley here from a community justice group. Are there community justice groups that your organisation would cover off on? I am just trying to think of structurally how it sits.

Ms R Iles: I was not aware of that. Julie has just informed me that Normanton and Mornington Island actually have a justice group. I am not sure about Doomadgee. We will have to find out.

Ms BUSH: Do you mind if I ask: you have mentioned that there would be some offences that may not be serious enough, and for those less serious offences maybe those could be looked at by community justice groups. Off the top of your head, would you have a view of what those less serious offences might be that you see are problematic in your communities?

Ms R Iles: DV is a big thing. Unfortunately with DV the perpetrator gets charged but they go back and live with their families and within the community and the neighbourhood and they want to see their children. What we do with that is we are fixing up the right hand but the left hand is roaming free. The lesser offence with DV, it could be just people having a big old slanging match, it may not be anybody getting hurt, or it may be the female is bashing up the male. We hear about that in the Murri Court. The law does not address that. It is predominantly always the male who is the perpetrator. That is one I thought could be a lesser crime. We also know that kiddie stuff, when you are young you do silly things. You might throw a stone, break a window or whatever else or you might run in because you are hungry and steal some food and whatever. Then you are charged with an offence. We would have to leave that up to a whole lot of people to discuss what they think, but that is just my opinion, that those are the people we could probably transition back into work.

My idea is once they face a community justice panel and lodge an application they would then have to commit to being monitored on the job and, depending on the seriousness of the offence, they would need to visit the panel once a month or once a week or whatever else. This could also draw in who was going to employ them. If they are getting feedback that the employee is being naughty then the panel would have to bring them in. This is why I am saying whoever goes on that panel has to be very strong because their focus has to be on soothing the hand. It is about the whole community and what I can do for you for your future because you have children and you are going to bring them up in the same way.

Ms BUSH: Chair, do you mind if I ask a few more questions on that topic, or I am happy if you want to come back to me?

CHAIR: I am just conscious of time, but we have until 1.25 and we have to invite some other people on. How many more questions?

Ms BUSH: I am happy to come back. I will not forget.

CHAIR: All right.

Ms BOLTON: Rose, good morning and welcome, everyone. You mentioned in your opening statement about the possibility of who is being impacted. Do we have any idea how many are not currently eligible for a blue card who are seeking work? You said that the kindergarten only has one staff member and you cannot get staff. Do we have any idea how many? I ask that from a resourcing angle. If we are looking at community justice associations and how that will all work, is it a small volume or a large volume?

Ms R Iles: I cannot give you any data on that. That would probably be better known to the actual shire councils in the community, but I would imagine that the Queensland government that rejects the blue card should have this data and we should be able to have a look at it because it would be very

interesting. We would not carry that data here because it means that you would have to visit every single person and make notes about why they were rejected or when they were rejected, if they got a blue card or they have not and just rely on that. It is not going to be possible to visit everyone. Even when people come through Murri Court, we just take that on board. Sorry, but we do not collect that data and the question you asked is important, but who do you think would have that data?

Ms BOLTON: I do not know; we will find out because it is part of understanding that process and the resourcing. QCOSS raised in its submission about kinship care and how it impacts. Do you have any examples that you could share with the committee?

Ms R Iles: What is your question?

Ms BOLTON: One of the submissions we have from QCOSS is with regard to kinship carers. Do we have examples or do you know of anyone who is impacted and how that does impact the community?

Ms R Iles: No. I am not really over that, but Julie is just showing me something.

CHAIR: Rose, you can answer the question or, Julie, you are welcome to answer it too.

Ms R Iles: Yes. Can I pass that to Julie because she has more data on that? That is her work whereas I am not involved in that.

Ms Arthur: I just gathered some stats on that in my presentation. For Indigenous children for every 1,000 children, it is 23.9 per cent and non-Indigenous per the 1,000 children it is 3.2 per cent. I will just finish that statement: for all children per 1,000 it is 5.1 per cent and the ratio of non-Indigenous to Indigenous is 7.5 per cent. These stats reveal that First Nations children account for seven per cent in this child protection and out-of-home care, so before we even start our history the chances of young people coming through the ranks are diminished by far, because usually when they go into this situation they get taken away from their families to be protected from the assimilation policy. So that goes on and then those children have a 45 per cent chance of being young offenders, and that is from 2018-19. Those stats were published in the *Child protection and Aboriginal and Torres Strait Islander children* report.

We are talking about 10-year-olds to 17-year-olds in Queensland—that is just Queensland alone—and then we are not talking about the fact that from there they get incarcerated, so then the stats actually increase further again. First Nations children are 24 times more likely as non-Indigenous children to be in youth detention centres. Over 53 per cent of young people in detention centres were First Nations youth. This is during childhood and adolescence, so how angry are these kids? How disappointed? How distressed are our First Nations children? This is before we even reach employment. We have education for them before that and after that. After going through child protection, incarceration and then they are trying to get an education on top of that, what are their chances that will impact on them to get a blue card? These are horrendous stats, but we have to look at child protection and the incarceration of youth. We also have to look at education and employment. That is in my statement, and I am happy to give that as a handout to you.

Ms BOLTON: Thank you. I will hand back to the chair because I know we will come back to you shortly. Thank you.

Mr KRAUSE: Thank you, Rose, for your presentation. We were talking before the hearing and you said you might throw some hard questions at us and we have one to take on notice already, so thank you for that. In a general sense, in terms of the difficulties that some people have in accessing blue cards, what types of jobs and roles in the community do you see most commonly ruled out as a result of the issue that we are talking about here today?

Ms R Iles: That is a difficult one.

Mr KRAUSE: Just off the top of your head.

CHAIR: Sorry, Rose, but I think Hayley wants to answer.

Ms R Iles: That is not easy, but Hayley has worked in the community and knows a little bit more and has Commonwealth experience.

Ms H Iles: What was the question again? Can you ask me the question again?

Mr KRAUSE: Hayley, in a general sense from what you can recall, what types of jobs or roles in the community are ruled out for people as a result of not being able to get a blue card in terms of the issue we are dealing with in this bill?

Ms H Iles: Through my work through the gulf and here one of the most common things is that you have Save the Children and Mission Australia that has a safe house, a women's shelter and then you have the men's group that deal with men's cultural stuff. They cannot get a blue card if there are

kids involved. It is as simple as that, so that means that they cannot work. I have found that throughout my 30 years that I have worked throughout this area. Our people of many ages are not able to get blue cards and so their self-esteem and how they are seen in their own communities, especially our closed communities, is like, 'They're the poor ones. They've got nothing.' They are struggling and then they have done something silly like steal a loaf of bread because they were starving and their kids are now grown up. The community sees them as being good people in their community and can sign off on that if you have a panel. These are the opportunities for a lot of our people to be able to get employment.

If you are looking at remote stuff and even across Mount Isa and our whole region there is a certain skill set of our people who may have even committed some type of crime from low to medium. They should be able to get a blue card to be able to work in the communities because they have grown up in their communities, they are going to live there all their life and they are going to die there. A lot of our black people live in their communities forever. There are very few who go to Cairns. They might go shopping, but they always come home to their country, and I am just talking about their traditional lands. So if a lot of our people are not able to get blue cards, and that is from young people to old people, it creates that domino effect—they are too poor, they cannot achieve anything, their self-esteem and walking tall, being a person being able to provide for their families. So it is so important for our people of various ages to be able to get a blue card so they can walk tall and be proud and earn a living to survive like other Australian citizens.

Ms R Iles: If I can add to that, there is a lot of types of employment. There is the construction work that goes on, there is building roads and there is the mining industry. With construction, if they have not got a blue card they cannot get a licence and they cannot get the job. That is one of the industries that would be okay. If someone has done something terribly wrong but has not hurt anybody, then they are the sort of people who we thought could take up these roles. There is also a lot of contract work that goes on all over the place, so if we give people a blue card to start off with there is a whole range of effects there. They could start off with a car licence and then get a truck licence and licences then to operate machinery. These are massive things. That is more or less for the males, but females are moving into this industry as well. They are just a few things off the top of my head that I can think of. Julie, do you have anything to add to that?

Ms Arthur: I could. When we look at this blue card and we are looking at employment opportunities, as the manager of the Cloncurry Justice Association I find it hard to employ someone just to do Centrelink. Just to pass that criteria of secrecy, confidentiality and no criminal history, I do not have any applicants. That is the impact that this card has given the standards of the Commonwealth and state governments. Just when you are looking at industry across the board, before I apply for money to put a service into Cloncurry I have to think, 'What are the skill sets in Cloncurry and who's going to be able to pass them? Who can I train and skill up with these skills to do the job?' It is so difficult out in this area because of this blue card. We really need to look at these amendments as something that really needs to be convincing and accurate, because it is just crippling our whole community around who we can employ.

I had a young woman who applied to work with us to do Centrelink. We could not get her past the police check because of something that happened 10 years ago. I can give you incidents where we have lost employees in our organisation because we have been targeted by the police. It is just phenomenal. In terms of domestic violence itself—and I should not whinge about this act, because I think it is quite important and it does protect women, family and children—if you put a domestic violence charge on one of my night patrol officers he no longer works in our organisation, so I lose an employee, one who has a good heart and one who contributed strongly to the community—not just in his job but I am talking personally outside of his job. He will go and clean houses for elders. He will cook feeds for them. He will make a piece of furniture if they are missing a piece of furniture. Instead of the TV sitting on the floor, he will make an entertainment unit, paint it and varnish it.

We have really good people who are losing employment because of the blue card and the police targeting. I have examples for you which we will go through later. The skill set is poor here in this regional area in terms of trying to employ people because we cannot get them past the blue card to start with let alone get them into the job so we can skill them and train them to be these productive, contributing workers to the workplace.

CHAIR: I am conscious of time. I propose we keep going till 10 past 12 because we are in Julie's and Hayley's session now, but we are happy for Rose to stay here. It seems to be working. I think it is working. Is it working for you?

Ms Arthur: It is relaxing me!
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CHAIR: So it is working. We will keep going because I am sure the panel have other questions. Julie, you touched on Centrelink and the crossover between not being able to get people to work for Centrelink. Is that because they are not allowed to work for Centrelink unless they have a blue card?

Ms Arthur: That is correct. Centrelink is a Commonwealth funded organisation and we are the agents for it, so we host it. To do that, you have to pass Commonwealth criteria around criminal histories, blue cards—the whole lot. We are very limited. Given that Cloncurry has a high population of Indigenous people who are welfare recipients, we wanted to employ an Indigenous person but that was not possible. This is where we lose the opportunity to employ Indigenous staff to look after Indigenous people in the community.

CHAIR: Just to clarify, it is not the criminal history check; it is actually the blue card?

Ms Arthur: You have to have both.

CHAIR: So you get your criminal history and that blocks you from—

Ms Arthur: Yes. To work for Cloncurry Justice Association you need to have a blue card and a police check.

CHAIR: Just dealing with the organisation you just spoke about—

Ms Arthur: Centrelink?

CHAIR: Sorry, the justice—

Ms Arthur: Cloncurry Justice Association—no, we were talking about community justice groups. We are a community justice group.

CHAIR: But to work for the group you need a blue card? Where does that ruling come from?

Ms Arthur: I think it comes from the credibility that we wanted to have as an organisation. Cloncurry Justice Association was initially established in 2005 and it was a community response. It was also about community relations. They had a lot of people involved in that process. As a part of that process and under the policies and procedures you have to have a blue card and a police check. If you do DD you will lose your blue card.

CHAIR: Just going back to the night patrol officer—and I do not want you to breach any confidentiality about that—you said that he had an order against him for domestic violence.

Ms Arthur: This is how it happened. I will give you the story—I have three night patrol officer stories. This is how fragile we are—even us—as holders of blue cards in our community. The first night patrol officer had a party on the Sunday night. He went to take his children to school on the Monday morning. The police were sitting there waiting to get him. He got DD and no longer works for Cloncurry Justice Association. The second night patrol officer fell over and hit his head. The ambulance was called. The police also attended and handcuffed him. They took him to the hospital handcuffed and then went back to the place of residency eight or nine times to try to get them to put charges against him for assault and grievous bodily harm. The owner of that home refused to give a statement. Then they got him for domestic violence. That is where the police can step between the two people in the relationship and they can put those charges against him. That is what happened. Then he was harassed and hounded because included in those bail orders was a requirement for them to know his whereabouts. At two or three o'clock in the morning they would go and check his whereabouts. During the day they checked his whereabouts. He got so harassed by the police in this targeting process that he has now left Cloncurry and he is no longer working there.

Another incident to support this was when a night patrol was on duty—working—there was an incident in the community. They arrived there and a non-Indigenous man was being beaten. He saved that non-Indigenous man and removed him. He had the respect of the group that were wanting to do more grievous bodily harm and he held them back. The police came down on the Monday saying they were considering pressing obstructing police charges, so this continues. Even though you do have a blue card, it can be removed from you as these accounts show.

CHAIR: I am conscious of the time. We have four minutes before we will ask the next group to speak.

Mrs GERBER: I am happy to give them the opportunity to make their opening statement.

CHAIR: We can come back. I propose to call the next group at 10 past 12 and then, for want of a better description, we will have open mic so you can come back and continue.

Ms R Iles: Following what Julie was just saying about these iffy charges, the police have free rein about all of this. It is not derogatory; it is a known fact that they have been treated pretty badly. When they come through Murri Court they have to plead guilty to be on the Murri Court list. For a lot of Mount Isa

these people if the charge is like what Julie was talking about, if they had the money, they could fight these charges and not have to plead guilty. This is another thing; they plead guilty and they get a little bit of a lighter sentence in court. However, with a lot of these people once they tell us about it I think, 'If it were me, you would not be getting away with this,' but they do not have the money to go and get legal representation. They are at a loss all round. I need you to understand that the police do have a free hand and they do have a lot of trumped up charges. They are not our favourite people.

Mrs GERBER: If we have time I want to drill down to the disqualifying offences—

CHAIR: It is okay. I just want to do one thing. Julie, in relation to that document that you said you are happy to give to us, do you need to hang on to it before you come back for open mic?

Ms Arthur: No, I am happy to hand out one each.

CHAIR: You have one each?

Ms Arthur: For you guys.

CHAIR: We cannot ask for more than that. Can we tidy that up before I hand over to Laura to ask her question?

Ms Arthur: Do you want that now?

CHAIR: If that is okay. Kathryn will come and get it.

Ms Arthur: I still have some more I want to talk about.

CHAIR: That is why I am going to ask you to come back for the open mic.

Ms Arthur: Okay, we will do that.

CHAIR: I know we have people who have been waiting. Can I ask you not to go away?

Ms Arthur: I am not going anywhere.

CHAIR: Thank you.

Ms H Iles: I have two things to say. You asked how people are disqualified from these positions within community. Any position in the human services field—youth worker, family support worker, caseworker, residential care worker, support worker, contractors who need to do work on school grounds or those fields, and any family member who turns 18 must obtain blue cards. That impacts grandchildren, nieces and nephews living in any room or house under kinship care. Also with kinship parents—and I have worked in that area monitoring them. When carers get blue cards, they get paid to look after the kids they take on. Kinship carers do not get paid. They might have their own kids and child safety will say, 'You've got three or four other kids to take on. I don't know how you're going to feed them but here they are.' I think that needs to be looked at as well. Child safety give our kids to other groups of people and it is like, 'Here's money to feed them, clothe them, educate them and for the health system.' When they give our Murri kids to other kinship carers, to extended family or people in that community, they do not get any money. I just wanted you to note that.

Mrs GERBER: That is a comprehensive list of the types of jobs that have been affected by the requirement for a blue card. What I want to drill down into is the disqualifying offences. Is the issue that people in the remote communities have the disqualifying offences, which means they are not getting a blue card? Alternatively, is the issue that they need to apply for the blue card for all those different jobs you talked about and it is the time it is taking to get their blue card because they might have a criminal history offence which is not a disqualifying offence, which would not preclude them getting a blue card? However, it is the time it takes to process them because they do have a criminal history that is the issue. That is what I am trying to drill down into.

Ms H Iles: To answer your question, to get any of those types of jobs I have already described you have to have a criminal history check before the blue card is issued. That is what we are here today to talk about. Those jobs that are low to medium risk should be looked at by communities and the panel that we hope to have set up within our communities to address people's needs to be able to get jobs.

Mrs GERBER: So it is the no card no job policy?

Ms H Iles: No card no job, but also other things. A person might say, 'Okay, I'm getting this job.' 'You've got six weeks to apply for it.' Blue cards take longer than that. From when they apply for their blue card and get their criminal history, it might be two months down the line before they get an answer.

CHAIR: Before we move on to the next witnesses, Jon, do you have a motion?

Mr KRAUSE: I move that the document be tabled.

CHAIR: We have a motion that the submission written by Julie be tabled. All those in favour? It is carried.

Ms R Iles: In relation to the blue card, once people go through the Murri Court, because they have to plead guilty they do not even bother getting a blue card as they know they have an offence so they are done for before they even try to get out of the courtroom. I will end there. Are we finished now?

CHAIR: I am proposing that you hang around because, as I said earlier, we have a period of time between 12.35 pm and 1.25 pm where you can come back. I now call the next witnesses.

BLACKLEY, Mr William, Cultural and Community Engagement Manager, North West Queensland Indigenous Catholic Social Services Ltd

KHAN, Mr Faisal, Chief Executive Officer, North West Queensland Indigenous Catholic Social Services Ltd

McHUGH, Mr Martin, Manager, North West Queensland Indigenous Catholic Social Services Ltd

CHAIR: Good afternoon. I invite you to make an opening statement of up to five minutes—but you will not be cut off if you go over—after which committee members will have some questions for you.

Mr Khan: I would like to start off with an acknowledgement of country and acknowledge the traditional owners of this land, the Kalkadoon people, and pay my respects to elders past, present and emerging. We are well aware the state government is implementing the results of the royal commission and, therefore, we want to take a strict line in observing the whole blue card system, but at the same time we realise that people are then disadvantaged. We believe if people in the community, whether it is police or the community justice group, agree that a person should get a blue card then this should be considered. We believe people should be given a fair chance to redeem their lives and be able to give back to society, otherwise we condemn people in the community to a life of poverty. An example would be if a person cannot get a blue card, they cannot be employed by and large in lots of areas. For example, if a groundsman cannot operate in the working hours that limits his ability to work elsewhere. Another issue is the increasing number of women now sentenced as per the Queensland courts DV statistics. This is going to raise more questions. Until now no woman has been able to by and large get a blue card. We realise the domestic violence, strangulation and coercive control offences are new offences. They would not have that five- to 10-year cap.

If we have this system we need to educate everyone about the new offences and maybe implement a system that provides education. Maybe we should be providing a program before employment might ensure their education is up to scratch. By that we do not mean general education, but around the work they are performing and then they will be aware of the intricacy around holding a blue card and what is involved with all that rather than just giving them a card. A six-month monitoring period could be provide for where the employer can provide regular feedback to the blue card system. If someone is rejected we need to have a support service around the person. At present they are just rejected, but we need to ensure that if we want to bring them back on a supported basis we can so that moving forward whoever is sponsoring them with the blue card is able to help them make sure that they are able to be compliant.

Mr Blackley: I do not have a whole lot more to add to Faisal's opening statement. Having grown up on Palm Island, I want to speak from a personal perspective. A lot of guys my age, when we were in our young twenties living in community, we did get into a bit of strife. Luckily for some of us—luckily for me—I used the legal system, with the help of my father. A lot of people are not as well off. Other people do not have that opportunity so when they are convicted of crimes it is going to be detrimental to any future employment possibly that they could ever have. Having a look at this bill, in terms of the blue card restricting people who have committed sexual offences against children, that is the fundamental thing that needs to stay in place, but I wonder what the widening serious offences are in relation to DV. For example, going armed in public with intent to cause fear, does that restrict you from a blue card? That is not a disqualifying act?

Mrs GERBER: I have the schedule here. That would be under the Criminal Code. It is not listed as a disqualifying offence. As a committee what we are trying to drill down to is what is the prohibitive factor for the blue card for your remote communities and for our Indigenous First Nations people. Is it that the list of disqualifying offences is too broad or is it that when all these jobs require a blue card application and if you have criminal history, regardless of what that is, the application process takes much longer, as the consideration of that person is a detailed thing so it can take up to 18 months for the blue card system to process someone who has a theft charge. Now, a theft charge is not a disqualifying offence for a blue card. That person ultimately would be entitled to a blue card, but the job has gone by the time 18 months passes. Is the issue that we need community justice panels like the justice panel that I understand Mount Isa has with you three who are giving us submissions today, in order to make that interim decision because that person ultimately might be entitled to a blue card or is there an issue with the criteria for a blue card? That is what I am trying to understand. Is it the criteria or is it that interim process?

Mr Blackley: That clears things up for me a bit more. Absolutely the time frame if we have to do a criminal history check. I used to coordinate Indigenous employment at the mines at Glencore. That was a big problem as well. We had to do a criminal history check there for compliance for explosives and things like that. By the time that came back, the guy has missed out on the intake. I guess we are in the same boat here and that time frame of not being able to get that blue card in time for employment is definitely prohibitive.

Mrs GERBER: Can you give the committee some insight as to how a community justice group might be able to help that process. Specifically around how it works, how are the elders appointed, are there any checks and balances in place to mitigate some of the concerns that have been previously raised like family pressure might be placed on an elder to make a certain decision around a certain family member. Can you give us some details around how it works?

Mr Blackley: I don't think that really comes in as a factor because your community justice group is going to be made up of a whole wide varying profile of the community itself, but that community ultimately should have that decision-making process with direct consultation making it faster with police and the justice system so that the communication lines are opened a lot faster and decisions can be made a lot quicker. Potentially I think that would be a good move.

Ms BOLTON: Why would you believe that the community justice groups would speed up that process? If we are getting down to that time is the factor, how is that possible? If we do not even know the structure and how it would work, how do we know it is going to lead to a better result and be quicker?

Mr Blackley: Whilst it is great that you guys are here in Mount Isa, I really feel that this forum would be better held in community itself and you speak to those people in community, the elders in those communities who have more tribal and custodial, cultural control over their communities, and that would come in as a factor in this decision-making process of who they think is a worthy person to be able to work in community. That consultation should be done in community.

Ms BOLTON: In the process with the current blue card system, if there was to be a recommendation from community, from the elders as part of the current process, instead of recreating the wheel, it is an addition, so it is almost like a reference check for that person in the process. Is that what we are looking at?

Mr Blackley: Yes, I think ultimately that is what we are looking at. We are looking at how we can speed the process up.

Ms BUSH: I have a couple of questions. One is on Laura's views around disqualifying offences and we will probably get to that in the open mic session. Some of the offences that have been put out there today are not, in fact, disqualifying offences. Those people could be potentially eligible. I wonder if there is an element, and if you could speak to this and I think Rose mentioned it, of as soon as someone is charged with any offence they think, 'That's it. I'm out', and they do not even apply. What is your response to that statement?

Mr McHugh: I think a lot of people do not understand what disqualifies them. I do not think there is a lot of education around blue card applications. I know that the justice department has put out that 'Yarn with Jess' series which does a good thing in trying to explain the process. It is a bit difficult when people do not understand. They automatically sometimes think, 'Oh well, I won't even try because it's just too hard. It's too hard of a process. It takes too long.' I know just in our own organisation when we have tried to employ people and we have had to wait for a criminal history check, people have gone and got jobs elsewhere and not in that field because the system just takes too long for them to get a response.

Ms BUSH: If we can talk about that, and you can see there is even confusion amongst us so I totally understand where that confusion comes from, I wonder too if there is confusion around when a criminal history check might be required and when a blue card might be required because they are two different things. Sometimes that is imposed by legislation and sometimes an organisation just makes a decision and says for our own keeping children safe policy we are going to mandate everyone to have blue cards when, in fact, not every role does need a blue card. Do you have any comments on that?

Mr McHugh: I think people do not realise that there is a difference between the two. I think when people are applying for a blue card they think they are going to have to have a criminal history check, and it is not just a criminal history check, it is all the other information, whether they have got a conviction or not. They may have pleaded guilty, but they did not get a conviction for that offence when they went to court.

CHAIR: I understand that the department has been sending out officers into discrete communities or the closed communities to help people with the process. Does anyone on the panel have any experience working with these?

Mr McHugh: Mount Isa is not a discrete community, so we basically have not had engagement officers coming in and working with us. They might work through DATSIP because they are tied up with Queensland licensing stuff.

Mr Khan: From an organisational point of view, what we usually do is: if someone is coming to us and they need to work in this wonderful facility, we do a police check on them just to get a better understanding whether or not the person can get a blue card. If it is a disqualified offence, we usually say, 'Okay, under the legislation it is a disqualified offence and it is really hard to get a blue card.' We can still apply for the blue card, but we need to wait. It usually takes up to 18 months, which creates more problems for them, and we try to adjust them into other sectors of our organisation where they do not need a blue card, but at times it is hard. I think the biggest problem is sometimes they feel that offences happened 25 or 30 years ago and they should not be considered anymore, but we know that it is a serious offence and the person may not be able to get a blue card. I hope that answers your question.

CHAIR: Faisal, dealing with the question of the work that the officers may be doing in the closed communities, do you have any information about how that is working?

Mr Khan: No.

CHAIR: Thank you. Martin?

Mr McHugh: We run the Doomadgee justice group as well—NWQICSS does. Each community justice group is slightly different. Right throughout Queensland, you probably have different structures around how a community justice group is formed. In our situation here, our justice group is made up of elders who are tied up with the Murri Court. Basically, there are a range of elders from the local community and from other communities as well. Aunty Rose, who was here speaking with the Cloncurry group, is one of our Murri Court elders; she is part of our justice group as well. We are tied into an organisation like NWQICSS, whereas other justice groups are not; they have a different structure. When you are dealing with justice groups, you are going to be dealing with quite a wide range of ways that justice groups are structured and respond to any applications that might be made. I do not know whether people have any questions around that.

Mrs GERBER: If we are looking at community justice groups as a mechanism to mitigate some of the issues that the blue card system is having, which is what this bill proposes, it would be helpful for the committee to understand how community justice groups are formed, how elders are appointed, and any checks and balances that might be in place as part of the community justice group to ensure the public can have confidence that community justice groups are in fact achieving what the proposed bill sets out. Are you able to elaborate on any of that for us?

Mr McHugh: Our elders are actually part of the Murri Court, so they are actually part of the justice system, but there is also a process within that group that they will recommend other people that they think would be suitable, who have a wide view, who are balanced; they know each other and they can make recommendations as to whether that person would be suitable to be part of the community justice group in that decision-making body. It is not me. I am not Indigenous, so I do not make those decisions. We usually go based on recommendations from others in terms of how that group is structured, and sometimes elders might disqualify themselves because there is a conflict of interest. That is one of the things they need to do and we say, 'Yes, that's okay. If you can just step aside for a while, while the family issues, or whatever is going on, get sorted and come back and talk to us again, we can look at it.' Do you have any views on that, Will?

Mr Blackley: I think leadership in the community and in this community is recognised by the whole community. People know who is not the right person for a position and therefore their voice is not really counted. The people who matter to community are the ones who make these decisions. I guess that is what counts.

Ms BOLTON: Martin, you talked earlier about a lack of understanding. I think what we are trying to grapple with is that we do not actually have any data in terms of how many applications are made that are rejected based on a disqualifying offence versus who is out there who is obviously believing they are not eligible and they could be. Going back, when an inquiry was done previous to this bill, the response from government was that they were doing some work around that space. One of those was called 'strategy on a page' that was within the action plan, regarding this, and it said was to provide culturally appropriate information, education and resources to improve the blue card experience for Aboriginal and Indigenous peoples. Has that made any difference? That was in 2021. Has there been any change in getting that information out and that education?

Mr McHugh: I do not think so, unless you are talking to people who are actually applying for cards, and I do not know where they go to get that information from. We at government levels or community justice group levels might be aware of it, but I do not think the general public are.

Ms BOLTON: Basically, at the moment within the communities there is no process, pathway or portal in which you can apply for a blue card—you can go to somebody and get that information? That is why there is a lack of understanding?

Mr McHugh: Yes, I think that is true.

Mr HUNT: Gentlemen, we touched on this but did not quite drill down into it. I was wondering if you thought there was some misunderstanding from maybe some employer groups around the use of the blue card, or even from community groups, where it is maybe incorrectly applied as an artificial filtering process. There might be groups out there utilising the blue card as an unofficial screening process when it is actually not required for a particular role at all. Have you struck that? Is it common or uncommon?

Mr Khan: Not that we are aware of. You are pretty clear about when you need a blue card. As an employer, we know who needs a blue card and there are certain programs and organisations that need a blue card.

Mr HUNT: So you have not struck any employer groups, large or small, or any organisations that might put it as a requirement when perhaps it might not be required?

Mr Khan: Not that I am aware of, no. I am not sure. No, no.

CHAIR: This will be the last question for this session, but you are welcome to hang around, and if something comes up you are welcome to come forward and contribute. I will make that offer, the same as I made to everyone else.

Mrs GERBER: How often does your community justice group meet? You have two—the Mount Isa one and Doomadgee one—that you are a part of? How often do they meet? Can you give me some time frames in a year, say? If you cannot do that, whatever you can say.

Mr McHugh: We are supposed to meet once a quarter. Whether we meet once a quarter just depends on what is happening at any particular time. A lot of the elders are involved in a whole lot of other consultations and meetings, so we have to be aware of what is going on for them as well, in terms of scheduling things.

Mrs GERBER: If the community justice groups have this added responsibility, could it be difficult to get them together to meet? Is that a barrier? Is that something we need to look into a bit further?

Mr McHugh: I think we could get a quorum, yes. We could not get them all probably in every meeting.

Mrs GERBER: No, but that is normal.

Mr McHugh: Yes, and I think we would probably be looking at people who would have a knowledge of that applicant rather than just generally. In this community here, we have people coming from across the border, from the gulf and all over the place. If people are applying for a blue card to work in this community here, we would really need to draw on the knowledge that those particular elders have.

CHAIR: Now we go into the open session for people to come forward.

CRAIGIE, Ms Tiarna, Private capacity

CRAIGIE, Ms Valerie, Private capacity

Ms V Craigie: I am going to be a bit of a nuisance, really, because my idea of the blue card is that it is there because of offences that (inaudible) children. It has been pretty rigid, though. I think with the blue card there needs to be an overhaul of the whole system, simply because people are not getting their blue cards and they are offences that have never been made against children.

I know that there is a lot of stuff with domestic violence, and I know that with the domestic violence stuff there needs to be a little bit of a look at that as well. We understand and know that children are actually—they are damaged with just (inaudible) stuff that happens, witnessing stuff that happens. We also know that a lot of our women have been mischievous (inaudible) domestic violence charges on their partners, and that sticks. There is no court case for them to defend themselves to say, 'Well, that didn't happen.' There is no lawyer to actually lead them to what has actually happened, through someone who actually defends them in court, so that sticks. Once that goes ahead, that will be forever there.

I know that when the police turn up they actually ask if there are children present—I know that (inaudible) as well—but I also know that things have happened when there have not been any children (inaudible) when the domestic violence happened, but it does not state that. It does not state on that domestic violence form that there were no children present at the time the domestic violence stuff was happening. I do not condone domestic violence at all (inaudible) people who actually work very hard in domestic violence, in that situation.

I am confused about the whole blue card—how it is actually based on (inaudible). It somehow (inaudible) other things, because when you actually apply for your blue card, it will (inaudible) criminal offences. I do not know, whoever is judging those offences, what is rejected and what is not rejected. I really do not know, sorry. I let you know that. I am just letting you know that I am not up with it all, but for me that is what I can see.

The other thing is that Aboriginal and Torres Strait Islander people are actually the most convicted people in the system. It is transgenerational, and it is transgenerational trauma that has happened—through the generations. The stolen generation actually has a lot to do with that. A lot of people do not know what (inaudible). (Inaudible) so they do not know how to be a mum, so how can they be a mum (inaudible)? I had a brilliant mum, thank God, so I know how to be a mum. But even mentors, even (inaudible) have good men and women in their families. We want to break all of that. We have a big job to do. We have been trying really hard, haven't we? But it is confusing.

The other thing is that here in Mount Isa we do not have a lot of people. McDonald's was telling me the other day that they need at least 800 people, and they talking kids as well. A lot of our kids are actually employed (inaudible) McDonald's (inaudible) away from schools and (inaudible) have to have a blue card to be there. My thought is: look, I like what Robbie has done. I like that he is actually asking to put something else in place that will fill that gap. I know that it takes a long time for a blue card to actually be processed—like, nearly a month. I do not know for sure, but it is a long time—sometimes up to six weeks. That is too long.

We have not got a good skill base, Aboriginal and Torres Strait Islander people. We are falling backward all the time, what with our education—our education is not the greatest. We are not skilled. We are not ready for work. It is embarrassing. If you apply for a blue card and you get rejected, that is another rejection for us—like, you have been rejected forever. It seems to be the story of our lives. They cannot put themselves through another rejection.

For me, we need to really look into what offences cancel you out from getting a blue card. I like the idea of every community having their own group, like a justice community group. I have actually just recently joined the Murri Court, so I have a lot more knowledge about how everything works. I do know also—and I am not really sure; I do not know how it works—(inaudible) the NDIS. I think they have those two things combined: the blue card and yellow card. If you do not get your blue card—this is my thought; I do not know if is correct—you certainly will not get your yellow card. I do not know exactly. That brings another (inaudible).

Yes, we are saying, please—with the more serious offences, they cannot ever get a blue card; we do not want them to. For those other things—like, I do not know whether drink driving stops you from getting a blue card. I am not sure. You would not think so, but I can see that there is a little bit of a—you can get confused and it is only as good as the person who is processing your blue card application. I do not know what rules are actually in place or whether it is uniform upon what should happen and what should not happen.

Ms T Craigie: My name is Tiarna Craigie and I am sitting here as a community member. Having listened, I wanted to try to answer some of the questions. You had a question around how many jobs would require a blue card. There is an exceptional number of positions within the region. Anything to do with human services would require a blue card. That would be youth workers, family support workers, education workers, residential care workers. There is definitely a whole list: anyone working in domestic and family violence, homelessness, the women's space, family spaces. We also have contractors who would not ordinarily need a blue card but they work and do jobs on an education site. Schools want people with blue cards on their grounds. They do not want contractors on the grounds without a blue card.

A lot of males and other Indigenous people would like to work in those areas, whether it is apprenticeships, traineeships or contracting. They want to be an electrician or they want to be a plumber—any of those requirements—but if their builder or contractor needs to go to education school grounds then they cannot work on that site. The employer may be flexible and say they have enough workers, so they would exclude that worker from visiting or make it a requirement that everyone in that employment agency has a blue card.

The other one was around kinship caring. I guess we come from families that are in overcrowded housing. We could have six families in one house and in that house will be a number of generations. You will have kids under 18. As soon as a person turns 18 they must have a blue card. Say I am the granddaughter and I turn 18, then I need to have a blue card because my grandmother is caring for someone. That puts a lot of pressure on families around whether they can take in kinship care because they know that their family members are also going to be subjected to blue cards. If we have family that we know may not pass, they make the decision on whether they should go down that track or not. There is a lot.

There is a lot of education required around the blue card disqualifying offences. There is education around people actually applying to have their criminal history records removed after a period because a lot of people do not know that. In the past, ATSILS was able to assist community members to write their responses to negative notices or requests for extra information. They had to stop because they were getting too many requests. I cannot tell you how many the numbers were but it was just too much that they are not paid to be doing. A lot of people were using the local Aboriginal and Torres Strait Islander Legal Service to help respond to those notices.

I guess it has been briefly discussed around being able to afford to seek legal advice. I have had personal experience with a family member who asked a solicitor how much it would be to write a response. There is the retainer fee upfront, which is normally \$1,500 or \$1,800, plus the actual writing of the letter, which could be three grand. No-one has three grand for a solicitor to write an application to explain what their histories were and what has been done, like the circumstances behind it, what change has happened, what they have done and the consequences of their actions, and how they have changed. A lot of people cannot afford to seek advice to be able to ask for help. Organisations will help people if they are already employed but there are issues. If you are an organisation and you are helping someone apply and they are a disqualified person, you face penalties. I think it is 30 grand or something so it is a big fine and a big risk, I guess, for an organisation to be knowingly helping someone around that.

I do know that one of the disqualifying offences is if you have served time then you cannot apply for a blue card. I know there is the expectation that any juvenile justice history is not considered, but it is considered and it does come up in your screening process. If a young person was incarcerated and served time, I do not know whether that disqualifies them from obtaining future employment. We know a lot of people who have gone through the system and have turned their life around and now want to help disengaged young people and vulnerable young people. That is a barrier, yet they are the perfect people to be working with young people as they have lived experience.

There is a lot of education around the supports that are available and, yes, Blue Card Services have implemented strategies and have positions. It is not locally based—I think they come from Townsville and go up into the communities—so whether they are well known by everyone I do not know. We cannot sit here and tell you how many people could be eligible and have not applied because unless they ever applied you would never know. There are people sitting in homes who we would not know about. They have just made the decision that they would not pass to get a blue card.

It is known that there is a difference between a criminal history check to get on a mine site and a blue card check to work with a young person or children. People do know it is easier to get a criminal history check than a blue card. I think that definitely is known.

Risk mitigations for community justice groups: if it is around just giving some assurance around investing in local community justice groups, I would say that justice groups would come with relatively low funding. If there is any recommendation it would be that it comes with some funding to grow these

community justice groups. Also, that is around governance ability and also around skilling whoever is chosen to be in those groups to make decisions, so really understanding the blue card system and really understanding offences.

Most justice groups will have local people sitting on them with connections to families. They know their communities well. They know which people they want to recommend and which people they do not. If there is someone who comes before them and they know that there is a high risk to a child or a young person, I do not see a community justice group recommending them for an interim card. They most likely know more than the system would know about somebody and their families, how much effort they have done, how much they are involved in the community.

A blue card also, I guess, impacts on the volunteering space for families. If they have children who are in sports and they want to be a coach, they cannot. Sometimes that is a stepping stone into employment. If you can see that someone is actively involved in community, making change, doing stuff with their children, that is another stepping stone into employment as work experience. If you are looking at people who have not had an opportunity to work, that is another area. It is something that cannot happen if they cannot get past the initial stages.

Sometimes it is just getting that negative notice request for information. People have made comments like, 'I feel like a criminal as soon as I get that and I'm not going to respond.' A lot of education is required around letting community know there are people who can help you respond to this and how you can respond to it. If there is not anyone who can help write a response for you, I guess my recommendation would be to look at someone locally in the regions who can do that, because I know it was quite popular in the past and then they just could not afford to offer it any more.

CHAIR: Tiarna, dealing with the point that you just raised, was there someone in community who used to help reply to the negative notices and then it stopped?

Ms T Craigie: Yes, too many requests were coming through. That was the local Aboriginal legal service.

CHAIR: So it was not an independent person? The legal service was helping but they just got overwhelmed?

Ms T Craigie: Yes. I guess it is up to the applicant whom they want to share that information with. They probably feel more comfortable going to a legal service, getting legal advice and knowing it is confidential, then going back to that agency they applied for to say, 'I might have a blue card history that will come up,' to be able to ask for help, because they try and put a good impression through as well.

Mrs GERBER: Thank you so much for presenting. It has been very helpful. You touched on an aspect that has not been touched on yet, which is serious offences. We know about disqualifying offences. People are disqualified from holding a blue card if they have certain offences, and they are mostly child sex offences, but then there are also serious offences. People who have committed a serious offence may hold a blue card; it is just that they still have to apply and Blue Card considers them. They might ask them for a submission. They might write back to them and say, 'We need to know more about this offending,' and that is a process. What I want to understand is: is it the blue card system in relation to considering serious offences that is the major impediment we are all talking about here today?

Ms T Craigie: I think it is around the context within that offence. Why did the offence happen? If it is arson, why did they set a car on fire? Was it their own car? What was the reason behind the arson charge? I do know there are changes in the legislation. Someone could hold a blue card right now and when they come up for renewal they may have a domestic violence history that gets picked up in that renewal process, and there are negative notices now coming in that they did not have in their original issue. I think it is around the context and within the system around why that offence or charge or conviction occurred. If a DV survivor who spent 30 years being a victim of DV finally did something and the perpetrator lost their life, then the survivor loses the ability to retain a normal life because they have a conviction for something.

Ms BOLTON: Listening to different witnesses today, we seem to be drilling down to where the issue is, which is in the submission phase and the process of not having an understanding of what needs to go in the submission but also when that request for more information comes back it is then perceived as a no. It would be helpful if we had those types of assistance services at the start for people who are doing their blue card submission that is often available in urban areas, at job placement agencies et cetera. What you are saying is that within these communities there is no access to that type of assistance to put the submission in, which could result in a totally different outcome.

Ms T Craigie: Yes, that is my perception. Also, you could have the advice given to you over the phone but it is around physically writing the application as well. We have people who are illiterate. You may tell them what they need to write, but they cannot put that down on paper. That process needs to be culturally appropriate. If you know you are sitting with someone who is illiterate, why are we telling them what needs to be written? Who is helping them write that response back? Yes, that process is the part no-one cannot get past. They get there, they hit a brick wall and they do not think there is an avenue past it. It is also just knowing how to navigate that system with free support.

Ms BOLTON: Are there communities without internet access to Zoom in on a session with somebody in town to get that information if there was that service?

Ms T Craigie: There will always be access to the internet in every community. Whether people will access it is another question. They may not have reliable internet. Here in Mount Isa we do have the reliability to remain connected. For vulnerable families who just have a prepaid phone, there is no way they are going to be able to do it personally, so there needs to be access within community. I see that Mornington Island council just released that they will be having free wi-fi for Mornington Island. I do not know whether there is free wi-fi in other communities. In Mount Isa the free wi-fi would probably be at the library. I think that would be as far as it goes unless you have a service provider.

Ms BOLTON: From your knowledge of the communities, who would be best placed not only for access to wi-fi but also the information needed and to help write a submission?

Ms T Craigie: I am sorry, what was the question?

Ms BOLTON: Within communities, who do you believe would be best placed to give assistance not only in writing submissions and giving information but also in providing wi-fi? For example, is there a library service or travelling library service that goes around every community? I have not visited a lot of those communities.

Ms T Craigie: No. I think here in Mount Isa the neighbourhood centre does offer free wi-fi service, but I guess they need to have all the resources in one place—whether it is attached to the justice group, if that is the avenue we will be going down in the future, or whether it is something that can be attached to the Legal Aid service or the Aboriginal Legal Aid service or a community group where Aboriginal families and individuals feel comfortable and safe to go. They want to go into a space where it is quite clinical, somewhere they can relate to people, which is normally a community controlled organisation.

CHAIR: I am conscious that I did make the offer for Julie, Hayley and Rose to come back. We have about 20 minutes, so I will ask them to come forward. Tiarna, you do not need to go anywhere if you are comfortable sitting there. I should welcome Robbie Katter to the committee. If you have any questions, Robbie, just yell out and I will send the mic down.

Ms V Craigie (Inaudible)

CHAIR: The deputy chair just pointed out that when we were hearing from the Cloncurry Justice Association I did not give Julie and Hayley a chance to make a closing statement. If you would like to come back and do that, you are most welcome.

Ms Arthur: From what I have heard here this morning, my closing statement would be around developing a subcommittee to address these issues with community elders who know community people. That is my point.

I think there are a couple of things that we are confused about—that is, the blue card and the police check and what criminal activity is addressed or rejected for the blue card. That is another point. There is a lack of education in the communities around these areas. The other thing is that if we had these community elders who know the people within the community, when we are talking about writing these submissions, Cloncurry Justice, I know for a fact, would be able to do that as a community justice group. We would be only too happy to work with that process. In the handout that I have given to each of you I have addressed the time frames and in total on this amendment bill it takes about four months, with the 21 days and so on. I think that should be a shorter period of time. I think the offences need to be addressed, yes. The community justice groups would be able to do that. Whether we get funded to do that and what that looks like, it would be really important to the community and to our respected community elders who participate in that process. You would have to look at our funding because we do have respected elders' fees and that could be incorporated into that process. That is probably my closing statement around that.

I think there are too many industries out there that are requiring a blue card when it is not necessary. We need to have that sorted out as well, because when you are working with children—we are saying that we want to protect our children and we do not want to put them at risk, but in some jobs

they are not even working with children. Literacy and numeracy is a just a breakdown of the education system for our children. We get people every day coming in and we have this client support where they come into our organisation for us to write letters for them to their brothers and sisters in prison. They come in and they want us to fill out a housing application. We do anything from immigration to housing, basically doing all their paperwork. We save their files and we look after their information under a confidentiality agreement and a consent form.

Our organisation has a lot of checks and balances in place. We have worked really hard to get a really clean audit report in the last two years and our organisation is operating at a really high level in terms of addressing all of those issues with business plans, feasibility studies—the whole lot. The checks and balances are in place. That was a point that was made before. The community elders in our town would be able to step up, even if we had two of them and we could have the manager as a chair to scribe and record and document for the blue card. That is my closing statement.

Ms BUSH: The blue card strategy and action plan that they developed said that they would, by the end of this year, engage with relevant Aboriginal-led agencies to develop information pathways, referral pathways and assistance with the appeals process. Have you, as a community justice group, been involved in that process directly with Blue Card?

Ms Arthur: What is the question?

Ms BUSH: Has Blue Card reached out to you to work out an appeals process and an education and information-sharing process with you?

Ms Arthur: Not at this stage.

Ms BUSH: Just remind me: do you need to have a job or a job offer before you can apply for a blue card?

Ms Arthur: No, I do not think you do. I think you can just go and apply.

Ms BUSH: In that case, what would it take for a community justice group to work with people and apply for blue cards before they have even applied for a job—prospectively, in anticipation of a job?

Ms Arthur: Cloncurry Justice actually pays for a number of different things for the community such as birth certificates and learner driver's licences, and blue card is one of them. We do purchase them on behalf of our clients who are heading into a stream of employment, looking at that as an option. That is something we can do in our budget.

Mr KATTER: A lot of the time when this subject comes up about the numbers of applications it is successful applications. I would hold the view that a lot of people do not bother trying to get the blue card so the number of applications rejected is not a true reflection of the damage this is doing in inhibiting people from getting jobs. Could you make a comment on that?

Ms Arthur: That is a really big one. A lot of people, and I think a number of people here today, have mentioned that. They do not even try because they know that they are not going to get it. I have a board member who works in an executive position in government, and something that happened to him when he was 18 years of age, where a beer can was thrown at his head—he is still addressing that 23 years later. How does this go on? How does it happen that 23 years after an incident as an 18-year-old young adult he is still addressing that issue? We do not have the stats on the unsuccessful applications. I do believe that that should be a criteria of Blue Card itself to gather that information. They are right there doing the application. I do not know how many of the people who come have been rejected.

Mrs GERBER: That is a good point, because what I have been hearing from the personal experience of people here is that people have been rejected for a blue card and, from what I can see, the offences that were talked about are not a serious offence and are not a disqualifying offence under the legislation. I am looking at the legislation while I am listening to the stories of people here about their niece being rejected for drink driving. Is it your experience that people have been rejected for blue cards for criminal history which, technically, I cannot see is a disqualifying offence or even a serious offence for rejection?

Ms Arthur: That is exactly right, and there is also that assumption that board members do make—that now they have been charged and gone before the magistrate they do not qualify for a blue card and now they cannot be employed. There is a lot of education that needs to be done around it. Drug taking: what is the time frame on these offences? Realistically, we need to have a 12-month, two-year, five-year or 10-year limit. There has to be some sort of a time frame that says, 'Okay, after this date you can no longer consider what happened to me when I was 18 as a relevant factor of who I am today.'

This blue card is not giving anybody a second chance. Our whole organisation is working with second chancers and third chancers, because if people fall over we want to pick them up and we want to get them back into the community and functioning—addressing mental health, addressing health issues. Those sorts of issues are what we are here to do. We do amazing things in our community for our people—fill out a form, do stat decs for them, tell them where to go to next to get it stamped—and this is what has to happen. It is simple stuff that you and I might find as everyday business and we function in that, but not everybody else is doing that.

Then we look at welfare and it is just very sad. When we talk about our welfare, we talk about our disposable income; we talk about fresh fruit and vegetables and the fact that we can afford these things and afford to pay for mortgages. These people do not have that choice. They are living in social housing and welfare is a marginalising process. Welfare is about happiness. There is nothing happy about being a Centrelink recipient. There are no choices. Most people are applying for other payments—loans—from Centrelink to actually pay for things and then they have to pay it back, and this marginalises them again. Do you go and get the loan or do you not go and get the loan just to pay your rates? A lot of them do not own their own homes, so they are just trying to buy a piece of furniture.

Ms BOLTON: I still have not quite been able to clarify how the community justice groups would make it any quicker than what is currently occurring. In amongst all the different issues that have been brought up that this bill does not address, including access to wi-fi and help with submissions, which is what you do, we have heard that the different community justice groups do not all operate the same and obviously offer those types of services. I just cannot understand: how does it make it any quicker—the actual process of getting a blue card—for those who are eligible?

Ms Arthur: I submitted in my conclusion time frames around working for things and the notification of community justice groups, section 231C. I said the five days, once the application goes in, and then the community justice group should get that within a five-day period of what those charges are. That is preventing them or negating them from having a blue card to work, for employment. Under section 231E, giving community justice groups information about the application, there is a 21-day time frame. I think this should all be cleaned up ASAP. It is a statutory time frame the chief executive must give to the community justice groups for each of those community areas. I think we can do that. I think these time frames add up to about four months—16 weeks.

Ms BOLTON: As one of our committee members said, if everybody applied for a blue card before they actually went job hunting or looking for a job, that would negate the whole issue of the time that we have heard.

Ms Arthur: I think so, but sometimes our community people do not operate in the future like you and I might. They respond and react. That is the nature of how we work with our people in our communities. They are reacting and responding; they are not future planning like you and I would do. I am about to do an application to do my masters in counselling. I am applying now and it does not start until February. Do you understand what I am saying? That is the future planning that I might do in my life, but that is not the future planning that our community does because of the mental health or the social disadvantage or the access to information. There are a whole range of reasons they do not respond to a future. We could recommend that they come in and do a blue card application if they are looking for future employment. We could spend that money on applying for their blue card, but they do not know if they will get a job because of the dispossession of how they feel living in this community in this world. There are those challenges for them. I think Valerie was the one who made the point—sorry, what was Valerie's point?

Mrs GERBER: It will be recorded in *Hansard*. You will be able to read it.

Ms Arthur: That is what we are working with in community. It is not an easy job. It is a very dedicated job. You have to be 100 per cent dedicated to community people who do not always come in and ask, 'Could I please have?' They are in a marginalised position so they come in and 95 per cent of the time they are aggressive. We are working on calming them down in the process of achieving their goals for them and usually it is immediate. Usually it is instant. Not to blame them for their position, but it is how we work with them. Even our community justice board maintains a zero tolerance in our workplace. If we have a dispute between two employees and then we have somebody come in with an aggressive tone to us, we could react and respond in a really terrible way and not facilitate what we are supposed to and that is client support. I think that went around the long way.

Ms BOLTON: Thank you, Julie.

CHAIR: We are coming to the end of the morning session. Before we close, I just want to point out that we have another open session this afternoon between 3 and 3.50, but I know it is a long time for people to be hanging around. Is there anyone who wishes to make a closing statement?

Ms T Craigie: With regard to applying for a blue card, prior to engagement and employment you cannot apply for a paid blue card because you literally need to be attached to an organisation. They can only apply in a voluntary capacity, and I do not know whether they need to be attached to a volunteer group as well. I am being told they do. I do not think they can apply unless they are attached to a volunteer group or a paid employer. We were saying that asking people who do not have a blue card to apply for the position—they cannot anyway.

There are thoughts around how the community justice group can improve the timing and whether Blue Card is able to amend the application to say, 'If you are an Aboriginal person applying for a blue card in your community there are resources,' and you could list the community justice group. 'Do you give permission for us to release details that you have applied so they can help you in the process?' If the community justice group gets information at the time of application, they can reach out to families and community members and say, 'We're here for you. What can we do to help you get this blue card?'

Ms R Iles: This happens when we are talking about issues that people get really involved and we are talking about how the current system is set. I want to perhaps remind everyone that this is what I call a new start. In terms of the system that stands now, we can complain card till the cows come home about the blue and who cannot get it and who can. However, let's focus on now. With the community justice group being set up with elders involved, this is going to hopefully be a solution and make life a lot easier. In terms of all the issues that were brought up today, I just feel we kind of ran ahead: 'This is the situation and we hate it' and blah, blah, blah. We do, but think about how we can make the change. That is why I asked Robbie if we could come together and talk about it.

What I would ask our people to do is not focus on the bad things or what has happened before; focus on how we can make the change now. The community justice group that we hopefully can set up is going to be a big thing and it is new. We are going to need time to think about how that could work and who could be involved. As Brother Marty said, in the case of Mount Isa and the Murri elders group, we are now pretty well known by the community and I think we have won their respect. I hope I can say that. If we were involved in the set-up of a community justice—let's just say we do it here in Mount Isa first, because you have to have a pilot. It is not going to be perfect. We will have to have a lot of people to give ideas.

One of the things that was said earlier when the gentlemen were up here was that this should take place in an open community meeting. No, please; I am totally against that because I know what community here will do. They will come in and we will hear all the hard luck stories—and they are hard luck—but that is not what we want to hear now. We want to hear what is going to change in the future for all of our people, including the children. Thank you for hearing me and listening to me and thank you, Robbie.

Mr KATTER: There has been a lot of talk about trying to do things, and I think you captured it pretty well before, Julie. A big part of the problem we face is that this is about capturing people at that critical point when they have decided to turn their life around and not putting a barrier up in front of them. I accept what you are saying about the timing. I would much prefer to shorten the timing. Perhaps that needs an amendment. Would anyone like to comment on that? I think there is a lot in that. The type of person we are trying to get back on the tracks is a big part of this. You can tinker at the edges with trying to fix this system, but it is a pretty big shift to try to accommodate the person there.

Ms Arthur: I agree with you there. It is about capturing them in that moment. We work really hard with those wraparound services to prepare our clients for their next step. I think there could be training and men's work programs. Brother Marty runs an excellent one up here in Mount Isa on Monday nights. There could be pre-start, and I think the statutory time frames we were talking about, Laura, need to be amended. I do not want to throw the baby out with the bathwater here. I think we have to do things in terms of what is best for everybody: the blue card system itself, the community justice groups and the clients. I know that when clients are ready they are ready to go. That is our window of opportunity and that is why I am pushing for the time frames to be shortened. Does that answer your question?

Mr KATTER: Yes, it is a good answer.

Ms Arthur: There is only one other thing I really wanted to raise. When we had our meeting, Robbie, we talked about calling it in an ochre card. I really do not want to call it an ochre card. I would really like to see the Aboriginal and Torres Strait Islander flags in a corner of the card and still maintain that status of a blue card that you present. I do not know. I am just flagging that. They are just my thoughts.

CHAIR: Thank you, everybody. That concludes this morning's session.

Proceedings suspended from 1.39 pm to 2.30 pm.

DAVIS, Ms Helen, Regional Coordinator, selectability

CHAIR: I now welcome Helen Davis, Regional Coordinator from selectability. Good afternoon. I invite you to make an opening statement of about five minutes, after which committee members will have some questions for you.

Ms Davis: My name is Helen Davis. I am the Regional Coordinator for the selectability mental health hub in Mount Isa which encompasses the Mount Isa region, the city of Mount Isa and Cloncurry. My background is 25 years managing community nursing and palliative care. I am a registered nurse by profession. The reason I am here today is to discuss the blue card, which is an ongoing issue with many service providers. We are an NGO but it affects other service providers, not just NGOs. I think this meeting may have actually come about because of a conversation I had with Robbie Katter just before the election with my concerns relating to the inability for potential employees to get a blue card.

You have probably had quite a few conversations already this morning. The history of the blue card is that it is needed to work with under 18s. We know that the issue is not just in Mount Isa but particularly in more remote areas such as Doomadgee, Mornington Island, Normanton and Palm Island—all footprints of selectability. I have staff who go up there regularly to do some research and some gap collections for the PHN and in-service delivery. All of these areas are having difficulty getting police checks. You have a captive audience of potential employees in these areas who basically cannot get a blue card because they have done something wrong 20, 30 or 40 years ago. I get it. It depends on what it is. The reality is that we are affecting local communities by not allowing local people the choice or potential to be employed with a blue card, which they cannot get.

I will also add at this stage the yellow card. In my circumstances, where we are looking after people with disability, you need to be employed by us—by a disability organisation across the board—and you also need a yellow card, an NDIS screening card. You actually need two cards. Even though we are looking today at the blue card to help with minors—this is a major step forward, and I cannot thank you enough for all coming together today because this is something that our team, me included, have been asking for for such a long time—it will help people being able to look after children but it will not help our organisation in terms of the predominance of our clientele who are over the age of 18 with disabilities. Seventy per cent of our consumers, we call them, are on the NDIS. It is a requirement of NDIS to have a yellow card, a screening card, as well.

Going back to the blue card, there are a lot of issues in terms of delays in getting a blue card when someone is able to get one. It can take months sometimes for someone to get a blue card. It is ridiculous. You fill in the application as soon as you go for an interview or you know that there is a requirement to work with children. You might be wanting to be a teacher's aide in some of these remote areas—I know you are not going further north. Once again, you are penalised by the fact that it can take forever. I have had staff waiting for a police clearance for months and have got another job because they cannot wait. It is an expensive place to live out here. People have bills to pay and there is a need for all sorts of employees across the state. We are all crying out for staff. If they are going to be delayed because they cannot get a basic blue card or a yellow card then they are going to walk.

My argument with Robbie—I am sorry he is not here at the moment, but I am so grateful that he brought this up—is that we could potentially have a footprint in these remote areas. For example, Doomadgee has hit the headlines lately with all the issues they have there. It is not just Doomadgee; it is across the board. I know that our staff are predominantly what we call lifestyle support workers, so they are not clinicians per se. They are personal carers—people who do the hands-on things. They are the people who go into someone's home and help shower someone; take them to appointments; spend time with them; do the socialising; do the respite; do the overnights, if necessary; do the toileting—the hands-on nitty-gritty.

At the moment we have a situation in Doomadgee, just to pick that as a topic, where there are a lot of disabled people who probably do not know they have an entitlement for an NDIS package. Even if they did, there would not be the staff to provide them with the services they require. Guess what? When their service agreement is reviewed and they did not use it, so it is use it or lose it. In other words, it is not worth the paper it is written on. You can keep throwing money out into these remote areas, but if you do not have the team or the staff it is not going to happen. It is not going to work.

At the moment in these remote areas they are flying people in and out for various companies. The government is spending a fortune flying people in and out who have this eligibility—they have a blue card and/or yellow card and they are able to work. Then you have no accommodation for them. It costs you an arm and a leg to fly them in and out but then they do not understand the local culture. You have nurses, for argument's sake, heading out to the gulf to work in what sounds like a tropical island of Mornington. They get there and they are horrified. They last one term and they do not go back. You do not have any housing in these areas. The problem is massive.

If you can get the blue card dealt with, yes, that is a stepping stone. If you cannot get a blue card, as the discussion was, let's see what we can do in the local areas. As you said, can the local elders step in? In the Territory they are doing just that. Maybe that is an option you can look at in terms of what can be done in these areas.

Going back to Doomadgee, we could have locals employed by selectability in those areas who live there, who understand their culture, who have a career path with us. We are a registered training organisation. We have staff who are becoming registered nurses who started on the shop floor with nothing. We have a general manager in Townsville who came to Charters Towers with no certificates—nothing. She is now a general manager because she went on with us and did certificates and diplomas and worked her way through the ranks. That is what you want to see on the shop floor. You want local people taking pride in their local community, working with their community and understanding their community who will stay and work and move through the ranks.

It is very easy for me to manage staff from afar. We can Teams in, we can train them et cetera, but without both of these cards in this case I cannot go anywhere. I cannot help with a situation in Doomadgee where people need rounding up to go to the hospital to get their medication and treatment for rheumatic heart disease. What they have out there is the most despicable situation where there is more rheumatic heart disease than in Africa! This is happening in Australia in 2022. We need to be working together on this.

If I can get staff with police clearances, whatever it takes in these remote areas, we can employ. That is the conversation we had with Robbie Katter. Quite frankly, I did not think it had gone anywhere. With no disrespect to you, I had brought it up before an election deliberately thinking maybe something will happen. Yes, you are here today, so clearly it has. Some people are listening which is fantastic. You have to start on the ground floor. Sorry, that is my five-minute spiel—probably longer. I did not write it down.

CHAIR: Thank you, Helen. You talked about Doomadgee and you said something that had happened there that was not typical. Could you expand on that?

Ms Davis: I am just referring to the *Four Corners* program. They have just had that terrible scenario where a couple of young ladies had presented themselves to the hospital and basically they were sent home. What I am saying is that we could employ people in these areas so that we could potentially help with rounding people up, for want of a better word, to go and get their medication. I believe that there is only about three or four per cent of people in those areas who are up to date with their medications, for example. You do not need a clinician to pick someone up and make sure they go to a clinic. Do you know what I mean? You have other service providers in Mount Isa and further afield—I am sorry that North West HHS are not here today; I used to work with them—who are sending clinicians into these areas at tremendous expense. You need people who are locals. It is such a costly exercise.

It is having flights available as well. None of these areas have decent housing. They do not have enough housing. It all boils down to so many things in these areas, but you want locals. We need to be focusing on the local community who understand their community, not sending strangers in who will be so shell shocked and inappropriate culturally because they just do not understand.

Mrs GERBER: I am interested in your organisation's experience with the blue card system. We heard from a number of submitters this morning talking about certain types of offending, meaning that they did not get a blue card. When I looked up that offending, it was not a disqualifying offence and it was not a serious offence. I am interested in understanding how the blue card system is working on the ground for your organisation and for you and whether you share that experience with the rest of the group that people are getting caught up in it.

Ms Davis: Usually there is a way of appealing to get your blue card. I understand that. For us it is more complex. Like I said, our organisation needs the two cards. The NDIS card is probably the most complicated one to get through. Yes, I am well aware that some people have had to appeal who have then got their blue cards. The blue card system and the yellow card system are incredibly slow at times. Like I said, it can take months. You have probably heard that over and over this morning. That is just appalling. It should not be happening. For us though we cannot employ without both because we are employed as a disability organisation. I am here to talk about blue cards but I wanted to bring up the yellow card as well because they are part and parcel for most people.

Mrs GERBER: One of the other issues that was raised is that quite often it is also the application process for getting a blue card. If someone does apply for a blue card and they have a criminal history but it may not be a disqualifying offence and it may not be a serious offence, or it may be a serious offence but not a serious offence that disqualifies them, then that bogs down the system and the time

taken for them to be considered is extraordinarily long. One of the solutions that was raised—indeed, the bill proposes—is that community justice groups led by elders fill that void. That takes us back to 2018 before the no-job no-card policy where there were interim blue cards, for want of a better term. I am interested in your perspective on that from an organisational perspective and from your experience.

Ms Davis: I was hoping to bring one of my Indigenous workers today. Rodney is not well, unfortunately. He goes out to these areas. He is a local. He is from Burketown. He is just that. The local communities know who is good and bad in these areas. It can absolutely be done on the ground. I do not know how that would be done, but it would have to be culturally appropriately put forward and addressed. I am sure it could be a lot quicker. These areas will all benefit from it. Yes, there have to be strict guidelines because obviously there are people in the community who you would not want to work regardless—they have done something naughty years ago. But if you stole a car when you were 20 and you are now 50—let's face it: you have been good and you have done your time—you could be a better person for it to talk to these youngsters and hopefully prevent a few others from going down the same path.

CHAIR: Helen, you mentioned Rodney and that he is not available today because he is unwell. Is there any chance that you could reach out to him? We are having hearings on 12 September. He could Zoom in or phone in.

Ms Davis: Absolutely. If you can send me the details, he would be more than willing to do that. One of his roles is a community service facilitator. We go out to the gulf, like I said, to these areas in the upper and lower gulf, to find out the gaps in service delivery. I am sure you have all heard about many of those.

Ms BOLTON: You mentioned in your opening statement that they are doing this. You were referring to community justice and processing blue cards differently in the Northern Territory. Can you outline how long and how successful this has been?

Ms Davis: I am sorry. I cannot. I do not know much more about it. I did not look into that. I know it happens. It has been happening for a very long time. I do not know why Queensland is not doing the same as what is working well in another state or territory. It is beyond me. I do not know why that is not happening. I am sorry. I cannot answer that question.

Ms BOLTON: Secondly, we heard a lot this morning about all of the contributors as to why blue cards are not being issued. Time is one. Others are that the submissions that are put in lack the information required, so by the time the negative notice comes back requesting more information it is not responded to. We heard that there was a clear lack of access to not only assistance to fill out the form for an application for a blue card but also put the submission in and then also to respond. Without any data clearly showing the proportion of whether the issue is at the commissioners' end when they are making a determination—and we are talking about serious offences, not the disqualifying offences—and drilling down as to how many would be more a lack of what is needed to assist, we are having trouble clarifying exactly where the issue is, and that is what we are trying to do.

Ms Davis: It is hard for me to answer that because I do not know what goes on behind the scenes. All I can say from our point of view is that we advertise requiring the necessary cards. It is a given. In fact, the majority of people would be aware of that when they are applying for any role in education, health et cetera. We always ask at interview, 'Have you got X, Y and Z?'—the yellow and blue card—and those who have not apply immediately and they can put selectability down as an employer. At one point we could get them back quite quickly for most people—within a couple of weeks—so I do not understand why, once again, we are going back to the same scenario of it taking more than weeks, sometimes months, so there is something in the background not working. Whether they do not have enough staff or they have not got the capacity or it is in the too-hard basket because they do not realise, but in the interim we are losing staff. They get, pardon my French, pissed off because they are waiting and waiting and waiting, and why would you? It should be something that happens virtually within a few days. It cannot be that hard.

Ms BOLTON: So if you want speed and it could be made faster, that would resolve your issue?

Ms Davis: Absolutely. I have lost many staff because they have had to wait so long. They must feel that they are not important enough and they will go and get a job elsewhere, and let us face it: living in Mount Isa is an expensive town. They are on lower wages than most people. Hospitality, LSW and PCs are all on the lower level of pay. It is an expensive town to live in. Why would they stay? They could earn more probably shelf filling in Woolworths, and we need these people on the shop floor. We need people working. We are expanding so fast it is not funny. If there is anything we can do to speed this process up, let us just do it.

Ms BOLTON: Thank you.

Ms Davis: No worries.

Ms BUSH: Thanks, Helen, for coming here today. Just on the time frames while we are talking about that, I guess in my mind I am having difficulty marrying up what we are hearing today with what we read in the department's annual report, which is that the majority of applications are processed and are processed between three to 15 days. Do you have any experience of it being done swiftly? Can you discern that there are some that are easy and—

Ms Davis: I have had a few that have come back within, like, 24 to 48 hours, which is incredible.

Ms BUSH: So what is different? Can you see what is different with those applications?

Ms Davis: No difference whatsoever. They have applied in exactly the same way, same format online. I cannot answer what is going on behind the scenes.

Ms BUSH: So nothing to do with differences in criminal backgrounds or police—

Ms Davis: Most people who put in for a blue card are eligible and with a blue card there is a process, as you know, of appealing if it was something that happened a long time ago. My biggest issue is the yellow card, in all honesty. The yellow card seems to be the biggest problem, but with the blue card, like I said, we have had major problems with that as well, and it is mainly timing.

Ms BUSH: Obviously the work that you do—and I have just hopped on and had a look at your website—you are dealing arguably with some of Queensland's most vulnerable people. Some people would be nonverbal, so the need for you to have employees who are safe that you can trust would be absolutely paramount. I just wondered if you could speak to the committee for a moment on that. The blue card is one part of a broader risk management framework, including HSQF and a whole bunch of things that you would have to respond to. Can you just talk to that for a few moments so we can get a flavour of your broader risk management?

Ms Davis: In terms of broader risk, obviously the process we have in place works well. We have a police check for disabled; we have a police check for the under-18s. We have to have both. We have to have them all the time. I have to have one now as well. My registration used to cover that; it does not anymore. We make sure the staff get theirs redone before the expiry date comes up. They normally last about five years now, so that is pretty neat. Again though, like I said, if I go back to a place like Doomadgee you can pretty much bet your bottom dollar most of those would not get clearance for lots of different reasons and that is where I would normally be working out in these areas.

Ms BUSH: You also do things like supervised visits, would you not, I imagine, with staff? You would at least annually supervise them in place?

Ms Davis: Yes, absolutely.

Ms BUSH: Yes, so there are bigger issues that you are managing?

Ms Davis: Absolutely.

CHAIR: Helen, do you help anyone—and there is no criticism—who may need to appeal the decision of the blue card or once they get the rejection it is—

Ms Davis: I think no, because what normally happens with them is they either shy away because they do not think they are going to get a blue card or a yellow card, and Rodney will vouch for that. He has said himself that he has a lot of family who would like to come and join us, but they would not get the police clearance. You probably have a lot of mature males, for argument's sake, who would be fantastic in a men's group and quite capable of doing Indigenous culture, just to pick on Rod's side of the family, but it should not be this way. There obviously has to be clear guidelines. You just cannot say, 'Yes, this person can work. This one can't.' When Rodney is in on the 12th hopefully he will be able to fill you in that usually you know your own people. They have their own way of dealing with issues.

Mr KATTER: One of the things that is challenged about this legislation if it passed is it would give the local justice groups the ability to turn around a decision that otherwise would be a negative notice. Do you see that as having any significant risks to the community?

Ms Davis: Can you repeat that sorry, Robbie?

Mr KATTER: You sort of touched on this in the comments that you just made about the community justice group—and the populations of these communities rarely surpass 2,000 people and therefore there is a strong (inaudible) make a judgement on them—so do you see there as being enough risk with that system?

Ms Davis: I think there is always going to be risk; it does not matter what you do and what you put in place. Let us be perfectly honest: there is a bit of a joke about the blue card, because we call it the 'grey card' because you have not been caught yet. Do you know what I mean? You can call it what

you like. You have to have something in place. Going back to what you just said, I would suspect that their level of jurisdiction and judgement would be way better than someone lying their teeth off on a piece of paper over a website saying, 'I didn't do this, didn't do that,' or, 'I've been a good boy all my life,' if you know what I mean. Unfortunately, some people do get attracted to this kind of work. We know that and that is absolutely why we are all here to make sure that there are no mistakes and no slip-ups.

Mr KATTER: Without committing you to a number, do you have many stories of people who have come and you have identified that you want to give the job to them and gone through the process—laboured through it—and then they not necessarily got rejected but just walked away from—

Ms Davis: I have had a lot of people walk away because they cannot be dealing with it for a lot of different reasons. One, the time factor. Two, they cannot afford it. There is a monetary side of it, so that is an issue for a lot of people. Not everyone can afford it. I did have a lady donkey's years ago in a different role that apparently stabbed her husband to death—not in the office I am in now, by the way—and she did end up with a blue card. I believe it was self-defence—that is my understanding—and she did appeal it and she was out there working with consumers of a different organisation, but absolutely there must be a process in place where it is warranted to relook at that person and if it is warranted that that is suitable for that particular person. This is my thought: why can we not put them on a year probation card so they are checked every year? Our cards at the moment are checked every five years. You can do a lot in five years, but this is my thought: why can you not put them on an L-plate with various reviews and checks and whatever you need to do in terms of how things are going? In these communities there would be face-to-face meetings with the elders and the appropriate people in charge to say, 'How do you feel this person is working?'

If I set up a service, for argument's sake, for LSWs in Doomadgee, I cannot be there 24/7. I need someone on the ground that I feel comfortable with and trusting of to get honesty and truth back, and then there has to be something put in place if that person does step out of line. What then? You could say that about any staff member who has these cards already. Like I said, it is actually a grey card; it is not a blue card. There are a lot of people out there and I think—actually, I would like you to check—if you come over from New Zealand and you get a blue card I do not think they can check what you did in New Zealand, so do you know what I mean? We share a lot of staff across the continent—across the pond—and it is not foolproof, and nothing ever will be. In the interim, like I said, these areas are suffering and the community is suffering and people are not able to have a career path and their future is suffering.

Mr KATTER: Life in some of these communities like Doomadgee is pretty different to what most people are accustomed to. Would you make a comment or make a call on whether the blue card system is fit for purpose for a community like Doomadgee where it is a one-size-fits-all approach for Queensland?

Ms Davis: It will not fit, will it—let us face it—and that is why it is not working now? For argument's sake, there is an awful lot of people who do not have access to a computer and speak English as a second language. They are not going to sit in front of a computer and fill something out. There is a suspicion side, the cultural side. Is it appropriate? No, it is not. It is not written in their language or their terminology. If you want it to work, you really have to get down to the bare bones of what works in these communities and what people they trust. If I sent Rodney in, for argument's sake—sorry to bring him up when he is not here—they would trust him because he is a local. He understands what they need in these areas and he is well versed in what we do and what is required, but it can take years and years to get accepted into these areas. I am sorry, to be perfectly blunt, that you are here in Mount Isa and not in Doomadgee or Mornington today, because it is those areas that you need to see on the ground. You need to see what is going on and talk to local people. Even I cannot speak on their behalf being an Australian white female. I am not from that area. You need somebody who is a spokesperson for these areas to come forward and they would literally tell them how they are feeling.

You would probably, if you have not already, come across a lot of negativity and anger. They want to move forward, but their calls for help and asking for something to happen and change does not change. I guess it is things like this, thanks to Robbie bringing this up after the conversations we had, that are a step forward. It will take a while, but I think it will work and the outcome of this, as you can see, will be that you will have people in these areas employed. They will have empowerment in their own areas. They will be proud to be living and working where they are and their health will improve and their overall crime rate and suicide rate and mental health rate will drop. It is a given, but at the end of the day from my point of view I need both. I need you to go back today with what I have said and I need you then to come back to me and talk to me about the yellow card as well so that we can get that ironed out and let us just get this show on the road, because it has been too long.

CHAIR: I am conscious of time. It does not look like we have any takers for the 2.55 to 3.55 session, so I am happy to keep going if we have more questions of Helen or we can wind it up.

Mr KRAUSE: Chair, I just want to thank you, Helen, for your submission and your candour with us.

Ms Davis: Thank you very much.

Mr KRAUSE: You are summing-up and confirming what we have heard a lot about this morning already, but thank you.

Ms Davis: Sure. I am more than happy to be more involved if I can. I am very grateful I had the opportunity to speak to you all as well and thank you for coming to Mount Isa; it is good to see you all, even though it is a bit like having a big interview for a job, but that is fine. You did this at the Isa hotel, so no big drama. If anybody else wants to have a yarn, you can always send me an email. Like I said, Kathryn has my details and Robbie knows where I am, so I will talk to you soon. Thank you for your time.

CHAIR: Yes. Thank you. This concludes the hearing. Thank you to everyone who has participated today and to all those who have helped organise this meeting. I want to thank our Hansard reporter. A transcript of these proceedings will be available on the committee's webpage in due course. I declare this public hearing closed.

The committee adjourned at 3.01 pm.