



# ***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**

**THURSDAY, 8 SEPTEMBER 2022**

**Yarrabah**

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### **The committee met at 10.34 am.**

**CHAIR:** Good morning. I declare open the public hearing for the committee's inquiry into the Working with Children (Indigenous Communities) Amendment Bill 2021. My name is Peter Russo. I am the member for Toohey and chair of the committee. I will now ask Mayor Ross Andrews to give a welcome.

**Mr Andrews:** On behalf of the community here today, thank you for coming along. Thanks to the Yarrabah council and the Yarrabah community for hosting you. This is the land of the Gunggay people. We acknowledge the Gunggay people as the traditional custodians of the land on which we are having this inquiry in relation to the blue card matter today. I acknowledge elders past, present and emerging. Thank you for coming to Yarrabah.

**CHAIR:** Thank you, Ross. I too would like to respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past, present and emerging. 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, the member for Currumbin and deputy chair; Sandy Bolton MP, the member for Noosa; Jonty Bush MP, the member for Cooper; Jason Hunt MP, the member for Caloundra; and Jon Krause MP, the member for Scenic Rim. The committee has also granted leave for Robbie Katter, the member for Traeger, to ask questions at the hearing today.

Robbie Katter introduced the bill into the Queensland parliament on 1 September 2021. 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. All those present today should note that it is possible you might be filmed or photographed by the 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 with express authority from me. I ask everyone present to turn their mobile phones off or to silent mode. The program for today has been published on the committee's webpage and there are hard copies available from committee staff.

### **ANDREWS, Mr Ross, Mayor, Yarrabah Aboriginal Shire Council**

### **WRIGHT, Mr Richard, Acting Chief Executive Officer, Yarrabah Aboriginal Shire Council**

**CHAIR:** I now welcome Mayor Ross Andrews and Richard Wright, the Acting CEO, of Yarrabah Aboriginal Shire Council. The way we have been running things, Ross and Richard, is that we ask you whether either one of you or both of you want to make an opening statement. We normally go for about five minutes on that. If you go over five minutes we will not cut you off. Who wants to go first?

**Mr Andrews:** Thank you, Mr Chair. My name is Ross Andrews and I am the mayor of the council. We thank you for the opportunity for the Yarrabah community to be included in this hearing of the inquiry in relation to this very important issue—the blue card. It is a very serious issue. We thank the member for Traeger for putting up a bill in relation to this particular issue.

Blue cards are very important not only for us as an employer but also for the many community-based organisations that rely on volunteers to activate and support their small NGOs and small community-based organisations. For us the blue card issue is important in terms of a lot of the big reforms that are happening around First Nations people—particularly the Voice to Parliament, the Path to Treaty, Closing the Gap, health equity and a few others—both at the state and national level, where First Nations people have to have a voice consistent with fellow Australians.

For us, this issue is important in terms of economic engagement and participation. Blue cards play a part in that as well in terms of getting our people off welfare and engaging in the real economy. There are challenges within the rules of government and how they play out, but there are also opportunities for our people to move forward on many of our challenges. I wanted to acknowledge that it is a very important and very serious issue for our community and the wider community as well.

My acting CEO is also happy to feed into this process. Hopefully the outcomes from this inquiry will enable and support First Nations people in their aspirations for improvement in terms of economic participation. Thank you.

**Mr Wright:** Obviously, I support everything my mayor said. I will add a few personal particulars as the employer of council. Our council is the largest employer in community. We employ on average 100 to 110 staff at any given time. A number of those staff, obviously with community conflicts et cetera, do occasionally fall foul of the law for minor discrepancies. They are applying for positions in council that do require a blue card. For one minor discrepancy obviously their potential for employment in community is immediately eliminated. It is unfair on them. I would support any changes that could recognise opportunity.

We all understand that serious offences, especially with regard to children, should obviously rule out any application for a blue card. There is no argument from any of us around this table about that at all. For minor matters that do not relate to any violence or injury or anything with regard to a child there should be some leniency to give them a second change to gain suitable employment in the community where they live and the opportunity to progress their careers. I am happy to add to that if the committee has any further questions.

**CHAIR:** Thank you. We will go to the deputy chair for questions.

**Mrs GERBER:** I would like to delve a bit deeper into that. When we have been travelling around other Indigenous communities we have heard about the limitations that the blue card puts on Indigenous communities in relation to either serious offences or just a criminal history. Technically, only disqualifying offences mean that you cannot have a blue card. I want to know about the barriers you have experienced in your Yarrabah community around blue card, particularly in relation to people with a criminal history or a serious offence that might not disqualify them from a blue card but which has resulted in them being disqualified from holding a blue card because of that. Do you understand? I know it is a longwinded question. I want more practical examples.

**Mr Wright:** I am not going to give personal—

**CHAIR:** That is understandable.

**Mr Wright:** Recently I had someone who was seeking engagement in one of the areas where a blue card would be required because there is a potential of engagement with children. When they were applying, that person was 45 years of age. They had a disqualifying offence when they were 16. I am aware of the circumstances. It was a statutory offence, if I can put it that way. They were the ideal candidate except for that one issue.

**Mrs GERBER:** One of the solutions that the bill currently proposes to that problem is to establish community justice groups to provide either a mandatory recommendation or a recommendation, depending on how the bill falls, to the chief executive officer—essentially Blue Card Services—to enable Blue Card Services to better assess that applicant. Can you talk us through whether or not you think is an appropriate solution and whether or not you think that process would work in your community?

**Mr Wright:** I would support that process. It allows the local justice group members, who would have that knowledge, cultural experience and understanding, to put a representation to Blue Card to take those matters into consideration. At the moment it is just: no, that is it. And that is unfair.

**CHAIR:** Richard, in relation to the matter that you are raising, was the person already employed?

**Mr Wright:** No, he was not.

**CHAIR:** So it was a new position?

**Mr Wright:** It was a new position that, as I said, did not have regular contact but had the potential to have contact. As a result, obviously, we err on the side of caution and say that a blue card is required. On the skill set for the position in itself, every box was ticked.

**CHAIR:** Did he apply?

**Mr Wright:** He applied and was ruled out as a result of that.

**CHAIR:** Did he have the opportunity of appealing or because of the disqualifying offence it was all over?

**Mr Wright:** Mr Chair, it was the disqualifying offence. Like I said, it happened some 25 years ago when that person was actually a juvenile, a minor. Without giving details of the matter, it was definitely a disqualifying offence and as a result he had no opportunity to pursue that.

**CHAIR:** Are there others you know of where the same issue has happened? You do not need to give the same detail.

**Mr Wright:** Council operates our day care centre as well. As a result, anyone employed by the day care has a blue card. For a minor assault matter, which was more a family dispute than anything else, Blue Card withdrew—

**CHAIR:** They withdrew their permission?

**Mr Wright:** Yes. As a result, we have no other option but to terminate the employment of that staff member.

**CHAIR:** Correct me if I have this wrong, but my understanding is that the federal government grants funding that is then channelled to the state and from the state it comes to the different shires. My understanding is that it is a requirement of the federal government basically that people have a clearance and to get that clearance they have been asked to get the blue card. To enable that funding to flow, people are then required to get blue cards. For example, they could be working on a construction site and do not go anywhere near children. Has the council had any experience of that occurring or is that unique maybe to some of the other places we have been to?

**Mr Wright:** Mr Chair, I would say that may be unique. For our general workforce as such—that is, the blue collars, if you do not mind me using that terminology—there is no requirement for them to have a blue card for our general operations. Obviously if we were having them do work, for example, in day care or whatever, we would ensure that an appropriate staff member was present who did have the blue card to supervise that. For the general work there is no requirement except for those specific areas where they have the possibility of interaction or they are in senior management positions, obviously.

**CHAIR:** What about the funding model that I was just talking about? Have you come across a situation where that has been a requirement in order for the funding to be made available?

**Mr Wright:** No, except for the day care, which obviously is a unique situation.

**Ms BOLTON:** Over the past couple of days we have heard that there is a lot of confusion and that people will not apply for the blue card if they have had a minor offence in the past or they cannot access help to put in a submission or if there is a request for further information they are not responding. At Yarrabah, is there somebody who helps? I know the council is a big employer and obviously you would help someone in that process. Are there any outside positions that allow people to access assistance to fill in those forms?

**Mr Wright:** I do not believe there is. Obviously the council's HR department supports our staff through that process if they are required to have a blue card, with regard to making the application and any follow-up inquiries. To my knowledge, there is no other specific person in community who could assist community members through that process.

**Ms BOLTON:** When someone you were going to employ has been refused, does the community justice group, in the appeals process, make a recommendation and a reference? We have heard of successful cases of that happening.

**Mr Wright:** Not in the cases that I am aware of.

**Mr KATTER:** You were saying before that some council jobs do not require it. I have had feedback from the gulf communities in the cape. There was a young fellow at Doomadgee with QBAS and there would be occasions when he could not permanently be supervised by someone with a blue card. When you say, 'We can have a supervisor there,' that makes management a lot of harder because surely you are not overburdened with workers and you would not have that luxury all the time. Certainly the communities in my electorate are saying that they cannot find anything that, in the end, does not require a blue card, whether it is QBAS or council. I think at Aurukun they said their sewage treatment bloke, for some reason that they did not explain, needed a blue card. It was surprising to hear you say that, although it is not with every job. It makes it more difficult if you still need someone with them. It is not like you can work through it or anything.

**Mr Wright:** In the best case scenario, yes, all my staff would have blue cards, but that is not feasible for us. When I am referring to the supervisor, I am saying that if work was getting done, for example, at the day care or repairs were being done by our staff et cetera then obviously the relevant staff are there to ensure that aspect of the requirement is filled. It is the same at our museum and cultural centre. Obviously they have tours that come through that often involve children, so the staff out there are required to have blue cards.

**Mr KATTER:** Mr Mayor, the bill is putting the decision-making back on the local community through the local justice group. Do you have any concerns that it will be less safe if your own people make the decisions? We are not touching disqualifying offences. Do you have any concerns or do you think there would be any concerns in the local community about the safety of kids with locals making the decisions on who can and cannot get a blue card?

**Mr Andrews:** I would probably drift off into another direction. I have been advocating for a family responsibilities commission in my community for a number of years.

**Mr KATTER:** I like them too.

**Mr Andrews:** It is probably an intervention/prevention program that really is upstream in terms of supporting families and supporting parents to be responsible. They have a model where they have family responsibilities commissioners.

**Mr KATTER:** It is a good program.

**Mr Andrews:** It is remunerated. For the justice group to really have some authority and responsibility, some systems and some real structures need to be put in place.

**Mr KATTER:** That has come back a lot.

**Mr Andrews:** It is about having that remuneration. A few weeks ago a number of JPs and commissioners for declaration were given certificates for 25 years service. I was included for JP and the CD. If we are exploring the idea of the justice group having some criteria around assessing blue card applications, I think they would probably need to be remunerated so that it gives them some strength around how to assess, whether it is community or family related applications. We have to keep in mind the seriousness of the mandatory reporting, because child safety is paramount to everything. Building up the support mechanism around the community justice group and having them fully remunerated will get some support for assessing the criteria around the review of applications.

**CHAIR:** Pardon my ignorance on this question, but is there a state government body here where you can go to pay bills? In some communities the post office is where you go for everything. Is it similar here or is it a little bit different?

**Mr Wright:** There is no state agency here that handles that sort of thing, Mr Chair. If someone wants to pay a bill, we do have our post office attached to council. It is a designated post office. Some minor bills can be paid there but it is only very limited as to what they can pay.

**CHAIR:** Are Centrelink and those types of organisations here?

**Mr Wright:** Centrelink is here, yes.

**CHAIR:** Is it run by the local community?

**Mr Wright:** They have local community employment as part of it but it is still a federally run organisation, of course. I think they answer to their supervisor who is based in Cairns. It is like a satellite agency. They have two or three local staff there and I think their supervisor—correct me if I am wrong, Mr Mayor—comes out periodically during the week to supervise.

**CHAIR:** For example, there is no equivalent state place?

**Mr Andrews:** We used to have QGAP here, many years ago. We have two satellites, really. One is in the main town area and the other one is on the southern part of town for those families who cannot really get into town. Many of the people pay bills online.

**CHAIR:** That brings me to my next question. Some of the communities that we have heard from do not have wi-fi other than in the community hub or the mall, as they call it. Is wi-fi an issue out here?

**Mr Andrews:** We have some challenges around connectivity. Some wi-fi was done through the NBN Co around town. One is down in the CBD area and one is in the southern part of town. Correct me if I am wrong, Richard, but our telecommunications system goes out to Green Island and bounces back into the community. At times of natural disasters like cyclones and flooding, the QPS and the health centre have a lot of challenges around the barriers around connectivity

**Mr Wright:** We have a lot of black spots still in community as well. An Optus tower is being built next year, apparently. It has been approved. That is on our southern corridor. Hopefully, that will improve things. If any of you guys are on Optus now and you turn your phones on, you would have no signal sitting here. We have designated areas. In this northern end of the shire it is possibly Telstra. If you go somewhere else it is Optus. In some places if you are lucky you will get both and in other areas you will get absolutely nothing. That connectivity is still an issue within community, remembering that Cairns, as the crow flies, is only 12 kilometres that way.

**CHAIR:** Again, this is probably a silly question, but there would not be the same issues in Cairns—

**Proceedings suspended from 10.58 am to 11.13 am.**

**CHAIR:** Now that we have power, we will continue. I was talking to Richard about connectivity and the lights went out. I am going to hand over to Jonty for a question.

**Ms BUSH:** Thanks Mayor Andrews and Richard for coming to present to us. Richard, from an employer's perspective I want to understand practically how it works with Blue Card and your interface as a major employer. Do you have a portal that you hop into and log applications in? How does it work from your perspective?

**Mr Wright:** We are endeavouring to set that up at the moment. We are in the process of arranging that portal access. At the moment it is all done manually through the HR department.

**Ms BUSH:** Through your HR team?

**Mr Wright:** Yes.

**Ms BUSH:** Do they have a contact in Blue Card Services that they can reach out to for a bit more hand holding and assistance on tricky applications?

**Mr Wright:** Yes, they do.

**Ms BUSH:** Are they in Brisbane or Cairns?

**Mr Wright:** I am not quite sure. It is one of those 1800 numbers, which could mean they are anywhere.

**Ms BUSH:** But it is the same person they can ring and speak to, like a team leader or someone?

**Mr Wright:** Yes, normally it is the same person, so it is a first-name contact basis.

**Ms BUSH:** How do you find that process, being able to have a nominated contact? Is that helpful?

**Mr Wright:** It is more advantageous than it was previously. Obviously there is still room for improvement with the portal et cetera moving forward, but at this stage that does not alleviate the issue that we with regard to the disqualifying offences et cetera. That just helps streamline the process, which is all well and good, but it still does not give us the opportunity to engage workers who have those minor disqualifying matters which could be so historical but are still sitting there on their records and still taken into account by Blue Card Services.

**Ms BUSH:** How often does it become an issue for you that an historical offence knocks someone out?

**Mr Wright:** I have been with council now six years. In that time I would say probably on three occasions, which to me, with our volume of staff and our staff turnover—

**Ms BUSH:** It is pretty high?

**Mr Wright:** Yes.

**Ms BUSH:** This question goes to the chair's point earlier about state agencies. Does anyone reach out or outreach from Cairns, from the state—just to clarify, does anyone from Main Roads or Licensing ever come out and be in community and help sort through issues with you?

**Mr Wright:** They do come out on occasions. They have a team that comes to Indigenous communities on occasions and they will come out and do licensing days et cetera. I think it occurs probably—I stand to be corrected on this—every couple of months.

**Ms BUSH:** Do Blue Card Services or JAG ever come out here and work with you here in community?

**Mr Wright:** Blue Card Services have been out here recently, probably a month or two ago. They came out and engaged with the community for a day.

**Ms BUSH:** Before that?

**Mr Wright:** Very irregular, and I say that on all services. Again, we are not remote; we are 12 kilometres as the crow flies from Cairns. It is 54 kilometres by road, but it is a lovely scenic drive. A bit more representation in community from government organisations would certainly be appreciated.

**CHAIR:** I noticed the courthouse on the way in. Is that manned all the time or does the magistrate visit from Cairns?

**Mr Wright:** The magistrate actually visits from Innisfail. It is his circuit.

**CHAIR:** That used to be the way it was when I was here.

**Mr Wright:** Again, that is a regular court day. I think it is every Tuesday.

**Mr Andrews:** Wednesday.

**Mr Wright:** Wednesday. That is the only representation we have from that side of things.

**Ms BUSH:** You have police here?

**Mr Wright:** We do have police here. That is a different argument, as to resourcing for them as well, to deal with the issues in community. That is probably best addressed by the police.

**CHAIR:** Mayor and Richard, unless you have something else we will ask some other people to come forward.

**Mr Andrews:** In closing, before I allow the others to talk, I would like to say that some of the small NGOs need support around volunteering—the SES and sports. They need support because they struggle. If the parents or if the families do not have a blue card, it makes it hard on volunteering—and the SES during emergency services, because we at times have to use council support there when there are cyclones and flooding. Some of the small NGOs need support

**Ms BUSH:** That is right: they need blue cards to be in that role, don't they?

**Mr Andrews:** Yes.

**Mr KRAUSE:** Are you aware of volunteers who have not been able to help out in places like the SES or other community groups because they do not have a blue card?

**Mr Andrews:** Yes. There are a couple of people out in the community who have not been able to access, but they are willing to volunteer.

**Mr Wright:** I can expand on that, if you like, Mr Mayor. We did put on an SES drive not that long ago, because council supports the SES under the LDMG. We did have a drive for recruitment not that long ago and I think there was three applicants who were ruled out.

**Mrs GERBER:** Because they did not have a blue card or did not think they could get one?

**Mr Wright:** Yes.

**CHAIR:** Thanks very much.

**Judulu, North Queensland Regional Aboriginal Corporation Languages Centre**

**NEAL, Mr Paul, North Queensland Regional Aboriginal Corporation Languages Centre**

**CHAIR:** Paul and Judulu, please come forward. I invite you to make an opening statement if you like, or we can go straight into questions—however you want to run it. You can take a seat.

**Judulu:** I would like to stand. Let's go! (Speaks in Indigenous language). My family have been here for the last nearly 100 years. Things have never changed. We still live in a place that is so oppressed that we cannot get programs up because of some of the things like blue cards and that we have been chasing for years. These things have got to stop. We, the people, can control and talk to our mob—nobody else—and we need to have that right. We cannot get jobs because of this.

We deal in languages. We deal in native title. People like us cannot get jobs. Some of us have maybe a record from 40 years ago, I am telling you, and we have been so clean because we are leaders of our communities, of our groups. These things have got to change. It has got to open up for the community to take control of the running of this community by us, because years and years of abuse from government and the rest on us has impacted on us with the suicide rate, which is a very big thing. We run around in the bush, chasing people. Nobody else does it, but the community themselves does this. No-one sees us to this because we are out there on the streets and a lot of us are talking to the people. We talking to them and all this sort of thing.

Without this blue card, without this, a lot of things can't happen. This group, the council: it does that thing. We need blue cards in the organisations that we run, which is very important because language is very important to our people, to lift the spirits of our people who have been so much trashed because that is who we are. We need these services so we can run these programs. People who support people in the community cannot get the blue card, because we tried a few times. If we cannot get the blue card, you know, what are we here for then? To be put in prison, because we cannot do nothing else. We are so oppressed without this and we need it. Thank you.

**Mr Neal:** I am Paul Neal. I live in Yarrabah. Me and Judulu come from a fair few organisations, progressive organisations that are in some serious planning. These are some of our problems in planning. We cannot go forward because we cannot get our people to pass on any skills or knowledge to the youth, even though we might be a family. We are not talking about small opportunities; we are talking large opportunities that involve millions of dollars. We have been planning for the last four years and things are starting to come closer now. One of our main objectives is to employ our people, get people back on country, so that people can be engaged. We are the most unengaged people in this society, in Australia.

We have been nominated under North Queensland Regional Aboriginal Corporation Languages Centre to speak. As I mentioned, we come from a few other groups, including communities. We are part of the kinship which goes well past Townsville and right up north and into the west. We are part of a really large group. We are experiencing a lot of problems, especially in Aboriginal communities. I know there is an Indigenous community, but we as Aboriginal people living on our country find it very hard, especially in remote places, to engage with our people and pass down language and everything else because of the new requirements that are coming in to have a blue card.

The manager mentioned that it was easier with the last process in getting blue cards because North Queensland Regional Aboriginal Corporation operates about 40 per cent of the state, which goes right past Mackay and Rockhampton, out to Mount Isa and all the way up to probably Mareeba. It is a pretty large area. We have about 50 language groups in there, or more. We have a lot of interested people. But progress is really slow because we cannot engage, especially when we are receiving government money—engaging our people to pass down that knowledge in a formal manner, yes.

After speaking with you and knowing what Robbie was on about, I talked to some people on the Tablelands from the Firestick Group. You might have heard about the Firestick Group and Victor Steffenson. They run a national organisation. They are having a lot of problems with engagement. Although they can become part of Firesticks, they cannot move down any pathways into QFS or anything like that, because even to volunteer they need to have blue card. A lot of us have been trapped in the bad policies that have been handed down to us from time immemorial here that are still happening. We need to, I suppose, look at a quick opportunity to get the blue card because when we get the blue card we can then apply for exemption. Does this new amendment allow for an extension into the yellow card, the service card? Would it allow an extension into that?

**CHAIR:** I do not know if it gives an exemption, but my understanding is you cannot get the yellow card without the blue card.



**Mr Neal:** Like with prisons, we are the most incarcerated people. Like with unemployment, we are the most unemployed people. I am not talking Indigenous; I am talking Aboriginal—red, black and yellow. Like with disability, we are the most unserved people in this nation. With everything you mentioned, we are down here. We were not even part of the engagement. Sometimes we think that a lot of these measures are put in place for better bargaining power for the government so that they can give all these jobs to other nationals so they can secure the Pacific and Indonesia. This is what we are starting to think.

How come we cannot just walk in and get the jobs from Mareeba to here? There are a lot of good farmers up there. I know the exercise. I get people in jobs. I am active in that area. I am active in the mines with technical services and with remediation work, but we cannot get into jobs to pick fruit. We need to find better opportunities for our people so we can progress. There is no progression in this community. There is no pathway, yet we are being hounded here big time about compliance from jobactive services. These are some of our outlets here. We have compulsory engagement with jobactive services. Most of us here can go down the pathway of receiving a blue card to help our kids. We can receive a blue card and, hopefully, this bill will allow an amendment to the yellow card services because that is what we need to work with disability.

There are big opportunities for us but we are being blocked because we are Aboriginal people—period. That is all. That is the only reason we are being blocked in all scenarios: we are Aboriginal people. These tools are being used against us to get the treaty. They just handed back the land up in the northern zone and they said this is an act that will lead to reconciliation and treaty propositions. It is not happening here. There is nothing happening on the ground here. We cannot even sleep here.

Getting the blue card is just one thing. It is just the tip of the iceberg. We need to address the holistic issues that are going against us as a people, as human beings. We cannot even move out of this community. We are trapped. We are like the Ukrainians. We are trapped in this system. We are being attacked daily. We have all the statistics there to prove that what I am saying is right. That is where the statistics are. Thank you very much. I have references here from the manager of the North Queensland Regional Aboriginal Corporation Languages Centre for the Firesticks group. They want to talk more if you want to investigate that.

**CHAIR:** Could you give that information to Marjorie please and we will reach out to them.

**Mr Neal:** Yes.

**CHAIR:** It will not be today.

**Mr Neal:** No. I understand that. By the time you come back, I think we need to put some measurements in place to see how much negativity will fester between now and the time when there will be changes. You only have to go out there in this little town—smaller than Julia Creek—on court day. I have represented them.

**CHAIR:** Thank you.

**BAIRD, Mr Leslie, Private capacity**

**BANN, Mr Samuel, President, Yarrabah Seahawks**

**Mr Bann:** My name is Samuel Bann. I am the president of the Yarrabah Seahawks senior Rugby League. Getting blue cards is really important to the club, both juniors and seniors, because that is how we determine how many volunteers we get in the club. We have people with great expertise out there who want to come forward, but they cannot be registered with the club because under the QRL guidelines they must have a blue card.

Even someone who is running water out on the footy field who is in the eyes of the public must have a blue card. All the coaches and managers must have a blue card. As the president, I have to have a blue card just to take on a volunteer role as part of the club. At the moment I have an exemption because I am still a registered teacher, but I still need a blue card. My teacher registration does not count. I can be involved with Queensland Rugby League schoolboys but I cannot be involved with club Rugby League.

With Robbie putting this bill forward, I think it is very important for remote communities because there are not many places you will go here where you will not be around children and females. In places like Mornington and Doomadgee—and I have lived there—everything is so closely knitted together. You need people there with that expertise coming in to talk to the kids. You have to walk past the childcare centre to get to wherever you want to go. You have to walk past the school to get to wherever you want to go.

I have had experience on Mornington where we had a gentleman who wanted to work at the school and he had to fly down to Cairns to attend a hearing so he could get a blue card. He did something 25 years before that and he has self-reformed, but the current blue card system does not allow for people to self-reform. He has not done anything wrong in the previous 25 years, but he still has that little thing hanging over his head that stopped him from getting a blue card. I have been back to Mornington lately and I have seen him back in the school, so I assume that he did get an exemption. He had to come down for a hearing which he did and he is back at the school.

This blue card issue is not just in the community here. It is statewide across the board in Queensland. That is what is stopping people coming on board. In the Rugby League club our senior coach must have a blue card, but the 17 players who are in the room do not have to have a blue card.

**CHAIR:** Don't suggest that, Sam!

**Mr Bann:** If there is a 17-year-old or an 18-year-old in the club, they are still exposed to those 17 other players who do not have a blue card.

**CHAIR:** Sam, I am conscious of time. I do not want to cut people off. Leslie, do you want to address the committee on your experience?

**Mr Baird:** No. I was just interested in the process.

**CHAIR:** Our process?

**Mr Baird:** Yes.

**CHAIR:** Do you want me to talk a little bit about that?

**Mr Baird:** Yes.

**CHAIR:** Robbie introduced a private member's bill into the parliament. It was referred to the Legal Affairs and Safety Committee, which is all of these good people here. I am the chair of this committee. Our job now is to gather as much evidence as we can. Once we get all of that evidence then the committee will look at the evidence and the submissions and we will write a report and make recommendations.

I think we are due to table our report by the end of October. Between now and probably two weeks before the end of October we will keep gathering evidence and talking to people. We have two hearings in Brisbane and people are going to phone in. I think people from some of the communities are even going to attend in person. We have two more days of hearings. If you know of anyone who wants to give evidence remotely, either by phone or by video, let Marjorie or Kathryn know. That is our process. After we table our report, the government gets the opportunity to respond. Then after that, the bill will come back to the House to be debated. There is a bit of water to go under the bridge yet.

I do take on board what I have heard. There is an urgency to all of this. As to how we deal with that, I am really not sure. I am going to have to get some advice from people about whether or not there are things that we can advance before the bill gets debated in parliament. There seem to be

some issues with how the system is administered. I am not for one minute suggesting that there is not a need for legislative change, but it seems to me that there are other problems that maybe could be resolved by getting the department to talk to the people on the ground and maybe tidy up a few of those things.

As to what I personally can do as a member of the state government—I will be honest with you—I am not sure at this point. Hopefully by the time we write the report, with the assistance of my committee, I will be able to answer some of the questions that I have now that I cannot answer. We will try to keep everyone in the loop as best we can. We have your names now, so we will do our best to keep communicating with you.

**Mr Baird:** Thank you.

**Mrs GERBER:** Is there anyone else who would like to address the committee on any issue?

**ANDREWS, Ms Ngema, Yarrabah Leadership Forum**

**Ms Andrews:** My name is Ngema Andrews. I am from the Yarrabah Leadership Forum. I support the bill because I believe it is important that the blue card system changes due to the number of community members coming through the doors who are concerned about the rejection they get from all of their applications. I have had a few rejections on claims. The community member at the time was really confused. They were not involved in a crime but were somehow linked and therefore that stopped the blue card process from going ahead.

There is a big majority out there who are trying to apply for a blue card, especially to get into the workforce. The school requires a blue card. Every organisation requires a blue card. It is sad that they are confronted with this blockage that is going to stop them from succeeding in terms of bringing income into the home. We have a major issue with overcrowding in the homes here in Yarrabah. They need to put food on the table. This is a big blockage. I support this bill going ahead. That is all I would like to say.

**Mr KATTER:** Sam, this is a hypothetical question. Using Rugby League as an example, given that Yarrabah and most Aboriginal communities are around only 2,000 people—what is the population here?

**Ms Andrews:** Probably 2,500, maybe 3,000.

**Mr KATTER:** There is nothing much over 2,000 or 3,000 that this bill affects. Everyone usually knows everyone. Are the kids any safer in Rugby League with the blue card system or not? I assume you would know whoever wants to get involved. It is a different story in Cairns or Townsville where you are dropping your kids off and you do not know who will be there. Do you think there is any improvement in safety for kids in local sports with this system in place? Would anyone get access to the kids who otherwise would not? I imagine you are not going to let people in who you think are a risk.

**Mr Bann:** For some of the people who want to volunteer, the kids look up to them as role models in the community. They do not know what happened 20 years ago, but they know what has been happening in the last two years and they want that person involved in the club.

**CHAIR:** Sam, if there were a person involved with Rugby League in this community who you were concerned about in terms of the safety of the children, you would know that person.

**Mr Bann:** Yes, I would know that person.

**CHAIR:** And so would other members of the community.

**Mr Bann:** And so would other members. That is the thing: being in a small community everybody knows everybody.

**CHAIR:** Yes.

**Mr Bann:** And they would have concerns.

**CHAIR:** You also have the advantage, don't you, of not only knowing everyone in the community but also knowing everyone's history?

**Mr Bann:** Yes.

**Mr KATTER:** There could be a situation again, hypothetically, where they have a blue card but you think they are going down the wrong track at the moment and you are not happy with how that person is behaving in the community. You would exclude them from footy if you thought they were a risk with or without a blue card? You make that decision?

**Mr Bann:** Yes.

**Mrs GERBER:** There is one issue that we have not touched on today that other communities have raised, and that is kinship carers. In your Aboriginal community we have heard about how kids have been on the cusp of being taken away from kinship carers because the whole family requires a blue card. Can you give the committee any examples of that happening in your Aboriginal community? Is that relevant to your Aboriginal community?

**Ms Andrews:** Yes, it is relevant. There are a few families in the community here who are currently facing that issue. The whole family is struggling to obtain a blue card to take care of the ones who have been brought into their care. Yes, that is on the radar.

**CHAIR:** That concludes this hearing. Thank you to everyone who has participated today and to all those who have helped organise this meeting. Thank you to our Hansard reporter. A transcript of these proceedings will be available on the committee's webpage in due course. I understand that we will also send a copy of the transcript to anyone who participated. I declare this public hearing closed.

**The committee adjourned at 11.49 am.**