



YOUTH JUSTICE REFORM SELECT COMMITTEE

Members present:

Ms SL Bolton MP—Chair
Ms JM Bush MP
Mrs LJ Gerber MP (virtual)
Mr AD Harper MP
Mr JJ McDonald MP
Mr DG Purdie MP
Mr A Tantari MP

Staff present:

Dr A Beem—Committee Secretary
Dr S Dodsworth—Assistant Committee Secretary

PUBLIC HEARING—INQUIRY TO EXAMINE ONGOING REFORMS TO THE YOUTH JUSTICE SYSTEM AND SUPPORT FOR VICTIMS OF CRIME

TRANSCRIPT OF PROCEEDINGS

Wednesday, 22 November 2023

Brisbane

WEDNESDAY, 22 NOVEMBER 2023

The committee met at 9.15 am.

CHAIR: Good morning, everyone. I declare open this public hearing for the committee's inquiry to examine ongoing reforms to the youth justice system and support for victims of crime. My name is Sandy Bolton. I am the member for Noosa and chair of the committee. I respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander people whose lands, winds and waters we all share. With me here today are: Jonty Bush, the member for Cooper and deputy chair; Aaron Harper, the member for Thuringowa; Laura Gerber, the member for Currumbin, via videoconference; Jim McDonald, the member for Lockyer; Dan Purdie, the member for Ninderry, will be joining us shortly; and Adrian Tantari, the member for Hervey Bay.

The purpose of today's proceedings is to assist the committee in its inquiry into youth justice reform in Queensland. 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 is a serious offence. I remind members of the public that they may be excluded from the hearing at the discretion of the committee.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. I ask you to please turn your mobile phones off or to silent mode.

ALLARD, Dr Troy, Program Director, School of Criminology and Criminal Justice, Griffith University

McCARTHY, Dr Molly, Lecturer, Criminology, Monash University (via videoconference)

CHAIR: I now welcome experts from Griffith University and Monash University. Good morning to you both. Would you like to make an opening statement before we start our questions?

Dr Allard: Thank you for the opportunity to be here today and to contribute to reshaping the youth justice system in Queensland. My name is Dr Troy Allard. I am a senior lecturer from the School of Criminology and Criminal Justice at Griffith University, where I have focused on youth justice for about 20 years. My research interest is focused on understanding the causes of serious and persistent offending and also understanding what we can actually do to help prevent those young people from offending. I have two research streams that I will briefly go over and hopefully some of your questions will be along the lines of these research streams.

My first research stream looks at advancing knowledge about the nature and causes of serious and persistent youth offending. Here I co-lead the Queensland Cross-sector Research Collaboration, which is an ongoing collaboration between Griffith University and eight Queensland government organisations. It has been ongoing for about 15 years. We have three birth cohorts: the 1983, 1984 and 1990 birth cohorts. We have linked across Queensland government data from Queensland police, courts, corrections, youth justice, child protection and Queensland Health. It is all organised by the Queensland Government Statistician's Office, which has been the Queensland government lead on the project. Using that data, we have recently published on understanding the costs of these offending groups; the harm caused by these offenders across their life course; and risk factors for offending such as child maltreatment, mental illness and wider risk factors such as domestic violence.

My second research stream aims to advance knowledge about what works to reduce offending. I have knowledge about the impacts of various approaches based on research that I have conducted such as the impact of closed-circuit television on offending, diversion so cautioning and conferencing, home detention with electronic monitoring and a few projects on bail. I was also the lead researcher

on the Griffith University Youth Forensic Service's Neighbourhoods Project where we intervened in two communities up north, aiming to reduce youth sexual violence and abuse, which were problematic in those communities. I will pass to Molly to introduce herself.

Dr McCarthy: I am Dr Molly McCarthy. I am a lecturer in criminology at Monash University and also an adjunct senior research fellow at the Griffith Criminology Institute. Echoing Troy, thank you for inviting us to give evidence to the committee today.

My broader background, before coming to academia, was that I started off in child and youth counselling and mental health. I then worked in public health research for about 10 years. Subsequent to that, I moved into consulting, working with government to look at the impact of new programs and policies in criminal justice settings and mental health settings. I moved into criminology, did a PhD in criminology and since then have become a criminologist in academia.

I also have two streams of work that I look at. One is around the effect of policing, particularly in disadvantaged communities. The one that is probably most relevant today is looking at drivers that are changing youth offending trends and that are apparent not only in Australia but also in other parts of the world, trying to understand what is driving changes in youth offending trends and then, more specifically, narrowing in on drivers of chronic youth offending and potential ways that we can intervene and encourage desistance or even further prevent chronic youth offending.

I have just been awarded an Australian Research Council grant, which will start next year, to try to look at what are the drivers of some of these polarising youth offending trends that we are seeing in Australia. That will commence next year and occur over subsequent years. I have done a little bit of work in this space with Troy and others in recent years.

CHAIR: We will go to questions and the member for Currumbin.

Mrs GERBER: Troy, do we have all of those papers that you spoke about in your opening submission? Has the committee received those?

Dr Allard: I believe so, yes.

Mrs GERBER: I want to give you the opportunity to expand upon part of your focus, particularly in relation to the serious repeat offenders and being able to change that behaviour. In your opening statement you said you had a focus on detention and how programs can be effective in detention centres.

Dr Allard: Probably as an alternative to detention more so than in detention centres.

Mrs GERBER: Are you able to give the committee any guidance in relation to this: if a serious repeat offender comes in contact with the criminal justice system and they are detained in a youth detention centre, the effectiveness of programs to rehabilitate them in the detention centre.

Dr Allard: That is not a specific area that I focus on, no.

Mrs GERBER: I will give you the opportunity to talk about the programs in the alternate.

Dr Allard: As an alternative, one of the projects I worked on was the Griffith Youth Forensic Service's Neighbourhoods Project. They operate a Griffith Youth Forensic Service, which is a court mandated program in Queensland for serious youth sexual offenders. I believe they are placed on a community-based order at the same time and a condition of that is that they go to the GYFS program. That is a field-based model. It is really good for Queensland where the practitioners—the psychologists—actually travel around Australia to where the young person is living in the community. It is field based and it involves a lot of the community and professionals working in the local communities, which is obviously very variable throughout Queensland. Another reason our field-based service is actually well suited to Queensland is often you get into these locations and, although they are very service heavy, it is difficult to find the right services in those communities. It is a field-based service and, because they are psychologists, they can actually try to do workarounds. If there is no service available, because they are trained they can actually try to find a workaround. That is one of the alternatives that I think is very effective.

Mrs GERBER: Is that in place in any other jurisdiction? Is what you are talking about now something that has been adopted anywhere else?

Dr Allard: No. It is based on an MST framework, a multisystemic therapy framework. It locates the young person within the community and looks at all the factors in their background. It does a deep dive into the young person's history and it looks at their situational factors, the community factors, family factors, which often is a huge issue. It is an MST-based program that, internationally, has a good evidence base in terms of the reduction of serious offending or the more pointy-end offending.

Ms BUSH: I took the liberty of reading a lot of your papers. They are quite voluminous and I am afraid, Troy, we will probably not get to talk about data linkage as much as I would love to today. Having read your research, I want to ask about the strong theme around youth crime trending and that it has, in fact, been trending downwards in Queensland and Australia, across multiple comparable jurisdictions, for some years. There are multiple reasons for that. Could you touch a little on the trend that you are seeing from a research perspective?

Dr Allard: In terms of the international crime, I can talk very generally about possible reasons for it.

Ms BUSH: And what is driving that?

Dr Allard: Driving the crime drop, yes. There are broader changes in society. With the advent of things such as the internet, young people now are less active and more at home so even crime types have changed. Obviously, 15 years ago there was very little internet crime and now it is a booming industry. It is the changing nature of society basically, but Molly could probably provide more detail on that.

Dr McCarthy: As you note, this is an international trend across quite a broad range of jurisdictions that is basically indicating a shrinkage of the total population of young people who ever have contact with the criminal justice system. It is evident in most Australian states as well that there has been a shrinkage in the total number of young people who ever come into contact with police or the criminal justice system.

As Troy notes, the most evidence we have to date of why that is occurring are these quite dramatic changes to the routine activities of young people and to the social context in which they are spending time. Young people nowadays are much more likely to be spending time at home under parental supervision and in digitised contact with peers and much less time in unstructured, unsupervised engagement with peers. They are less likely to binge-drink. They also have more negative views about risk taking. There has been a transformation of the social worlds of young people, which has reduced their exposure to criminogenic risk through less contact in unstructured, unsupervised time with peers, less binge-drinking and less risk-taking behaviour in general and, with changes in parenting norms, more time under parental supervision.

We should note that the number of chronic youth offenders remains a very small proportion of the overall number of young people having contact with the criminal justice system. If you look at it on the basis of individuals, then chronic youth offenders remain a very small proportion—five to 10 per cent—of the total population of young people who ever have contact with the criminal justice system. Even now they are a small proportion, but there is some evidence that the rate of offending amongst that group has increased somewhat.

I think part of what might explain some of these polarising trends or the fact that low-level or adolescent limited youth offending appears to have decreased whereas chronic youth offending has not is that those social changes that we spoke about have not impacted all young people in the same way. There are a lot of young people for whom staying at home is neither safe nor desirable. For young people living in overcrowded circumstances, living in situations where there is domestic or family violence occurring or living in care, all of these kinds of scenarios are the kinds of contexts which will make young people not want to spend time in a home environment and they will likely still be spending a lot of time with peers in unsupervised and unstructured social engagement. That is a broad picture of where the evidence stands at the moment.

The other source of change in youth offending behaviour is argued to be securitisation of property. With increased effectiveness of property security mechanisms property crime has become much harder to do, much riskier and less rewarding. That is another factor that might be playing into the reduction in low-level, adolescent limited, more opportunistic youth offending.

Mr McDONALD: Thank you for being with us today. I appreciate your submissions and the detailed work that you have done. Thank you for the work in that space. My concern is about the cohort who are creating the more serious offences, which is clearly growing—485 as reported in the statistical year to 30 June 2021 and up to 560 in the year 2022—and who are causing the greatest risk to our community. Can you lead us through the best approach for that cohort?

Dr Allard: From my point of view, based on everything I have done, the whole idea of punishment and putting young people in detention for this group seems to actually not be a deterrent. It is having no deterrent effect anymore, which obviously means if that is the behaviour you want to stop then that is not the avenue that you should be going down. I like the idea of it being like the Griffith Youth Forensic Service—basically, an ecological model in the community. When young

people are put in detention and then released, because there is such a high recidivism rate community safety is not served at all by putting them in detention. Based on the evidence, community safety is better served by an MST program. We know that, compared to detention or prison, it is about 10 per cent more effective; therefore, if you want to protect the community, your option B—a MST program—should trump your use of youth detention every time just on the basis of community safety.

Mr McDONALD: Could you explain MST?

Dr Allard: It is multisystemic therapy. That is basically viewing the young person within their local environment. That is looking at all the factors that contribute to their offending and addressing the drivers of offending. From a young person's perspective, obviously it is unfortunately easier to sit in detention than to address all these issues—issue after issue after issue. Adults look at the situation and think, 'Oh, a little bit of detention and they will be fine.' They come out and all these issues are still there; therefore, they lapse back into the same behaviour.

Mr McDONALD: Do you have anything to add, Molly?

Dr McCarthy: Yes. In line with Troy's argument: a lot of the evidence around youth detention is that it is less effective than the alternatives. We tend to use diversion early on in the pathway of offending for young people when they do not have a long offending history, and it works extremely well. The recent studies we have done in Australia underline that young people who are maximally diverted within their first couple of offences are more likely to be classified as low-to-moderate offenders over the ages 10 to 17 years than a chronic offender, and show a significantly reduced volume of overall offending in that period. We know that early diversion works and works well, not for closing the opportunities for young people prematurely, but for reducing reoffending and reducing victimisation and improving community safety as a corollary. With this cohort, police are often dealing with young people who have a bit more of a track record. We know that programs like MST, that Troy mentioned—we also canvas the idea of deferred prosecution in our submission—that are done under controlled conditions in the community aim to address the drivers of offending behaviour and try to meet the needs of that young person.

We know that chronic youth offenders come with a pretty large array of very significant needs. We know that they often come from backgrounds of child maltreatment, neglect and trauma. They often come from backgrounds of poverty and disadvantage. Quite a significant proportion—one-third or more—have a significant cognitive disability, learning disability or a communication disorder. Communication disorders are highly prevalent in this cohort. They have often been excluded from school early. One of the defining features of these young people is they often do not have a strong relationship with a pro-social adult in their life. They are dealing with a wide range of pretty significant needs without the assistance of any kind of pro-social navigator to help them address those needs. If you can provide that type of support in a community-based setting and work on evaluations of deferred prosecution models and evaluations of MST models they will show that they are more effective than placing a child in detention.

The downsides of detention are that it often does not address some of those driving factors. It can further disengage young people from their educational situation and any pro-social forces in their life and give them an opportunity to spend more time with other young people who are also engaged in antisocial activities and who might have more positive attitudes towards crime. Basically, in those settings they are learning about offending behaviour from their peers. For those reasons, detention can actually worsen offending behaviour when the young person comes out rather than improve it. In and of itself, it obviously serves a temporary containment function and it can be suitable for violent behaviour as a temporary kind of containment, but it does not do anything to resolve the underlying drivers of that behaviour and it can in fact worsen that.

Mr McDONALD: Thank you, Molloy. Troy, you said that the effectiveness of the MST program was 10 per cent better than incarceration—or words to that effect. Could you tell us the quantity? What is your measure of effectiveness?

Dr Allard: That is basically going to the international literature. Have you heard of the Washington State Institute for Public Policy?

Mr McDONALD: I have.

Dr Allard: They do a lot of cost-benefit analysis in this area and are pretty good in terms of their robustness of their evaluations.

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Mr HARPER: I am from Townsville, which has a spotlight on over-representation of Indigenous youth from right around North Queensland in the Cleveland Youth Detention Centre. I am interested in your submission, particularly around the intervention and prevention programs. Molly, picking up on your last point about education, we need to be breaking the cycle. We cannot be talking about this in another 10 years or we have missed an opportunity. Is there one easy solution?

Dr McCarthy: No.

Mr HARPER: Thank you.

Dr McCarthy: We have tried to emphasise in our submission that we think the best chance of being able to intervene with these young people and stop them from progressing to the adult criminal justice system—or at least encourage earlier desistance and maybe prevent more young people from going down that track—is a mix of prioritising the parts of the system that appear to work really work such as early diversion, and then investing in some new solutions. Internationally, both the US and the UK are struggling with how to respond to this cohort. Traditional youth justice responses just do not work.

Mr HARPER: In Townsville we have seen a range of programs over the last few years with the Clontarf Foundation, Stars Foundation, Indie School, Pathways College, flexi schools, Street University, Silver Lining Foundation, Project Booyah—all of these are aimed at small cohorts to try and get people back into education, skills or training. Do you think that multifaceted approach is something of value?

Dr McCarthy: Absolutely. Education and training provides a pathway for these young people out of their situation. As I mentioned, they are often young people struggling with multiple issues and do not have a navigator, a pro-social adult, to help them figure out how to deal with those issues. They may have been excluded early from school. If they have a cognitive disability or a learning disorder and maybe some impulsive behaviour, a lot of these young people can end up being excluded from school early or have tenuous engagement with education. That can make their futures look pretty bleak. They may not be able to envisage a future that is a normal, mainstream future that we all would hope for—expect—for our children.

Mr HARPER: Troy, you mentioned diversionary programs. We see serious repeat offenders come out of youth detention and go back into an environment of reoffending. Is there value in the on country type diversionary programs or diversionary sentencing—actually putting them into a program? I am not sure if you have looked at BackTrack in Armidale, New South Wales; are you aware of that program?

Dr Allard: No, I am not. Those kind of programs make sense to me.

Mr TANTARI: Thank you for attending the hearing. In your written submissions you note that overall that youth crime is declining. We spoke of the particular cohort where reoffending is actually increasing but you note that overall youth crime is declining. Within the community there is a concern generated by narratives around the uncontrollable frequency of youth crime activity. Is it your understanding through studies and research you have done that there is evidence that supports the proposition and narrative that youth crime is at an uncontrollable frequency?

Dr Allard: Youth crime is more visible now than it ever has been in the past. I would not say that it is out of control.

Mr TANTARI: Why is that?

Dr Allard: When you compare our rates of offending to international rates, our rates are not up there with international rates; therefore, they are not out of control in my view.

Dr McCarthy: I would concur with that. I do not think out of control is the right way of putting it. Again, this is a very small proportion of young people. There has been a slight increase in the frequency of offending, but, overall, the volume of youth offending really has not shifted upwards.

CHAIR: Member for Lockyer, do you have an additional question while we are trying to get the member for Ninderry on the phone?

Mr McDONALD: Yes, I do. You mentioned that MST was 10 per cent more effective compared to incarceration. I have read your literature and, in my words, when youth offenders have hope and support they are very likely to be able to be supported along the way. This cohort of the worst youth offenders are creating half of the offences and that cohort is growing. I accept, Molly, what you said before, but this group of youth offending is growing. I would be interested to know what the definition of 'out of control' is because in some of the communities in Queensland it is certainly perceived to be out of control. There needs to be some immediate actions for this cohort because at a 10 per cent

benefit it is going to take 15 years to get a better outcome through just that one approach. We need to have a broader suite of things, get the low-hanging fruit and do what needs to be done now and then over time work with the best practice early intervention programs that get the right support geographically, that get the right support for skills and the deficiencies that you identify in some of your work.

Dr Allard: I think what you are referring to is a place-based approach which is what we did with the GYFS Neighbourhoods Project. Essentially, that involved a whole bunch of senior academics getting into a room and looking at everything that we know about a particular problem. In that case it was youth sexual violence and abuse. We looked at the who, what, where, why, how. We looked at where it was happening. We looked at all different contexts and all different types of offenders and all different types of victims. We set programs in place to address specific issues—to overcome that particular youth sexual violence and abuse problem in parks and that particular youth sexual violence and abuse problem in homes. We came up with a whole range of solutions to address the problem within the immediate environment which I think is what you are referring to. That kind of approach can work really well in a dispersed environment like Queensland.

Mr McDONALD: Is that being well resourced at the moment?

Dr Allard: Like all these programs, that was funded for three or four years—\$3-point-something million, I think it was—and then it got defunded. That is one of the other problems with all of these programs. There is no long-term capacity inbuilt into it. It is a three-year funding cycle or even less. You need 10-year plans for these community organisations to get the runs on the board. Community engagement takes years and there is nothing to show for it. With community engagement, to get everybody on side you are investing so much time and so much money and then, 'The funding has been cut now.' If you have invested that much and you have the community on board, you may as well keep it going. Getting the community on board is one of the big deals.

CHAIR: The member for Ninderry has a question.

Mr PURDIE: Firstly, I want to apologise. I have struggled to hear a lot of the responses, mainly because the guy next door has decided to pull out a jackhammer just as you started your presentation. I apologise if you have already answered some of these questions.

I am looking at a report from Bond University's school of criminology from a couple of assistant professors and an associate professor. It says that the 2021-22 Queensland crime report showed a 13.7 per cent increase in the number of children aged between 10 and 17 being proceeded against by police, compared to the previous year. The total number of young offenders reached over 52,000—the highest number in 10 years. It went on to say that in every other state and territory in the country that rate has been declining over the past decade. I heard you talk about some statistics and percentages earlier. I could not make out the numbers you were talking about. Is the research in this report similar to what you are seeing in your data—that Queensland has seen an increase where other states have seen a decrease?

Dr McCarthy: Overall, the data that I have looked at shows there is a decline in the number of young people having contact with the criminal justice system over the past 15 years in Queensland. In comparison with 2020, there was a resurgence in youth offending in 2021 and 2022 in a number of states that reflected a kind of rebound effect from 2020. The data that I am seeing does not reflect that. I wonder if that is referring to overall volume of youth offences rather than individuals having contact with the criminal justice system, because that has continued to decline.

Mr PURDIE: I am struggling to hear the answer. This report talks about the total report number of young offenders was over 52,000, not the offences they are committing. That was up 13.7 per cent from the previous year, but other states had been showing a decline. Have you read this report? I am assuming that as researchers you would be aware of this publication.

CHAIR: Can you take that as a question on notice, Molly?

Mr HARPER: And maybe table that report?

Dr McCarthy: Yes.

CHAIR: Yes, and to have that tabled. Do you have a follow-up question, member for Ninderry?

Mr PURDIE: Chair, I am sorry but I can hardly hear the responses, so I will not take up your time. That is a problem at my end.

CHAIR: The question you previously asked is going to be taken on notice. Do you have another question? Otherwise I will go to the member for Currumbin.

Mr PURDIE: Please move on, Chair.

Mrs GERBER: I actually have a follow-up question based on the member for Ninderry's question. I wanted to get the professor's perspective on the fact that the ABS data, which is what I think some of your research is based on—and you touched on it before, Molly—does not count the number of offences committed by a unique offender. It looks at one unique offender's contact with the justice system. If each offender is only counted once, regardless of how many crimes they commit or how many times they come into contact with the criminal justice system, I am interested in your perspective on how that might affect the data that we are talking about here. Does that really give an indication of overall recidivism in our communities if the ABS data that we are looking at is not, in fact, counting how many crimes are being committed by an individual who comes into contact with the criminal justice system? We know that in Queensland more than half of all serious offences are committed by youths.

Dr McCarthy: I will just say that we do not use ABS data. In the papers or the work I have been referring to, the data that I have used is a mix of data—from Queensland, police LEAP data; from New South Wales, data from the Bureau of Crime Statistics and Research; and from Victoria, Victoria police data. We look at it in terms of unique offenders in any one period both at a cohort level and at an annual level and also the rate of offending. You will see breakdowns of that in some of the papers that we have cited in our submission.

We are not looking at ABS data. We do look at reoffending. As I noted, in Queensland as well as in other states there has been an uptick in the frequency of offending amongst this small cohort of chronic youth offenders. Overall—and I can share this in a subsequent submission—I have done some modelling through to 2021 of prevalence and frequency of youth offending across Queensland, Victoria and New South Wales. Queensland shows a similar trend of a linear decline in the number of young people having contact with the system. Across all of those states, the frequency of youth offending looks flatter. We are not seeing obvious declines in the total volume of offending but we are seeing declines in the total number of young people having contact with the criminal justice system. I do not think it is uniquely a Queensland issue—this kind of divergent youth offending trend. It is certainly evident elsewhere, but there are obviously specific issues in Queensland that require a more tailored local response. I am happy to share that modelling that I have done through 2021 across the states of prevalence and frequency of youth offending.

CHAIR: Thank you. Understandably communities are deeply concerned about what is happening. You have spoken about MST and place-based programs. Previously when we have travelled to the regions a lot of programs basically finish at four o'clock on a Friday. The occurrences of when young Queenslanders are fleeing their homes is at night and on the weekends. The main issue is around not being supervised. Would the MST be in a residential setting of some kind to ensure that they are not reoffending after hours? I think that is the big question: who is making sure that they are somewhere and not creating harm?

Dr Allard: For example, the young people who are in the Griffith Youth Forensic Service model are also on a community-based order. One of the conditions of that is not to offend. That is inbuilt into that. There is no reason you could not change its location, except that you would obviously want to keep it as close to their local community as possible.

CHAIR: But it would be in a detained setting.

Dr Allard: Well, I do not think it has ever been done like that before.

CHAIR: It could be.

Dr Allard: Anything is possible.

CHAIR: Member for Cooper, do you have a burning question?

Ms BUSH: I do. Troy, coming back to the place-based approaches that you have talked about, I have seen multiple programs like that rolled out across Queensland at Cairns, Townsville, Mount Isa and Logan, all with different levels of success but all with success. I am interested in your views on what is required to make those programs work well. I am particularly interested in the importance of taking community with you. You have touched on the fact that community need to support it. They need to understand what is going on and they need to help champion these young people. How important is political bipartisanship in terms of us as leaders being able to lead with courage and hope and instil that in our communities?

Dr Allard: In terms of bipartisan support, the Griffith Youth Forensic Service has been going for 20-plus years. It has had three-year funding cycles all that time. It has obviously had good bipartisan support—which is really great. You mentioned community input and stakeholder input. The reason that GYFS developed a place-based model was that in one of the locations they were working

at they noticed that there were wider issues. They were working with individuals one on one and their families in the local context and through that process they picked up that there were bigger issues there. That is what spurred on the larger project.

Definitely the community support was already there because they were already in that community—which was really good. Community support takes such a long time. Within a program you develop lots of subprograms to intervene and help reduce offending. Each of those projects involves new connections. It is not just like you have the overall project and you get community input and you are done. It is community input at every level for every program all the way along. It is so time consuming.

Ms BUSH: Absolutely.

CHAIR: I am going to the member for Hervey Bay and the member of Lockyer because we do have some time constraints.

Mr TANTARI: In regard to the intervention programs, recently the term 'gold standard' has been thrown around a little bit. Is there a definition for that and, if so, what is it? If not, what would be your definition of that?

Dr Allard: Gold standard within a general criminological research sense is an evaluation standard. It is RCT. It is random assignment to groups essentially to determine whether or not something works. RCT type trials or evaluations are very difficult to do because you are actually giving one group something and you are not giving another group something. There is always the question of: are you disadvantaging one group by not providing it? RCT is meant to be the gold standard. One thing to note about RCTs though is that they are very much a black box. You do not understand what is actually happening within a program to produce a result. You might know that MST reduces offending by 10 per cent, for example, but you do not know what it is about the program that is reducing crime.

You might do a realist evaluation, for example, by looking at what works for whom and how, so that is actually deep diving into the program and looking at coming up with some theoretical propositions about what mechanisms are producing the actual changes. That is not the whole program; it is specific factors within a program producing change.

Mr McDONALD: You mentioned that the cohort of serious offenders causing the greatest risk to our community learn when they are incarcerated. The evidence I have is that they are learning whilst they are in the community and teaching the younger cohort. It is vitally important for me to see the removal of those who are the worst of the worst. We are not talking about young kids with hope; we are talking about people who are serious criminal offenders without hope. In your research have you discovered a group of the worst offenders who are, in my words, without hope and need incarceration?

Dr Allard: I have not looked at that. My response to that would be that we need to give these people hope. Throwing them in detention and continuing to throw them in detention is not going to give them hope, and therefore they are going to get out eventually and they are going to reoffend.

Mr McDONALD: Educators and teachers who have provided information to us recognise that some kids are either born without hope or over a period of time they develop no hope, and they need really high levels of support to stop reoffending and/or teaching others in the community. How do we address that cohort?

Dr Allard: I have bounced this idea around too—a modular type of program. I am a big fan of the right mentor programs. The right people in mentor programs do not want to be in mentor programs, and they are the people who are going to change young people. Mentor programs also have a good evidence base where the mentoree and mentor are matched up appropriately. In terms of hope, I think that is one of the approaches that can give these young people hope.

CHAIR: We have run out of time. Thank you so much, Troy and Molly. You do have one question on notice, which is due by Wednesday, 6 December, regarding percentages and ABS data. The secretariat will send that through. I would like to now close this section of the hearing and invite the next witness up.

SCOTT, Professor John, Head, School of Justice, Queensland University of Technology

CHAIR: Good morning. We note that Professor Angela Higginson is unable to attend. Would you like to make a brief opening statement before we start our questions?

Prof. Scott: Thank you for having me, Chair and members of the committee. I will give you a bit of biographical background and then run through some of the research. Is that what you are looking for?

CHAIR: Something brief. As I am sure you can imagine, we have lots of questions.

Prof. Scott: I will leave as much time as I can for questions. I am a professor at QUT. I have been the head of the school there for a few years. My background is in social science, pretty much like the previous two people who appeared here. My speciality area, and probably the area I want to focus on a little bit more here today, would be around rural and regional crime issues. I would see that as my main area of expertise, although I have looked at various other things over the years. I have done research for 20 years in these spaces, and a lot of that touches on young people and justice issues.

In terms of this state, I have done some research up in the Torres Strait, which may be relevant, and I have written some reports on crime and justice in the Torres Strait. I believe that I have done the only in-depth study of crime and justice in the Torres Strait, and obviously that is an important part of this inquiry. I have also done some work up around Cape York, so I hope that may be of interest to you. Like the previous witness, I do not think there are any easy fixes with regard to a lot of the things you will be looking at, and I am sure you would agree with that. That seems to be the sentiment.

I think a lot of things do not work and are not working that well. If you look at the criminal justice system and ask yourselves: 'Do prisons work?', no, they probably do not if you are looking at things like rehabilitation, because there is a lot of recidivism and things do not work. Is there a problem at the moment with a certain hardcore group of young offenders? I would not dismiss that. We had a great social disruption called COVID and we all complained that we were treated like prisoners. Just as a little reminder, we were locked up in our houses and a lot of people have had psychological issues as a result of that. There were certainly increases in health related problems.

We cannot forget that Queensland is a highly regionalised state, and unfortunately a lot of our regions lack services or efficient services or quality services. I think that all plays a part in what we are looking at here. COVID was a huge disruption—probably the biggest one we have faced as a society since the Second World War. You do not come out of that and think that everything will be business as usual. There is a lot of work to be done, and I am glad this committee is doing some of that work here today.

In terms of the approach I would look at and want to promote here today as a broad type of approach, it is certainly not the law and order approach, which is what the media tends to favour a lot of the time, which is more police, tougher sentences and more prisons. I think those state-based approaches do not work. I tend to favour more community oriented approaches. I think we can pull away a little from the nanny state in some respects. Do we need more police? Perhaps not, but do we need better trained police, better resourced police? Perhaps so. This is where we look at some of these complexities. I think we have to avoid simple responses.

Justice reinvestment is something I want to highlight. I think that has proven to be a strategy that has worked well elsewhere in the world, including Australia. There are some good examples in Australia where that has worked. It is certainly not a sugar hit solution to crime; it is a long-term solution to crime. It does look at how we can resolve crime and justice issues in the long term. It looks at communities that are hardest hit by crime, the communities that are in most need. Again I would emphasise here today that we are talking about regional and remote communities. This was something that came up a lot of the time when we looked at the Voice referendum and how there are distinctions. There are different areas with different complexities and different problems. How do we get resources to those areas? It is a shift away from the state to community-based decision-making. It gives the community more responsibility in terms of decision-making. Of course, as with many good focuses, it looks at prevention. I think that is something we do have to focus on long term. I will not go into the complexities of all of that. Diversion is another thing that is a big focus there. I think in the previous session diversion came up a few times. I am happy to highlight things as we move along and talk about that a little bit more. Fire away with some questions.

Ms BUSH: I want to put something to you that is raised with me in my electorate, and that is people's view of what they think would work with this specific cohort of repeat youth offenders. The common things that are put to me are things like: mandatory sentencing, naming and shaming practices, hard labour, ankle bracelets, physical punishments, more prisons and tougher prisons. Is there any evidence in anything you have ever seen that would suggest they are practices that would make a difference to stop reoffending and prevent people becoming victims of crime?

Prof. Scott: Again, I see that as a sugar hit. I think there is a symbolic element to justice, and it is important that justice is seen to be done. The community will demand tougher sentences, and that sort of thing would seem to be effective. I would say that if you look at shaming, shaming is not necessarily a bad thing, but you do not want to shame people and stigmatise them so they do not reintegrate into the community.

Ms BUSH: You are talking about shaming in circle sentencing, restorative justice?

Prof. Scott: Yes, what we call reintegrative shaming. I think that does work and it has been proven to work with certain types of crime, so I will qualify that. Criminology has not been the most successful science. Like statistics, it is a bit of a dismal science. The one thing that probably has become a fact over 200 years of operation as a basic truth is that the more people are integrated into the community, the less likely they are to commit crime. If you have a job, if you are well skilled, even if you are spiritual and part of a community, you are less likely to commit crime. You do not want to shame people and stigmatise them so they get further away from the community. I think we have to look at things that make people part of a broader community, things that homogenise people and things that bring people together. Shaming people so they do not want to be part of the community is how people become criminals.

Mrs GERBER: I wanted to ask you some questions around victims of crime, but before I do that I want to clarify something that I think you said in your opening statement. Is it your view that we do not need more police, particularly given your focus in the regions? Did I hear that correctly? Is it your view that we do not need more police?

Prof. Scott: My view is that a typical response to crime is: 'Let's just increase police numbers.' It is a bad idea to increase police numbers if the police are not well trained and well resourced. We have to look after police, and part of that is training and resourcing. The state has finite resources. How do you use those resources? I think you use them wisely and ensure that you have the best trained police out there and that police can actually manage and handle crime problems, but getting that balance may not be easy.

Mrs GERBER: I understand. In terms of properly resourcing police, it is also about making sure police are not overworked and that we have enough police on the beat to do their job. We know that right now we have 202 fewer police on the beat than we did two years ago, and surely that is putting some pressure on current officers and contributing to morale and how they are feeling in terms of burnout. I was just trying to clarify that point you made, because it sounded to me like you were saying we do not need more police, but you are not saying that.

Prof. Scott: Not necessarily. That is probably a politician's answer, but it is in a qualified sort of way. In some areas, if you take some remote communities, you might say they are overpoliced. We have a tonne of police there and the issues there are not getting resolved and the police are very challenged in some places. I would say that in some of those communities where you have Indigenous police liaison officers, which is something I have looked at in my research, if you increase their numbers they can provide a great resource to the police who are based in those communities. I think we have to be careful not to look at it in black and white. What type of police are we talking about; where; when; and how well trained are they?

Mrs GERBER: In terms of my other question around victims of crime, I want to understand whether you have done any research or not into the number of victims of crime going up across Queensland. Can you speak to the committee in relation to that data?

Prof. Scott: Broadly speaking, I think we have to remember that young people are victims of crime too. Often they get a bit buried in the statistics because they are least likely to come forward, they might not be recognised as such and everything. I am overall a bit sceptical about crime statistics too, so I will say that from the outset. I do not want to dwell too much on crime statistics, but I would say this: if traffic offences suddenly increase overnight, does that mean the police had a policy to go and prosecute traffic offences or did we actually have more traffic offences? You have to be very careful with crime statistics. Sometimes they reflect how the police are actually doing their work. If crime goes down, does that mean the police are doing their job more efficiently? Perhaps they are. I have not looked closely at the victims statistics but I understand that most of those are federal.

Mr HARPER: You have an interesting submission. In regards to your research in the Torres Strait, I commend that kind of work, being a regional member. Picking up on your point, I think PLOs do a great job. In your opening statement, you talked about what does work and what does not work. I will probably combine these questions. Based on your research and experience, what are the most effective ways to reduce recidivism and what reforms to Queensland's youth justice system would you recommend?

Prof. Scott: Again, if we are looking at regional and remote communities, let us focus on the Torres Strait. What was interesting about the Torres Strait is that we often think about Indigenous communities as being highly crime prone, as being problematic, but if you look at the stats there, as I did, you find that they are lower than the Queensland state in terms of property crime and other things so something right is happening up there. It is beholden on us to look at more things that are working effectively. This is one of my issues with stats. We tend to get bogged down with measurements and all of the stats and not enough research is being commissioned that actually goes out there that is qualitative and explores what is working in communities because often communities come up with their own solutions for things. As I discovered, the Torres Strait came up with quite a few solutions to some of the problems they were having up there.

The biggest problems up there were around domestic and family violence, and that is reflected in the statistics and also what police talk about. If you are looking at victims and youth crime, you have to factor that in. During the pandemic, we know there were huge spikes around domestic and family violence and a lot of that was hidden. I think we have more kids who are wandering the streets in rural and remote communities and other places as a result of that experience. We have systems suddenly failing and being stretched post pandemic so those sorts of things do have to come into account.

If I look at what is working in the Torres Strait, I am a fan of police liaison officers, I am a fan of community policing. I also think the youth justice groups do a wonderful thing in rural and regional communities because they are made up of grassroots community members who young people will actually listen to. They do feel ashamed when they have to face their own communities. They often do not feel ashamed when they have to face a judge who is a representative of the state or white people or whatever it might be. If you want to shame someone, you pull them up in front of the people they care about. A lot of this is just common sense really.

The other thing they were doing up there as well—and I am probably not answering your question directly here—is that they were taking the courts out to the remote communities and were often having sessions of court in community halls and so on. They were inviting the community in, they were inviting the community up to the bench, they were inviting the community to participate in the legal process. I think that was a really interesting and important thing that was happening there.

If we are to take the crime stats totally seriously, they were lower there so things were working. I have to say they have high levels of social capital in the Torres Strait which is unusual for a lot of other places. With social capital, one measure of that is volunteering. It is through the roof up there; the level of volunteering there is higher than anywhere in Australia. They have very spiritual communities, as people would be aware. It is that sort of social capital type integration. They do not have great economic capital, and often criminologists say that if you do not have great economy you have increases in crime, but that does not appear to be the case up there because they have the community sorted out.

Mr McDONALD: John, thank you for the research that you and your team have done. I notice some of the success you have had with regard to place-based approaches in the community, and you mentioned the word 'shame' before as a good thing. Using my words from before, that is okay in a world of hope and where there is shared support around those people. I am sure you would agree.

Prof. Scott: Yes.

Mr McDONALD: So let's focus on the worst of the worst—those offenders who are creating most of the crime and most of the serious crime that is affecting Queenslanders. We need to have some approaches for those people so we can stop this crime and shift a bit of the weight back to the rights of the victims. Can you talk us through some of your learnings that will help us with that?

Prof. Scott: I would say that criminal justice approaches with that cohort may not be the best approaches. They may have some underlying pathology; there may be some issues there clearly. If they are not responding to the criminal justice system, what do we do? We might have to take them out of it and look at more health-based or welfare oriented approaches that could be more effective, because clearly the criminal justice approaches are not necessarily working. I cannot claim to be an expert on that, but clearly something is not working as the system currently stands so maybe it is time

to look at alternatives. Again, to me it is not a matter of just going out there and saying, 'Let's go and measure crime again.' It is to go and explore what is working to find out. I am sure there are things that are working out there, but we just do not know about them yet. You have to go and find them. As I said, there was a whole place up the top of Queensland called the Torres Strait and nobody was looking at it.

Mr McDONALD: What are the gaps in the programs that you have looked at? We heard before that there was only funding for a three-year program as opposed to a 10-year program. Can you talk to us about what the problems are now and how we can fix them?

Prof. Scott: Over 20 years of doing research in rural and regional communities, even in cities, I think there is an issue, as Troy was talking about earlier, around the shortness of programs—that there are no long-term solutions. A lot of programs come and go, and this has been happening for 25 or even 30 years from when I was researching homeless kids. We had all these short-term programs and that still happens today. They also compete for funding. You have this system where programs have to compete for funding and they often overlap. I go out to communities all the time with so little resources and you have these areas that are completely overlapping. Do you need an audit of some of what is going on? For sure.

As an example, the optometrist at the optometry school at QUT got a call from Bamaga. The teachers were noticing lots of eye problems in the school, so the optometrist got in touch with me and said, 'You did some research up there. Let's go up there,' so we got a small grant and we went up to Bamaga. They looked at all the kids and their sight and found that 25 per cent of kids had undiagnosed sight issues. There was one kid who was blind in one eye, and you wonder why the kids are not going to school up there. There is an abundance of services, so what is happening, what is getting missed out there? In terms of Bamaga, is that a problem waiting to happen? Are there going to be a couple of kids up there who drop out of school because they cannot see, they have hearing problems or something like that and they decide to wander around on the streets? They could quite possibly. Do you need better resources up there? Yes, absolutely.

Mr McDONALD: Again, that is a community with hope and support around it. We are talking about that cohort of youth offenders who have grown from 485 to 560 over the last two available statistical years. They might be learning criminal things in jail, and then they are out teaching criminal behaviours to young people in the community right now and we need to stop it. Have you got some advice for us?

Prof. Scott: I do not have the instant solution for that. Again, I suspect from the way you are describing it, we might be talking about people with pathologies there, with some serious health issues, who may need the attention of experts in that area rather than the criminal justice system.

Mr McDONALD: Or probably should not be in the community.

Prof. Scott: Well, yes, receiving treatment perhaps.

Mr TANTARI: I asked the previous witnesses questions in regard to intervention programs, particularly the term being used around 'gold standard' and I wonder what your definition of that would be.

Prof. Scott: I would settle for what Troy said earlier. That is not a big thing that comes up on my radar. I will not add anything further to what was said earlier.

Mr TANTARI: In regard to your submission, you talked about community justice groups and in particular cultural mediation. Could you give more of an explanation about what cultural mediation is and how that may apply?

Prof. Scott: I think it gets practised differently in different places. It might depend on the community and the culture of those places and the actual dynamics of the community justice group. Often the community justice groups will have local Indigenous elders involved in those groups, as well as senior community members who are typically fairly well connected and so on. The community justice groups will liaise with police and they will liaise with police liaison officers. They engage in crime prevention work and educational work in their communities. They also put a big emphasis on lore rather than law. Again, we are thinking about communities that are very culturally diverse and culturally different. In some communities up north, 50 to 70 per cent of the people may not speak English as a first language so they are very culturally different. You could imagine those communities trying to understand, comprehend or even deal with our criminal justice system.

I think the idea of lore is important because it is that appealing to shame, and shame is really important up north. It is appealing to notions of shame as a member of that particular community. When you confront your elder in the community group, I think it is a very different experience to

confronting a judge in a court. The elder will talk about things like their kinship, the impacts of their crime on their community, how it relates to their community, ancestors and all sorts of things. At the end of the day, it is about connecting those individuals with culture. Again, I think it talks to that need to integrate people back into the community.

Mr TANTARI: Instead of ostracising them.

Prof. Scott: Yes, instead of cutting them out of the community. That is the other thing about the Torres Strait islands. They have these kinship networks that are still quite intact so nobody is homeless up there. People are taken in and everybody is part of a family. It does work in a unique way to make sure that nobody is left out. I think there is probably a mental aspect to just living on islands because you are in this small area and you really have to get along with each other and cooperate.

CHAIR: I would like to follow on from the question from the member for Hervey Bay. You mentioned lore. We travelled regionally with the Legal Affairs and Safety Committee and spoke with First Nations people coming from communities. They expressed to me the importance of taking those 560 serious repeat offenders out of the community. They might have one or two people who were creating an environment that they had not been able to deal with. In your experience, if the communities of the Torres Strait had a young person who consistently continued to perpetrate against their fellow residents, regardless of efforts, what approach would they take? Obviously they had moved beyond the shaming and other aspects, so what ultimately would they do?

Prof. Scott: I could not answer that one because I am not familiar with that experience where somebody is at that level of consistent repeat offending who has remained in the community as such. They would probably leave at some stage. I would only be speculating there. I am sorry, but I do not think I can fully answer that one.

CHAIR: Not a problem. Thank you.

Mr PURDIE: I have been dropping in and out so I am sorry if I have missed a bit. I heard the witness before talk about this issue across communities in Queensland not requiring a criminal justice approach. He started his address with potentially not needing more police, but having police better trained. I think over 15 people have been killed or murdered by juveniles in the last couple of years in Queensland and we now have a situation in Townsville where police are getting chased by young offenders in stolen cars and getting rammed. Do you think that would be solved by police being better trained, and not having more police? Do you think this does not need a criminal justice approach; that this requires a community-based rehabilitative approach?

Prof. Scott: I am not familiar with those circumstances, but if those things are occurring, something is definitely going wrong with the current system. I think we have to rethink what we are actually doing at the moment.

Mr PURDIE: That is a good point and that is why we are trying to get to the bottom of it. I appreciate what you said about stats because we have already heard this morning some differing stats to what is publicly available about the number of young offenders going up, and certainly the number of victims, particularly in Queensland, going up. You just acknowledged there that there is a massive failure of this system. Is there anything else you could contribute to this committee as to what we could do in a timely manner to better protect victims across communities in Queensland?

Prof. Scott: Sure. I think it is important to divert people away from the criminal justice system where possible. Again, I re-emphasise that idea of justice reinvestment. To give an example of justice reinvestment, a really good one that operates up north, in Bamaga they do a thing called licensing musters, and these things have been practised elsewhere. We know that about 20 per cent-plus of offences up there occur because of vehicle related issues. We also know that once an Indigenous person comes into contact with police, the chances of recontact with police increases about fivefold or something like that, so diversion is always a good thing. With licensing musters, they get three different services in one place at the same time. They will get births, deaths and marriages, they will get the police and they will get the motor registry—all there in Bamaga—and they get the community to go through in one day. When I was up there, 29 per cent of the population were assisted with 200 applications for birth certificates and name changes, 61 per cent did theory learner tests and 24 per cent were assisted to obtain a learner's upgrade to their licence. To me, that is something pretty simple. It is an issue that those types of services are not available in those areas.

Once you do those things, even issuing people with birth certificates—it is amazing how many people do not have a birth certificate and people do not have passports up there—you are doing something to divert people out of the criminal justice system. An issue up there—and this even

happens in the Torres Strait—you will get new police go up and they are a bit overzealous; they will go out and start booking everybody, which is a bad idea in any rural or remote community anyway because you are going to put off a lot of local people. When it happens with Indigenous people, you set in place a dynamic that can lead to a bit of a spiral and lead to more offending. Things like that, to me, is a great example of justice reinvestment that has worked really effectively, and it is relatively simple.

Mr PURDIE: To follow on from that, are you suggesting that the courts should have the ability to impose those diversionary programs? Obviously there are a lot of diversionary programs. Young offenders do get an exhaustive number of opportunities for programs to divert themselves away from the justice system. Unfortunately, what we are dealing with now is a hardcore lot of recidivist offenders who are not abiding by those programs that they are asked to attend, as most of them are consensual. Are you suggesting that the courts should be given more power to compel young offenders to do some of these programs that you just talked about?

Prof. Scott: No, I am actually suggesting that the police divert so that they do not get to the court in the first place and they save us a lot of tax dollars down the track. We need the diversion at the point of contact with police. We know, as so many studies in this country have shown, that when police come into contact with Indigenous people, the chances of diversion drop dramatically. There has been a lot of research that has shown that. The point would be—

Mr PURDIE: I can assure you that the police offer diversions on multiple occasions to offenders before they reach that point of custodial sentences. The question for this committee is what works and what does not work because there are ample opportunities and multiple diversion opportunities for young offenders before they get to that point. However, I appreciate what you are saying.

Prof. Scott: I am sure they do. Still, the research in this country shows that when it comes to Indigenous offenders—and we know that Indigenous Australians are 15 times more likely to be incarcerated—the diversion is not happening at the point of contact with police, or less so.

Ms BUSH: I worked on the Bamaga model. I helped to set it up, so it is great to hear that it is still producing good results, which is great. Justice reinvestment is something that has been proven to be effective not just with the lower level of crimes, but to circumvent early so that we do not get to the point where we have persistent offending patterns. Are you familiar with the Bourke model at all?

Prof. Scott: Yes.

Ms BUSH: Can you talk about some of the successes that that type of approach has had?

Prof. Scott: Again, I think they did licensing musters in Bourke. I did visit Bourke—it must have been about 15 years ago now—and it was part of the federal and state study of something called night patrols, and this was something that could equate with this justice reinvestment model. Unfortunately, there are not many night patrols left existing, but these were something that emerged from Indigenous communities. We stopped funding them for whatever reason, but the research I did suggested that they were working pretty effectively.

In a lot of rural communities—this does not only go for Indigenous people but young people generally across the community—there is a lack of public transport, and that leads to a lot of problems. There is a lack of activities. There is pretty much general boredom a lot of the time. If you ask young people why they offend, they will say they did it because they were bored; they did not have much to do. If you are a kid in a rural community, what is there? There are sports and there is a pub, and there is probably not much else, and those two things are often intimately related as well.

A lot of kids will hang around in the town late at night, particularly Indigenous people because they live on the outskirts of communities historically. Once they leave that inner town environment, they have to walk through the rest of the community and that is where you get trouble occurring—a letterbox will get ripped out, something will be smashed, something will happen and you might get an incident. The night patrols involved community members getting vehicles and they actually went into the town, picked up the young people and took them to wherever they were going, and often that was home. But then a lot of them took that a step further and they took them into PCYC clubs. The club would be ready with some food because often the kids were not getting fed. You wonder why they are playing up; it is because they have not had a meal at home. Then they would be playing midnight basketball. They would take them home well fed and pretty tired and put them to bed. To me, that seemed like a good example of the justice reinvestment, and Bourke was doing that at the time. I got to see that operate, and I thought that was a great thing done by volunteer community members.

Ms BUSH: If I can make a comment to qualify justice reinvestment as well, it is that reinvesting of a corrective and justice approach back downstream—so a health response, a better education response, more activities and programming and investing in family earlier on.

Prof. Scott: That is right. I have lost track of the cost, but what does it cost to keep somebody in prison for one day, whether it is a young person or somebody else? It costs a lot of money, doesn't it? We are talking about hundreds of dollars. Is that bang for my buck as a taxpayer? No, I do not think it is. This simple response when we have recidivism and all these other problems of incarcerating people, to me that is not a great idea. If we took some of the money out of incarceration and we put it into programs like these community programs and we thought about them in a long-term sort of way, we got the programs speaking with each other, we got them better coordinated, we did some auditing and so on, I think then we might be looking at something called prevention.

Mrs GERBER: Professor, I know you have already said you have a mistrust of statistics, but I wanted to touch on some of the statistics and get your view on some of these statistics. The latest annual data, which is for 2021-2022, shows there were 10,304 child offenders in Queensland, which is 3,000 more than in Victoria for the same period—and that is significant, given Victoria's population compared to Queensland. I am interested in whether or not you have any solutions for the committee in dealing with those 10,304 child offenders, bearing in mind they have already come into contact with the justice system, and that is an increase in Queensland for child offending. I am interested in whether or not you can provide the committee with your perspective on that.

Prof. Scott: I cannot claim any expertise around child offending, but I do have a couple of colleagues who do. One of them, Dr Jodi Death, would be able to very much enlighten the committee on that because she specialises in that area—teaches around it, researches it, and is one of the leading people in Australia on the subject. The only thing I would say about that, and to highlight what I said earlier, we did have a massive disruption to society a few years back when we had COVID and I think it did strain things. You can still go into regional communities and see there are shops closed and there are empty businesses and such things. It had a huge impact on people and services, particularly in regional Australia, and I think it had an impact on the way that we monitor things, the way we do interventions and so on and how we train people. There was a huge disruption. Is Queensland impacted by that? It probably is because Queensland is the most regionalised Australian state. It is different from other states in Australia. We have a lot more ground to cover. Geography is everything.

Mr HARPER: Just to inform you, there is a community patrol on Palm Island which received recent media and how it has reduced crime over there. It is community based. They are doing their own interventions and it is working very well. How you apply that in the bigger city will have its challenges. We do have the youth co-responder model in Townsville that takes kids to the Lighthouse or to the Street University after hours, so there are a couple of programs. I wanted to go back to your alternatives and I will ask the same question I asked someone else before. BackTrack has been around for 18 years in Armidale. Have you heard of it?

Prof. Scott: I have heard of it. I know the guy who used to run it. I was in Armidale at the UNE, the University of New England, for about 15 years.

Mr HARPER: There is a residential component to that. If you are diverting kids away from incarceration, say, a first-time offence, a first car theft—I will go back to the point from the member for Ninderry. People I talk to with the on country programs say there is no compunction right now. Police can recommend, but it is up to the youth. If there were a court order to divert people onto that 20- or 30-week program versus incarceration, do you think there is value in that at all?

Prof. Scott: One hundred per cent. Again, I am probably sounding a bit like a one-track record, but I think the community programs tend to work really well, particularly in rural areas where you have smaller communities and where there probably is a bit more of an embedded community structure and tighter knit social networks. That shaming approach, that connection to community approach works really well in rural and regional communities. What does not work so well is the more heavy-handed style of policing in those areas. Unfortunately, police do not spend a lot of time in the rural and regional communities, so you see people coming in and going, and that is inconsistency of services. It is really difficult to build trust.

The best police officers in the rural and regional areas are police officers who tend to adopt a 'localistic' approach. However, you have to learn the 'localistic' approach rather than the legalistic approach. Their training is not great. We could improve on the training. I know quite a few police and they do not get a lot of Indigenous cultural training. You may need to look at some of what is currently happening in terms of training. However, the police in those communities, when they do adopt the

'localistic' approach, the community communicates better with them and they are able to better clear up crime. If you are looking at things like child offending, it is better to have police officers who are embedded in their communities.

Mr HARPER: I want to get you on record: you think it is a recommendation the community should consider to have a residential component, court ordered, as diversionary sentencing? Do you think that is something we should consider going forward?

Prof. Scott: Definitely, yes. You would do well to look at the BackTrack program in Armidale. The guy who started it actually won Australian of the Year a few years back.

Mr HARPER: That is right.

Mr McDONALD: Professor, thank you for the work you have done for those kids with hope and support around them, and that is great work which you have clearly outlined. This is a long-term approach. The statistics show it will probably take 15 years to see some of these younger people improve. Really, for me, it is all about the worst of the worst offenders—the offenders who are killing people, the offenders who are stealing cars and committing serious crimes in our community—that I am really concerned about. You said before that these offenders might have a pathology, in my words, which could see them removed from the community. What would that look like? Are you aware of any programs that would see this worst of the worst cohort taken out of our community?

Prof. Scott: I am not I am sorry to say. From my point of view, the criminal justice system is supposed to serve a number of functions and one is incapacitation. Should some people be incapacitated because they present a risk to the community? Yes, sure. I think we are talking about a very small cohort.

Mr McDONALD: We are, but those offenders are increasing and the offences they are committing are increasing. This is not about low-level crime reducing—that is something the community is looking after. This is about the worst of the worst and we need fixes.

Prof. Scott: In terms of the overall majority of people who come into contact with police and the courts, I think we are really talking about rehabilitation and the possibility of that. From what I know I suspect that some of these repeat offenders have spent time incarcerated and are recidivists. It is too late now to do anything about that, but if we could have diverted them early on out of the criminal justice system I do not think we would be facing the terrible situation we are now.

CHAIR: To finish, we are talking about that 560; what do you suggest?

Prof. Scott: For that cohort of hardcore offenders?

CHAIR: You have mentioned incarceration, but obviously with incarceration, they are coming out and going back in.

Prof. Scott: I would say it is not necessarily about what we are currently doing in terms of incarceration. One of the issues is that when people are incarcerated they do not get retrained properly, they do not get the treatment they need and they do not get that professional help. That is why I think we are seeing those issues. Again, you guys have to deal with the economy in the state, and it costs a lot of money to incarcerate people and provide services for people when they are in prison. It does not cost too much to do that when they are in the community. I think the best thing to do is to try to mobilise the community and do things while people are in the community. I do not think we can just keep turning to the state for solutions, whether it is the police, prisons or whatever else. I think we really have to get behind communities and build communities better.

CHAIR: Wonderful. Thank you for your time. We now head to our next session.

WALLER, Ms Mena, Queensland State Director, 54 Reasons

CHAIR: I would like to now welcome the Queensland State Director of 54 Reasons. Would you like to make an opening statement before we start our questions?

Ms Waller: That would be great, thank you. As you said, I am representing 54 Reasons and Save the Children. Save the Children is our global child rights organisation and 54 Reasons is our Australian service delivery entity. I am a Yawuru woman from the Kimberley who grew up here in Queensland and I come to you as a state director of 54 Reasons. I also come with my own practice knowledge of working alongside children and young people in education, in child and family services, in health and in youth justice settings in both regional and remote communities. I am a strong advocate for a rights respecting approach to youth justice.

For our Queensland context, 54 Reasons is a significant youth justice service provider working in Townsville, Mackay, Hervey Bay, Mount Isa and the gulf. We also provide domestic and family violence services working with women and children as victim-survivors and adult perpetrators and as a service delivery partner of the VictimConnect service. Our perspective is strongly informed by our experience in providing these services and what we hear from children, young people, families and the communities we work in.

Today I just want to reiterate that we are talking about children who are amongst those with the least opportunities to thrive and lead a healthy life who are caught in circumstances often set before they were even born. They are predominantly Aboriginal and Torres Strait Islander children. They typically enter our youth justice system with significant experiences of trauma already, of crowded housing, of poverty, with developmental disorders, in contact with child safety and from as young as 10 years old. Often they are victims of crime themselves, crimes far more serious than those they are accused of.

Rather than responding to their needs and supporting them, the system often punishes them in effect for their starting point in life, reinforcing the marginalisation they already face and putting them on the road to more serious offending. Their experience of services is plagued with systemic racism without a trauma informed lens and with little focus on holistic, family, cultural and community connections and supports. Their experience is unfair, discriminatory and does not align with child rights conventions. These children are spoken to and about in such a deficit way it is no wonder they often feel like there is no other path for them.

Everyone would agree that the current approach to youth justice in Queensland is not working. There are widespread and system-wide violations of children's rights in the Queensland youth justice system. Earlier this year we released a detailed report describing what that looks like in the Australian context with a disappointing result for Queensland in comparison to other states. A rights respecting approach to policy and practice can provide a fundamental shift. Queensland is one of only two Australian states plus the ACT with a Human Rights Act. This matters because respect for human rights including children's rights underpins our society and legal system. This is about how we treat our most vulnerable members of society.

The current youth justice and child protection systems and screening tools that assess and judge children from as early as birth are often racially biased and do not focus on the strengths and protective factors that exist with families and individuals. We cannot criminalise children or lay blame on the family when biased tools incorrectly assess risk, responsibility and need. We must also acknowledge that our current education system isolates, excludes and does not adapt to be fit for purpose for many children, particularly for First Nations children, which impacts on their engagement, development and learning in a safe and supported environment. We could say the same for similar health and wellbeing services.

A true child rights approach would improve outcomes for children and young people and improve community safety. It would strengthen the system's ability to achieve its goals and provide clear guidance for how to do that. It would address root causes and reduce offending and reoffending. It would be about prevention and supporting children early and with trauma informed approaches, not punishing them and hardening their experience. We also need to really listen deeply to the experiences of children who have been through the system to ensure we are better informed in our policy and lawmaking. We would be happy to facilitate the committee hearing from a young person if that is appropriate and if they are willing.

Importantly, a rights respecting approach is fully aligned with the evidence of what works and the science of child development. Punitive tough-on-crime strategies are ineffective and not based on evidence. They ultimately make the community less safe by driving increased offending and reoffending. We gain nothing by seeking retribution against children who are victims themselves and

who have been let down by society. In fact, we know putting children in detention only worsens their trajectory and increases their likelihood of committing repeat offences. To achieve outcomes and lift systems performance, it is necessary to focus on preventing and addressing the underlying circumstances and causes early. This inquiry is the opportunity to set a new course for these children and for how as a society we can fulfil our responsibilities towards all Queenslanders including our youngest. A rights respecting approach can give us this. I will take your questions.

Ms BUSH: Thank you for coming along and speaking with us today. I will start with a bit of a thought bubble. Young people represent around 15 per cent of total crime. I am more likely to be harmed by my partner than I am by a young person, yet it dominates the discussion, it dominates the media and, to be frank, it dominates the political discourse that happens in this state and in many states. What is the impact of that on you as a service provider in terms of getting a long-term strategy, which we know is what it is going to take to actually make a difference in Queensland—getting long-term investments and a long-term chart plotted out so we can actually make a difference?

Ms Waller: With respect to adults being a large portion of perpetrators in the country and in this state, I think that early intervention and prevention is obviously a big part of that. If we are working with children and families really early, part of what we miss in a lot of the youth justice investment is the work that we need to do with families to make sure it is a holistic approach to addressing some of the socio determinants of that experience for a whole family. Obviously when we hear about young people who are out on the streets late at night, that is often because there is domestic and family violence at home; there are often other things happening at home. I will not go into details of that, but they are often bored or they do not have the right supports from family. Often we are thinking about treating just the young person, but we really need to think about how we can support a family so they can be the best support for their child. Looking at early intervention, prevention and diversionary activities is really going to pause the trajectory of adults perpetrating for the duration of their life.

Ms BUSH: I am a victim of crime. You probably know my story: my sister and my father were both murdered so I know how that feels. I know how it feels when victims want justice and I understand that internal conflict we have, which is we want a sense of justice achieved and we also want to invest in things that will drive down crime because ultimately what all victims want is for no-one to experience what we have experienced. I am also aware as victims we are part of that chorus that calls for tougher sentencing, despite the evidence that would suggest that that may not be the solution. What is the role of taking community, and that victim cohort particularly, with us in terms of investing in them so they understand the importance of having a voice in the justice system but in a way that gets the settings right for young people?

Ms Waller: I think we have to ensure we are talking about two cohorts separately when we are thinking about victims of crime because victims of crime absolutely need to be supported well; and everyone wants to see less crime. We want to know that the most effective approaches are being used. If we are talking about bringing with us young people who have been victims themselves and who have had experience with the justice system, we have lots of young people who want to tell their story and who feel they have been lost and their voice has been lost in that process. So the participation of young people who have had those experiences in being able to influence is critical.

We do not hear from young people about their experiences enough when we think about legislation and changes in the way we do business because as adults we think we know best. However, we have not been children for a long time. In some ways we have to think about how we can create those platforms for young people to be able to share their experiences. It may not be the young person while they are going through that experience, but we have lots of young people who are one to two years out of the in-depth trauma experience they have encountered. They could reflect on what they really got out of supports early on but then also think about what the system change needs to be. With the right environment and with a trauma informed approach, there would be a lot of young people who would be willing to be part of that solution.

Mrs GERBER: I am interested in your view of the government's recent declaration around watch houses becoming juvenile detention centres. Do you have a view on that?

Ms Waller: We know that treating children in punitive ways does not work. The previous speaker was talking about everyone's experience of COVID and how we felt locked up and like we were not treated with respect. When we are considering being punitive in our approach, it is not therapeutic; it is not something that is going to support children to change their behaviour, feel supported or feel like there is hope. I think we need to be mindful of their experience in that and how that is going to change or influence their trajectory to reoffending or to decreasing their experience in the justice system.

Mrs GERBER: Can I have a follow-up question?

CHAIR: I will come back to you.

Mr HARPER: Thank you very much for the work you are doing, particularly in Townsville. I have to fly the Townsville flag—and I am sure Hervey Bay as well. My question follows on from the deputy chair. In terms of serious violent repeat offenders, the ones that cause harm and maim people, would you concur that there has to be a custodial sentence? From a community safety point of view, where does that cohort of really serious repeat offenders belong?

Ms Waller: I think it is important to talk to the fact that these reforms are going to impact all children in touch with the justice system and so we need to be really mindful of how that is impacted broadly. When we are talking about serious offenders they are a small minority of the cohort and it is really important to be considering how we can get the most appropriate medical and therapeutic care. In terms of what that looks like, I do not think we have enough evidence to say that just putting them in jails is going to change their trajectory or rehabilitate them, so we need to be mindful of what is going to be the most appropriate medical and therapeutic approach to that for that cohort of serious offenders.

Mr HARPER: Fair point, and I am pretty sure I saw you nodding in furious agreement when the former witness was appearing before the committee when I talked about diversionary sentencing, but that in my mind would be for your first-time offender without serious violence or perhaps the second time depending. Is there value, do you agree, in diversionary sentencing, particularly in trying to break the cycle? Is there value in putting them on to a BackTrack program?

Ms Waller: I know a little bit about BackTrack and it looks like they have some great outcomes. I am mindful of not talking too much about what I do not know about, but what I really think is important is how we can include evidence-based, community-based therapeutic programs that will support young people in changing their behaviour and will support young people in having more pro-social behaviours and supporting their social and emotional wellbeing, so absolutely. I think there are different ways of approaching how we work with those serious offenders and there are a few great examples out there like BackTrack, and there are others in the country that maybe have smaller cohorts but have some great outcomes, so I think that has to be—

CHAIR: I am just going to go back—because I am mindful of time, and we are going to extend the time a bit because I want to fit everybody in—to the member for Currumbin for your follow-up question.

Mrs GERBER: Thanks, Chair. It has recently been revealed that around 30 per cent of all serious repeat offenders are under a child protection order, so wards of the state. I am interested in your view as to what government policies or what mechanisms we could be using to turn that number around. I understand your view in relation to children in the community and families supporting families, but I want to drill down into your view around that figure where 30 per cent of serious repeat offenders are under child protection orders.

Ms Waller: I guess that would make me think about whether a child in that case is actually better off in care, because what does that say about their trajectory when they are taken away from their family, so I think that that is probably part of that? Again, if we go right back to early intervention we do need to bring it back to the whole family—whether it is the family in terms of mum, dad, brother, sister or whether that is kinship care and how we can support the community to better get involved in wraparound services for families. We have young people in our services who have been in contact with child protection and their experience has been that their family did not get the support that they needed and that it was not mum or dad's fault in that they just really did not get the support that they should have by the services that were in that community, so that again does come back to early intervention and prevention in the way that we support families holistically.

Mrs GERBER: So government policies around that area are not quite working?

Ms Waller: Correct, yes.

CHAIR: I am very mindful of time and I want to make sure that we get to all members' questions.

Mr McDONALD: Thanks, Chair. Thank you very much, Mena. I appreciate the work your organisation does and appreciate you being here. My focus is certainly on that cohort of worst of the worst youth offenders who are causing the number of victims of crime to increase and causing serious offences to increase. With regard to your services delivered in watch houses, when you deal with those 560—when you deal with the worst—

Ms Waller: Our services are not delivered in watch houses.

Mr McDONALD: Okay, so it is actually from when people are finished with watch houses?

Ms Waller: Yes.

Mr McDONALD: So in terms of those worst of the worst, when they are out of watch houses, do you deal with that 560—those worst of the worst offenders?

Ms Waller: I do not have that detail on me at the moment. I can take it on notice and get back to you though.

Mr McDONALD: Yes, thank you, because what will work for those 560—that cohort who are committing those serious offences and who are causing those serious crimes to increase?

Ms Waller: I can say from our experience working with young people on bail is that those 72 hours often are critical for supports. There are many examples of youth services or services that could support those young people leaving detention where there is really not the level of investment in terms of supporting around-the-clock care for kids, so if we were better funded we would definitely want to be able to do that work, and we often do because our staff are working out of hours because they see the young people have that need. I think it is important to be considering how community-based services can fill that void and that after-hours support is definitely needed.

In WA we work with young people in the after-hours context and we have community transport and we see that they really want a safe place, they really want to have a feed. Young kids often do understand what a good environment looks like and often they just do not have that. They are hungry, they are tired, things are going on at home or they do not have a place to sleep or they are couch surfing, so there are a lot of ways that we can do that better and the level of investment is often quite minimal. We have short contracts in that sense as well. The infrastructure in the community is really important as well as the services that can provide that around-the-clock support.

Mr TANTARI: I have a quick question and it is expressing an opinion. You are one of Australia's leading child rights organisations. In particular, a lot of discussion around this topic that we are talking about at the moment is probably a very negative reflection on youth generally. How important do you think it is for governments and our state leaders to be championing young people and their achievements?

Ms Waller: One thing that you need to clarify really is that often we are talking about cohorts and we are talking about the things that are going wrong, but there is actually a lot of great things happening particularly with young people who have been in touch with the justice system or been in touch with child protection through their life. I would love to see more investment in young people's participation in how they can create communities that are a best fit for them. We have seen some really great young people who have come through our programs and who want to become leaders. They want to be able to tell their story, but they also want to be able to change the environment for the young people who are coming up behind them. I think we have to be thinking about how they can really influence and engage in policy development, particularly when it comes to decisions that affect them, but also across the community. We have seen some great examples of that happen in different pockets with young people, and we often hear it from young people. But they are the debate champions. They are the really confident ones. They have really great supports behind them and I think we have to create spaces for people who have been through different experiences in life to be able to influence the way that things happen for people who have gone through similar things as them as well.

Mr PURDIE: I appreciate the evidence you have given to the committee and I also support those things you have said about a bigger investment in therapeutic programs and giving these young offenders a voice. You also spoke before about safe places. We know that young offenders at the moment are not only putting the community at danger but young offenders in, say, Townsville have died in stolen vehicles, sometimes in pursuits with police. There were four kids in one vehicle who were killed, so these kids do need a safe place and they need to be often protected from themselves. You have spoken about a lot of long-term strategies. Do you have any information for this committee or advice as to what we can do from a policy or a legislative perspective more acutely to not only put the community in a safer predicament but also protect these young offenders from themselves?

Ms Waller: There are some key elements when we think about priorities for reform. Obviously I have talked about prevention and early intervention, and a lot of that goes to project-based, community-based intervention and justice reinvestment. I talked about community infrastructure, including safe places and after-hours support for young people. We also want to be addressing coordinated approaches to addressing those root causes, and I think QFCC has publicly called for this in the context of youth justice. We need to be addressing those social determinants for families

as well as young people. We need to make sure that there is effective and appropriate support that is trauma informed, that is culturally safe and appropriate in all cases, that is community based and community controlled and sufficiently funded, again including after-hours support, and that is integrated with the whole system of social supports in that community.

The other thing that I have not touched on is raising the age of criminal responsibility to 14. I think that that is really a big one that we need to be talking more about in Queensland and effective alternatives to criminalisation. Obviously punitive approaches are not working, so we need to be talking more about this. From a youth detention perspective, for us really a key part of that is bringing youth justice detention centres and practices in line with the child right standards, and that includes ending solitary confinement, excessive force and restraint; designing facilities around therapeutic, non-punitive and trauma informed principles; and not holding children in watch houses. From a workforce perspective, we really need to understand that child development and trauma informed ways of working need to comply with child rights as well. If we are thinking about reform, we need to think about it holistically and in the context of those different elements that really are going to impact the system as a whole.

CHAIR: You have all of that in your submission?

Ms Waller: Yes.

CHAIR: One very last quick question because I am mindful of time.

Mr HARPER: You can take this on notice, Mena. We were talking about BackTrack and you finished that sentence by saying that there were other programs with small cohorts happening around Australia. Can you provide the committee with those other programs?

Ms Waller: Yes. Just on that note as well, I mentioned briefly in my opening statement about education and I think that there are lots of different approaches to engaging young people in education in different ways as well as programs that support reintegration into education settings, so I am happy to provide you with some context around that as well.

CHAIR: Before I close this session, in your opening statement or in one of your responses you said that you would be quite happy for the committee to meet with an offender—a young person. Would you have somebody whom you would classify as a serial repeat offender, because I think they would give us some really good insights?

Ms Waller: What I can do is check in with our practitioner teams and ask them if there is someone who would be appropriate and fits more around that criteria. I know that there is a particular young person who has gone through that experience and has a lot of really good insights that he could share as well as the context of the broader cohort of young people whom he has grown up with.

CHAIR: Could you include in that question on notice also if you know of anyone in that cohort of the 560 that we have been talking about, because I had asked the question previously around lore and how that is handled? If that could also be supplied that would be appreciated.

Ms Waller: In terms of if there is someone in that cohort that comes from a—

CHAIR: What is actually done in those communities beyond the intervention as in through shaming and that? Once they become that serious repeat offender, what happens within Indigenous lore?

Ms Waller: Yes, but I would just note that it is different in every community. I can provide a little bit of further context, but I will just be guided by some of the Traditional Owners in Queensland to be able to confirm what that may look like. However, I cannot confirm that there is going to be a detailed response to that as well just considering that there is men's and women's business and some of that is not privy to outsider ears.

CHAIR: Thank you. I think that is two questions on notice. Just also as a reminder to all members, during these hearings they are not to be bringing up any current cases. That is just a reminder. I want to thank Mena. Thank you so much. We really appreciate the work you do and I thank everyone that we have heard from this morning. We will now be going into a private session and returning again this afternoon after that session. Thank you, everyone.

Proceedings suspended from 11.14 am to 1.01 pm.

CHAIR: Good afternoon everyone. I declare open the second part of today's public hearing. I welcome the representative from PeakCare Australia, Mr Tom Allsop.

ALLSOP, Mr Tom, Chief Executive Officer, PeakCare Queensland

CHAIR: Mr Allsop, would you like to make an opening statement before we start our questions?

Mr Allsop: Thank you very much for having me. To clarify, it is only 'PeakCare Queensland'. Our ambition is great but not that great. Thank you very much for having me. I would like to acknowledge the traditional owners on whose lands we are meeting today and pay my respects to elders past, present and emerging. I extend that to the traditional owners of all of the lands that the child and family sector works on each and every day to provide and create better opportunities for keeping Queensland communities safe.

As a peak body for the child and family sector, PeakCare is privileged to represent the voice and aspirations of the hundreds of organisations and thousands of workers and volunteers who are concerned about preventing youth crime, reducing reoffending and achieving greater levels of community safety. As a peak body, we know that, while the issues and solutions relating to youth justice may be systemic in nature, communities experience the impacts of youth crime on a deeply personal level.

The current predominantly reactive approaches for addressing youth crime are not turning the tide on offending and they are not building greater community confidence. We need better responses that can address the unacceptable level of serious repeat offending being committed by a small number of people—responses that can align with a visionary bipartisan and generational strategy for keeping children, young people and communities safe—and we need responses that acknowledge the feelings and perceptions of the entire community and embrace the opportunities for solutions that are genuinely community informed and community led.

The current approach for responding to youth crime in Queensland is marred by a lack of transparency, polarised public commentary, reactive policies and political partisanship. It also sits in isolation to the broader levers of change that can help amplify prevention efforts and provide more holistic early intervention and intensive therapeutic support for the children and families currently falling through the cracks.

We know the drivers putting young people on a collision course with the youth justice system significantly overlap with risk factors for involvement with the child protection system. PeakCare genuinely believes that the number of children and families involved with both the child protection system and the youth justice system reflects an ongoing failure to address the real and shared systemic causes and until there is a clear long-term holistic strategy for addressing these then Queensland's children, young people, families and communities will continue to be the victims and service systems will continue to be overwhelmed with demand. In early 2023, PeakCare, with the support of more than 60 organisations and individuals, extended an invitation through an open letter to the Queensland parliament to consider smarter evidence-based approaches that will help prevent youth crime, help reduce reoffending rates and help achieve greater community safety.

While I have included a more fulsome outline of these opportunities in the preliminary submission that supports my evidence today, I would like to highlight a few key opportunities. When you take notice of the facts, it is clear that just locking up children does not free communities from crime. There is overwhelming evidence that youth detention for young people does not work to deter crime and almost all children who are imprisoned in youth detention in Queensland reoffend within 12 months of their release. We cannot imprison our way to a safer community, just like we cannot punish our way out of the youth crime issues we currently face.

We need to increase our focus on protecting our children. More than any other age group, they are victims. While we are all concerned about children who break the law, we need to be acutely aware that children more than any other age group constitute the majority of victims of crime. Many of those children who find themselves on the wrong side of the law have been the victims of crimes that are far more serious than any offence they have committed.

We need to let First Nations leaders lead. We need to hold children accountable for their behaviours in ways that work. We need to properly resource our teachers and schools because we know that nonattendance at school and higher rates of suspension and exclusion are frequent precursors to children's involvement with youth justice.

We need to take better account of children's disabilities and mental health concerns. Many children in the youth justice system have severe disabilities, including fetal alcohol spectrum disorders, and there are no systemic screening or assessment processes in place to identify

disabilities of children involved in Queensland's youth justice system. This means we are currently detaining children with undiagnosed disabilities and providing no appropriate support when children leave detention.

Finally, we must tackle our social problems. Research clearly shows that children in detention have increased experiences of violence in their homes, poverty, homelessness, the absence of a safe place to call home and exposure to alcohol and other substance misuse. We must address these issues by tackling child poverty, collectively ending youth homelessness, addressing the impact of family violence on children and increasing the number and range of specialised youth mental health services, alcohol and drug treatment services, child protection family support, early education and mentoring that we know work.

In closing, I would like to affirm PeakCare's commitment to working with members of the Queensland parliament on both the immediate and long-term strategies that we need to reduce youth crime. We are hopeful that the outcome of this inquiry will help to realise a bipartisan generational youth strategy that could be our North Star for a safer and more inclusive Queensland; a strategy that is resilient enough to weather the inevitable storms that will come and adaptive enough to know that we must also fix the issues here and now if we want our communities to feel like better days are ahead.

Ms BUSH: Tom, I will start with a question that I have asked some other witnesses. The trend of youth crime broadly here in Queensland, across Australia and in most comparable countries is that, despite the common rhetoric, youth crime has been declining year on year for a good decade. Yes, we accept that there is a cohort of young offenders who are terrifying people and are obviously causing some harm, and we are talking about those. However, there is the importance of perspective and remembering that we cannot shift our focus from the strategies that work such as early intervention and diversion programs in prisons. Can you expand a little around why this issue gets so politicised when I am more likely to be killed by my partner than anyone else? Why is bipartisanship important and why is it critical to have frank, fearless and useful conversations in community and at a policy level?

Mr Allsop: I think it is really important and I absolutely acknowledge that the trend is that the number of youth offenders committing crimes is declining and continues to decline. That is not in any way to negate the absolute importance that every victim of crime deserves to be heard and deserves to be considered in terms of what they need. Importantly, we need to accept that there are probably the counterintuitive realities that crime is reducing and fear of crime is increasing. Instead of arguing which one is right, I think we can accept that both are true. By accepting that both are true, we can try to address both.

At the moment, we try to address a continuing force down on crime, which is already reducing, and we are not working with communities to ameliorate their fear of the crime that is occurring within their communities. If we do not address both then we will fail to be able to achieve both. If we only address one then it is unlikely that we will ever be able to build enough community confidence to sustain what we need in our community programs to see generational change, because the causes of offending are generational and we need to be there from the start. We need to be there from birth and pre-birth, working with families to ensure the best opportunities for those families to divert from those paths that will put young people on a collision course with the youth justice system and the adult correction system.

Ms BUSH: You touched on the victim experience. You are a proven advocate in that space, in having those conversations with people who are also victims of crime and having to unpack those dualities. My experience has been that victims are very responsive to that information. What they want is accurate, clear information and help with navigating a system. I want your perspective on that as a proven advocate.

Mr Allsop: As a peak body, we absolutely and fully support everything that can be done to ensure that victims have the smoothest path and the least barriers to accessing the information and supports they need. We know that, through the systems of support we have in place, we can unintentionally re-traumatise victims and re-victimise people who go through our systems, which are intended to help. What we need is a commitment from all individuals responsible, both community agencies and government, to removing the barriers for the access that victims need to the support that they deserve in supporting their recovery from crime. I think it is around what can we do and what is the expectation of how we can stand out of the way and that our systems need to be more appreciative of the needs of victims and the acknowledgement that the systems themselves can create victims when they put too many barriers in place.

Mrs GERBER: I want to better understand. The member for Cooper just spoke about crime going down and we have had other Labor members talking about crime being a media beat-up. We know that unlawful use of a motor vehicle has increased by at least 64 per cent since 2015 and over 50 per cent of those offences are committed by juveniles. If we are not prepared to acknowledge these statistics and take them seriously, how is this committee going to genuinely come up with solutions to turn around repeat serious offenders?

Ms BUSH: Point of order, Chair, on that comment about Labor members here making comments about this being a media beat-up today. They have not been made. That is not accurate.

Mrs GERBER: Further point of order, Chair. My comment was not about Labor members saying it was a media beat-up today. It was about Labor members saying that in general and they are on the record saying that in general. I can refer to the exact Labor member. It is the member for Capalaba.

CHAIR: We need to move on. Can we focus on—

Mrs GERBER: That was a serious question, Chair. This committee is tasked with dealing with the youth crime issue and the increasing cohort of serious repeat offenders.

CHAIR: Member for Currumbin, I am going to ask you to reframe the question, sticking to exactly what you just said that we are here to obtain information. We are not going to head into realms that are not going to be productive in this hearing. Please reframe the question.

Mrs GERBER: My question stands, Chair. If this committee is tasked with trying to come up with solutions for the youth crime crisis then it must be acknowledged that the cohort of serious offenders, those repeat youth offenders, is going up. It must be acknowledged that unlawful use of a motor vehicle and unlawful entry have increased by at least 64 per cent since 2015 and that—

CHAIR: Member, for Currumbin—

Mrs GERBER:—juvenile offenders and I am asking for Tom's view on those statistics.

CHAIR: Would you like to ask the question? What question are you asking of the witness?

Mrs GERBER: I am asking for Tom's view on those statistics. We need to be—

CHAIR: Thank you. That is enough.

Mr Allsop: We want to ground everything that we do and everything we put forward in evidence and in a clarity of truth around the facts as they lie. I think it is really important to acknowledge that, yes, while we see some offender rates going down, we also see other rates of particular offences increasing, and that is alarming. It also allows us the opportunity to target our interventions to respond to that need.

I think it is incumbent upon us to promote the transparency of those figures to allow services to be designed and invested in that actually meet that need where it is needed in those communities that are facing that crime. It is not consistent across the entire state; it is in pockets. That is where our investments need to be in responding to the need itself. We ground everything we do in evidence and we would very much support and promote that truth of evidence that allows us to really deeply design systems and solutions that can address that.

One of the things that I am particularly concerned about is how are we actually wrapping supports around young people who are involved in that serious repeat offender cohort that we know is committing a disproportionate number of offences and who also intersect with the child protection system. There is profound opportunity to be wrapping what we can do around young people to help them break that cycle of offending, to be able to be intervening early and to be able to be supporting families through a process of potential reunification, but also to be looking at amplifying significantly our youth advocate programs in Queensland that walk alongside young people and are there with them when they exit detention, taking them back to the Gold Coast so they are not being picked up by adults who are criminally exploiting them.

It is those programs that make a real difference, because it is those programs that share the experience of young people alongside them. It is those programs that will actually turn the tide on some of the high-risk offending behaviours that we see, particularly targeted into those offences that were noted as actually increasing.

Mr HARPER: Thank you, Tom, for coming in today, for your submission and for the work that PeakCare does. I agree with what you said in your opening statement. I think we have a good opportunity with a bipartisan approach, as you have said, to get some work done, so let's get on with it. You mentioned better intervention, addressing the real causes—what are they?—and that there is overwhelming evidence that locking people up does not work. Can you provide a response to that?

Mr Allsop: Absolutely. I will answer those questions in turn, but I apologise if I miss any of them. I will come back to them. It is very clear that the current model of youth detention in Queensland is not having a profound impact on reducing rates of reoffending in the way we currently do it. There are much better ways of designing youth detention—international models—that will allow us to have a much better response to recidivism rates. We are fortunate at PeakCare, as the peak body, that our incoming director has just finished a Churchill Fellowship looking at exactly that—international research into better models of youth detention, looking particularly at the Spanish model of youth detention which sees a really significant reduction in reoffending rates; a different model, no less intense but differently designed. It is about saying that it is not about not detaining young people where detention is not an appropriate response; it is about the model in which we do that detention and how we design that for a better outcome. I would not advocate for there to be no detention. I want there to be the best possible detention to deliver the best possible outcome for those young people where it is appropriate for them to be detained. It is about what that future looks like for them.

Mr HARPER: I should have ended that question by asking for examples of diversionary sentencing. Do you have comments on that?

Mr Allsop: Diversionary sentencing programs are also very important. I want to contextualise them. They have to be seen in terms of how we sustain long-term diversion. The evidence tells us that we see good short-term outcomes in diversionary programs as well as relocative programs, but it is difficult to sustain them when young people move back into their communities because you lose the wraparound support. It is around saying, 'How do we get a better long-term outcome?' We can address the immediate need but we also need to know that a lot of the causal factors for that offending sit in community. It is about how we are sustaining that over time to ensure that once that young person returns with all of that good experience, they are not going to go down the slippery slope of reoffending because they are moving back into an unsupported environment.

One of the challenges that we have as a service system is the fragmentation: 'We meet your need here and now. Your need is met and you are back where you were.' We need a holistic relational approach for these young people where we can walk alongside them because the road is rough. We need to be able to say, 'There will be times where you will feel like you want to slip back down, and we are here to make sure you do not because there will be good times ahead.'

Mr McDONALD: I appreciate your response, Tom: it is very articulate, particularly around the detention issues. Back in 2015 the government put in place detention as a last resort in youth justice, removed breach of bail and unfunded some of the early intervention programs. That is a real concern because I think the government let down young offenders who were facing detention, because the only option was a watch house or a jail. Since 2015, when they put those provisions in place, they have not funded the sorts of programs you are talking about—best case, gold-class standards that are and have been available for many years.

Mr Allsop: Drawing on the parallel of my experience as the peak body representing Queensland's child protection system and the hundreds of millions of dollars of investment in an amazing range of organisations doing really progressive work, I suggest the committee turn its mind very strongly to what the community sector can do with significant additional investment so that services are being delivered in community, for community and by community. What we find at the moment in the child protection sector is that when a service is being provided to a community by its community, the outcomes are profoundly different. In the youth justice system, we do have that the maturity of scale. We also do not have a moderate voice in youth justice. We have a lot of polarised conversations and a lot of ideologies driving approaches—not necessarily facts driving approaches—but what we really need is to say, 'How do we scale up our community response to youth justice knowing that these are child and family issues?' These are not youth justice issues or child protection issues; they are the issues of the wellbeing of children and families. If we can do that it then it is not just incumbent upon the shoulders of government; it is the community that steps forward to help support its community.

Mr McDONALD: I appreciate that. There is no doubt that academic approaches and some of the smart work that is being done that when kids have hope and support, that produces some great outcomes. Many of the 560 cohort—where we have seen increases in serious crime and more victims across the state—need to have better attention in a place of detention. I would argue that there needs to be great thought around compulsion to attend some programs and to attend to some of the pathologies that have been talked about.

Ms BUSH: I raise another point of order, Chair? I do not know if the 560 figure can be authenticated. The figure in front of us as a committee is 452. I would not mind the 560 figure being authenticated at some point today.

CHAIR: Thank you. Please continue.

Mr Ailsop: Just to speak particularly to that cohort of serious high-risk offenders: there is an opportunity, and we should have, individualised interventions for every single one of those young people, here and now today, with wraparound supports from the education system, the health system and the youth mental health system. There is no investment that should be too great to support the needs of those young people to divert them from offending, because the costs are too high when we do not. However, I would also encourage the committee to be considering the next generation of high-risk youth offenders and what can be done here and now to prevent that. While we know that we are addressing the here and now, tomorrow's high-risk offender is not being considered. If you can turn the tap off at the start, you can both address the immediate need while reducing the flow in, and that will see downward pressure. It would be expected that we will not be able to turn that tide if we are not addressing those young people who are moving in. Right now I see a lot of attention placed on those in that cohort and less attention placed on those who may become part of that cohort in two or three years. We have an opportunity here and now to set them off on a different trajectory.

Mr TANTARI: Tom, thanks for coming along today. In regards to the submission you put forward to the select committee, you outline a number of issues. Obviously, a lot of your submission was based on previous submissions regarding strengthening community safety and those sorts of things. I am very interested in unpacking one of the items you raise and that is tackling our social problems. I note within that you say that to address these issues we have to tackle child poverty and collectively end youth homelessness and tackle a number of other issues that are impacting those youths currently. You talk about banning social media outlets from posting both children's illegal exploits and hate messages from vigilante groups. You are saying that they are both enticing children to commit offences. Can you unpack that?

Mr Ailsop: Absolutely. I was privileged to be in a space earlier this year to speak at a national level condemning the vigilantism that occurred in Queensland. I also put out a public call for both sides of government to join me in condemning the vigilantism that young people were facing, particularly young people intersecting with the residential care system in Queensland. Although we can understand the driving causes that communities feel they want to step in to help resolve, the unintended consequences of vigilantism are incredibly profound and damaging for our communities. We face a point in Queensland where the way that young people interact with the world is profoundly different from 10 years ago. The ability for young people to broadcast their inherently stupid behaviours online to a very large audience in a very quick period of time is not something that we were lucky enough to have when we were maybe doing some stupid things in our youth. It is that instant broadcast and connectivity that also exacerbates cycles of offending. It creates the perception of offending being quite significant because you are connected to that offending in your community in real-time.

We allow platforms, which are the carriage services for these messages, to operate unfettered, with no controls over the perpetuation of criminal behaviour. What responsibility should technology platforms have that actually says, 'We are going to be part of the solution.' If a young person is broadcasting their criminal behaviour to all their friends that is going to help generate a cycle of wanting to replicate that. It is not just talking about what can be done by government in isolation and what can be done by community. We also need to consider the totality of the new environment that we operate within and the fact that the connectivity of young people is so integral to their lived experience now that if we are not turning our mind to what that looks like for them then we are addressing the problem of our generation, not theirs.

Mr TANTARI: In relation to the effects of the sensationalism that is occurring with some of these issues, both by mainstream media as well as some of these social media outlets, what impact are you seeing on youth in regards to that sensationalism?

Mr Ailsop: I think one of the challenges we face is that young people have become a political football and that Queensland has turned from having a problem of youth crime to a problem of youth. Young people feel disengaged from the process and disenfranchised with that. We speak very often with young people as well as those people who were formerly young and just sit in that early adulthood category. They feel very much isolated from the experience and isolated in terms of sharing their voice. I hope that this committee will be hearing strongly from the voice of young people, both with lived experience of crime and lived experience of what it now looks like to be reflected as part of that cohort. I think it is a really challenging space to be a young person in Queensland.

We need to look at the demographic characteristics and changes in Queensland. We know that in the next 10 years the growth of young people in Queensland will increase by about five per cent and the increase in the adult population will increase four times that to 20 per cent. There will be

fewer young people in Queensland proportionate to adults in 10 years. That is just a demographic fact. That also gives us a great opportunity to consider how we wrap around our young people, allow them to flourish and give them those opportunities but also provide the guardrails they need and the boundaries we need to set to ensure that they are productive members of society and they grow to reflect the values of the society we aspire to be.

Mr PURDIE: Thank you, Tom. I appreciate your submission. In terms of your most recent point about offenders broadcasting their antics live on social media, we are hearing from frontline police that essentially what other young people are seeing night after night are these same offenders stealing high-powered cars and going on escapades. The same offenders are often recording or broadcasting live being chased by police, but, because there are no consequences for those people, the same people are doing it and broadcasting it night after night even after being caught by police. Is that an issue perpetuating the reality that these offenders are not being held accountable, that there is no deterrent and subsequently there are no consequences?

Mr Allsop: I think it is really important to acknowledge that if we continue to do the same thing and we get the same outcome and that is not the outcome we want then we should probably change the thing we are doing. I want to acknowledge the difficult role that police have in responding to this and the very high expectations the community has of how the police are supporting their safety. We need to take a step back to look at what are the driving motivators behind that offending. What is it that actually pushes those young people to want to engage in that offending? I am yet to see a really clear analysis that has been provided to say, 'Why are young people offending in that way? What does the evidence tell us about why they are doing it?'

Anecdotally we have plenty of stories but we do not have a clear evidence base that says, 'Young people in Queensland are stealing cars for this reason' and we can quantify and respond to those reasons.' Is it about the need for camaraderie and experience for a group that feels completely isolated from the community that they exist within? Is it because people have been relocated back to a different community and feel isolated and othered? How do we respond to the driving causes to complement how we address the offending, because if we can respond to the causes we will turn the tap on the offending and decrease the pressure on police to respond to that offending they see. At the moment we are reacting to outcome and we have not yet turned our mind to responding to cause. There we have an opportunity to respond to cause.

Mr PURDIE: Isn't it basic human behavioural economics that we are all driven by incentives and deterrents? Subsequently, when you reduce the deterrents and the consequences and people can broadcast that more broadly, doesn't that put upward pressure on crime?

Mr Allsop: It has been a very long time since I did my neuroscience degree, so I will not speak with any level of expertise about the inner workings of a teenager's brain other than to know that a lot is happening in there. We really need to unpack what that looks like to design system responses that can support the cohort of young people who are behaving in that way. There will be some young people who are just doing naughty things that need to be addressed, but a lot of it is driven by other factors that we need to really understand, because when we understand those we can respond effectively at scale and with system and we can tie that into a generational plan for where we want to be.

At the moment as a peak body looking across the entire sector we see a reactive approach in Queensland. What we want is both responsive and proactive. Our community sector wants to be a part of that. We want to step in and be part of that space. We have invited and opened the door to be part of the solution with government and we embrace the opportunity to work hand in hand to deliver on that. Again, it is going to be individualised to that young person in their experience at that time and what we can do to set them on a better course to give them back the hope and opportunity that may see them flourish where potentially their alternative path is a life of crime.

Mr PURDIE: I think we all agree.

CHAIR: We are just about out of time.

Mr McDONALD: Can we extend the time?

CHAIR: We have the next witness.

Mr McDONALD: I have a question about child protection orders.

CHAIR: Sure but let me get one in please. It does not matter whether it is 560 or 400 odd. We are running in parallel—I think as a committee we have made it fairly clear that we are working not only the now but into the future. We are taking that all into account. Understandably we have communities that are saying, 'Yes, we understand that. However, right now we need some greater

surety around safety in our communities.’ You said that there is obviously detention but with the right supports around it because for that cohort that would be the logical space to go to. Can you give us one example of that space?

Mr Aillsop: I absolutely can and it is a contemporary recent example. As a peak body, one of my proudest recent achievements is successfully advocating on behalf of one of our member organisations for the re-funding of a really valuable program on the Gold Coast that works hand in hand with serious high-risk offenders to set them on a different course and to re-engage them with education. It is called the Youth Advocate Program. It actually has a young person who sits alongside that offender working with them and their family to make better decisions, to pick them up from the Brisbane Youth Detention Centre so that they do not slip back into what we know are offending rings where adults criminalise young people. It is giving them an opportunity to do something different. It is looking at how do we complement what we know is a slow and steady process to give them an opportunity to do something different, to be alongside them. That is something that is working here and now. It is one of America’s largest programs and Queensland invests less than half a million dollars in it.

CHAIR: To clarify, that is when they come out of detention. I thought what you were saying is that you can detain them but that detention would have amongst it all the things that currently you believe are missing.

Mr Aillsop: Apologies. Thank you for clarifying that. If I were to suggest a particular model that the committee should turn its mind to, it would be the Diagrama model, which is driven out of Spain, in terms of the way that you approach a detention style. It is not to say that detention is not the appropriate course. It is the way the detention operates and what it means for that young person. I would never be an advocate to say no detention should occur. I think it is really important that we position ourselves with a great degree of clarity around what we want detention to serve for us. I am always minded to turn to a really a great quote that comes from Scotland which is that you build a detention system to jail people that you fear, not jail people that you are mad at.

Mr McDONALD: Thirty per cent of repeat offenders have a child protection order. With the recent changes in government there was a separation of Youth Justice and Child Safety. When we are looking at a holistic approach, do you think that is a smart thing to have those departments separate?

Mr Aillsop: It goes to the heart of that I think we have a fractured service system irrespective of what government department delivers it. We have two systems of outcome that are imposed upon to try to resolve problems that happen way upstream. I would suggest that you would be looking to your education systems, your health systems, your social welfare systems to bring about a holistic response that will drive down pressure on child protection and youth justice. I do want to acknowledge that we have some amazing people working across both sectors. They are working within systems that are flawed. What we need is to give them better systems but we also need to be taking those levers of change that sit in our upstream systems. They are the ones that I do not see actively working in this space at the scale that can actually make a difference.

CHAIR: I know there are so many questions that everyone wants to ask but we are out of time. Thank you so much, Tom. We really appreciate it.

Mr Aillsop: Thank you very much for your time.

BATCHELOR, Ms Sheryl, Found and Director, Yiliyapinya Indigenous Corporation

CHAIR: I welcome Sheryl Batchelor, Founder and Director, Yiliyapinya Indigenous Corporation. Good afternoon and thank you for coming. Would you like to make an opening statement before members ask their questions?

Ms Batchelor: Yes, I would. Thank you for inviting me to come along as a witness today. I would like to acknowledge that I am a very proud Aboriginal woman who comes from out Cunnamulla-Charleville way. I would like to pay my respect to my elders past and present and acknowledge that we are on borrowed land and acknowledge sorry business in the community.

I grew up in Inala. My parents still live there. I am an Inala girl, heart and view. I am very much from a background in social housing. I became a teacher. I became assistant principal. I jumped ship because I could see that there were things that we were missing. I have now set up Yiliyapinya Indigenous Corporation as a response to that, to deal with what I believe is a decrease in brain health as an impact of colonisation by toxic stress and adversity that the communities are experiencing.

I am an adjunct professor at QUT in the school of justice. I also work in detention one day a week listening to our children. I call them 'children' because from a mental health perspective and a medical model under 18 is a child. I therefore would like to come today to talk to you about my understandings from neuroscience and how I believe that the impact of that is what is going on in our community not only for the children but also for their families and particularly for the workforce.

CHAIR: Thank you so much. We really appreciate that.

Ms BUSH: Thank you, Sheryl, for coming along today. Your work is very well known. It is lovely to have you here. You are working directly with these young people and children that we are talking about and that we are interested in today. We have just heard from Tom that no-one is really drilling into what is going on for those young people so we can understand and drive better policy. Can you enlighten us about what is going on for this particular cohort?

Ms Batchelor: Most of the children that we deal with have been excluded from education and they are in the child protection system and in the youth justice system. We cannot blame families with most of the children that we are dealing with. I would not say that we blame the system either, because the system has been there to respond to things. What I will say is that there are burnt out staff in the workforce in multiple system areas who are impacting the children's responses to be able to heal from the adversity that they are experiencing.

The things that the children are telling me is that peer pressure is enormous. We just mentioned social media is impacting that in multiple different ways. I truly believe that peer pressure is one of the key drivers of criminal activity that we see with serious repeat offenders that we are not stepping back and acknowledging and working out what we do about that. Every day when we see kids in our Yili Program and hear their voices when they tell us about what is going on in their lives in regard to that, peer pressure is absolutely enormous. If they have been excluded from school or if they have been taken away from their families, then their family are their peers. That is the way that they survive because that is the only connection that they have.

When they transition out of detention—and we try very hard in our service navigation to get them back to either a residential carer or foster carer or into another community or whatever—it is that strong connection to their peers that they go back to. Whether it is catching up with them on the weekends or whether it is catching up with them at night-time, that is absolutely crucial to address.

The second thing is the transitions. Every point of transition during their lifetime is a missed opportunity. That is the transition from when they struggle at school and they are given a 20-day suspension and told not to come back. I can tell you right now that we have 10 children that we see every day that attend school one hour a day—one hour a day—but the school ticks off that they attend school. How is that possible? The youngest of these children is eight. Right now this is a missed opportunity that the system has to address. There are lots and lots of these children around. I would encourage you to have a look at some of the data around school attendance.

Mrs GERBER: Thank you very much for the work you are doing, particularly in the south-east, with the children that you are working with. You may have heard the member for Lockyer's question to the previous witness around 30 per cent of the serious repeat offenders are actually in the child protection system. I wanted to drill down further as to whether you can provide the committee with any responsibility that you see government taking for the repeat offenders who are in the child protection system given that there is no family. That particularly feeds into the response that you have just given us around them making those connections with peers who perhaps may also be in the child protection system or serious repeat offenders themselves. What strategies should government be doing and what strategies could this committee recommend to deal with that?

Ms Batchelor: When they exit detention there is no holding place for them. There is no secure base. Schools are a secure base. Home is a secure base. For these children, detention is a secure base. When they come out of detention there may or may not be a secure base. Some of them do go back to school. That can be a secure base. Some of them go into resi or foster homes, but I have to say that most of them do not. Most of them go to those places and then abscond from them very quickly because they try to catch up with their peers because their peers are their family.

What we have done with the Yili Program is to try to find a secure base so that when the children come out of detention there is a place that continues what they are already doing in detention that they enjoy and we continue that on during the day. There are ups and downs with this. We have not got the night-time bit right, but we need to find a secure base for them during the day.

Mrs GERBER: Can you expand on what a 'secure base' actually means?

Ms Batchelor: A place.

Mrs GERBER: Yes, but is that kinship care? What do you mean when you say a 'secure base'? Is it putting them back with kinship care?

Ms Batchelor: Imagine a football field and a football club and they come there during the day like they would go to school and do all the activities that they enjoy while they are in detention and that focus on improving their brain health and helping them culturally heal or heal from whatever adversity that they have.

What happens when they come out of detention is that they are usually on bail conditions in some way. They have to report here. They might go and do an hour here, two hours there or whatever, but it is fragmented. The other thing is that there is no transport. They have nowhere to go, so we provide the transport. We go and pick them up and take them to their secure base where they can get all the things they have done in detention that they like. We do not have the night-time bit worked out.

Mrs GERBER: When you say you do not have the night-time bit worked out, what do you mean by that? Do you mean there is no crisis accommodation for them or there is no safe place for them to be of a night-time?

Ms Batchelor: I can tell you of two instances right now. Last week we had one child who is struggling to find a secure residential place, and she ended up in Ipswich Hospital for a night because child protection could not find her another home. I have another example who is 14 and I have another example of a 15-year-old boy. He is not in the child protection system but he feels that his home is not safe. Child protection has been involved. He chooses to live with adults who are known to police—

CHAIR: Can I just ask you to be mindful about not giving any identifying information, thank you.

Mr HARPER: Thank you for the work you are doing down here. I am from Townsville. I certainly take on board the points you make about keeping people in education. I am not sure whether you are aware of the Clontarf Foundation. It has been around for 20 years. There are three academies in my electorate alone in the high schools. That is about 500 young Indigenous men. We also have the Stars program, STEPS Pathways College, Indie School, flexi school—all of these alternatives to try and keep people engaged. I was a bit concerned when you said that one was eight. A lot of the programs that exist are for secondary school students when they are excluded for vaping, bad behaviour or whatever. Do you think we need to be doing something in the primary school space?

Ms Batchelor: We have children from prep who are being suspended from school.

Mr HARPER: I will ask the question why in a minute. You talked about how these kids are doing this because of peer pressure. Do you have any views that that might not be the only cause when it comes to drugs and substance abuse such as chroming?

Ms Batchelor: Absolutely. I truly believe that we have not only peer pressure but there is addiction going on here as well. That comes from my understanding of neuroscience. I believe there are some children who have an addiction to joy-riding, and we need to be taking an addiction mindset to rehabilitation with that.

Mr McDONALD: Thank you very much for the work that you do. You made me remember a conversation I had with a principal when I was the officer in charge of police at Laidley. I asked the principal of the Laidley District State School, Chris Muir, 'Can you tell me the 10- and 11-year-olds who are going to be my 15- and 16-year-old problems?' He said, 'Jim, I can do better: I can tell you the five- and six-year-olds.' That is where we need to be intervening, so I thank you for the work you

do and the evidence you have given today. My focus is to see a system in place, but at the moment we have a large cohort who are committing offences that pose a real risk to Queenslanders. Can you outline to us how you work with the youth justice system and what restraints there are? How can we improve the system, particularly for that high-risk offending cohort?

Ms Batchelor: There are a couple of things. As I mentioned, it is that transition from when they come out. A lot of them are not being sentenced—they are still on remand—so it is that transition and what they do when they come out. It is really talking to them. We mentioned before and in previous conversations about personalising that. What this kid likes right now might not be what they like tomorrow. It comes back to the workforce being adaptable and also understanding brain development for themselves as well as for the young child.

I see a couple of things. I come in from a healing perspective about understanding brains, so I come in and think to myself: 'What does that brain need right now? What are its strengths and weaknesses?' In some cases it is the addiction part that needs to be addressed; in some cases it is that connection. Everyone will need something different. We do need a place where healing can occur in a safe way, and it is the same here. We need detention, but I truly believe we need a rehab healing place. That rehab healing place needs to be secure. It cannot just be a house somewhere. If I won a million dollars I would buy an island. An island can be a secure place, but you can do all the beautiful things we know from neuroscience that help with helping a traumatised brain.

Mr TANTARI: It is very interesting to hear you talk about brain health and all of those sorts of areas from a neuroscience perspective. I think it is important that we as leaders set the tone for all Queenslanders, so when I hear young people being thrown under the bus and being referred to as thugs and stigmatised because of it, I worry because I believe that that approach is going to make things worse. Can you talk about the impacts of stigmatisation on young people? When you continually tell them they are bad or unwanted, how does that affect a 15-year-old brain?

Ms Batchelor: Massively. It sets up the cortisol response and adds to the adversity they are already feeling. It makes them feel worthless, it makes them feel that no adult is trustworthy, which makes it very difficult—

Mr TANTARI: Sorry, what was that?

Ms Batchelor: It can make them feel that no adult is trustworthy; therefore, I have to rely on my peers. Hence why I come back to that workforce. When we have a very stressed workforce dealing with these children, that changes our brain's ability to get along with them and have that very strong connection that they need because of our motor neuron system and all of the things from neuroscience. I just want to advocate and get you to really think about the workforce's response to this because sometimes it is not the system things; it is actually the individual work curve that can also add more stress to the situation.

Mr TANTARI: Do you have in mind any form of treatment available for those sorts of issues?

Ms Batchelor: Absolutely. Are you talking about the children?

Mr TANTARI: Yes.

Ms Batchelor: Taking on the addiction mindset of rehabilitation and improving brain health and healing, all of the things we know from neuroscience about how to improve brain health really come down to things like a safe, secure place, and then it is having very nurturing adults—and not just one adult. We have five adults for 10 kids. We have a very high adult ratio because we want to make sure that we keep ourselves strong, because they are hard work. They tell you off and tell you all sorts of things that are not very nice, but they need to know we are not giving up on them. We need to help them form trust in adults again, because that is what is missing with them. They do not trust adults.

Mr PURDIE: Following on from what you said about secure places and this holistic approach and this vision that you have, I just want to clarify something. Is that something that you hope could be court ordered? Rather than the court impose a custodial sentence, the court could potentially detain these young offenders and put them in a secure environment? As you said, they are being released on one-hour programs and there is nothing available at night. Are you suggesting to the committee that the court should be given more power or more options to impose that sort of rehabilitation or early intervention?

Ms Batchelor: Yes. Not for all children, but for certain children who have been assessed to be able to that. The reason I say that is because our understanding of brain health is that in some cases we are dealing with an addiction—drugs, vaping, stealing cars, whatever it may be—and we need to learn how to rewire the brain. It does not happen one day a week, one hour a week or two hours a

week. It does not happen that way. The brain takes at least three months for two neurons to have a really strong connection, so these one-off programs that have a beginning date and an end date are not going to do it. We really need to go back and think about the science of brain health and learnings from neuroscience about how we help young people rewire their brain. In some cases it does require being secured.

Mr HARPER: I note in your submission that you provide NDIS services as well. Just staying on the topic of brain health, a lot of the kids who are overrepresented in youth detention have FASD. Are you aware of a paper from WA, I think, where there is a link between FASD and NDIS where they can be potentially treated, or is that part of your program?

Ms Batchelor: I do not know about that research, but we do have children whom we see with FASD. I would suggest that most of our children have an undiagnosed disability. If you come from a neuroscience background, let's put that diagnosis over to the side because too much is focused on 'if we had a diagnosis'. I just go, 'Well, then what?' Let's just assume that we do not need to do that. Let's look at their behaviour and work out how we can help with that particular behaviour. Sometimes a diagnosis is unhelpful.

Mr McDONALD: You came from the education system. How much of a drain is there in terms of teachers in terms of behavioural management when dealing with this cohort in the normal education system and what things can we do around that, because that is something we are considering.

Ms Batchelor: That is a really tricky one and it would really depend on the school. If we have the triangle turned upside down, where we have a lot of children who are dysregulated—and I have been in lots of schools where children and teachers are under so much toxic stress—the whole school needs to be shuffled up a little bit and deal with everybody improving their brain health because they are just not getting along together. From a neuroscience lens with that motor neuron system, they are actually all sort of like on the soccer field having a big fight together. There is a lot of healing that needs to happen, especially in Indigenous community schools. There is a disconnect.

There are a couple of things. I am probably not going to be liked for this statement, but schools cannot do everything and it is unreasonable to expect that. Children come to school to learn, and as curriculum people we cannot be expected to try and heal a brain that is dealing with extreme toxic stress. Schools need to work better with their wider community, and in fact they are. We have a lot of schools reaching out to us to say, 'If a kid comes here one day a week, can they come to you two days a week?'

Can I quickly say that we are not funded by the government to do what we are doing. We are funded mostly by philanthropists because we want to show how we can do things differently if we take a different lens. I know it is nearly time, but I would just like to say thank you. I would be happy to chat with you further about all of the things I have been talking about.

Mrs GERBER: Can I quickly ask a funding question? Talking specifically about your organisation, you said you get funding through philanthropy and maybe small and family business or donations; that is right?

Ms Batchelor: Yes, that is right.

Mrs GERBER: What level of funding are you talking about?

Ms Batchelor: I would love some funding that allows for the flexibility to meet the individual child's needs and where they are at at the time. The second level is some funding to help the workforce understand and get over some of the stress they are feeling themselves, which is contributing to the problem.

Mrs GERBER: Have you done any modelling around how much you might need?

Ms Batchelor: It would depend on the number of children. Yes, I have, because we are funded for 10 kids at the moment with five staff.

Mrs GERBER: Do you mind sharing that with us?

Ms Batchelor: I would be happy to share that with you, but just not right now.

CHAIR: I have one final question. In response to a question from the member for Ninderry earlier, you answered by saying for the children who were able to do 'that'. Can you quickly clarify: do what?

Ms Batchelor: I am trying to think what I was talking about. Was I talking about going into a rehab facility?

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CHAIR: It was to do with court mandated or court directed.

Ms Batchelor: It is really about the child and where the child is at at the time, in regards to whether they are in the child protection system, whether they are with a kinship family or whether they are with a family. If they are with a kinship family and there are real big cultural connections, then I would suggest that is not the case, because our cultural element needs to be overlaid with this as well and at a community level, which I did not really dive into.

Mr McDONALD: In terms of the compulsion or that court order, would that help you giving the message for consequences for action to the young people?

Ms Batchelor: Yes, it would, and I think that is the tricky part. I know that sounds very punitive that I would actually be agreeing to something like that—

Mr McDONALD: No, we are dealing with the worst cohort.

Ms Batchelor: It does need to be there from the mindset, and it comes back to that neuroscience—that ‘I need to sit with something that I feel uncomfortable about to work through it, but do I have the support around me by trusted adults to do that?’ That is a whole level of healing that needs to occur.

CHAIR: Thank you. That concludes this public hearing. Thank you to everyone who has participated today. Thank you to our Hansard reporters. A transcript of these proceedings will be available on the committee’s webpage in due course. I do not believe we had any questions on notice so I declare this public hearing now closed.

The committee adjourned at 4.01 pm.