



YOUTH JUSTICE REFORM SELECT COMMITTEE

Members present:

Ms SL Bolton MP—Chair
Ms JM Bush MP
Mrs LJ Gerber MP
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 BRIEFING—INQUIRY TO EXAMINE ONGOING REFORMS TO THE YOUTH JUSTICE SYSTEM AND SUPPORT FOR VICTIMS OF CRIME

TRANSCRIPT OF PROCEEDINGS

Tuesday, 5 December 2023

Brisbane

TUESDAY, 5 DECEMBER 2023

The committee met at 8.59 am.

CHAIR: Good morning. I declare open this public briefing for the committee's inquiry into youth justice reform in Queensland. The committee is examining ongoing reforms to the youth justice system and support for victims of crime. My name is Sandy Bolton, member for Noosa and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past, present and emerging. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander people whose lands, winds and waters we all share. With me here today are: Jonty Bush MP, member for Cooper and the deputy chair; Aaron Harper MP, member for Thuringowa; Laura Gerber MP, member for Currumbin; Jim McDonald MP, member for Lockyer; Dan Purdie MP, member for Ninderry; and Adrian Tantari MP, 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 also remind members of the public that they may be excluded from the hearing at the discretion of the committee. I would like to restate the bipartisan approach that each member has committed to in the undertaking of this important inquiry. As chair, I remind all members that questions put to witnesses must be relevant to the inquiry, and that witnesses will be treated reasonably and fairly.

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. Please turn your mobile phones off or to silent mode.

DRANE, Mr Michael, Senior Executive Director, Youth Detention Operations and Reform, Department of Youth Justice, Employment, Small Business and Training

GEE, Mr Robert APM, Director-General, Department of Youth Justice, Employment, Small Business and Training

GILES, Ms Megan, Senior Executive Director, Regions and Statewide Services, Department of Youth Justice, Employment, Small Business and Training

POLLARD, Ms Lisa, Senior Executive Director, Strategy and Commissioning, Department of Youth Justice, Employment, Small Business and Training

CHAIR: I now welcome officers from the Department of Youth Justice, Employment, Small Business and Training: Mr Robert Gee, Director-General; Mr Michael Drane, Senior Executive Director, Youth Detention Operations and Reform; Ms Lisa Pollard, Senior Executive Director, Strategy and Commissioning; and Ms Megan Giles, Senior Executive Director, Regions and Statewide Services. Good morning to you all and thank you for joining us here today. Would you like to make an opening statement before we begin questions from the committee?

Mr Gee: Good morning, committee members, and thank you for your time. I assume you have read our brief. I, too, acknowledge the traditional owners of the lands on which we meet and pay our respects to elders past and present.

Our brief is very straightforward, but I want to make a couple of quick points. Put concisely, the system over the last five to 10 years has shown that the risk and protective factors that successive governments have put in place are working. There are 30 per cent less young offenders with a proven offence now than there were five years ago and 35 per cent less than there were 10 years ago. I do not for one second underestimate the impact of crime and offending on any victim or the community generally. In terms of raw numbers, 4,643 young people had a proven offence in 2019. That number in 2023 has dropped to 3,260. That is 1,383 less young people five years on than there were previously. Those system risk and protective factors are having an impact.

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Queensland has an incredibly high rate of detention compared to other jurisdictions, yet we have lower rates of offending per capita than New South Wales, WA and the Northern Territory. That is 2022 ABS figures. As an example of our higher rates of detention, we are 2½ times higher than New South Wales. The Northern Territory is the only place in the nation that has a higher rate of detention.

There is a new phenomenon though that we are dealing with. The literature and research is only relatively new—the last couple of years—particularly around neurodiversity, and by that I mean fetal alcohol syndrome, attention deficit disorder, hearing loss, autism, acquired brain injury. This phenomenon we are seeing play out in the community now. We all know—you know—that there is a very small cohort of young people who have chronic risk factors. They range from not just neurological issues but to health, drugs, parenting, lack of parenting, one or more parents in custody or have been in custody, violence and closing the gap—our brief talks to that.

We are not standing still. In terms of neurodisability or neurodiversity, we have a good framework in place. Next year we will move to pilot more work in this space, but it is a new phenomenon. I am leading our brief and our submissions to this committee to say that the programs that we have put in place—based on evidence, not rhetoric—are having an impact. Intensive case management has seen a 40 per cent reduction in people stopping offending some three years on; a 51 per cent decrease in the frequency of offending; and, pleasingly, an over 70 per cent reduction in the number of offences against the person. Of people who undertake intensive case management, the seriousness of their offending changes. Still our No. 1 priority will always be—and it is clear in the act—to protect the community from offences, particularly high recidivism.

In terms of staffing, I just wanted to correct the record early. In youth detention centres there were 50 vacancies when I took over as director-general in May. We now have more than 45 staff over strength. There has been a 95-plus factor in that space. I can talk to that later.

For me, if our submission or our brief is not clear, our brief is that concisely the system is working around risk and protective factors. There is a new phenomenon around these young people. They exhibit chronic disadvantage—often intergenerational. We will do whatever it takes in the short term and medium term, but, if we as a community want to get ahead of this, the real answer lies in supporting families and young people, particularly from zero to eight.

CHAIR: Thank you.

Ms BUSH: We all have lots of questions for you, so I will try to get through mine quite quickly. Thank you for your submission. I accept what you are telling me today. I have looked at the literature and we have heard from other submitters. One of the concerns I have is what you have identified: youth crime is trending down—and that is not to take away from the very real serious impact that has for victims—yet we have one of the highest rates of incarceration. In terms of the net widening for people who are not a violent risk to society, how do we deal with that better? What are the programs that we need to divert and to supervise children and young people in communities so that we do not have the criminalisation of young people in detention? Also, what is working?

Mr Gee: For me, it is about understanding the system as a whole. I know you are going to get other departments in. We administer the youth justice component of that. We have a whole range of programs in place. The programs that are most promising are: the youth co-responder teams, which did not exist in 2019. There has been significant expenditure in that space. It provides a 24/7 immediate response issue. Then the next most promising for us is intensive case management. Just in terms of cost benefit, already it is saving millions and millions of dollars. It takes at least nine to 10 to 12 months to work with young people and their families. It is actually about working with a whole range of psychologists. The caseworker has no more than five young people and families to look after and even that is a big workload. Intensive case management though is focused on those serious repeat offenders. What we have been very good at is assessing risk around young people so that we can make sure, to your point, the net is not widened too far. There is a whole range of programs that are outlined in the brief around diversion.

To take young people who are low risk and put them into programs that are high risk—the evidence is very clear that that is the wrong thing to do. Frankly, though, you will see that with detention in this state the custody numbers continue to rise. From memory, they were roughly on an average day 249 in 2019. They are about 306 today. That is a significant increase. We are building more beds and more detention. That is just commensurate with population growth.

The multiagency collaborative panels are established across the state. That is where all of the agencies and not-for-profits and NGOs work together. Further than that though, they are dealing with those offenders and young people who are already in the system. The early action groups

commenced in Mount Isa, Cairns and Townsville. They are looking at the siblings, particularly the younger siblings of those young people already in the system, to prevent them and stop them coming into the system.

As I am working backwards then from people in detention, the work we are doing in the courts to identify young people who are disengaged from education and need disability assessment and support is connected to the multiagency collaborative panels and is also connected to the action groups. The courts provide good information and systems for their decision-making. Come back a step from that, there is—I will let Education and others talk to it—a significant investment in education, particularly alternative placements, and early identification of young people at risk is critical. Come back another step, there is a need for housing and stable accommodation. Come back to the beginning, frankly, parenting support and, where there are no parents or traditional supports, services become the answer.

In terms of the health system, I know that the director-general of health is going to give evidence. The only thing that I have missed out of all of that—there are many other things—is the curse and scourge of amphetamine, ice and drug use—in my working life I have never seen anything like it—and what that does on top of those issues of disadvantage.

Ms BUSH: I am sure we all have questions on that. Can I clarify something? I am sorry if this is a silly question. Obviously Youth Justice is responsible for the young people who are supervised on community orders. In terms of the bricks and mortar of the detention centres, is it QCS that owns the infrastructure and Youth Justice provides the programs? How does that work?

Mr Gee: No. The act is very clear. Simply put, courts make decisions. Before they make a decision, they can call on the youth justice department to organise assessments and provide information. Once the court has made a decision, the person will be found either guilty or not guilty. Orders are imposed. If an order is imposed, it is detention. They are placed in a place of detention. We own the detention centres and administer the detention centres. We also in the act are responsible for the administration of multiagency collaborative panels. That is where the system view of youth justice takes effect. The Police Service is responsible for crime prevention.

Ms BUSH: Great. Thank you.

Mr PURDIE: To that point about orders and different types of orders, we heard last week—and I do not think we landed on a definitive number—that essentially restorative justice orders often issued by police have a very high success rate probably because they are given early on in someone's offending cycle, whereas court ordered restorative justice or other programs are not necessarily that effective or they do not have as high a success rate. Do you have reoffending rates available? Do you know the success rate and the reoffending rate of young offenders put through restorative justice programs, other diversionary programs or court orders before someone is detained in custody?

Mr Gee: We do. I believe we have answered those questions on notice in the past. We are happy to continue to provide specific information. Can I give the member some general information? I think it is a strong point you make. International literature is clear around restorative justice. It actually works. It is very important that victims have a say and a role. The research is clear that those victims—not all victims but there is generally about a 70 per cent positive rate with victims in terms of them helping manage the effects of crime on them. It is a good interaction. For us, we know out of the review in 2018 that 59 per cent of young people did not reoffend within six months.

Mr PURDIE: Within six months, but is it not taking people nine months to get through the program? Did we not hear that last week? Do you know what their overall reoffending rate is past that six-month period?

Mr Gee: We will get the figure around 12 months, but also I think the member raises a good point. As we have dropped the number of young people in the system with proven offences, and that is a 30 per cent reduction, what we are dealing with is young people who are much more complex and have many more multicontributing factors and difficulties so there are challenges in terms of restorative justice. The department needs to do more to engage and be better and more skilled at what it does, but, frankly, the complex nature of young people, the increased number of offences, particularly serious offences, that they commit now and the increased number of victims—rather than dealing with one unlawful use of a motor vehicle offence, as an example, a young person might have five victims and five offences on the one day—makes it more difficult to run a restorative justice conference because quantity is one indicator, but another is the quality of the process. If we are truly going to get young people to understand cognitively—and I know you have a background in this, member, so you would understand—we need to spend the time not just prepping the victim but also prepping the young person and others who are involved in the process so that they can truly start to understand. That is why the program is successful. I will get you that specific figure.

Mr PURDIE: I agree with that, Mr Gee, the quality of the program is important. Wouldn't the reoffending rate be a key performance indicator in that, not just within six months, mindful that sometimes it can take a long time to get through the process? If the committee knew exactly over the last couple of years how many people were doing these programs, how many were reoffending and how many were not, that would be useful. I am mindful of some of the stats I have been frantically writing down. Further to your submission, is it possible to have that taken on notice? I do not want to put you on the spot.

Mr Gee: I can tell you right now if that is okay. The count of young people who completed a restorative justice order varies over the last four years. In 2019, 1,553; 1,750 in 2020; 1,836 in 2021; 1,533 in 2022. The proportion of young people with a new alleged offence following their restorative justice process ranges between 50, 51 per cent, 54 and 49 per cent over those four years.

Mr HARPER: Director-General, I want to talk about the most serious repeat offenders we see portrayed in the media, particularly with escalating violence. Coming from Townsville, we have been subjected to some of this. When I meet victims of crime they want to see change. Since the declaration of serious repeat offenders in the last six months—whenever that was passed in the parliament—your briefing says there have been 33 declared as of September. It is possibly more. You can take this on notice. I want to know whereabouts in Queensland. Obviously I represent North Queensland. How many have been declared in North Queensland? What happens to them once they are declared? There are a couple of moving parts to this. One is: how are they declared? Is it by the courts because of escalating violence or is there a number? What happens to them once they are declared a serious repeat offender?

Mr Gee: Can I make it clear that there is a differentiation, and people often get confused. There is a thing called the serious repeat offender index, which was designed and developed based on good science, and we have addressed that in the brief to the committee. That is a tool for police and those looking at immediate issues. It does not take over the thorough risk assessment process that the department uses. That index is a separate thing to the serious repeat offender declarations which were declared as part of the strengthening community safety legislation in March 2023. I will get you an exact figure, but it is at least 40 serious repeat offender declarations that have been made.

Mr PURDIE: That is by the court?

Mr Gee: By the court. I think that is actually 43, but I will make sure. It is 43, from memory. That gives the court—it does not give, it requires, that piece of legislation, and I think we should follow up with a specific briefing. The legislation is very clear though that once that serious repeat offender declaration is in place, the court must have primary regard to that serious repeat offender declaration in terms of the principles of the act and make sure that community safety is a primary issue in terms of its decision-making. That is a matter for the court. I hope that helps. In terms of splits across the state, we will get you those figures. I think we have actually done it for a question on notice, but if we have not we will definitely provide that to the committee if that is helpful.

Mrs GERBER: Thank you, Mr Gee, and the department for being here today. I wanted to drill down a bit further into the specific programs. Can we first talk about the On Country program. You spoke broadly about reoffending rates, but are you able to give the committee the specific reoffending rate for juveniles who complete the On Country program, not just within 12 months but over the four-year period like you did before with the other program?

Mr Gee: Yes, I can. I think from memory there is well over 200 young people who have gone through the program in Mount Isa, Cairns and Townsville. The analysis that we have seen to date is that about 70 per cent, from memory, of those young people are entering that program—it was designed specifically to deal with the more serious end of offenders, so we are dealing with the serious offending cohort. We are working with First Nations leaders to examine whether the program can and should be expanded. For me, the preliminary findings and data analysis is clear: that cohort, six months after program completion, has a re-offending rate of 58 per cent.

Mrs GERBER: So 58 per cent go on to reoffend?

Mr Gee: They do, but compared to the cohort that has not been through the program, 64 per cent. So there is at least—

Mrs GERBER: That is six months. What about longer term?

Mr Gee: I will get to that. As I was saying, 58 per cent reoffend, 64 per cent in a normal cohort would reoffend, so there is an improvement. After 12 months the reoffending rate is 66 per cent, so still two-thirds are reoffending. Let us make no mistake that these are serious repeat offenders largely and they have complex problems. That 66 per cent who are reoffending is a better rate of reoffending than the cohort who are not doing the program. That is at about 73 per cent.

Mrs GERBER: What are the cohort doing that are not doing the program?

Mr Gee: Not doing the program. Those young people will not have gone through the program. They might be doing other programs.

Mrs GERBER: What programs?

Mr Gee: Intensive case management, they may not be doing any programs at all, they may be in and out of detention, they may not be in the catchment areas of Townsville, Mount Isa, Cairns. If I look at the nature of the seriousness of offending, from memory, and we will get this to you in writing, the serious offending has dropped from 37 per cent to 30 per cent. It is almost a quarter improvement in terms of the nature of the seriousness of the offending. The point I am trying to make is that these young people, particularly we are dealing with the serious ones, have multiple contributing factors and just like intensive case management, on-country programs need to be designed not just having people on country, but wrapping around a whole range of supports that address risk and protective factors. Largely that is working with families, child psychologists, health—basic health issues around hearing, sight—and getting them re-engaged with some sort of purpose, connection to another human and some education.

Mrs GERBER: But a 58 per cent reoffending rate within six months and then pushing that into the high sixties after that, that is only marginally better than kids who are not doing the program who are reoffending at 70 per cent, did you say?

Mr Gee: Seventy-three.

Mrs GERBER: Can we look at Transition 2 Success now as a specific program. Are you able to tell the committee what the completion rate is? Of the young offenders who are going into the Transition 2 Success program, how many are completing it? What is the completion rate? How many are entering the course versus completing it?

Mr Gee: We will get that exact figure for you. We have lots of figures here around Transition 2 Success. Sixty-seven per cent of the people who participated did not reoffend or reoffend in 12 months. There has been 1,674 enrolments, 1,017 of those have been program completions. So, 1,017 on 1,674, off the top of my head it is almost two-thirds, but we will get you an exact percentage. Some 252 young people have transitioned from T2S into employment and apprenticeship or traineeship. The point with all these programs though is completion is the objective. This program is particularly successful at getting young people into some sort of structure where they re-engage with education and into employment, but the protective factors and reducing risk are really important. These programs are designed not to operate in isolation, but they are designed to operate as a whole. If someone does not complete the program we want them to complete, it does not mean that they have not taken something away from the program. I repeat the earlier point: because we are dealing with less young people in the system with more serious, complex, multicontributing factors, it is a challenge, but a challenge we are up for.

Mrs GERBER: One final question while we are on reoffending rates, are you able to give the committee the reoffending rate broken down by each of the detention centres? We have heard evidence in past hearings around children who get released from detention centres are at a real risk of reoffending. We know that those offender rates are really high. I am just wondering if we can break it down between the detention centres.

Mr Gee: Yes, we can get you that exactly in writing. We have done it before. Frankly, the reoffending rate will be over 90 per cent, it will be closer to 94 to 96 per cent, for Cleveland Youth Detention Centre; and for Brisbane Youth Detention Centre, West Moreton, the therapeutic centre—and we are building more detention centres that will be therapeutic and smaller in nature—it is at 89 per cent. I know the committee is going to be out there on Thursday. We can take you through that. That is a significant saving. It is not just a cost saving but also a saving to the community in terms of victimisation.

The other thing I think is important, and we have no longitudinal work that I can find in Australia, is the nature of the offending when people leave detention. There is no doubt that there are more young people in detention and they are staying much longer in detention now than they were four years ago, but in terms of the average number of offences after leaving detention, our initial data analysis shows us there is an 11 per cent difference for the better in terms of serious offences—about a five per cent change. They are still reoffending, but they are reoffending less and the nature of the offending is less serious. I repeat what I have said though: our job is to protect the community from that type of offending and that is why we are investing in early intervention right through to detention, building more detention centre beds and it is very clear that with young people our rate of detention is very high and they are staying for longer.

Mr TANTARI: I note in your submission and in your opening address and comments you indicated that you are particularly concerned about substance abuse and the impacts that that substance abuse is having on that cohort of individuals. In your submission you said that you believe there is an increasing concern around the 10- to 13-year-olds with substance abuse and the growth in that area. I have looked at your submission and I have seen some of the active intervention-type programs that you have put into place, one of them being intensive case management. I also noted that you said to see any real evidence of success in those programs that you have a nine- to 12-month lead-in time. Do we have any real data on the success of intensive case management programs at the moment and whether they may be having any impact on that sort of substance abuse for the 10- to 13-year-olds?

Mr Gee: From memory, you have a very small number of serious repeat offenders in your electorate.

Mr TANTARI: Yes, I was going to say that it is being introduced in my area.

Mr Gee: Yes. For me the data is clear. This program started four years ago. We have had a significant increase in investment. In that time: 149 serious repeat offender young people have undertaken the program; over 209 young people have undertaken intensive case management; and over 40 per cent of the cohort had not reoffended since completing the program, some for over three years. I said earlier there was: a 51 per cent reduction in the frequency of offending; a 72 per cent reduction in the proportion of crimes against the person; and a cost benefit of well over \$8 million to \$16 million. We can follow up with more answers if you like.

Multisystemic therapy, intensive case management, is really important. There were only eight 10- and 11-year-olds in detention last year and there were 83 12- and 13-year-olds, but with the 10- and 11-year-olds there is an opportunity. We started some work with QCROSS, Griffith University and some others, and we will meet again this week. I think there is an opportunity for us as a department, for the community and for experts to turn their mind to the nature of detention and how we deal with particularly 10- and 11-year-olds, given there is only a small number of them.

I know that when I first took on the job in Youth Justice four or five years ago there was very limited support for drug and alcohol addiction in this state. That was remedied. There is always room for improvement, but it was largely remedied because of an investment by government. What I am suggesting is that there is an opportunity for the committee to ask questions of others; that is, is there potential for us to work a business case up around how we deal with 10- and 11-year-olds? The law is clear: we can create detention centres, but when there are 10- and 11-year-olds in the same detention centre as 16- and 17-year-olds—you will see it—and there are only eight 10- and 11-year-olds, it would not be a surprise to anyone, I think, to understand that those people have such significant factors that it is worth us doing the work to see whether it is good for the community. Community safety comes first. There would still be detention centres. I am not suggesting in any way, shape or form that we would risk community safety. It is about how we deal with those 10- to 11-year-olds. I hope that answer helps.

Mr TANTARI: In your submission you say that the intensive case management program is a voluntary program. Is that voluntary as in individuals choose to do that? Is there any order that can make an individual or an individual's family be encumbered by that program?

Mr Gee: Can I start out by saying that that is a really good question, member. At least 83 per cent of the young people in detention are not sentenced. They have not been found guilty, so as a matter of law until a person is sentenced or found guilty it is very difficult. A court cannot technically impose a mandatory program. Having said that, as a condition of bail a young person may give an undertaking to take part in a program. As well, the literature is very clear. I encourage the committee to talk to psychiatrists, psychologists and academics. It is very clear: there is very limited evidence to suggest that forcing young people into programs works. We have a brief here. I can give you all of the literature. The issue becomes the cognitive capacity of the child.

I understand why people would like everything to be mandatory. I used to think that way, to be clear, as a younger police officer. The literature is particularly clear, and I will just turn to one paragraph if you can bear with me. The psychological research has found that the use of coercive measures should be minimised and used only where necessary. It can have benefits in certain circumstances, but they are very limited. They are limited largely around alcohol and drugs—particularly alcohol, as I understand it. Often coercion and lack of self-determination can lead to long-held anger and have an adverse impact. I will not take you through all of the literature that supports that. I know we are short on time. A meta-analysis of the studies of the impact of coercion on treatment, particularly in custodial settings as opposed to voluntary treatment, shows that they simply just do not work. I hope that helps.

Mr McDONALD: Just following on from that, I will get to the questions I was going to ask but I think this is vitally important. Best practice literature talks about not succeeding with compulsion, but practitioners tell us that they would use their skills to try to get a child to participate willingly and have compulsion as a stopgap so the child then has to comply. Would you agree that the operational practice of trying to get the child to comply willingly but then having compulsion as a stopgap is best practice? I do not want to see us putting a policy together that just reflects the literature of psychoanalysis.

Mr Gee: Generally speaking, I would agree that it is about the skill set and training, the ability to form a relationship and trust with another human, whether that is case managing from police, nurses or teachers at the very beginning and right through, but the young people we are dealing with have complex needs. That is why you are seeing us invest in our staff, including psychologists, social workers, undergrads in criminology and lots of postgraduates. I think the committee would want to continue to turn its mind to the neurodiversity component of the work. I am not telling you what to do, but I think that is your point, member for Lockyer. We do need to be able to influence young people, and that is done through practice. I will be frank with this committee: youth justice had a very poor investment for many, many years until about five years ago.

Mr McDONALD: That was my question. I appreciate the work that is happening in early intervention from the police through those early interactions and having very low reoffending rates, but we have had evidence of an increase in the number of victims and the seriousness of offences. We are charged with looking at the whole of the system, but we very quickly got to the worst of the worst. Even the Human Rights Commissioner and other legal representatives last week agreed there is a cohort that really needs to be 'out of circulation', were the words that one used, while they are having intensive rehabilitation programs. We have to reimagine what detention means, because at the moment detention means youths going into an adult watch house or non-therapeutic detention centres. Back in 2013 there was a recommendation to have therapeutic detention centres for youth. Do you know why they have not been put in place in Queensland?

Mr Gee: I will throw over to Mr Drane soon, but I will just make a couple of quick points. Some people have talked about assessment centres. I have the very firm view that if a person is in custody, you can call it an assessment centre but it will be no different in terms of the law from a watch house or detention centre. I know the committee would understand that. What is important are the services and the level of services, if I understand the question. Therapeutic systems have been implemented. In terms of capital infrastructure, it is very difficult to redesign existing buildings. Forty to 50 per cent of the therapeutic approach is actually about the physical environment, thus the new centre. The new centres we are building will be therapeutic in that space.

I am going to ask Mr Drane to talk to the improvement and level of services, and you will see that out there on Thursday. Best practice in the world actually occurs in Europe: Spain and Germany. It is a very different context, very different young people. They do not have, as I understand it, the same neurodiversity issues that we have. Their success rate is built around small detention centres, which we are copying, and really high-end services, which we are copying. Queensland has a distinct problem: we are a very big state and we are dealing with, on an average day, 306 young people in detention out of 572,000 young people. Taking the detention centre or the services in a safe way across the big state is a really complex issue. If we have time, Michael could just touch on it.

Mr McDONALD: I am particularly interested in why they are not in place now, given that the recommendation for secure care has been in place for 10 years.

Mr Gee: I am sorry; I have the question now, member. The child safety director-general will be in. She might want to address that question too. That Carmody recommendation was largely in terms of child safety. In terms of detention centres and watch houses, I know we are going to spend \$15 million for any young person who is in a watch house. Watch house numbers are coming down. We will build more beds. We did it last time; we will do it again. For detention centres, you are right, there needs to be more services there. If you have time, Michael, just quickly, please.

Mr Drane: As the director-general indicated, our detention centres do have a range of therapeutic offerings. In fact, we probably lead the nation with respect to that. Since the 2016 independent review into youth detention the government invested heavily in additional professional resources in detention centres. It is true that the geographical challenges of having two very large and ageing centres over 20 years old in Brisbane and in Townsville compounds that issue. As the director-general said, best practice and emerging evidence points to smaller, residential type facilities closer to the communities young people come from. That is certainly the model we have adopted at

West Moreton. Whilst it is early days, we have seen better outcomes in terms of reoffending. That is certainly the business case that we are taking forward for the new builds in both Woodford and the Cairns region.

Mr McDONALD: We understand these are the worst offenders and there is a very high recidivism rate—95 per cent, I think 89 per cent—as you just mentioned. Is that the best standard? What would be the standard that we would be trying to achieve through these new centres?

Mr Gee: While I am the director-general we will try to get as close to zero in terms of recidivism as we can. As I understand it, in Spain and one place in Germany they have it down to 13 per cent, but their model is very different. Their legal system is different. They are dealing with a different cohort. We would want to at least lead the nation.

Mr McDONALD: With regard to the detention centres we have now, we heard last week that regularly the detention centres go into night mode because of staff resources. Can you tell us how many times in the last month the detention centres have operated in night mode?

Mr Gee: I will ask Michael to go to that question. Coming through COVID and out of COVID into when the machinery of government changes occurred, it is fair to say that there were unacceptable staff shortages. They were significant. In May this year there were 50 vacancies in the youth detention centres. We are now 45 over strength. In January there will be well over 60 new recruits starting as well. We have solved the problem so far, but we are always in the market for new staff, particularly quality staff. Once that issue is taken out, the practical reality of managing detention centres safely and securely is important. What happens when a young person is separated for any period of time, but particularly those who have been separated for a lengthy period of time, is that it is standard practice for a psychologist and health workers and one of our staff to visit that young person to assess them, see whether it is safe for them and others for them to rejoin normal programs. I am just conscious of the time.

Mr Drane: I do not have that particular data in terms of last month. However, as the director-general indicated, it is fair to say our reliance upon separation of young people to ensure the safety in those very large complex environments is reducing significantly. That is a direct result of enhanced recruitment and retention outcomes. I should say we are not alone; every jurisdiction in Australia has battled with that compounding interest. As the director-general said, that does not belie a lack of service delivery to young people. There are a range of services delivered and they are just delivered differently to young people. If at any point in time they have to be placed in their room, that could be education material being provided to them or teachers going to accommodation units instead of them traversing around the facility to classrooms, for instance.

CHAIR: Mr Drane, is it okay if we take that on notice? I am mindful of time and I know that everyone would like to get another round of questions in. Is that okay?

Mr Drane: Certainly, Chair.

CHAIR: Could everyone keep their questions short so everyone can have a second round.

Ms BUSH: I have a couple of quick questions. Earlier you touched on the smaller detention centres in terms of being therapeutic based. One of the elements of that is being close to home. How important is the community education piece, recognising that there has been pushback from communities when we have mooted smaller centres to be established? What is required in that space?

Mr Gee: For me, that is no different to the broader problem about understanding the problem. I spend a lot of time in community halls. Crime is unacceptable. It is no use saying to a victim that we have a small number of young people who are offending. Frankly, we do have, on average, 306 young people in detention and 3,000-odd young people with a proven offence out of 572,000 young people in the state. However, I think there should be a continuing effort to understand the causes of crime. The evidence is clear that if you are exposed to chronic disadvantage, poor parenting, no parenting, have one or more parents in jail and you have been exposed to drugs and alcohol and other substances in the womb, you have unstable accommodation, no structure, no family or no kin around you, you get the results we see. It is a very small cohort. That is why our brief has been to encourage the committee to move towards educating that the cost of services up-front actually is beneficial in the long term. Not only is it economically sensible, it saves a whole heap of misery.

Mr PURDIE: Further to that point and talking about perception of crime or crime in general, this committee has been getting a lot of different stats. You started your presentation with the decline—30 per cent fewer proven offences. What is a proven offence? Does that include police cautions and clear-ups, or is that just being caught and findings of guilt?

Mr Gee: It does not include police cautions. The Police Service will give you the same. The trend though over time is exactly the same. I think the best source is the Government Statistician's Office and that is the reason they have been set up. In terms of the new reforms with the independent ministerial advisory committee and the Justice Reform Office, I think the more independent the data is, the better. The ABS data clearly is correct as well—that data I referred to around the reoffending rate and the offending rate. I think people are surprised that per capita New South Wales has a much higher offending rate than Queensland, yet we have a much higher detention rate.

Mr PURDIE: That takes me to the exact point. We have criminologists at the moment who are giving us different information that we are trying to unpack. In an answer to a question on notice we only received yesterday from QUT criminologists, they have included a graph that shows Queensland per capita—if I am reading this right—has double the offending rate of New South Wales and Victoria. As you have just pointed out in your opening submission, we are less than that. I think the number of victims is going up and the level of violence is going up. You probably do not know about clear-up rates. We will ask the police about that next. My concern is that your dashboard in your submission paints this great picture of proven offences going down, but the number of victims is going up. We know that police are struggling to respond to tens of thousands of calls. Is there more to this picture than just proven offences going down? Is that the best barometer we should be looking at when the number of victims and violent crime is increasing?

CHAIR: Because there is a lot in that question, are we happy to take that on notice so we have time for the other questions?

Mr PURDIE: Yes, I am happy for that. I am happy to share this information we have. The problem is we are getting all these glowing statistics and then in the next breath we are getting statistics that conflict with them.

Mr Gee: I am totally happy to do that. The source I am reading from is the Australian Bureau of Statistics offenders rate of youth offenders per 10,000, 10 to 17. The rate in New South Wales is 226.8 per 10,000; the rate in Queensland is 186.3. I will take it on notice.

CHAIR: Will you be able to table that document as well?

Mr Gee: The ABS data? Yes.

Mr McDONALD: Do you have the ABS data to 30 June this year?

Mr Gee: No, they will not have it out yet.

Mr McDONALD: You surely would have it, the data?

Mr Gee: We have proven offences which takes—yes, and police will, too. So we can provide that.

CHAIR: Wonderful. That is a question on notice.

Mr HARPER: Who has the best reoffending rate? We heard last week from academics in Victoria—sorry, the most successful programs?

Mr Gee: Can I take that on notice? Are you talking about Australia?

Mr HARPER: Australia.

Mr Gee: We will take it on notice. I do not want to mislead the committee. Victoria was going well until this year; they have had an uptick. Can I make the point that context and place makes a huge difference. Frankly, we have not talked about it enough but 70 per cent of the young people in detention are First Nations, there is chronic disadvantage—I am not excusing the behaviour in any way, shape or form, but we need to understand the context of Queensland. We know some of our communities are the most disadvantaged in the nation and where you see that, you see crime.

Mrs GERBER: Mine is a really quick question about detention as a last resort. I know there are differing views as to the concept of removing detention as a last resort from the Youth Justice Act. I am not asking for a policy perspective. I just want to know is it possible?

Mr Gee: I think you might have to redirect that question. For me, it is very clear that our rate of detention per capita is incredibly high. For young people, the facts are clear. There are more young people in detention now than there ever has been by rate and by number and they are staying for longer.

Mrs GERBER: This committee is tasked with looking at a variety of different notions and different solutions. Removing detention as a last resort is something victims of crime continue to present to the committee on. We get told the Human Rights Act is a barrier to that but we know the Human Rights Act was overridden to make watch houses detention centres. What is the barrier to removing detention as a last resort? Is there one?

Mr Gee: Can we give you some more in terms of writing, but the answer will be the same? There is a United Nations convention. Australia is a party to that. Queensland is a party to it. It is very straightforward.

Ms BUSH: Bob, you touched on what is going on for those serious repeat offenders. Who is actually doing that work in mapping out demographically who they are and what is going on for them health wise in every way so that we can understand who they are and how we can better treat and respond to them intensively?

Mr Gee: I will be quick. Any child in this state who forms parts of the youth justice system that has an order gets a case manager from the department of youth justice. There is the serious repeat offender index and all the work there, but we use what is accepted widely in the world as the best risk assessment tool to look at risk and protective factors and to design a program to supervise and ensure compliance with that young person. Over and above that, the multiagency collaborative panels have been established. That has been as a result of a whole heap of work that commenced, frankly, in Cairns and Townsville. From there, some great leadership has resulted in early action groups where they have gone beyond the current individuals in the system to their siblings. It has only just started. I hope that helps.

Mr McDONALD: There are a couple of things that are really concerning to me that we have heard, and I want to understand is there a legislative boundary that is stopping these things happening? One you mentioned today was programs when youth are on remand. It does not make sense to me that if somebody is on remand for a very long period that there should not be some really good health interventions, educational interventions or other support services. We have come across this a couple of times, the legal impediment to being able to provide those services. Again, the legal service and ATSI commented that it would be great to see those opportunities being able to be delivered.

Mr Gee: If it is a technical question about being mandatory or voluntary, I think I have answered that. Our experience is very clear: the vast, overwhelming majority of young people actually end up doing programs when they are in detention, whether they are on remand or sentence. If I can give you an example, I can think of an 11-year-old who was in detention where we had to put a team around that person so they could, over months, be able to build some trust just to stop that young person from assaulting everyone. Over months of interventions that young person was eventually moved into some types of programs. I know you are going to be out there on Thursday. We can take you through that in detail, but it is a misconception to think that young people on remand are not getting services, particularly the more physical type services like health assessments, psychological assessment, access to education and training.

CHAIR: I will give one more very quick question to the member for Ninderry.

Mr PURDIE: To cut through all these stats we have heard, if Queensland has the lowest rate of youth offending and looking at the sentencing parameter of detention as a last resort, this committee knows the court has to step through all those other diversionary programs before they can consider detention and we have the highest number of young offenders in detention. Does that mean that all those diversionary programs essentially are failing?

Mr Gee: No. Can I correct the record? We do not have the lowest rate per capita of offending, but we have a lower rate than New South Wales, Western Australia and the Northern Territory.

Mr PURDIE: But then we have a higher rate of incarceration.

Mr Gee: We do.

Mr PURDIE: Knowing the court has to take all of those diversionary options before they can take detention into account as a last resort, would that not indicate somewhere in that period that we are not that successful?

Mr Gee: I think there is a range of variables, but it is fair to say that the sentencing regime and the law in Queensland are strong, and you see that reflected in the decisions of the court.

CHAIR: I have a couple of quick questions. They can be taken on notice because I am mindful of time. Firstly, we have heard from witnesses at previous hearings that there is an issue with the transition, whether someone is on remand or detention. Literally, they mention 72 hours. If you can take it on notice, we would like to know what exactly happens as in what support is offered to ensure there is not reoffending or coming back before the system, whether they have been in detention or remand and how that is done? Also when they are doing the programs—and you have mentioned the statistics around those—how do they transition and what is provided as ongoing to those programs? That is question 1.

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The second question is you mentioned zero to eight years and early intervention. What we have heard very clearly is that we need earlier intervention and that obviously needs to start in kindy and preschool because that is the logical place that any behavioural issues or situations happening at home are picked up. How is that captured currently and what is put in place to ensure that the supports for the family and individuals are there? That is No. 2. No. 3, we have heard fairly clearly that in terms of these serious repeat offenders, which is a small cohort, when the magistrate is looking at their cases because they have that declaration, in effect because community safety comes first, it almost becomes moot whether removing detention as a last resort is there or not because they have to put community safety first. Literally, there would be no change if that was even removed; there would be no change to what is actually occurring at the moment.

Mr Gee: That is a really complex question. I understand you want to take it on notice. There is bail and then there are the sentencing provisions. We will take it on notice, Chair. In terms of zero to eight, I know you have the other directors-general coming today as well. Just to be really clear, there is a program and management case for every individual, not just the serious repeat offenders, when they leave detention. We will take that on notice and get some more information.

CHAIR: Thank you so much. I would like to thank you all very much for your time today. I always wish we had about six hours with you. It is never enough, but thank you so much. Response to questions on notice are due by Monday, 18 December—just in time for Christmas.

Mr Gee: Can I acknowledge all of the committee and say that we are an open book and we are here to continue to help. Can I also acknowledge all of the staff in the system who work 24/7 and who will be working through Christmas. Thanks.

BREWER, Acting Assistant Commissioner Pete, Domestic and Family Violence and Vulnerable Persons Command, Queensland Police Service

FLEISCHER, Superintendent Robert, Community Engagement and Internal Support, Communications, Culture and Engagement Division, Queensland Police Service

JOHNSON, Superintendent Kerry, First Nations Unit, Queensland Police Service

MARCHESINI, Acting Assistant Commissioner George, Youth Crime Taskforce, Queensland Police Service

STREAM, Acting Assistant Commissioner Christopher, Road Policing and Regional Support Command, Queensland Police Service

CHAIR: Good morning, everyone. I now welcome from the Queensland Police Service: Mr George Marchesini, Assistant Commissioner, Youth Crime Taskforce; Mr Christopher Stream, Acting Assistant Commissioner, Road Policing and Regional Support Command; Mr Pete Brewer, Acting Assistant Commissioner, Domestic and Family Violence and Vulnerable Persons Command; Mr Robert Fleischer, Superintendent Community Engagement and Internal Support, Communications, Culture and Engagement Division; and Mr Kerry Johnson, Superintendent, First Nations Unit. Thank you for joining us. Would you like to make a brief opening statement before members begin questions?

Assistant Commissioner Marchesini: Thank you for the opportunity to brief the committee in relation to the work being undertaken by the Queensland Police Service. I am Acting Assistant Commissioner George Marchesini, commander of the Youth Crime Taskforce. Since January this year I have been responsible for leading and overseeing the continued service delivery of the youth crime initiatives relevant to the QPS. In addition to the taskforce, Deputy Commissioner Shane Chelepy was recently appointed as Deputy Commissioner of the Regional Operations and Youth Crime portfolio. Alongside me, already introduced, I am joined by representatives from various commands within the service with relevant content and subject matter expertise. The QPS is committed to working across the breadth of the policing capabilities to address youth crime and to prioritise community safety.

The QPS, as you are aware, is the primary law enforcement agency for the state of Queensland with the purpose of working together to prevent, disrupt, respond to and investigate crime. Community safety is and will always be our priority. The QPS works tirelessly to ensure everyone in Queensland is safe in their homes, in public spaces and in transit. Significant work has been undertaken to focus on those repeat offenders who commit the greatest harm to community and with the greatest risk. We will continue to hold those young people accountable. As a service we have achieved this through some of the following initiatives: Taskforce Guardian, which is a joint agency rapid response initiative, combining youth justice workers and police working together, focused on high-risk youth offending. The taskforce augments local responses and provides immediate support to local communities across Queensland. To date, Taskforce Guardian has arrested over 500 young people for more than 1,800 offences. However, the QPS recognises that arrest is just one option. The taskforce has dealt with over 200 young people via diversionary strategies and measures as well.

Extreme high-visibility police patrols, having that public presence, are operating across all districts within Queensland. The operation focuses on prevention, disruption and investigating crime through community engagement in intelligence driven hotspot locations. Police and police liaison officers have dedicated more than 47,000 hours of proactive patrols, which have led to the arrest of over 5,500 adults and 3,100 young people. Whilst there have been significant arrests, as mentioned, high-visibility policing and patrols have a focus on prevention and disruption with police and police liaison officers engaging with the community in public spaces. This initiative ensures a balanced approach with prevention prioritised and youth offenders held accountable.

The digital intelligence and community engagement team, DICE, combats youth offenders using social media to document, boast and plan offences. DICE provides intelligence to inform policing activities and removes posts as necessary. Through online social media and community engagement, DICE keeps the community informed of crime prevention activities and gives reassurance that reported crimes are being attended to, addressing some misinformation that often occurs and fuels community fear and frustration.

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To stop further offending, we are committed to breaking the cycle. The QPS undertakes intensive bail supervision where our officers support young people to comply with bail conditions. While over 750 youth offenders have been prosecuted for breach of bail offences since July 2023, we have had more than 50,000 interactions with youth, young people and their families to help prevent contravention of bail conditions.

Proactive activities such as handheld scanning provide community safety benefits by combating unlawful knife possession, reducing the potential for knife related offences in public areas. Legislation known as Jack's Law was first introduced in 2021, and in 2023 amendments expanded the trial to all 15 safe night precincts in Queensland until April 2025. Since April 2023, over 1,000 people have been arrested and nearly 400 knives have been recovered through those activities.

Prevention and early intervention strategies are critical as young people in the youth justice system are more likely to have mental health issues, disrupted education and other adverse childhood experiences. For this reason, it is essential that all agencies are involved in addressing this complex issue.

The largest cohort of young people coming to the attention of police have committed lower level offending. Police respond by diversion programs, including police cautioning and restorative justice conferencing. There are over 3,200 police officers across Queensland who are authorised to administer a caution. As a result, we are seeing around 70 per cent of young people who do not reoffend.

The QPS delivers a range of impactful programs with its partners—for instance, the police-led youth mentoring program Project Booyah, which targets children who are disengaged or at risk of disengagement from school. It provides opportunities to divert them towards pro-social activities and linking them with appropriate support. Since its inception in 2016, there have been 990 graduates successfully from this program.

In addition to specific youth crime program delivery, the QPS prioritises victims of crime and supports the referral of victims to support services. The Police Referrals program, for example, is a well-established system to connect at-risk and vulnerable community members including victims of crime to external support services. I also note the committee was interested in the QPS pursuits policy and how it intersects with youth crime. The current policy was constructed on the recommendations from the State Coroner in December 2011. The policy does require an officer to abandon the pursuit where the driver is a child unless the circumstances are so serious it is necessary for the child to be detained.

In closing, the QPS will continue to keep the community safe. We will continue to deliver a balanced approach to youth crime by supporting crime prevention, breaking the cycle of offending and holding those most serious offenders that cause most harm to community accountable.

CHAIR: Thank you.

Ms BUSH: I might pass my first question to the member for Thuringowa.

Mr HARPER: In relation to Operation Victor Unison in Townsville, first, I want to commend the police for the outstanding work they have done in my local area. I have seen some direct results with high-visibility patrols. Can you give an update per region on the number of people who might have been charged by police in the Townsville area?

Assistant Commissioner Marchesini: I do not have the by region data here, but we certainly can get that data. I think I have made some broad comments in regard to Unison in terms of total arrests. The success of Unison is around high-visibility, the public seeing police in those public spaces interacting not just with the community but with youth in those areas. Quite often it is youth that may not be offending but it is about developing that close relationship and how it links in with other initiatives—for example, the intensive bail initiative or our youth co-responder teams that operate on those shifts. It is looking at a whole range of measures in terms of how we roll out Unison.

Mr PURDIE: Assistant Commissioner Marchesini, thank you for all the work you are doing in this space. In our last briefing with the youth justice department we heard some glowing statistics about the decline in young offenders in proven offences before the court. My question is about clear-up rates. I know from the nature of policing that that is a key performance indicator. I am also aware that the commissioner has just done a round of performance reviews. The department is telling us that the number of offenders before the court is going down drastically. We know that crime statistics are essentially going up and the number of victims are going up. Can you tell us about those clear-up rates? Have they remained consistent for a number of years?

Assistant Commissioner Marchesini: Can I make some comments on clear-up rates. Firstly, the clear-up rates that you see reported are clear-up rates involving not just youth but adults as well. They are not necessarily discerned in terms of clear-up rates for adults or youth. One of the primary reasons quite often is that, if a youth is nominated as a person of interest for an offence, we may not have those details. To confirm that it is a youth or an adult can be problematic as well.

Mr PURDIE: I think we have some general statistics from the last statistical review—54.6 per cent of unlawful use is committed by juveniles. We can unpack that.

Assistant Commissioner Marchesini: Yes. I have travelled quite extensively through the state this year talking with district officers, regional crime coordinators and detective inspectors who look after those areas in terms of crime and have also been a part of some of the performance reviews across the state. What I do see is that police in those areas across the state know who those offenders are. Quite often, they are on the front foot knowing who those particular juveniles, or youth, are within community.

Again, I will focus on the fact that the key aspect of that is working with other agencies. Firstly, we will always do our job. We certainly do not make any apologies in terms of putting youth before the court where we are seeing some of those offences involving quite serious violence in terms of breaking into homes, threatening community with weapons and stealing vehicles. In terms of those sorts of offences, we certainly do not make any apologies in terms of putting those children before the court. However, we have to have a balanced approach as well. The point that I am making is that police across the state, from what I hear, are on the front foot, they work tirelessly, they know who these offenders are, and these offenders are put before the court quite quickly for those offences.

Mr PURDIE: Going to my point, and I am happy for you to take this on notice, the QPS records some of the clear-up rates—and I believe we do have some—but is that something you can make available to us—

Assistant Commissioner Marchesini: We certainly can make available—

Mr PURDIE: And broken up into regions or districts over the last couple of years.

Assistant Commissioner Marchesini: Yes. I do make the point though that we have some percentages in terms of, for example, unlawful uses but we also need to understand that those clear-up rates are a combined figure in terms of youth and adult offenders—who we know do commit a majority of the offences within Queensland. That is very difficult to break down in terms of adults and youth. I take your point in terms of rough percentages around—

Mr PURDIE: We can get other people to look at those stats. I do have some other questions, Chair. In relation to resourcing, it was a great story you told about practical policing. How many substantive CPIU officers are there in the state? We have heard some great reports about these co-responder models; they seem to be working well. Have they been staffed with extra CPIU officers, or have CPIU detectives from local districts been taken off the roster to do that—and I understand uniformed police are backfilling those positions as well—or have there been extra growth positions provided? You may not have it on you, but I would like to see the CPIU numbers across the last couple of years and also whether there are any growth positions more recently to fill those other roles?

Assistant Commissioner Marchesini: Again, we can certainly provide the numbers in terms of CPIU officers around the state. Can I also make the point that, in terms of growth, that is a decision that is made—and certainly recommendations are made—district by district. The district officers and the assistant commissioners in charge of those regions obviously look at where those staff requirements and resources are needed. The youth co-responder teams, which we now have I believe in 13 locations across the state, are not automatically staffed by CPIU. I take your point in terms of staff, but once again that is a decision for the districts in terms of how they staff those particular areas.

In many of the youth co-responder teams that I have visited across the state—which has been quite a few, in Townsville, Cairns, Mount Isa, Toowoomba and a few others as well—most of those staff are coming from our front line. However, having said that, many of the jobs that they are attending are actually taking away those calls for service that many of our front line do attend. We are seeing that proactive positive engagement have an impact.

One example is Toowoomba. Just recently there has been a heavy investment in terms of policing activity, other agency activity, working together. We have seen this year a picture that has changed in terms of crime in Toowoomba for the better. Having said that, I am very cautious. Obviously we are coming into the summer season in Toowoomba. What I do see is that those

initiatives—such as the youth co-responder team and the work that police and the youth workers are doing in that area—are having a big impact on community. It has a big impact then in terms of those calls for service that our general duties police and other specialist police would be attending.

Mr TANTARI: Assistant Commissioner, I want to also say congratulations to your officers on the work that has been done, particularly in my electorate of Hervey Bay, with your co-responder model and high-visibility patrols. It seems to be having a huge impact in the area when I talk to my residents about that so I want to thank your officers for that hard work. My question relates to DICE. What is the DICE?

Assistant Commissioner Marchesini: It is the digital intelligence and community engagement team.

Mr TANTARI: I understand that model was put in place to combat the use of social media to get notoriety by using their mobile devices when doing criminal activities. How effective has DICE been to this point? I know it has only been in place for a very short time, but how effective has it been to combat what I believe to be media's negative narrative about how bad youth crime is in the community? This is not in any way, shape or form downplaying what happens with victims, just that there will always be on the news matters that relate to youth or crime. DICE will have a lot to do with trying to temper the social media aspect of it. When I speak to youth today, they live and breathe on those mobile devices. Their whole relationships are formed on those mobile devices and for some of them their worth is based around those mobile devices. How successful has DICE been?

Assistant Commissioner Marchesini: In terms of DICE, it is really a three-pronged approach to begin with. I also make the point that it is around how it interacts with our districts and regions across the state. Many of our districts and regions do a lot of work in this area already. I will give one example. The district crime prevention in Cairns has a very active social engagement in terms of social media with community. In fact it was doing that piece of work before the inception of DICE. DICE builds that capability. It will continue to mature.

The three elements of DICE contain the intelligence perspective and the investigation arm. It is looking at those matters that are posted online by some of our youth offenders that we see, particularly the boasting of some of the crimes that have been committed. That is very effective in terms of, firstly, ensuring that we have the evidence that is required. There is a big link there in terms of our investigators across the state. That happens 24/7. Obviously, there is success around that. The more strategic piece to that is working with our other partners at a Commonwealth level, particularly the eSafety Commissioner, in terms of how we can take more advantage there into the future and how we interact with a lot of our platform and service providers in taking down some of that material.

The other two elements to that are our crime prevention arm, which is addressing the part of the question you asked about how we engage with social media. That is around engaging with community pages across the state. It is also building and uplifting the capability at a local level. There have been many examples where community members have reported crimes and police have been able to get on those pages quite quickly to, firstly, acknowledge that they were aware of the offence—that it could have been an offence that had already been solved. It obviously does quite a bit for community to provide that confidence and reassurance.

The two elements I probably spoke to at the same time there were crime prevention and in terms of interacting with social media pages. There are three elements of DICE, but also interacting with local community is quite important.

Mrs GERBER: Thank you for being here today. The member for Thuringowa touched on Victor Unison and I want to go back to it and dive a bit deeper into how that is actually operating. My understanding is that police voluntarily do it and that it is overtime.

Assistant Commissioner Marchesini: That is correct.

Mrs GERBER: My question is around resourcing. We know as a result of the last estimates that we have around 202 fewer police. If they are being asked to do Victor Unison overtime and voluntarily, is that sustainable both physically and resourcing wise for them? Is it more of a short-term—

Mr HARPER: That is seeking an opinion, Chair.

Mrs GERBER: I am asking whether or not that is for the police force sustainable physically for those police officers who are being asked to do it overtime and voluntarily and whether or not it is resource capability.

Assistant Commissioner Marchesini: What I will comment again is that there are five districts within our state and each are supervised and commanded by a district officer. Obviously decisions are also made with the assistant commissioners and the district leadership teams. When we talk about Unison, we need to come back to the fact that that is one initiative in terms of many other initiatives. Quite often, the district will make decisions in terms of staffing, in terms of resourcing available, but more importantly where are those hot spots that intelligence-led information has shown where police need to be. That happens 24/7 regardless of Unison.

Obviously, there are challenges there in terms of what we are seeing with police demand. However, again, they are day-by-day decisions that are made in terms of how much is invested into Unison but also the other activities around that. For example, Taskforce Guardian has travelled to a number of different areas across the state and that is to supplement and augment police resources in those areas. Again, it is shifting where the focus is and becoming a much more borderless approach across the state.

Mrs GERBER: While we are talking about police resources, are you able to tell the committee whether or not we have more or less frontline officers on-the-ground as at 30 June 2023 compared to last year? Are you able to give us those figures?

Assistant Commissioner Marchesini: I do not have those figures with me. I know those figures were canvassed within estimates. Once again, what I will say is that the resources—

Mrs GERBER: Are you able to take it on notice?

Assistant Commissioner Marchesini: I can take that on notice.

Mrs GERBER: Thank you.

Ms BUSH: Thank you for coming today. I want to stop for a moment and talk about the victims work. We all know that it has been reported that reported victim numbers are increasing. Across the whole service and all of the crime cohorts that you are dealing with, where are you seeing that increase in victims reporting in Queensland?

Assistant Commissioner Marchesini: I will defer to Acting Assistant Commissioner Peter Brewer. Domestic and family violence is one area that I know we are seeing an increase. I will defer to Peter Brewer at this point.

Supt Brewer: For the record, I am back to superintendent at the moment so not quite as significant. Thank you for the question. My area of domestic and family violence and vulnerable persons also has a small area called police referrals. When police attend a particular incident, by consent of the victim, they can be referred through to a support service. Certainly, exponentially there is a growth in that particular area. In the 2022 calendar year, there were over 151,000 referrals, and over the last five years those numbers have gone up about 77 per cent. Luckily, there are over 530 service providers out there to be able to connect victims to support services.

Ms BUSH: My understanding looking at the stats is that domestic and family violence and sexual violence are the areas that are increasing in reported crime. What would be the reasons for that uptick? Would it hold true that we are seeing more DV than ever before, or that victims feel more comfortable reporting, or a combination of that, or anything else you would like to say on that matter?

Supt Brewer: I do believe there is probably a combination. Recent events in Queensland and commissions of inquiry have raised the profile of domestic and family violence. We see it as a sign of community confidence that people still wish to report that type of crime. In the overseas experiences, that is not so. We think it is a healthy thing that people are reporting that type of crime and we are able to respond to it.

Ms BUSH: Just to put a fine point on it, I think it is important to be clear that, when we are talking about increasing numbers of victims, it may not be necessarily that we are talking about increasing crime and it may not be also that we are talking about increasing youth crime. I understand from looking at the figures that the majority of that crime increase is actually in adult offending, not in youth crime.

Assistant Commissioner Marchesini: I think I said some numbers a bit earlier. A majority of the offenders who we are seeing are adult offenders, and certainly in terms of the operations that I have been talking through. As you have mentioned and Superintendent Brewer did talk to it as well, some of the inquiries have made reporting more accessible. For example, one of the recommendations coming out of I believe the royal commission into institutional child sexual abuse did talk about having that access point or a soft point in terms of being able to report, which obviously then saw online reporting, for example. It is being able to get that approach in terms of how they are

reporting that and then obviously having specialist people in that area who can respond in a trauma informed way and a victim-centric way. We have seen many of those avenues as well. To your point, a lot of those victims are finding those avenues as well to be able to report.

Mr PURDIE: Can I clarify that, Assistant Commissioner. You took a question on notice earlier about clear-up rates and stats that we will hopefully get. The QPS can quickly identify a DV related offence. With the stats that you give us—on unlawful use, unlawful entry and those things this committee has been more focused on—the increase in assaults or DV related assaults is something that you could quickly identify and quarantine. Is that the case?

Assistant Commissioner Marchesini: Certainly we would be able to identify the increase in terms of the domestic violence applications and in terms of breaches of those applications as well.

Mr PURDIE: Wouldn't you be able to look at substantive offences like bodily harm or similar offences to see if it is a DV related offence?

Assistant Commissioner Marchesini: DV related flags are attached to many of the offences.

Mr PURDIE: You may be able to help quarantine that for the committee.

Assistant Commissioner Marchesini: We will certainly make those inquiries and provide that information.

Mr McDONALD: Thank you for being here. I appreciate the work that happens in this space. There are certainly some excellent frontline outcomes. This committee is charged with looking at the whole system. We have got very quickly to a small cohort of the worst of the worst offenders. We have victim numbers increasing. We have the seriousness of those crimes increasing, which is the biggest risk that I see for our community. I note that right across the state proactive policing is down significantly—over 40 per cent in most cases. Is that a matter of the reporting of those proactive offences being different or is it just simply that you do not have the resources to get to those proactive initiatives?

Assistant Commissioner Marchesini: Again, it probably depends on the proactive initiatives you are referring to. If you have a look at the investment in terms of the contribution for our youth co-responder teams, the initiatives within districts, it is a really different way of policing. For example, if we look at things like Taskforce Guardian and Unison that police are doing in those areas, we know that they are proactive activities that are being conducted. For example, with Unison we know that that involves our police liaison officers in conjunction with police, and we know how critical that is in many parts of the state in terms of being able to engage with different people with different backgrounds right across the state. Those proactive activities resulted in over 47,000 hours of patrolling across the state, which I see as a positive—direct engagement with community and providing community safety as well.

Mr McDONALD: I appreciate that you have just compartmentalised those hours in terms of those responses, but right across the state the ability for police to get to the proactive initiatives, to go out and catch baddies, to go out and do the things that they need to do, because, as you said in your opening, the district officers at each of the locations know those offenders and are deploying resources, I would argue that there is not sufficient resources in line with the question that the member for Currumbin asked before.

Assistant Commissioner Marchesini: I think again I would go probably to the point in terms of the initiatives and the different way of policing, if I can suggest that, in terms of how we utilise the resources we have. Once again, it is much more borderless policing and obviously relying a lot on those areas that are within the commands that are out there providing those resources. A lot of the regions do interact obviously with the commands, particularly around the serious and organised crime type activity, so again there is lots of support that is being provided across the state and it is about how we use those resources that we have available.

Mr McDONALD: I understand and I agree around the resources that you have. Have you got enough resources?

Assistant Commissioner Marchesini: We have resources that basically address the initiatives that we implement and conduct policing right across the state. Again, if you have a look at our response rates in terms of our calls for service, those response rates in many of the areas that I have been, particularly in our commissioner's performance reviews, are holding.

Mr McDONALD: The Auditor-General's report that was released said that the police did not get to 86,000 calls for service. I would suggest that you do not have enough resources. In fact, the Auditor-General said the police do not have enough resources. Are you disagreeing with the Auditor-General?

Assistant Commissioner Marchesini: No, what I am suggesting is once again we need to be looking at the breakdown of those particular calls for service. That is obviously a critical part. What the policing service will look at is prioritising the calls for service that come in.

Mr McDONALD: Making do with what you have got?

Assistant Commissioner Marchesini: In essence making do with what we have got, but being smart about how we deploy the resources that we do have and prioritising those resources.

Mr McDONALD: Could you do with extra police?

Mr HARPER: Chair?

CHAIR: It is alright. We are moving on. Member for Thuringowa, do you have a question?

Mr HARPER: I have a question for Assistant Commissioner Stream and maybe this time one for Superintendent Johnson about PLOs. It was just mentioned how important a role they play, particularly in programs like Booyah. Assistant Commissioner Stream, in terms of the vehicle immobiliser trial and crime prevention, I am getting a lot of feedback from my community, particularly from seniors, about being able to access grants to secure their homes. I know the police get involved with that. I specifically want to talk about the vehicle immobiliser trial success rate in Townsville and how important those immobilisers are.

Assistant Commissioner Stream: Absolutely. You would certainly be aware that our primary goals are prevention and disruption as well as apprehension and other strategies. When we are working within that prevention space, which engine immobilisers allow us to do, it is absolutely vital. At the beginning of the week just over 14,000 vouchers had been obtained for those. Some 3,000 devices have been installed across those three trial areas—Mount Isa, Townsville and Cairns—which is actually on track for what we were wanting to see at this stage, with just under a month to go for the year. In fact, in terms of the vouchers obtained, we were actually ahead of the goal that we had set for this time. What the program offers people is a variety of different devices to suit different vehicles as well as at different price points. We have spent a great deal of time working with the installers in the industry to the extent where industry has now, in the last couple of months, developed several new devices which are currently being considered by the technical panel, but we have also seen a take-up by people who have not obtained vouchers or the grants and had those devices installed. A great example I can provide to you is in Townsville where we had offenders commit a break and enter offence. They took the keys to a vehicle and attempted to start it at that time. It was fitted with an engine immobiliser through the voucher program. Those offenders could not start the vehicle at that time. They returned at a later stage, attempted to start the vehicle again, could not do that and left the keys with the vehicle.

Mr HARPER: That is success. Thank you very much. Superintendent Johnson, is there more work being done to recruit PLOs? Can you comment on that? I know they play a very important role. I was just at a Project Booyah graduation and you could see the relationships that had been built.

Supt Johnson: Definitely. We were given I think it was 120 additional positions, 65 of which became PLOs. Out of that we can, under antidiscrimination, identified positions for First Nations people. For areas that have increases in different demographics in their population, we try to put the right PLOs in. That is always evolving. At the moment the model is probably under review quite a bit from the DFVCOI, the domestic and family violence commission of inquiry. Part of that was a review of, in those discrete areas, where there is only PLOs, their powers and so on. That is very much an evolving space. That project is towards the end of its time and where we are getting to the point of decision-making. Certainly, part of our program with First Nations employment is not just sworn police, it is PLOs, it is also Protective Services officers, and there is also referral to other government agencies and other places like the Commonwealth, the military and so on. We are very active in that space. We go to a lot of events all over Queensland.

Mr PURDIE: This is another question that you might have to take on notice. This committee has been hearing a lot about the sentencing framework. We have not really touched on that today. In relation to objections to bail made by the police—and I know there are youth justice specialist prosecutors around the state; on the Gold Coast and elsewhere—do the police keep a record of how many times an arresting officer or a watch house keeper assesses that a young offender should be detained in custody? There are obviously parameters that they need to meet around that in terms of risk to the community, reoffending et cetera. When an objection to bail affidavit is tendered in the court, how often are they successful and how often are they granted or denied? We have DJAG coming later, I can ask them the same question. Does the QPS, particularly these youth justice prosecutors, keep a record of how many times police assess that someone needs to be kept in custody and that is overturned or denied by the court?

Assistant Commissioner Marchesini: In terms of the specialist prosecutors and in terms of the reviews of decisions that are made within the courts, there will be some numbers around that. I know that we have around an 86 per cent success rate in terms of those decisions.

Mr PURDIE: Is that appealing a decision?

Assistant Commissioner Marchesini: That is appealing a decision.

Mr PURDIE: Does anyone record how many times a watch house keeper denies bail but then it is granted by the court?

Assistant Commissioner Marchesini: We would have to make some inquiries in regards to that, but I do not believe that is the information that we would have. A lot of the information around objections to bail would perhaps be better directed to the Department of Justice and Attorney-General. We will have some information in terms of the specialist prosecutors, but that is those decisions in terms of when they are appealing—obviously decisions that are made within the courts.

Mr TANTARI: I have a general question to the assistant commissioner. When thinking about policing generally within the community, how important do you think the promotion of public confidence in policing is and how would you measure success regarding public confidence with policing generally?

Assistant Commissioner Marchesini: Obviously everything we do is around ensuring community safety. That is the priority that we have. In terms of service delivery and mentioning many of the initiatives that I have already spoken to, they are the sorts of things that we would be looking at in terms of how we interact with community and those services that are being delivered. One example would be DICE and the interaction that we have online with the community. Obviously we have surveys at a national level that also look at that particular question that you have asked around community confidence in policing. Community confidence is obviously going to be something that we will always strive to maintain by delivering the best service that we can in terms of the initiatives that we have spoken about that are being delivered to the community.

Mr TANTARI: Do you believe that community confidence in policing is impacted by the public narrative?

Assistant Commissioner Marchesini: As I said earlier, in terms of what we are seeing on social media and community pages, I believe that will have some sort of impact on what is playing out. However, the interaction that we have on community pages and looking at how we dispel firstly a lot of the myth that is out there, a lot of the misinformation that is reported is going to be a critical part to our response in how we are dealing with communities. At a local level, our police regularly interact with community across a whole range of different platforms, whether it is our DCPCs or our programs that we have within our PCYCs. There are a number of initiatives at a local level. I can certainly defer to Superintendent Rob Fleischer in terms of a lot of that activity at a local level. When you see projects like Booyah, you are seeing interaction with community—with youth that are dropping in to drop-in sessions. There is a whole range of activities that we do in that prevention space. I go back to my initial address: there is a balance between ensuring public safety and public confidence by ensuring that we hold those serious offenders to account and the programs that we have in that crime prevention space and breaking that cycle. If you wanted more information, we could certainly ask Rob Fleischer to talk to that.

CHAIR: I am mindful of time. If there is anything to add maybe we can take it as a question on notice.

Supt Fleischer: Of course.

Mrs GERBER: I just want to stick with police resourcing, because it is a key piece of the puzzle when this committee is looking at youth crime and youth justice generally. Before I get to my question, I want to clarify the question that you are taking on notice from me. I want to make sure that we get the most up-to-date data. It is around whether or not there are more or less police today than 30 June 2023.

Assistant Commissioner Marchesini: Obviously that is going to change as time progresses. Again, if we have a look at the recruiting pipeline that we have going through the academy at the moment, it is certainly quite significant. We are going to see some changes as we go through in those numbers, but obviously we will take that on notice in terms of right now.

Mrs GERBER: On that recruiting subject matter, are you able to tell the committee how many police have retired or left the workforce this financial year and perhaps in the last calendar year?

Assistant Commissioner Marchesini: Again, that is information I do not have to hand right now so we would have to take that on notice.

Mrs GERBER: I am happy for you to take that on notice.

Ms BUSH: Picking up on the member for Hervey Bay's question, and you would have probably seen from last week that I have an interest in the public narrative that is going on around the issue, we heard from submitters about the negative contributions of social media towards driving up crime. Professor Allsop and the CEO of PeakCare have both called for the banning of groups that either drive vigilantism or stronger powers for police in terms of take-down powers. I just wanted to get your comment on what powers you have now around your take-down notices of commentary that is either breaching what will be our vilification and hate speech laws or that is actually doing a disservice to the whole issue of community safety.

Assistant Commissioner Marchesini: In terms of social media, obviously we work closely with the platform providers. That is the first step that we do. Quite clearly, if we encounter any barriers or challenges in regards to working with those platform providers, the next step obviously is working with the eSafety Commissioner. We are hopefully having a round table in the new year where we continue discussions with the eSafety Commissioner on these very issues that you are talking through. In terms of police powers, quite clearly—and we saw this play out early this year—in terms of any vigilante-type activity, police at a local level are very quick to respond to that. That leadership in terms of that public narrative at a local level is really important. We saw that obviously have a big impact in terms of addressing those issues that started to surface through the year.

Ms BUSH: Obviously you cannot be everywhere. Local groups report to me their concerns around what is being said. Is there a public reporting mechanism for people to make a report to police about things they are reading in their local groups? What can people do right now to challenge that or to have some greater monitoring?

Assistant Commissioner Marchesini: It will be different right across the districts. As I mentioned, in Cairns, for example, there is a really great interaction. I am not suggesting that does not happen in other districts. That is some of the uplift that we have been talking about with the DICE team in terms of the really clear focus right across the state in relation to how we engage with that. I would suggest that there are many different forums depending on where you are across the state and through local police to find out in terms of your district crime prevention activity. Obviously online within Policelink there are those sorts of reports. That is the online platform in terms of reporting any of the criminal activity that you are seeing.

Ms BUSH: Just to be clear, our local area is fantastic at that. I just want to clarify for the record: Corey Allen is fantastic.

Assistant Commissioner Marchesini: That is really the key. We keep talking about it—and I have certainly discussed that many times this year: the policing response will always be there in terms of addressing serious offending, holding offenders to account and community safety. However, community plays a big part as well, as we know. That involves not just government agencies but also our service providers that are able to link in and work together to address these sorts of problems, particularly when we start talking about breaking the cycle and early intervention when we see a lot of the issues arising around children disengaged from school and children accessing early health assessments.

Ms BUSH: We might not have time for it now, but I would not mind a fuller brief from you at some point around what is going on in that space. I do not know how we could get that.

Mr McDONALD: Maybe we can develop a question on notice for that, because it is clear that it is not just a criminal justice response. Youth Justice and child safety have a big part to play in it. Even the Atkinson report stated: 'Where is the 24/7 care provided by those agencies?' Anyway, that would be a good one to take on notice.

In terms of a solution, I see two things. One is resources, which we talked about before. Well done, acting commissioner, on defending the government! I see the need for resourcing. The other is the laws. In 2015-16 there was a weakening of legislation around breach of bail. We have been fighting for eight years to see breach of bail returned. Up to the end of September, almost 1,300 children have been charged with the new offence of breach of bail. Frontline police are telling me that it is very welcome to see that legislation back in place because, instead of some of these worst of the worst offenders basically turning their noses up at police, police now have the laws and power to be able to deal with them. How important is that? Can that be improved?

Assistant Commissioner Marchesini: At the end of the day, what I will speak to is how we operationalise. Obviously, any legislation or tools that we have to utilise we will make use of. For breach of bail in terms of the circumstance of aggravation for unlawful use, particularly boasting and posting that material online, police will utilise the legislation and tools that are available. That also links in to your earlier question about resourcing. It is a little bit more than just resourcing; it is in terms of getting the right resource. I go back to the point that we will always be there addressing the serious offending in community, but that fine balance that needs to be maintained in terms of looking at early intervention is critical. That impacts on future demand. In terms of resourcing, it is more than that; it is the right resources in the right place. Hence, you are starting to see the shift in terms of models such as the youth co-responder team. Police are working with Youth Justice. I think that is where we are starting to see some shifts in better utilising the resources we have available.

Mr HARPER: Assistant Commissioner, in your opening statement you mentioned police pursuits. People write letters to the editor saying, 'It should be changed.' I do not want to declare my age, but you can google it. In my former career of 30 years, I attended a range of accidents—from stolen vehicles where young people lost their lives to where police had rolled police cars operationally prior to that 2010 decision. I want clarity around the narrative of police pursuits from you. Why is that decision important in terms of risk and benefit? It is in the moment that a pursuit is happening. Can you expand a little bit on that?

Assistant Commissioner Marchesini: Thank you for the question, member. I will defer to Acting Assistant Commissioner Chris Stream who is able to talk to that very question.

Assistant Commissioner Stream: The initial reviews with regard to police pursuits occurred back in 2003 when we saw innocent people losing their lives as a result of police conducting pursuits. As you would appreciate, conducting a pursuit on a public road is an extremely dangerous apprehension method. Public roads are uncontrollable. There are lots of variables when police conduct those pursuits. Policy was introduced and reviews were conducted—as a result of coronial inquests and, as I said, the loss of innocent lives—with regard to strengthening the policy and guidance provided to police officers. The end result was that police, as you mentioned, must continuously provide risk assessments if they are going to engage in a pursuit, but the policy provided further guidance around when those pursuits should be conducted. Obviously, we include matters such as homicide, imminent threat, risk to life, threats to kill or the commission of an indictable offence. As I have said, the conduct of those pursuits is extremely dangerous.

Even with the introduction of more modern technology, those pursuits continue to be dangerous. Assistant Commissioner Marchesini mentioned DICE, an alternative method for the apprehension of offenders. We see offenders posting photos of themselves with stolen vehicles. That type of follow-up activity or investigative work is really important. By reducing the variables in which a pursuit can be conducted, we are seeing safer outcomes. That is clearly evidenced in the figures that can be provided in that we have seen very few deaths or serious injury to innocent members of the public as well as offenders and police since the introduction and the strengthening of those various policies. The Queensland Police Service conducts a review and provides a report to the CCC on an annual basis. For instance, last year we saw 166 pursuits. Last financial year we saw 143. There were very few serious injuries and zero loss of life.

As members would appreciate, the loss of life as a result of the apprehension of an offender for property offences is really inexcusable. We have seen that message reiterated in coronial reviews as well. We would argue that the policy strikes the correct balance in the apprehension of offenders when we have different methodology available. Since 2003 we have seen the introduction of tyre deflation devices and, most recently, we have expanded trials in both Cairns and Townsville for remote tyre deflation devices, which are much safer for the community and the officers operating those as well. I point out to the committee that, with regard to those remote tyre deflation devices, we are cautious around the methodology we are currently using because sometimes we see when that methodology becomes public offenders change their behaviour. We are constantly reviewing other technology, including tracking devices and that type of activity as well.

CHAIR: Do you have one very quick question, member for Ninderry?

Mr PURDIE: I have a lot of questions and too little time. Acting Assistant Commissioner Stream, last week we heard—and the committee knows—that apparently there is tension between the TORUM and the courts essentially in relation to 17-year-old young offenders who have a driver's licence who are regularly getting off life-endangering offences such as drug driving and drink driving. That does not appear to be the intention of the parliament at the time it changed the legislation. Has

the QPS made a submission to DJAG or to government to try to rectify those anomalies that are seeing these kids getting cautioned for life-endangering offences with no implication on their licences? Is that something of which you are aware?

Assistant Commissioner Stream: The Queensland Police Service is currently working with other government agencies with regard to that, including legislation around PMDs—mobility devices, or what are referred to as electric scooters.

Mr TANTARI: Regarding community safety, Assistant Commissioner, what sort of promotional programs do you have particularly targeting youth? You mentioned intervention and school promotion safety programs.

Assistant Commissioner Marchesini: I will defer to Superintendent Rob Fleischer.

Supt. Fleischer: Thank you for the question and for the opportunity to talk a little bit about the great work we do in that early intervention and proactive policing space. I have the pleasure of sitting across all of the youth program capabilities for the Queensland Police Service. That includes our 54 PCYC clubs right across Queensland. That includes our six clubs up in Indigenous communities as well. I also have the pleasure of sitting across our 11 Project Booyah sites. I am pleased to let you know that we have had about 192 young people pass through the Booyah program this year. We know that the Booyah program works. It is one of our primary early intervention capabilities for the Queensland Police Service.

We know from a Griffith University evaluation that was undertaken know that over 50 per cent of the young people who offended before they hit that program do not offend in the two years after they exit the program. From what we have spoken about here today and the common themes about preventing harm victimisation and trauma to the community, it is an outstanding result for us. Our Booyah programs are about how we can break the cycle and about how we can get young people back engaged in the community and back engaged into education. We have about 450,000 young people pass through our programs every year across our 54 sites. From those 450,000 young people, we know that about 50,000 are at-risk. People come from a background of disadvantage and we see them displaying behaviours that we think could mean they are heading down the wrong path.

We have a range of programs in relation to how we re-engage young people back into school. One of the primary programs that we run through PCYC is the Restart program. It runs really well. A case in point is in Toowoomba. For the kids in Toowoomba who are expelled or suspended from school, we have an agreement with the Department of Education where they do not actually get expelled from school and go and sit at home. If they are expelled from school, they are asked to come into our program and we put them into our program before we re-engage them.

We also have a range of other capabilities. We have our school-based police officers who work in high schools right around the state, and we are also just about to roll out a new capability aimed at early intervention for primary school-age kids—our school support officer capability. We are about to roll out 60 positions right across the state, primarily in early intervention working in partnership with the Department of Education to support young people and put appropriate activities around them to ensure that they do not go down the wrong path. I could talk to the member about this as well. You can see I am very passionate about it. I know we are running out of time.

CHAIR: Because we are out of time, Assistant Commissioner, if you do not mind, would you be able to take a few questions on notice for us?

Assistant Commissioner Marchesini: Of course.

CHAIR: Thank you. The first one is in relation to the Auditor-General report, firstly, on the open data strategy. We are curious as to why demand dashboards are not published. Then in relation to that, also in the Auditor-General's report, it recommends to develop a robust model for forecasting demand—I have actually raised this previously at estimates regarding hidden demand—how in amongst all of that it is reported that at any given time across Queensland, 30 per cent of our force is maybe off on annual leave, are sick or experiencing PTSD, in all of that modelling what is being investigated to address how to cover that 30 per cent? That was a big question. Sorry about that; I tried to keep it all in one.

The second question is: when will the Caboolture watch house be open and what will that look like in terms of not only its capacity but also what it will be delivering? In your submission, there was reference to monitoring devices. What improvements do you see there are required? The last question is: out of the declared SROs, is there any estimate or data available as to how many currently remain in the community that are not either in detention or otherwise?

Assistant Commissioner Marchesini: Thank you, Chair. I think that last question may be something for the Department of Justice and Attorney-General, if it is the declarations that are made within the courts. I certainly will have a look at that, but I believe that may be a question for that department.

CHAIR: As part of Operation Guardian, there is not specific data collection as part of that?

Assistant Commissioner Marchesini: The serious repeat offender declarations that are made within the courts, that is in terms of addressing sentencing. The serious repeat offender index is utilised in terms of providing a focus on which youth we would be looking at focusing on, and obviously it links in with our multi-agency collaborative panels as well. It provides a greater focus, but they are two different concepts.

CHAIR: Would the index provide you with an analysis of how many are currently in detention versus those remaining in the community?

Assistant Commissioner Marchesini: In regards to the serious repeat offenders, we certainly work closely with Youth Justice in terms of those who are perhaps in detention or in community. However, again I will stress that that is in terms of providing not just police, but agencies with a better focus in terms of the cohort that we are looking at. We certainly have the numbers in terms of those who are not in detention centres. That is something that we can work with Youth Justice on.

CHAIR: Wonderful. I want to thank everyone for taking the time. It has been invaluable. As I said earlier, I think we could have had six hours easily for all of our questions. I deeply appreciate not only your time today but also the work of our police across Queensland. We are so very fortunate. We have amazing crews out there, so we offer our deep appreciation to all of you. Clarification of a question on notice?

Mr PURDIE: I echo what the chair just said, thank you. I wish to clarify the questions on notice that I raised earlier: one about CPIUs—substantive numbers in each district—whether that is FTEs, MOHRI strength or actual, excluding CPOR officers or at least highlighting how many are CPOR specific.

Supt Johnson: With regards to that number, remember, too, there are a number of communities like Longreach and so on where there is no CPIU, but they do child protection work and youth crime work, so there are a number of those.

Mr PURDIE: I know some areas such as property crime are doing a lot of youth justice work as well, but my question is specifically about over the last couple of years, CPIU—substantive numbers or actuals—specifically in districts, not necessarily any central function roles to be diluted through that. The other one was the clear-up rates. We are really struggling with different stats, and criminologists are giving us information per district. In relation to those major crimes we are talking about, I would like to know the number of offences over the last couple of years and the subsequent clear-up rates.

Assistant Commissioner Marchesini: Chair, on that, I do have some figures here in regards to 2023, but if the question is in regards to other years in comparison, that is something that we will be needing to come back on.

Mr PURDIE: Even if we can see some stats over the last five years for crime stats and clear-up rates, thank you.

CHAIR: Just a reminder that all those questions on notice—plenty of them—are due back by Monday, 18 December—not far away. Again, thank you. You can see how we do not want to let you go; we want to hang onto you. Have a lovely day, and all the very best for the Christmas season. Thank you. That concludes this part of the public hearing. The committee will now take a short break and resume at 11.15 am.

Proceedings suspended from 11.05 am to 11.15 am.

CORLESS, Mr Dean, Executive Director, Justice Reform Office, Department of Justice and Attorney-General

CUNNINGTON, Ms Brigita, Acting Deputy Director-General, Justice Services, Department of Justice and Attorney-General

DEVESON, Ms Kristina, Acting Executive Director and Principal Registrar, Magistrates Courts Service, Department of Justice and Attorney-General

FIELD, Mr Tygh, Acting Executive Director, Victim Assist Queensland, Department of Justice and Attorney-General

O'MAY, Mr Justin, Director, Strategic Policy and Legal Services, Department of Justice and Attorney-General

STEPHEN, Dr Kylie, Assistant Director-General, Women's Safety and Violence Prevention, Department of Justice and Attorney-General

CHAIR: Good morning everyone. Thank you for joining us. Would you like to open with a statement before the committee starts with their questions?

Ms Cunningham: Good morning, Chair and members of the committee. Thank you for the invitation to attend today. My colleagues and I appreciate the opportunity to assist you in your inquiry. DJAG delivers and funds a range of important justice services, support for victims and violence prevention activities. This includes administrative support for the functioning of the Queensland courts and a range of direct community justice services, including, for example, through Victim Assist Queensland.

At the outset it is important to appreciate the Department of Youth Justice, Employment, Small Business and Training has primary responsibility for providing services to young people in the youth justice system and for the administration of the Youth Justice Act. In relation to youth justice court administration, the department provides a connection between the judiciary and the work of the youth justice system. DJAG works very collaboratively with youth justice to facilitate and contribute to youth justice initiatives requiring court administration and input. The fast-track sentencing pilot is an example of an interagency approach. Commencing in four locations on 1 March this year, its objective is to identify the causes of delay in the courts and promote timely finalisation of matters before the Childrens Court.

Turning to broader criminal justice reform work, the First Nations Justice Office is currently developing a First Nations justice strategy to address the over-representation of Aboriginal and Torres Strait Islander peoples in the justice system and progress the National Agreement on Closing the Gap and justice target 10 relating to adult incarceration and 11 relating to the detention of young people. The First Nations Justice Office is co-leading work with the newly established Justice Reform Office to consider justice reinvestment approaches. The Justice Reform Office leads evidence-based policy reform work aiming to reduce demand on the courts and prisons, improve programs to divert people away from the criminal justice system and help break the cycle of offending. DJAG supports and funds 41 community justice groups across regional, remote and metropolitan Queensland and also provides some limited funding to 11 CJGs operating across 10 locations in the outer islands of the Torres Strait. Funding is provided through the Community Justice Group Program to support core court-based activities primarily for Aboriginal and Torres Strait Islander adults, provide cultural advice and community input and support the operation of the Murri Court in 15 locations. In a small number of locations, community justice groups support young people involved in Childrens Court proceedings or as part of a locally adapted Murri Court model. An independent evaluation of the CJG program is underway and is on track to be completed this year, with two annual reports on the evaluation already published on the Queensland Courts website. A highlight is the very positive effect of the pioneer Murri Court Elders Group in Mackay, including with youth-focused activities.

DJAG also leads women's safety and violence prevention reforms and funds domestic, family and sexual violence services to provide specialist support for victim-survivors, hold perpetrators to account and support them to stop violence and abuse. In response to the Women's Safety and Justice Taskforce, DJAG is leading sexual violence reforms to develop and pilot a victims advocacy service to support navigation of services in the criminal justice system, a victim-centric integrated service response model for responding to sexual violence and work to establish a system of safe pathways for victim-survivors.

I also want to share some of the department's other key activities that provide immediate and ongoing support for victims of crime. While DJAG's support is centred primarily around administering the Victims of Crime Assistance Act and services delivered by VAQ, the department also has responsibility for progressing a range of reforms to better support victims stemming from recent recommendations from independent reviews and inquiries. In September 2023 the Queensland government announced a significant reform package to provide greater support to victims of crime. This package included establishing an interim Victims' Commissioner with a permanent Victims' Commissioner to be appointed before the end of June 2024, providing additional resourcing to VAQ to assess financial assistance applications sooner and for non-government organisations to provide statewide, trauma informed support to victims of crime and increasing financial assistance limits available to victims under the legislation. These changes are contained in the Victims of Crime Assistance and Other Legislation Amendment Act passed by parliament on 30 November.

To enable the committee to canvass specific questions about the department's work, I am joined at the table by representatives from across the department's relevant areas. DJAG is committed to making a safe, fair and inclusive Queensland and we strive to safeguard the rights of vulnerable people in society by providing timely and accessible services. We appreciate the opportunity to inform the committee about this work across the department and look forward to exploring the committee's recommendations in due course. Thank you.

Ms BUSH: Thank you, everybody, for being here today. I have so many questions that it is where to start. The areas of interest for me will be the First Nations Justice Office, JRO and Victim Assist. I might start with Victim Assist recognising that it has now been subject to a couple of different reviews and a lot of reform. Can you update the committee on where we are at with the reform package that is going on for Victim Assist looking at how to make that system easier for victims to navigate and how that all fits with IMAC and their terms of reference and their time frames, recognising we also have time frames? I am curious how you see it all coming together.

Mr Field: There is lots happening in the Victim Assist Queensland space, as you have alluded to. One of the major elements of that is the review currently being undertaken by KPMG Australia. That review commenced in August 2023 and it is expected that the final report will be furnished to the department in December 2023. KPMG, as part of conducting this piece of work, have undertaken a range of consultations with stakeholders in the Queensland government and the broader victim support sector and they have undertaken a wide range of research and data collection to support the review. Once the KPMG review is complete the Queensland government will review the outcomes of the report.

In terms of context for what that particular review is looking at, the purpose of that review is to look at whether the purpose of the financial assistance scheme is meeting the original intent and objectives as defined in the Victims of Crime Assistance Act 2009 and the effectiveness of the current scheme for victims of crime. The review is going to investigate and report on the current state of the financial assistance scheme in Queensland and other jurisdictions, consider barriers and alternative models of financial assistance, identify opportunities for greater collaboration with the broader victim sector and provide better access to services and financial assistance, analyse cost benefits of potential models for delivering improved services and consider operational implications for implementing recommended changes. That review we expect to come through in December and that will then be considered in relation to what that means for the financial assistance scheme.

On 28 September the government announced a new funding package as part of the uplift of the assistance limits for the financial assistance scheme. That did include additional staff for Victim Assist Queensland, and we are currently working towards recruiting those positions commencing with our assessors and senior assessor positions—the ones that process the applications—to have them on board in January 2024 ready to continue to process applications. That work is continuing alongside a wide range of activities to support the legislation changes coming into effect once they commence.

Ms BUSH: Thank you. That is great; that helps.

Mrs GERBER: Thank you for being here today. I wanted to talk about the recent government decision to declare watch houses detention centres and get some information from DJAG around that for the committee. I wanted to firstly ask: is DJAG aware of any other areas where the government has contravened the UN Convention on the Rights of the Child in the same way that it has done by overriding the UN by declaring watch house detention centres? Are there any other areas where that has happened?

Ms Cunningham: In terms of the government's decision to declare the watch houses a detention centre, I do not think that DJAG is in a position to be able to respond to that. I think that question is probably more properly directed to the department of youth justice.

Mrs GERBER: I have canvassed it with Youth Justice but I wanted to know whether or not in the area that DJAG controls, the legislative and administrative places that you control, has there been another circumstance like that? Has the UN Convention on the Rights of the Child been overridden in terms of any of the legislation that DJAG has control over?

Mr O'May: The Bail Act is a piece of legislation which sits within the department's portfolio. In extending the application of the breach of bail offence there was a declaration that was made in respect of that. The way that an override declaration works is that the requirement of the Human Rights Act is that section 43 says that it is a decision for parliament to make. If there were to be an override of the application of the Human Rights Act to a particular provision then ordinarily you would expect the legislation to reflect the fact that the override declaration has been made.

Mrs GERBER: There is nothing stopping it then? For instance, saying that international conventions prevent you from doing something actually is not true.

Mr O'May: Section 43 of the Human Rights Act makes it quite clear that parliament is involved in making that declaration.

Mr HARPER: I note around the previous question that the member voted for it. I will move on. Can any victim make a victim impact statement to any court? I need to understand the hierarchical view of that. That is certainly something that my constituents ask me. Can you also comment on the fast-track sentencing trial in Townsville?

Ms Deveson: I will go to the fast-track sentencing trial first while we get some information about victim impact statements. Fast-track sentencing pilots are operating in four locations around the state, including Townsville. It involves local investigation of potential drivers of delay and collaborative decision-making across agencies to try to address potential local blockers so that we can have matters resolved more quickly which, of course, is of benefit across the system. At the moment we have seen some early success in the fast-track sentencing pilot. The data is going to be used for a formal evaluation of the pilot in due course, but it is showing us there is already a significant improvement in communication and information sharing processes between agencies, there is engagement between parties to resolve matters more quickly and almost all of the pilot participants who are engaged in the early survey results to inform the evaluation are of the view that it is effective and it is very quickly approving processes to achieve the objectives.

Something that might be interesting for the committee to understand is some of the drivers of delay identified by the pilot to date. Anecdotal evidence at this stage, bearing in mind there will be a formal evaluation, has found that, in the pilot locations, the most common reason matters are adjourned when they are before the court is case conferencing is required—that is, that the prosecution and the defence need to discuss the matters of the case before it can be resolved—or there is police material that still needs to be obtained. That might be witness statements or other evidence in the brief of evidence. The third reason is the child has not attended at the proceedings. Anecdotally, those are the three main contributors that we are seeing in the fast-track sentence pilot locations. Local arrangements are being put in place to try to unblock, through collaboration and engagement across all of the relevant agencies, and address those reasons for delay. Early signs are certainly good. Collaboration and cooperation between government agencies can only support system improvement.

Mr HARPER: Does it effectively get people off remand quicker? That is what we are hearing in terms of people sitting on remand.

Ms Deveson: The goal of the pilot is to get all matters finalised as quickly as possible. That includes matters where the defendant child is on remand as well as where they are on bail. The goal of the pilot is for the entire system, regardless of the bail or detention of the child, to be resolved more quickly. We certainly hope as a consequence of that it will lead to reduced remand time.

Mr Corless: In regard to victim impact statements, section 9 of the Penalties and Sentences Act contains provisions for a judge or magistrate to consider the victim's impacts as part of sentencing. The Charter of Victims' Rights, which is within the Victims of Crime Assistance Act 2009, also contains provisions about ensuring a victim has an opportunity to provide a victim impact statement. There are also provisions for victim impact statements to be provided as part of Mental Health Court proceedings. However, the specifics of that are best directed to Queensland Health. In terms of when that can happen, that is obviously occurring through a sentencing proceeding in either the magistrates, district or supreme courts.

Mr HARPER: It will not happen in the Childrens Court?

Mr Corless: They are constituted by a magistrate and/or a judge. Yes, it happens in those courts as well.

Mr PURDIE: Anyone can answer this question but, off the back of some correspondence that you sent to the committee about what information you can provide and what you cannot provide, I have a question that does not come under either of those. Where the police have decided to keep someone in custody and deny them watch house bail—the arresting officer is satisfied of the criteria and the risk to the community et cetera—they put that person before the court and then they tender a bail objection affidavit. Does the court keep records of how often they are successful or how often they are denied?

Ms Deveson: The short answer is no. The court case management system records if the application is made and the outcome, but it does not record the bail objection of police at that time. What I can tell you is that there are roughly 1,500 bail applications a year at first appearance, so that would be children who have been refused bail at the watch house. Of those, 40 per cent of the applications are refused by the court. About 600 are refused by the court out of about 1,500 that are refused at the watch house. What I cannot tell you is, across the 1,500, how many occasions the police objected to bail being granted by the court.

Mr PURDIE: Your 1,500 figure is a record of how many times defence has applied for bail; is that right?

Ms Deveson: In 2022-23, there were 1,455 applications made at the first appearance of a child from custody. Of those, 584 were refused bail and 871 were granted bail. I should say that is not discrete children; those are cases. It might be multiple occasions for the same child over the course of the year, but those are cases brought before the court.

Mr TANTARI: I raise the issue regarding the 2019 evaluation of the adult Murri Courts. Were any findings from that evaluation relevant to young people? Are there any plans to expand youth Murri Courts in more locations?

Ms Deveson: The 2019 evaluation of the adult Murri Court program provided very positive findings for that program as it operates for adults but specifically said that further youth-specific research should be undertaken with relevant ethics approvals to investigate what works best for young offenders as they have significantly different needs to adults and have difficult service requirements to adults as well. At the moment there is an independent evaluation of the Community Justice Group Program and all of our Murri Courts are coordinated and operated by our community justice groups. That is expected to be finalised over the coming months. That evaluation, along with the evaluation of the adult Murri Court program, will inform our next steps and work to further consider the development of the Murri Court program and how it may or may not apply for young people.

Mr McDONALD: Can you confirm the maximum sentence available for a child that could be ordered for unlawful use or possession of a motor vehicle? Is it five years?

Mr O'May: I might need some time to answer that. I apologise to the member. The statutory formulation for working out maximum penalties that apply to children falls within the Youth Justice Act. It is not something which is ordinarily within the department's legislation.

Mr McDONALD: One of the concerns and the complexity of this is that we have different departments handling legislation and different departments handling services. We were aware that 96 per cent of these sorts of serious offences are being dealt with in the Magistrates Court. What additional resources are being provided to the Magistrates Court to be able to deal with the volume of cases? It has become very clear to us that the sooner the matters are dealt with and restorative programs or whatever the better the outcomes, although we do not have clarity around the success of those in terms of recidivism. We are being told that it is 54 per cent after six months, but the restorative justice program is not happening until nine or 10 months. We are getting answers to those questions on notice.

Ms Deveson: As far as resourcing provided to the Magistrates Court is concerned, the key example would be that resourcing has been provided to support the fast-track sentencing pilot itself. The volume of matters being dealt with in the Magistrates Court as opposed to the District and Supreme Court I do not think is a particularly new issue. It is ordinary that the overwhelming majority of youth justice matters will be resolved in the Magistrates Court but, certainly as part of the fast-track sentencing pilot, additional resources were provided to allow the Chief Magistrate to list additional sittings of the Childrens Court so that as soon as matters are able to proceed the court can make time available if there was not already.

Ms BUSH: There are some really exciting things going on in DJAG and you can see that in your response. A couple of things that interest me involve the First Nations Justice Office which is looking at a target to reduce over-representation of First Nations young people by 30 per cent by 2031. The other is the justice impact test that I think the Justice Reform Office is looking at. For me, governance and strong targets around driving down the number of young people in detention are really important, as is doing some kind of policy test around the policies we are putting forward and the domino effect that has on over-representation. Did you want to give an update? I know those things are coming down the line. Where are they going to land and what impact do you think that could have in this whole scene?

Mr Corless: In terms of the First Nations Justice Office, it was established primarily in response to recommendation 1 from the first taskforce report from the Women's Safety and Justice Taskforce. That was reflecting on the National Agreement on Closing the Gap, which introduced justice targets for the first time. As part of the work within the national agreement, there was some clear recognition that the justice targets were very important. The Justice Policy Partnership was established as the first policy partnership to really join up the states and territories with community members and leaders in the community controlled sector to drive governments to achieve meeting those targets of reducing incarceration rates for young people and adults.

As part of the Justice Policy Partnership, the Queensland government representative is the deputy director-general of justice services within DJAG and they are supported by the First Nations Justice Officer. In Queensland we have established an executive governance group that is constituted in membership by senior public servants and representatives from Aboriginal community controlled organisations—the members of the QATSIC group—as well as some other non-government members. They are working in partnership with government to work towards achieving those targets.

In addition to that, the First Nations Justice Office is in the process of co-designing a whole-of-community and government strategy to specifically meet the justice targets. The First Nations Justice Office has contracted an Aboriginal controlled organisation to work in partnership with the FNJO, which in itself is primarily staffed by First Nations staff members, to co-design that strategy which is hoped to be delivered in mid-2024. That will really lay out the path to meeting and achieving those outcomes. In terms of the justice impact test—

Ms BUSH: While you are looking for that, are you working with DATSIP in that first piece?

Mr Corless: Yes, of course.

Ms BUSH: Okay, because they are appearing a bit later today.

Mr Corless: I will just talk off the top of my head in terms of the justice impact test. As part of the former Queensland Productivity Commission's *Inquiry into imprisonment and recidivism: final report*, there were a number of recommendations including the establishment of the First Nations Justice Reform Office and also exploring the implementation of a justice impact test.

The purpose of a justice impact test is really to enable policymakers to consider the implications of the policies being proposed. Those implications are not just the financial implications. That is obviously a significant consideration, particularly in terms of looking at introducing laws that will increase imprisonment or create new offences. There is the flow-on effect in terms of the costs for extra policing, extra courts and extra capacity in prison. That is part of the consideration, but the justice impact test would look at the social impacts in terms of the cost to community for bringing in new particular types of policies.

The Justice Reform Office is currently doing work to consider what a justice impact test would look like for Queensland. There is also work coming from the Justice Policy Partnership, which is also looking at a recommendation for implementing a specific First Nations justice impact test around the country. We are working through what that looks like.

Some of those considerations are: are there multiple tests or is it a single test that covers all demographics? There can also be an argument about whether there should be a specific youth justice test or a specific gender test. The more consideration into what a justice impact test would look like brings more questions that we are working through.

There are some really good examples around the country and the world of the application of a justice impact test. The BOCSAR, the Bureau of Crime Statistics and Research, in New South Wales administer a justice impact test. That is seen as one of the foremost tests in this country. There are some interesting variations around the world. There is a particular test that occurs in Virginia that requires appropriations. If the justice impact test comes up and says that the end result or the cost of this particular initiative would be \$10 million per annum, that has to be appropriated in order for the piece of legislation to pass.

It is a really interesting area. The Justice Reform Office has been doing significant jurisdictional analyses and working with our government partners to work towards developing a model for consideration by government.

Ms BUSH: Off the top of your head, are there any time frames around when a draft model might first be exposed?

Mr Corless: We would be looking for something early next year.

Ms BUSH: Thank you. I think that is really great work.

Mr McDONALD: Mr O'May, did you have a chance to look at the maximum sentencing of five years? That is what I work it out to be.

Mr O'May: I apologise—to which offence are you referring?

Mr McDONALD: The unlawful use of a motor vehicle offence with violence.

Mr O'May: I have some information here. Could I have a moment to digest it and possibly come back to you?

Mr McDONALD: Yes.

Mr PURDIE: I have a question for anyone, but Ms Deveson seems to be the holder of a lot of stats. I have a long preamble, but stick with me. I am going to end on the declaration under section 150A, which in your correspondence you said you can provide information on. This committee has previously been told about the linear process of a young offender in the court system. I realise that the Youth Justice Act, section 48AA and sentencing provisions are outside of your scope, but there is a linear process. They are dealt with by the police by way of caution more often than not—maybe a number of cautions—and restorative justice programs. Then they go to court, where it seems everything starts over again. They are eligible for reprimands, diversionary programs and restorative justice programs until we get to the point where an offender is sentenced and serves a night in custody. I understand that for a declaration under section 150A a person has to have spent a night in custody on sentence, not on remand and waiting for charges. Do you know how long on average, excluding some outliers for murder et cetera, a young offender would be in the system, going through all of those hurdles and failing at every opportunity, before they spend a night in custody on sentence to make them eligible to be declared a serious repeat offender under section 150A?

Ms Deveson: I just want to clarify that I understand the question, because there was a bit in it. How long on average would an offender need to be in the system from the first time they were issued with a penalty or brought before the court?

Mr PURDIE: We know that once a young offender goes before the courts for unlawful use they have probably had a series of offending or they have been caught offending by the police. We have been told that by the time a young offender serves a night in custody on a sentence they would have presumably, in the normal history of offending for unlawful use and the issues this committee is focusing on—break and enter, robbery and the like—an offender could be in the youth justice system and before the courts from the time they are 14—essentially for years—before they are actually sentenced to a term of imprisonment, to be eligible for that declaration. More often than not, that young offender has been in the system for a long time—for years—and has failed at every opportunity that he or she is required to be given before detention can be taken into account. I might have just confused the matter a bit more.

Ms Deveson: Court data is not going to capture all of the antecedents of the child offender. I think that is something that could probably be better answered by the department of youth justice. Information about how many orders have been made and the sentences that were attached to the orders where there was a declaration made would be information the court would have available. The court would not have a record of the period of time or the nature of previous orders a child might have been subject to prior to that having happened.

Mr PURDIE: I appreciate that data might be hard to land on, but is that a fair assessment of what we are being told—that there is a linear process in relation to the sentencing framework, and these young offenders have to fail at a number of other options before they even get to that point.

Ms Deveson: I do not think that is something I am qualified to answer for you.

Mr O'May: If I could return to the unlawful use of a motor vehicle offence with violence, on the advice I have received it is a matter which must be dealt with by a Childrens Court judge—so at the District Court level—and the maximum penalty for a child is detention of seven years. That is the advice I have received.

Mr McDONALD: On 29 December I am informed the Premier said in a media statement, ‘Violent juvenile car thieves will face 14 years’ jail.’ Was that a mistake?

Mr O’May: I do not think I can answer that question.

CHAIR: Redirect the question, please.

Mr McDONALD: We are dealing with a whole system here. As I said at the start, one of the confusions is that one department has got hold of the laws with regard to this, others are responsible for sentencing and then another department looks after detention.

CHAIR: Can we get to the question please, member for Lockyer, or otherwise I am going to move on.

Mr McDONALD: I think decision-makers are making decisions—

CHAIR: No. Please ask a question or otherwise I am moving on.

Mr McDONALD: In terms of the question the member for Ninderry was asking before, is there any way that we can—

CHAIR: I think that is asking an opinion. I will come back to you.

Mr HARPER: I am not sure who is the best one to answer this, but page 15 of the briefing note from DJAG, third paragraph from the bottom, states—

Prior to the commencement of the *Strengthening Community Safety Act 2023* (the SCS Act), a child could not be charged with an offence of breach of a condition of bail under section 29 of the Bail Act.

My question is: why? It goes further and states that a child found guilty of an offence under that section since the passing of that bill can receive a maximum penalty of 40 penalty units or 12 months detention. I know that it was only passed in March, but do you know how many have been charged? I think you gave some numbers before—584 bail refused. I do not know who said that; I was making notes. I just wanted to compare. Given that it has only been six months, how many might have been charged with that? Prior to it commencing, why did it not work when there was a former iteration of breach of bail? This is a technical answer to this. I just do not know what it is.

Mr O’May: In relation to section 29, and without having seen the prior iteration of the Bail Act, my understanding is that the offence was limited in its application to adults. The offence said ‘an adult’, and then it continued on to set out the rest of the offence. Having the offence crafted in that way of course excluded its application to children.

Mr HARPER: It never applied to children. Is that what you are saying?

Mr O’May: I do not know the legislative history. Off the top of my head, I do not know if at some point in the past section 29 of the Bail Act, which was enacted in 1980, did apply to children.

Mr HARPER: Can you take it on notice whether anyone was ever charged with it and did they reoffend? Maybe that is best. It just does not seem to have teeth on that iteration. I am not sure.

Ms Deveson: Because of the nature of our data, it would be very unlikely that we would be able to link future offending with a previous charge because we do not have access to clear datasets easily to track the future offending of an individual person charged with a previous offence. We might need to see what data might be available. What we could provide to the committee—I do not have it before me at the moment—is the number of charges of the breach of bail offence since it commenced in March.

Mr O’May: The advice I have received is that there has always been a prohibition under section 29 of the Bail Act and it has always applied to adults to the exclusion of children.

Mr HARPER: Thank you for the clarification.

Mr PURDIE: Going back to the correspondence, Mr Corless, one of the things it says here that I think you might have data on is sentencing outcomes. In relation to unlawful use of a motor vehicle, this committee is aware there are potentially young offenders out in the community at the moment who have been caught or charged with stealing over 100 cars. We know that 96 per cent of young offenders are dealt with in the Magistrates Court, which I think has a maximum penalty of incarceration of 12 months. Do you know, in relation to sentencing outcomes, how many young offenders have been sentenced for unlawful use of a motor vehicle in a higher court, and do you know what those precedents or sentences were?

Ms Cunnington: We need to take that on notice.

Mr TANTARI: We hear from victims that they struggle to get access to the Childrens Court. Is there any opportunity to streamline access?

Ms Deveson: Decisions about whether or not a victim can be in the Childrens Court sit with the magistrate who is making that determination. Whether a victim is allowed to be in a closed court and whether it might be prejudicial to the child defendant is a decision only the magistrate can make. As far as whether there are opportunities to streamline the process, there are certainly always opportunities for government agencies to work together better to try to improve service delivery. I would say there is always room for improvement. There is certainly a lot of work happening across the department and across government focused on improving services and outcomes for victims. I would not be surprised if this is something that was looked at as part of that future work.

Mr TANTARI: That leads to the question of what are the opportunities there. I can understand that is a question for cross-collaboration with regard to agencies to put something like that into place. Thank you for your answer.

Mr McDONALD: In terms of support for young people when they leave detention, what work is currently happening in that space? We were informed the other day that, when a young person who is leaving detention following a probation order that is looked after under you, they only have 72 hours of support by Youth Justice or Child Safety. Do you have any input into those conversations given there is a whole-of-government response to this?

Ms Cunnington: I think that is a question that is probably best directed to Youth Justice, which is responsible for making those arrangements. I can say that in terms of the collaboration across government, yes, there is a lot of collaboration across government. In fact, I do not think I have ever seen as much collaboration as there is at the moment. I think the fast-track sentencing pilot is a really great example of how not just criminal justice agencies but also social services agencies are coming together to try to identify problems.

Children being released from detention is not something we have specifically been involved in. The Community Justice Group Program in certain locations will have arrangements with corrections in the adult sphere around how to integrate. There can be some services that the local community justice group might provide in that context. That is very much a location, placed-based approach and not something that every community justice group would be offering across the state. It is certainly part of some of those things that local community justice groups do look at.

Ms Deveson: Could I just take an opportunity to come back on the question about breach of bail offences? I am advised there have been 1,639 defendants charged with the offence since commencement until the end of October, and that relates to 4,099 charges of the offence.

Ms BUSH: We have heard from submitters about the importance of trying to drive down the number of girls and women particularly in prison. They are often there for low violence or nonviolent crimes such as resisting arrest and breach of bail offences. I know that JAG is doing some work on that in response to the *Hear her voice* reports. Are you able to give an update on how that is going, and do you have any time frames or know what is coming over the horizon in that area?

Mr Corless: The Justice Reform Office is designing and overseeing the development and implementation of a co-designed whole-of-government strategy for women and girls in the criminal justice system as accused persons and offenders. The strategy is the government's response to recommendations 93, 108, 141, 175 and 185 of the second report from the Women's Safety and Justice Taskforce.

The Justice Reform Office is going to be working to co-design the strategy with women and girls with lived or living experience, the service system, legal stakeholders and Aboriginal and Torres Strait Islander stakeholders and also incorporate a public health response. Consistent with the recommendations of the report, the strategy will seek to reduce women's and girls' offending and the risks of reoffending by increasing education and rehabilitation opportunities; promoting positive cultural, familial and social connections; addressing health and wellbeing needs; and strengthening pathways to meaningful employment. The strategy will also consider the best way to address the rising number and proportion of women and girls on remand and the length of time spent on remand.

The Justice Reform Office has commenced preliminary planning for a co-design process with women and girls with lived or living experience. A detailed project plan is going to be submitted to the justice reform committee in early 2024. The Justice Reform Office will also adopt any considerations from the committee's review of the plan and continue to work to progress the strategy.

Mr McDONALD: Are there any legislative changes that you can assist us with that would assist in providing sentencing options for the court that would better support young people into on-country programs or family-based programs, given the very large proportion of Indigenous people in the court system?

Ms Cunnington: I think that question is probably better directed to Youth Justice with their responsibility for the Youth Justice Act.

Mr McDONALD: Is that through the whole-of-government response? Is there somebody here who is the appointee for the whole-of-government response from JAG?

Ms Cunnington: Do you mean the senior officers reference group?

Mr McDONALD: Yes.

Ms Cunnington: Yes, I am the DJ nominee on that group.

Mr McDONALD: Is that something you have taken to that group to discuss?

Ms Cunnington: Not DJAG specifically, no.

Mr McDONALD: One of the concerns we have is that the sentencing options for a magistrate—when you talk about detention, at present that means kids going into an adult watch house or a not-fit-for-purpose detention centre. I am sure you have an interest in seeing detention centres that are secure care and providing good services to assist the child rehabilitate through that.

Ms Cunnington: Yes, of course, but I still think because Youth Justice has that responsibility for youth justice policy, those questions are better directed towards Youth Justice. I would be expressing an opinion.

Ms BUSH: Tygh, this might be best put to you, and I know there is a lot of work going on in this space. It keeps coming back to me around Victim Assist and the interplay between WorkCover and CTP. Is that part of the work you have been doing in looking at reform and making the scheme a bit more accessible? Are you looking at those areas?

Mr Field: The KPMG Australia review that I referred to earlier is currently being looked at as part of the operation of the scheme and the interface with things like CTP and WorkCover.

Ms BUSH: Did they look at that?

Mr Field: Yes.

Mr PURDIE: I think someone mentioned this before. The committee has not really gone down this path yet in relation to the Childrens Court being a closed court. We are hearing from victims—I know personally I have worked with a victim of a young boy who was murdered. The family felt that because of the closed nature of court it was so hard for them to get information. I think someone said to me at the time that because their child was deceased he was now an exhibit and nothing else could be divulged to the family because the person had been arrested and they were before the Childrens Court. I know there were some legislative changes in 2015 or 2016 about closing the court or information available to people from the court. Is there any work being done to better allow information from the Childrens Court, whether it is to victims, the public or elsewhere, to open it up a bit more?

Ms Deveson: The Childrens Court operates under the legislative basis of the Childrens Court Act and the Youth Justice Act, and the provisions of the legislation are a matter of policy for government. I am not sure if I have any more information that would be of assistance to the committee about that.

Mr PURDIE: Sorry, Chair, I wish to take this a little bit further if you do not mind.

CHAIR: Yes, as long as it is not seeking opinion.

Mr PURDIE: No. In terms of that information we are hearing from victims about the closed nature of the court and how hard it can be for the court to share information, could you point the committee to some legislation or some processes we could look at to maybe help streamline that for victims, or is that not in your wheelhouse?

Ms Deveson: I can point to two relevant pieces of legislation and the first is the Childrens Court Act, which sets up who and when people can be allowed to be in the proceedings. The second is the Youth Justice Act, which provides limitation on sharing of confidential information about children who have been charged with offences.

Mr Corless: I can add some more information for the member in relation to the experience of victims, and obviously victims come and speak to members quite regularly. Obviously we understand that occurs. In terms of those process and experience type issues, one of the things that we would like to obviously flag, which I am sure the committee is aware of, is the appointment of the Interim Victims' Commissioner whose role at the moment is specifically to go and listen to the sector and to listen to victims about their experience in order to, firstly, raise awareness about victims' rights and the services that are available to them; to identify, develop and provide additional accessible

resources for victims of crime to understand their rights, the criminal justice process and how to access law and assistance; and also to identify the training needs for government agencies that work with victims to increase their way of dealing with victims in a trauma informed manner. In terms of your question regarding the family's experience in that situation, part of the purview of the Interim Victims' Commissioner is to collect the experiences in order to work towards providing recommendations to government regarding victims' experiences.

Mr HARPER: I want to get an understanding of the relationship between the department and the Sentencing Advisory Council. There seem to be some misconceptions in the community about sentencing, bail—all of those things. I do remember reading a sentencing advisory brief shining a light on breach of bail. Can we get an update on the interaction between the Sentencing Advisory Council and the department?

Mr O'May: The Queensland Sentencing Advisory Council is established under the Penalties and Sentences Act. It currently comprises 12 members. It is an independent body. It is made up of experts in the field from a broad cross-section of the community, prosecutors and I believe police officers. There is an Aboriginal and Torres Strait Islander panel which also forms part of the Sentencing Advisory Council. I understand with legislation that was passed last week the membership of QSAC is to be expanded. It does have a number of functions—that is the body, not the legislation that was passed last week. QSAC has a number of roles in terms of educating the public.

Mr HARPER: That was going to be my question. How do they do that?

Mr O'May: To give QSAC a plug, it does have a fantastic website with a lot of information which is easily accessible by members of the public. It does produce a *Sentencing Spotlight* series and quite a lot of information. It also undertakes dedicated research tasks and there are a number of reports in relation to a number of different matters which are hosted on the website as well.

CHAIR: I have a very quick question from the member for Currumbin because we are running out of time.

Mrs GERBER: Does the department have any data to give us in relation to the fast-track sentencing program, particularly around cases that have been finalised within that fast-track sentencing program and reoffending rates as a result of that so we can perhaps draw a comparison? We have heard anecdotally that children who are dealt with in the system quicker—so say the restorative justice process happening nine months down the track is too late for a child to be able to process. If it happens at that point in time more quickly, the impact on the child is better. I am interested to compare that if there is data available for the department to provide us.

CHAIR: It can be taken on notice if required.

Ms Cunningham: It is very early stages in terms of the concrete quantitative data in relation to the fast-track sentencing pilot. The pilot is actually directed towards addressing delays in the system, not necessarily recidivism of the children. You are right; there is general evidence that says when the sentencing and the hearing is proximate to the offending that is the best outcome for the children in terms of sending a message about the behaviour and the—

Mrs GERBER:—consequences for the action.

Ms Cunningham: That is it. However, the fast-track sentencing pilot is not directed towards recidivism itself. It is really about trying to pinpoint in the specific locations where the pilot exists what are those delays and then working together as a system on trying to address them.

Mrs GERBER: Is it fast-tracking cases then, or is it just trying to bring cases back into line with an acceptable standard of being heard within the court process?

Ms Cunningham: I think it is both. What we are aiming to do is to reduce the number of appearances a matter has before it is finalised and the time taken to do that. It is looking at what are the delays are in that process, as Kristina mentioned before.

Mrs GERBER: What are those targets you would like to get to?

Ms Cunningham: We are trying to get in line with a practice direction that exists that the Chief Magistrate released in 2017 which talks about time frames for timely resolution of matters. Unfortunately, those time frames have not been able to be met for various reasons. Until the fast-track sentencing pilot came on board we were not able to identify what those adjournment reasons were. We had a sense that it was because of various delays outside the control of the court, but we were not actually able to bring to the table the data.

Part of this pilot is that it is capturing the adjournment reason data in all of those locations. For the first time we are able to say, 'The reason this matter was adjourned was because the police material hadn't been seen,' or the lawyer was not able to get instructions or various other reasons.

That is enabling us to come together as a system, and the other important thing about that pilot is it is not just resourcing the court or police; it is actually resourcing everybody involved in that system. It is empowering the system to come together and collaborate and really home in on what the problems are. They are a little bit different in each location. It might be a facility issue in one location. It might be something to do with the ability to attract lawyers in another location. That is really helpful for us.

Mrs GERBER: Overall, it is dealing with cases. Can you pinpoint how many cases have been dealt with by the fast-track program or you cannot do that yet either?

Ms Cunnington: In those locations all the matters before the Childrens Court are being dealt with as part of the pilot. Then we are able to get data around, for those matters that are within the pilot location, are we managing to reduce the number of appearances or the time that is taken to resolve the matter?

Mrs GERBER: How are you reducing the number of appearances? What are the practical measures that the fast-track program is doing?

CHAIR: Can we have that taken on notice just because I have to get a couple of questions in and we have literally run out of time. If we can do that, that would be really good. To finish off, as I said, we only have two minutes. I have a couple of questions. You can take them on notice or you can say, 'No, that needs to go to Youth Justice.' We heard in the hearings—did we hear it in the hearings? Wherever we heard it, I just need to get a correction. Do juvenile offenders have a choice where their matter is heard as in the Magistrates Court, the Childrens Court or the District Court?

Mr O'May: There is a series of elections which exists under the Youth Justice Act. I would probably prefer—

CHAIR: Could you take that on notice? That would be good.

Mr O'May: It is a matter which does fall within the department of youth justice, yes.

CHAIR: I will take it up there. Secondly, with the MACPs and the structure of them, does the Family and Child Commissioner sit on those MACPs?

Ms Cunnington: I think that question is better directed to Youth Justice. They auspice the MACPs.

CHAIR: Wonderful. I did ask this of the police: with those who are declared SROs, do we have any data on how many are actually in detention and how many remain in the community?

Ms Deveson: I might be able to assist. I understand that there have been 40 declarations made and, of the 40 declarations, the sentence imposed in 34 cases was a period of detention and the remaining six were not detention orders. Does that answer your question?

CHAIR: Yes, it does. Often we hear debate regarding the legislation within Queensland with our youth. Has there ever been any comparison or analysis versus other states in Australia as to the differences around sentencing? Has there ever been any analysis on that?

Mr O'May: In relation to specifically sentencing for young children and young people?

CHAIR: Yes.

Mr O'May: Again, it being a matter outside, I am not aware of those.

CHAIR: Thank you so much.

Ms Deveson: Very quickly I do have an answer to the member's question previously about the aggravated unlawful use of a motor vehicle offence. I am advised that six defendants have been sentenced to the offence of unlawful use of a motor vehicle with a circumstance of aggravation that commenced in March, the new circumstance of aggravation, in the higher courts. Of those six children, three matters—bearing in mind it might have been the same child more than once—were sentenced to detention, one to probation and two were referred to a youth justice conference. I also note that less than one per cent of the charges for that offence that have been dealt with have now been dealt with in the higher courts.

Mr PURDIE: The three that were sentenced to a term of imprisonment, do you know what that term was?

Ms Deveson: I do not have that information, no.

Mr PURDIE: As there are only three, is that something that you could provide to us? Not their overall head sentence, because I am assuming some of these might have been dealt with for dangerous driving and other offences, but specifically you should be able to see what the sentence was imposed for the unlawful use. Could you provide that to the committee?

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Ms Deveson: As there are three, I think that is achievable, yes.

CHAIR: We have gone over time. My apologies to the next session. I want to thank you so much for giving your time today. It has been deeply appreciated. A reminder that any responses to questions on notice are due by Monday, 18 December—in readiness for Christmas. Thank you again and, to all, once you get on your holidays may you have a very merry Christmas.

MISSEN, Ms Helen, Executive Director, Department of Child Safety, Seniors and Disability Services.

MULKERIN, Ms Deidre, Director-General, Department of Child Safety, Seniors and Disability Services

CHAIR: I now welcome officers from the Department of Child Safety, Seniors and Disability Services. Would you like to make an opening statement before members ask their questions?

Ms Mulkerin: I begin by acknowledging today that we meet on the traditional lands of the Turrbal and Yagara people and pay my respects to elders past, present and emerging. I acknowledge the impact the work of this committee will have on Aboriginal and Torres Strait Islander children and families who are disproportionately represented across both the youth justice and child protection systems. I would also like to acknowledge the committee hearings that have occurred to date and the submissions received. I note that some of the issues raised so far relate to the intersections between the youth justice and child protection systems, particularly about young people classified as serious repeat offenders who are also on child protection orders. I note the important discussions about the need for system-wide support to prevent young people from having contact with youth justice.

As you have already heard, children and young people in the child protection system and those in the youth justice system often experience similar vulnerabilities. These include abuse and neglect, trauma, poverty related issues, poor rates of school attendance, addiction, disability and mental health conditions. Despite this, only a very small proportion of children in the child protection system are also known to the youth justice system, and this proportion has been getting smaller.

As at June 2023, just 234 young people aged 10 to 17 who were subject to child protection orders were also subject to youth justice orders. This is just 3.4 per cent of the 6,889 young people aged 10 to 17 who were subject to child protection orders as at 30 June 2023. This is a decrease from 3.8 per cent June 2022 and 4.2 per cent June 2021. The vast majority of children in the child protection system have no contact with the youth justice system. When Child Safety identifies a child in care has offended or is on remand, child safety officers work with carers, carer support services, Youth Justice and other support agencies to activate supports. We work closely with those young people to target the behaviours that led to their involvement with the youth justice system and provide or strengthen care supports and options to assist them.

The Department of Child Safety, Seniors and Disability Services has 21 child safety court liaison officer positions dedicated to working collaboratively with youth justice service centres and other stakeholders. These officers provide courts at 12 sites with insights into the complex factors that contribute to young people in care engaging in offending. Child safety also participates in 18 multiagency collaborative panels across the state led by the Department of Youth Justice, Employment, Small Business and Training, to inform intensive case management and holistic support for young people identified as at high risk and requiring a collaborative response.

The children in our care who have a disability also require specialist support and Child Safety works closely with the National Disability Insurance Scheme and the Commonwealth government to ensure all eligible children and young people have NDIS plans to effectively meet their disability support needs. Child Safety has 17 clinicians and 12 specialist officers to work as part of a specialist team to support child safety officers working with children and young people with high and complex needs, including complex disability, mental health and trauma related behaviours. We also play a role in funding and providing early intervention and prevention services to children and their families and we do this through local community-based Family and Child Connect services and intensive family support services.

In partnership with Aboriginal and Torres Strait Islander community controlled organisations we have expanded family wellbeing services and family participation programs and we are actively working to increase the proportion of children and young people in care living with kinship carers and reduce the number of children living in residential care. Today 85 per cent of all children in out-of-home care reside in family-based care, either foster care or kinship care.

Over recent years we have seen an increase in complexity of the circumstances of children and families, placing additional pressure on the child protection and family support systems. This was particularly true during COVID when we saw a spike in the number of children that we brought into care who were older, which is out of the norm, and particularly older young people with very serious mental health issues. Their parents relinquished their care to us because they could no longer care for them.

Our focus is to respond to these pressures by focusing on meeting the needs of children in our care and eliminating the disproportionate representation of Aboriginal and Torres Strait Islander children in the child protection system. The department is currently leading a review of residential care. Mr Luke Twyford, Principal Commissioner of the Queensland Family and Child Commission, is providing expert advice and oversight. As part of the review we have undertaken comprehensive statewide consultation. To date the review has consulted with over 800 stakeholders across 41 different engagement activities. We are now in the final phase of the development of a road map with recommendations for change to deliver better outcomes for children and young people living in residential care.

I will briefly now turn to the disability services part of the department. The select committee is well placed to consider the intersection between the disabilities and youth justice system. Children and young people with intellectual, cognitive and neurodivergent disabilities are over-represented in both the youth justice and the child protection systems. According to the Queensland Youth Justice Census, 27 per cent of young people under supervision in 2022 were diagnosed or suspected of having at least one disability, including cognitive and intellectual disabilities.

Following the rollout of the NDIS, Disability Services no longer provides direct specialist supports. However, the department's assessment and referral team statewide helps navigate NDIS access processes and young people in youth justice are a priority cohort. We note current national disability reform processes through the disability reform royal commission and the independent NDIS review, which include a specific focus about disability capability in criminal and youth justice settings. I thank the committee for the opportunity to appear. As you know, we have provided a written submission to the committee and I am happy to answer any questions from the committee.

CHAIR: Thank you.

Ms BUSH: Thank you for coming in today and for all of the work that you do. I would like to start by talking about long-term guardianship. My colleagues have heard me speak about this. I have quite strong views on this, as you will probably hear. These are kids who are under long-term orders to the department. The department is the in situ parent, the corporate parent, of these children who do not have someone else to parent them. If my child were to go into detention I would do everything I could do visit them, to make sure that they had an NDIS plan, that they had appropriate food, that they had appropriate education services and that when they came out they were coming out to a suitable home. As the corporate parent, what is the department's role in oversighting all those kids who are on orders to you and making sure that all those things are being met for them, because there is evidence to suggest that it is not happening?

Ms Mulkerin: You are quite right. There are about 11½ thousand children in this state in out-of-home care on child protection orders and I am their legal guardian. Regardless of whether they are on a short-term order or a long-term order, my obligations—our obligations—are exactly the same. When children in care on a child protection order are in, for example, a detention centre, the detention centre assumes the day-to-day care of them, the day-by-day custody of them to make sure that they are fed and that they have appropriate access to services.

We do have an ongoing role when children and young people are in custody to maintain contact with them. Often our role can be to make the connection between the young person who might be in custody and their family to try to keep some of those connections going. It is particularly important for First Nations children and young people—in fact, important for all children and young people—to know who their family is and where they come from. We often play a bridge role there. Our workers will go visit children and young people in custody.

It is the same for children and young people who are held in watch houses. The police will notify us or Youth Justice will notify us that a young person is in a watch house. We have an expectation that the allocated case worker will visit or make contact with the young person and also keep contact with their family to keep the information flowing between them.

Ms BUSH: I might have misheard, but I think it was put to us that, when a child is placed in detention, their placement in community is closed down and they lose that placement, which means when they come back out they are going to another home. Is there something happening in that space?

Ms Mulkerin: Thank you for the question. It depends on what sort of placement the young person has been in prior to going into detention and on how long they are likely to be in detention. If they are with a kinship carer for example—so a member of their extended family—they would most likely go back to that extended family with our support. If they have been in a residential care placement or if they have been in a temporary arrangement—depending on how long they will be in custody—and are only in custody for a couple of days or a week, most likely they would go back to

the same placement. However, if they are going to be in custody for six months for example, yes, we would close off the placement, because we are a system that is always under pressure. We will need that placement for another child or young person. Even if it is not the same placement, we try very hard to keep some of the constant threads, connections and relationships going. Ideally, if a young person could go back to their previous placement and there were a place open, of course we would make that happen; but we are a big system. We are providing the care for 11½ thousand children and young people who are in and out of custody. They may or may not go back to their original placement.

If I might, it would be helpful to understand the sort of scale and the size. As I have just talked about, there are 11½ thousand children in out-of-home care. There are 6,889 10- to 17-year-olds on child protection orders. At the moment there are 234 young people on dual orders—child protection orders and youth justice orders—out of 6,889 and 689 out of the 11½ thousand—very small numbers. Of those 234 who are on dual orders—child protection orders and youth justice orders—73 as at June were placed in residential care. I think there is a misunderstanding in the general community that all the kids in residential care are youth justice kids, which is just absolutely not true. There are 73 out of 1,700 children in residential care. It is 5.3 per cent of the 10-to 17-year-olds in residential care, even if we break it down for age.

To be fair, though, to our partners in the community—and I have seen some of the evidence given—these are young people who are very visible in the community. They do not look or sound like most other young people that people in the community would know. They look and behave differently. Often there is concern in community about those young people. Despite the small number, they occupy a lot of time and energy in communities because they are that group of young people for a reason. They have very complex behaviours.

Ms BUSH: I have questions on that, but we will come back to it.

Mrs GERBER: Following on from that, too, I appreciate what you are saying in relation to the amount of children under a child safety services order who come into contact with the justice system, but we know that 30 per cent are serious repeat offenders. The figure is 133 of 452 serious repeat offenders are under an active CPO. What responsibility is the department taking for those children? I appreciate your saying that there is a large number of children you are dealing with, but the state is the largest 'parent' for these serious repeat offenders. The Premier has previously made comments saying that parents need to take responsibility for their kids. I guess what I am asking the department is: what responsibility is the department taking for the 133 serious repeat offenders who are also under a child protection order?

Ms Mulkerin: That is a very fair question. Of course, just to state the obvious, if 30 per cent are in the care of the department, then 70 per cent are in the care of their parents. The vast majority are in the care of their parents. For the children and young people for whom I am responsible, yes, we do have a responsibility to actively work with those young people and with their families to try and understand what is driving them to commit offences. What has happened in their lives that causes them to become offenders? I think you have heard evidence already that there are a lot of vulnerabilities that children experience early in life. The vast majority of them do not end up in youth justice. Some of them end up within the child protection system. Our responses are about providing safety, stability, support, access to services and to try to understand what it is that is triggering them and driving them to offend. There is the same responsibility as every other child in my care about placements, access to services and supports. For that group of young people, particularly the serious repeat offenders, we actively work with our colleagues in youth justice, education and health to try and understand the combination of responses that might actually turn that young person around.

Mrs GERBER: Can you speak to bit to the committee about the proactive steps you are taking—the action items—to try to do this?

Ms Mulkerin: Sure. The best example of that are the multiagency panels that you already would have heard of. That is where all agencies who are responsible and who have some connection with those young people—and we are definitely there if they are young people in our care—share information about what is it that we all know about this young person? What do we know about their family? What do we know about what is triggering their offending behaviour? It is about pooling all of our resources to try and get the right combination of support, placement, access to specialist services and mental health supports.

Our role often is about organising those assessments for young people and then actively working with other agencies so that we can access the right types of services for those young people, whether it is mental health or drug and alcohol services. We know that young people on child

protection orders and youth justice orders have a very particular profile that is different from other children and young people. For example, just in child protection, over the weekend I was preparing to appear and I pulled together some of the information that we have to try and understand the characteristics of those young people. For example, young people who are just on child protection orders—no contact with the youth justice system—have a 66 per cent likelihood that they will have had exposure to DV prior to entering care. If they are both child protection and youth justice young people, that rises to 81 per cent. In terms of physical abuse prior to entry to care for children in child protection's care, it is 37 per cent. If they are child protection and youth justice young people, that rises to 70 per cent. For suicidal ideations over the age of 10 for children on child protection orders alone, it is nine per cent; for children with youth justice and child protection, it is 44 per cent. For that particular cohort, we can see that they have had early childhood experiences that are quite profound and have a significant lifelong impact on them.

The responses to them, the way in which we might work with them and our partners might work with them, are really vested in understanding their intellectual—they might have cognitive impairments—mental health issues. Child protection and child safety's job is to try and corral all of those services to provide a specialised, tailored response to that young person.

Mr HARPER: Director-general, a couple of years ago in my electorate I was getting community members ringing all the time about residential care places.

Ms Mulkerin: I recall, member.

Mr HARPER: I just wanted to commend the work, because there has been a shift from the department and all those people involved in looking after these complex kids. I just note that the joint agency protocols reduced preventable police callouts to residential care services. Well done. I will start with that.

Ms Mulkerin: Thank you.

Mr HARPER: I did want to talk about services outside of some of the challenges where services for youth are generally Monday to Friday and nine to five. We have just opened up the Street University; there is the lighthouse. Are there any barriers? Can I give you a scenario? If a child is on a child safety order and leaves their residential care for whatever reason—let's say a co-responder picks them up even though they are on an order—could they be dropped to one of these locations, or do they have to be returned to the residential care service?

Ms Mulkerin: It would depend on the arrangement for that young person. What is the plan that we have in place? The vast majority of young people in residential care live their lives trying to overcome whatever has happened to them and go on to live productive lives. This particular group of young people that we have been talking about definitely stretch every single part of the sector and the assessor system. The key is that we have to keep engaging with them. We have to keep connected to them and we have to keep trying the next thing and the next thing and the next thing. A lot of young people do not have a lot of connections to prosocial activities. Their network is often so engaged in offending where they feel more connection to their peers than they do to adults. A lot of that comes from their early childhood experiences. Many of them will actually have Oppositional Defiant Disorder and other orders which means that they actively reject authority. That is why a lot of those youth work models actually work best for those young people. They can build a different type of relationship and build some trust and connection. It is in that kind of trusted relationship that often the most change can happen. It is persistent, consistent, got to stay the course and not get too demoralised by setbacks. We are open to any opportunities that help particularly this cohort of young people be connected to prosocial activities and divert them from other offending. Often we are also worried about young people who place themselves at risk. They engage in high-risk activities, so they are at risk to themselves.

Mr PURDIE: I want to start with a comment and then talk about the 72-hour intensive period for when a young offender is released from custody. To my comment, I appreciate that those 234 10- to 17-year-olds being across both orders is a great KPI for you to monitor. We here have been alternating today about when a child comes in contact with the justice system and then that KPI is a child on a youth justice order. I put to you—and I am sure you would agree—that there are a lot of children in the youth justice system coming to police attention. There are a lot more on orders. A young offender is in the system for some time before they are placed on a youth justice order. Would you agree with that? I think we need to be clear that we are not talking about when a child comes into contact with the youth justice system and a child on an order. Going to those 234 and the 133 potentially young offenders who are on that serious repeat offender index, how many of them are self-placing? After your answer, my next question is about the 72 hours.

Ms Mulkerin: Yes, you are right. There are of course many different ways in which we can bundle the data together.

Mr PURDIE: I appreciate that.

Ms Mulkerin: ‘Known to youth justice or the justice system’ or ‘known to police’ is a very broad realm, from police talking to somebody in the street right through to a court appearance and being sentenced to an order. You are right; there are lots of different ways in which we can cut that data. We often use the dual order count because it really is those young people who the state is actively responsible for and they often are a reflection of the most complex end of young people. That is the obvious reason why we do that. I think your question about the placement type for the 234—

Mr PURDIE: If I can clarify. We are hearing information that young offenders are released from custody into a 72-hour intensive program. A lot of them do not have anywhere to go and they are not complying with that 72 hours. Within a couple of hours, they are gone or they are back in the same situation which they came from. You identified earlier that they go back into the kinship carer remit they were already in or a lot of them do not have anywhere to go. I am trying to get to the bottom of how many of them are self-placing, or on how many occasions do you or Crisis Care or whoever get notified that they are being released from custody on a 72-hour order and they have got nowhere to go and you go, ‘They’re self-placing so they can go back to wherever they were.’

Ms Mulkerin: That is a complex question and there will be a complex answer to match it. In relation to the 72-hour plans that we work with with Youth Justice, if a young person is released from custody and we know the release date, we will actively work with our youth justice colleagues. They do their plan about the offending, contact and programs, and our part of that is making sure that, if the young person is on a child protection order, they have a placement to go to and there is support around them. We will often negotiate with Youth Justice about who picks the young person up from custody, and that will really be dependent on who the young person has a relationship with. That is to try to give that first initial period of time the best chance of getting a good outcome. Neither of us are too fussed either way about who that is; it is just whoever has the best relationship. Sometimes it is a youth worker from a service that they have had a relationship with before. Whoever that is—

Mr PURDIE: My question is not so much about who is picking them up but where they are taking them to.

Ms Mulkerin: Yes, I understood that. For a young person in care who we know is being released, we will organise a placement for them. Whether the young person then actively stays there is a separate question. It is not unusual, particularly for this cohort of young people, to not be compliant with the placement. They have spent time in custody and they want to spend time with their family or their friends.

The reason I was belabouring who picks them up is that it is a really critical step to try to get them to their placement and then to keep them in their placement. If we can keep them there for a couple of days, it is more likely they will stay, they will settle and we will be able to make connections for them. That is why we have agreed between youth justice and ourselves that those first couple of days are really critical times.

I think it is often assumed that I, as the chief executive, have powers to make children and young people stay somewhere. I do not. I do not have any powers to contain or restrain young people. The fact that the vast majority of children and young people do is a testament to either the quality of the care they get from their foster carers or kinship carers or the skill and the expertise of youth workers in the non-government sector. It is a great testament to that. I have no legal power to make a young person stay somewhere. I cannot lock a door, for example. If they walk out the door, I cannot authorise a youth worker to hold onto them to make them stay. We have no powers of containment. Those restraint powers are exclusively police powers; we do not have those.

If a young person leaves a placement, we will actively keep looking for them, we will reach out to them, we will try to bring them back and we will just keep working until they settle. Or we will work with them on another plan about somewhere else they might want to go to and then try to wrap a safety plan around that place as a way of settling in that beginning period.

Mr PURDIE: I appreciate those restraints that you are working with. Out of the 234, do you know how many are essentially self-placing? Is that a figure you could provide us at a later time?

Ms Mulkerin: I would have to take advice about whether we could provide the self-placing number. The way that we report our data is to meet the national standards. All states and territories report out-of-home care data in the same way. We have agreements about what you count and what is in and what is out. We have a category that is ‘other’, so not foster care, not kinship care, not resi care. The ‘other’ can be a lot of things. It is an ‘everything else’ bucket, if you like. It can be children

and young people who are back home with their family as part of a reunification process and then at some point we might withdraw the order. It can be children and young people in hospital placements or children and young people in custody. It is kind of a catch-all category. The question about self-placement would be a subset of that number.

Mr PURDIE: I am happy for you to take that on notice and let us know how many of those mainly repeat high-risk offenders on cross-orders essentially are in the 'other' category.

Ms Mulkerin: I will take it on notice.

Mr TANTARI: I think we are all talking about the same cohort of the 234 that we have been mentioning. Of that 3.4 per cent or that 234 who come under the youth justice order, how many of those are Indigenous?

Ms Mulkerin: That is a very good question and I do not know that I have that with me, but we can definitely get that for you. My apologies, I should have had that with me.

Mr TANTARI: Before I go to the other part, how many would have a diagnosed disability?

Ms Mulkerin: What we know about the crossover—the young people on youth justice orders and child protection orders—is that 40 per cent of them have limited to severely limited intellectual functioning and a developmental delay, and that 54 per cent of them have disconnected or very poor social skills, which would be a reflection of their cognitive impairments. If I can get you more specific information on disability, but we know that 40 per cent of the cohort have limited to severely limited intellectual functioning.

Mr TANTARI: Further to that, with regards to the Indigenous component, in your brief you state there are 31 Indigenous youth and family workers funded across 17 locations. Has the department identified any other locations where Indigenous youth or family workers are not available that would be desirable? Being a regional member, it would be interesting to know how many out of those 234 are from South-East Queensland and how many are from the regions.

Ms Mulkerin: We can get a regional breakdown of the 234 and we can provide to the committee a breakdown of the extra support positions, particularly the First Nations support. I am not sharing any great state secrets to say that all support systems in the child protection system—the family supports, early interventions—are oversubscribed. Wherever you are in the state, there is more demand than we have the capacity to respond to or are able to fund.

Mr McDONALD: In the terms of reference for this committee, we are looking at the whole cohort of the system but we very fast got to the point, to use your words, of the cohort who have some very big challenges—they look different and they act different. Back in 2013, the review made a recommendation for therapeutic secure care. Why haven't we done that? That seems to be a glaring omission from 10 years ago.

Ms Mulkerin: I had the great benefit of watching my colleague, Bob Gee, give evidence earlier so I was able to scramble out the answer. You are right; the Carmody report recommended the government explore secure care as a placement of last resort. That recommendation was accepted in principle by the government at the time. Subsequently, further work happened to look at the scope and explore options, and then government made a decision instead to pursue the development of the Hope and Healing Framework for residential care. That was the decision of the government.

Mr McDONALD: Experts have told us that this worst of the worst cohort should be removed from the community as a risk. Mr Gee, as you mentioned, suggested a business case look into some of this secure care again. There is obviously a need for detention to be rethought. Detention at the moment is sending a child to a watch house or another jail, but if the government had invested in a therapeutic secure model then some of these worst of the worst offenders who are committing the very serious offences and creating a lot of victims across Queensland would be better cared for. I do not understand why it is not in place now.

Ms Mulkerin: Obviously, I cannot comment on a government decision of the day, but I wonder if this might be helpful to the committee. I worked in New South Wales for seven years. I ran child protection services in New South Wales for seven years from 2013 to 2020. I was responsible for a secure care unit in New South Wales. That is part of the out-of-home care system. It is very small, and usually the unit will be caring for only about four to six young people.

They go there via a Supreme Court order. It is not a departmental administrative decision; it is a Supreme Court order in recognition that they are young people who have not committed a crime but they exhibit very difficult behaviours so that they pose a risk to themselves and a risk to others. They are very complex and we definitely have those in our care. There are some nights I go to sleep praying I wake up in the morning and those children and young people are still alive the next morning.

It is a highly intensive, highly specialist service. Young people often will stay there for nine to 12 months and receive really intensive therapeutic care. It is very expensive but is very targeted and very specialist.

Victoria also has secure care. It is a mix of young people being sent there via court order or the secretary has the power to use that as the placement. It is for a very short space of time. It is only for up to 42 days. It is much more about trying to break the pattern of whatever might be happening—to keep young people safe and see if they can stabilise them. The New South Wales model is really long term, intensive, residential, secure. I do not think there has ever been absconding from that facility. It is very secure.

Mr McDONALD: And successful?

Mr PURDIE: Do you remember the rates?

Ms Mulkerin: I do not know the success rates off the top of my head, but I am sure we could ask our New South Wales colleagues if there was something published already. I did have a look on the website before I came to make sure I remembered the Supreme Court order part and the length of time because it has been a couple of years since I have been responsible for it.

Mr McDONALD: You would agree that the Hope and Healing model will attend to some youth need but not the worst of the worst.

Ms Mulkerin: I know that the committee was interested in the residential care review we have been undertaking. It is not finalised, but I am confident in saying that some of the feedback we have had, looking at evidence and research and our own expert opinion and other experts', is that the group that we really need to do something very different for is this very complex, high-needs group of young people. I will be recommending to the minister that we embark upon that next year—to rethink, redesign and recommission a whole different way of caring for those young people. We have always had young people who have tested all of the usual arrangements and supports. In the past it has been a smaller group so we have been able to mobilise something bespoke to them. We are definitely at the place where we cannot do a bespoke arrangement for every single one of those young people. We need a many more systematic way of responding to those young people.

Mr McDONALD: Has there been a business case put forward for secure care yet?

Ms Mulkerin: I cannot even comment about whether it would be a secure care model. That clearly would be a decision for government.

Ms BUSH: You touched on the impact of labelling and community narratives around young people, labelling young people as particular things like the 'worst of the worst' and targeting them in that way. I am certainly not minimising what they have done, but I am thinking about things like social identity theory and the impact that has on young children. In the work you have done in community where they have had residential care with some really complex kids, what have you seen that has worked to engage communities to think differently about their neighbours, whom they might actually be frightened of?

Ms Mulkerin: Recently I had some meetings with one of your colleagues who was very concerned about a particular young person who was in a residential arrangement. I think the neighbours were very afraid and worried about their safety. They were worried about who this young person was. They made an assumption that he was a young person who was a young offender and that he was a risk to them. This young person was only a risk to himself. He was a serious risk to himself. The neighbours assumed quite rightly, because it is not the usual—this is not most of our community's experience, thankfully—that when they saw ambulances and police arrive it was because the young person had harmed somebody or had committed an offence and that is why police were there. But in all of those callout times the young person had harmed himself.

He had really complex mental health issues, disability issues and cognitive impairment issues. He had a very particular psychosis that meant when he saw himself in a mirror, when he saw his reflection, it caused him to behave in a very amplified way. When he walked past a car he would see himself in the window. When neighbours were filming him—because they saw something that was unusual—he could see himself and he could see they were filming him. We engaged with the neighbours. We talked to them and said, 'This young person is not a risk to you; he is a risk to himself. He has this disability. He has this cognitive impairment.' We have had no complaints from the neighbours since. I am sure that young person is still causing a disturbance in the neighbourhood. His behaviour will not have changed, because I do not think it actually can, but the way in which the neighbourhood thought about him dramatically changed.

I also do not want to pretend that it is all rainbows and unicorns. There are definitely residential care arrangements where neighbours do get fatigued by the noise and what looks like chaos. They get worried about their safety and their children's safety. I do not want to dismiss that in any way. That is very real. We do from time to time close those residential facilities and move young people to other arrangements really out of respect for the neighbourhood. We respect they have shown some grace already to young people who do not look and sound like the young people they know of and that they have been accommodating of them. The least we can do is respect them when they say, 'We've had enough,' so we do definitely do that.

Sometimes there is heightened media attention about young people in residential care. I have spent my whole working life in this sector. I started my working life as a frontline child protection and youth justice worker 400 years ago—a very long time ago—so this has been my whole working life: child protection, youth justice, domestic and family violence, women's issues. I am a lifelong champion for the rights of children and young people. I know that probably some of the most distressing times have been when there have been assumptions in communities about who young people are. We have had to close residential facilities because there have been vigilante activities. There have been threats on Facebook that certain houses would be firebombed. One Facebook posting said, 'Wait for workers to arrive and we'll drag them out of the house and we'll assault them.' There have been threats that neighbours, community members or other people would go in and find the young people and 'string them up'. These are young people that belong to our community.

Again, in no way do I want to minimise that some of these young people are very complex and some of them pose a risk to the community, for sure, but many of them do not: they pose a risk to themselves. It is always a very delicate dance about trying to balance the needs and the very reasonable concerns of communities and neighbours with my responsibilities about providing care and support and trying to find an environment in which young people can then thrive and overcome whatever it is that has happened to them in their past.

Mr PURDIE: Just to close that loop, we have the health department coming in tomorrow. You are talking about these young offenders who are a risk to themselves, particularly the example you gave about the boy seeing his reflection. The member for Hervey Bay talked about mental health issues. There is power under the Mental Health Act to detain someone on an emergency assessment order if they are a threat to themselves or other people. You probably cannot answer this and I will ask this question tomorrow, but is there more the health department could be doing when someone is a threat to themselves or to other people to assess those people? They can detain them for an assessment. We are talking about a whole-of-government approach here. We are trying to find solutions. We realise it is not a criminal justice approach and we realise that you cannot be a mother to 11,500 children. Is that a question we should be asking the health department?

Ms Mulkerin: Definitely ask the health department tomorrow. My colleagues and I would say that for this group of young people all systems are being tested. All parts of the sector—health, education, police, youth justice, ourselves—are all being tested by this particular small group of young people and trying to find, as I said earlier, the right combination of supports, interventions, safety, community safety, stabilising them, to try to at least reduce the behaviours they are showing and the risk they pose to the community. Are there enough mental health services in the state? That is a question you will put to Health tomorrow.

From our end, we have an arrangement with Health where we fund them specifically to provide specialist mental health services to children in care. It was our way of trying to sidetrack the clinical lists to try and get some priority for children and young people in care. That is the Evolve process and it works very well. Do we wish it was in more locations? Yes. Do we wish that we could all provide more support, more targeted specialist support? It is really the specialist, very high-end clinical supports that are required. That might be a question you can put to Health tomorrow.

Mr PURDIE: Earlier we were talking about a recommendation in 2013 for secure care or something like that. I think you said that a decision was made to adopt another model, open care or something. I have never heard of that before. Can you point the committee to that model?

Ms Mulkerin: We can provide the relevant documents. It is a framework for therapeutic care in residential care, not a secure care model. The government made the decision not to pursue secure care and instead asked us to develop a framework for hope and healing. In terms of how care inside residential care should go, I am sure I am not speaking out of school and my minister would not mind me saying this: we will definitely be doing new, bigger work next year as a result of the residential care review specifically about this.

Mr HARPER: Just on that review, it said in the brief that it was due in December. Do you have a date for us?

Ms Mulkerin: We are in the very process of finalising the writing. In the last couple of weeks we have been negotiating with the stakeholders who represented a lot of the people who came and gave information and wanted to have a say. We are very close. It will definitely be before Christmas. The minister asked me to lead the review. I will give the minister the report before Christmas for sure. We are definitely on track for that.

Mr HARPER: Is the department doing anything to address that misconception in community? I have community leaders saying, 'It's all resi care kids that are causing the problem,' when clearly it is a very small percentage of those kids.

Ms Mulkerin: I wish I had a magic solution for this. At another time when there was concern that young people in residential care had committed a terrible crime there was a lot of media that then published the locations of residential care across the state—an interactive map that went down almost to suburbs and streets, which is when we had threats to children and young people and workers. I have written many times to the *Courier-Mail* to caution them that they were running very close to breaching the Child Protection Act. I would welcome any advice from the committee about how we can remedy the misconception.

I think part of the dilemma—I will put it that way—is that there are very, very clear and very strong confidentiality provisions in the Child Protection Act, which as CEO I am responsible for the administration of. It has often been put to me in the past that, instead of the confidentiality provisions, if I could provide information to the public that that child or young person did not do that or that young person was not known to us, for sure that would make my job a whole heap easier. However, I will argue to my last breath that it is not the right thing for children and young people.

I would ask you just to think for a minute: if these were your nieces and nephews, if your sister or brother had a significant mental health issue and had had a really difficult run through life, and through no fault of their own your nieces and nephews found themselves in care or in need of support and then something terrible happened and it was on the front page, I doubt that you would want a public servant to go out and say, 'They are Ms Bush's nieces. Their mother's new partner has done this terrible thing.' Those children and young people go to school, they have friends, they play sport and they have sleepovers. The very worst thing that has happened to them and their family will stay with them forever already, as you know. I do not think that it helps those children to heal for the other children in their classroom to know the detail of the worst things that have happened to them.

Just as you and I have a right to privacy about our personal business, children have a right to privacy too. As a public servant, I definitely do not think that it is my role to not respect that they have a right to privacy, their families have a right to privacy, and they have a right to heal in a way that is not in the public domain. Would it make my job easier to go out and say, 'Those children and young people were not known to us at all,' which is often what I want to say? Absolutely, but of course I cannot. I should be upholding the rights of children for their stories not to be made public.

CHAIR: Director-General, do you mind if we ask you a couple of more questions? I realise that we are out of time, but do you mind?

Ms Mulkerin: Of course not.

Mrs GERBER: The review that you are doing into resi care, will that look at caseworkers or workers on site in resi care facilities? Some of the anecdotal evidence I have heard back from stakeholders who regularly have to engage—like schools—with students in residential care is that sometimes those caseworkers move around a lot, they can be quite young, they might be quite fresh out of their qualifications, although I understand that they do not have to have any qualifications or any therapeutic-based qualifications at this stage. Those people are the parent in that residential care—that is, they are the person who is meant to be, figuratively speaking, in that role. Is the work the department is doing in relation to residential care looking at that as well?

Ms Mulkerin: Yes. A big component of the work ahead for us is about who is the workforce and who do we need them to be? We have children and young people in residential care who are severely disabled—PEG fed, quite disabled.

Mrs GERBER: Better than the NDIS.

Ms Mulkerin: We provide their care. The NDIS does not provide funding for their care if they are in our care. They will provide support. They will provide funding for disability specific, but we are the primary carers. The kind of worker we need for that is quite different from the kind of worker we might need for a very large sibling group of six or seven kids we are trying to keep together as opposed to the young people we have been talking about—this complex behavioural end of care.

Public Briefing—Inquiry to examine ongoing reforms to the youth justice system and support for victims of crime

The work that we will be doing next year with the sector is to develop a workforce plan that will stratify the different types of care. We have young people in residential care who are there for respite, so they will go back to their KinCare placement. They will be there because of their disability. Who they need to be is quite different from the kids who need complex support. Yes, a big part of the review and work ahead will address and try to focus on that and the level of skill, training, qualifications, ongoing development support and clinical supports—all of that—will be part of what is ahead for us.

Mrs GERBER: Can you just tell us right now the level of skill and the age? Can you give us what those parameters are right now?

Ms Mulkerin: No. I would need to take that on notice.

CHAIR: I just have a couple of quick questions and you can take them on notice, because I realise the time. You mentioned the secure care system in New South Wales and you mentioned time frames of six to nine months. What happens after that? We have heard previously that with regard to cognitive issues such as FASD there would need to be support for life. What would happen in transitioning out of the secure care system?

Ms Mulkerin: A big part of the work the secure care unit does is work with step-down arrangements. It might be they are going back home to their family. They might be going to foster care. They might be going to KinCare. A lot of the transitional arrangements can take quite a number of months. It might be that a young person leaves the secure care unit and might visit their family with a worker. Then that might increase to overnight. There is a big kind of plan about how you make the transition for the young person out of this highly regulated, highly controlled environment back to the community. As with all intense therapeutic responses, the proof of how well they go often is in the transition back to the community, back to support, back to family. It has to be really actively managed.

CHAIR: That leads me to my second question. Further on from the transition of youths in detention—and 72 hours was mentioned earlier—I am still not clear what the process is afterwards in terms of ongoing supports and assistance provided. From what we have gathered at previous hearings there is a gap there, whether that is connecting to an ongoing program to deliver almost that step-down approach you are speaking about, when juveniles have been in detention or remand.

Ms Mulkerin: It may depend on what orders they are on and who is actually working with them. In relation to programs about their offending, that would be the work that our youth justice colleagues would do with the young people. The work we would do would be about what is their placement? Do they have connection with their family? Are they engaged in any pro-social activities? Have they been engaged with education? Can we try and get them reconnected? The rehabilitative programs about their offending will be with Youth Justice and ours will be about their care arrangements and their support arrangements.

CHAIR: My last question is with regard to funding. The department's written brief states that 86 youth support services across Queensland share approximately \$26.7 million per annum to provide support to at-risk people. How stable is that funding, and does this level of funding affect the hours of operation of youth support services?

Ms Mulkerin: I will need to come back to the committee about specific hours of operation. I believe that all of that funding is recurrent funding. Over the last couple of years most of the funding arrangements that we have with non-government organisations has been converted to ongoing funding, but I will clarify that specific program for the committee.

CHAIR: This is my very last question, I promise. You mentioned earlier that you now have a larger group, a really complex cohort, than previously. You did mention COVID. Have there been any other contributors to that growth in numbers?

Ms Mulkerin: Definitely through COVID. Our new entries into care over the last couple of years have usually been around two to 2½ per cent. It has been around there. Through COVID we peaked up to six or seven per cent growth, which is one of the big pressures. Because those children and young people are in our care, we were caring for hundreds more children and young people than we had the same time the year before. All of our funding, all of our arrangements, were all set for the usual and not this big spike. It was, as I said earlier, a different cohort of people than we had ever taken into care before: older young people with serious mental health issues. Mostly we bring children into care when they are younger. This was quite a different group.

I think my colleague Mr Gee also mentioned the impact of ice usage and methamphetamine. It is so prevalent in the parents of the children we are working with and certainly with young people. You know from your experience in your communities that it is a terrible, terrible drug. People just

cannot function on it. As I said, I have been at this a very long time. In years gone by the drug of choice was heroin. It seems counterintuitive, but people could function using heroin—maybe not great but okay. It is very different using ice. There are much more violent behaviours than we would have typically seen with heroin. Then there are all the flow-on effects about parents not being able to parent, extended families not being able to step in to care, and the behaviours of children and young people are vastly more elevated than we might have seen in the past.

CHAIR: Thank you again. I know we have run out of time, but I do want to thank you for the incredible work that you do. It is really hard work. The cut-off date for any responses to questions on notice is Monday, 18 December.

Ms Mulkerin: I am trusting that my good colleague has actually taken note of anything I have committed to take on notice.

CHAIR: I want to thank you for the information you have given us today and wish you all the very best for Christmas. This concludes this part of the public hearing. We will now take a break and resume at 1.45 pm.

Proceedings suspended from 1.25 pm to 1.46 pm.

PARTON, Ms Kathy, Deputy Director-General, Strategies Policy, Legislation and Program Reform, Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts

CHAIR: Good afternoon. I now welcome a representative from the Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts, Ms Kathy Parton, Deputy Director-General, Strategies Policy, Legislation and Program Reform and also, observing, Denise Andrews, Acting Executive Director of the same. Would you like to start with an opening statement before members ask questions?

Ms Parton: I would like to start by acknowledging the traditional owners of the land on which we are meeting today and pay my respects to elders past and present and particularly to any Aboriginal and Torres Strait Islander people who are joining us today. Thank you very much for the opportunity to appear in front of the committee today and contribute to this important discussion about youth justice reform in Queensland. You will have received the briefing submission that the department provided for the committee's consideration and I can take you through some of the key aspects of the committee's terms of reference relevant to the work that we do in the department.

Our department was formed through machinery of government changes in May this year. The department is committed to working with Aboriginal and Torres Strait Islander people and non-Indigenous Queenslanders to build a new future and support thriving communities where everyone can enjoy high levels of social and economic wellbeing supported by a vibrant arts and culture sector. The department recognises the value and effectiveness of early intervention and prevention when it comes to youth offending and the importance of providing culturally appropriate responses, multidisciplinary interventions and disability and specialist supports to reduce offending behaviours. The main areas of intersection for the department with the work of this committee is in the Aboriginal and Torres Strait Islander partnerships portfolio area. Our department's primary function in this area is policy leadership, legislative reform and program coordination, but we do provide some limited service delivery and coordination, but this does largely sit with other departments in this space.

Data will highlight that, while the majority of Aboriginal and Torres Strait Islander children grow up in safe and loving homes, First Nations children are significantly over-represented in Queensland's child protection system, youth justice system and flowing on to over-representation in the adult correction system. The *Building safer communities* report from the University of Queensland, which was commissioned by the Queensland government, highlights that the best way to reduce children's offending is to provide support to vulnerable children. This is an issue that goes well beyond the youth justice system and spans education, health, policing, child safety and other areas. Education is obviously one of the most important protective factors a child can have against involvement in the youth justice system.

The department recognises the importance of working across government and in partnership with young people, their families and communities to address the over-representation to ensure responses are culturally appropriate and trauma informed and that young people are given support when they leave the youth justice system. The work of the department is guided by the *Statement of commitment to reframe the relationship between Aboriginal and Torres Strait Islander peoples and the Queensland government*, guided by key principles including the right to self-determination, locally-led decision-making and a strength-based approach supporting thriving communities.

Central to this approach is the Queensland government's commitment to the National Agreement on Closing the Gap, which is shifting the way that we develop and implement government policies and programs and deliver funding. Two focus areas underpin the national agreement. There are four priority reforms that are aimed at changing the way government works to share decision-making with Aboriginal and Torres Strait Islander people to build the community controlled sector and to improve mainstream institutions and provide access to local data. Secondly, there are 19 ambitious social economic targets that cover social and emotional wellbeing, health, education, employment, family violence, justice, language preservation, housing and land and waters.

The national agreement includes specific justice outcomes. There is target 11, which is aimed at reducing the rate of Aboriginal and Torres Strait Islander young people held in detention by at least 30 per cent by 2031. Our department leads the governance coordination and reporting arrangements supporting the Queensland government's implementation of the national agreement, noting that policy program and service delivery work to implement the priority reforms and meet the targets is a whole-of-government effort and is led by ministers across the government and their departments.

Key to achieving the Closing the Gap targets is the Queensland government's engagement with First Nations organisations and communities, including our partnership with the Queensland Aboriginal and Torres Strait Islander coalition of peak bodies. The department is progressing work across a number of important initiatives, including the Local Thriving Communities reform where locally-led decision-making is improving service design and delivery at a local level to better meet the needs of each community, including in youth justice services, and also providing avenues for economic self-determination through initiatives such as the Youth Employment Program, the Queensland Indigenous Procurement Policy, and the current development of a new whole-of-government First Nations economic strategy.

Our department also delivers other initiatives and funding programs that deliver meaningful and positive outcomes for First Nations people, mostly through development in partnership with communities where communities have identified a local need and where it is delivered in a locally coordinated fashion. This includes community-led social reinvestment projects with funding for hub-based initiatives that provide needs-based wraparound supports and also arts programs through Arts Queensland supporting young people at risk or who have been involved with the youth justice system.

The department also includes the Office for Youth. Although not involved in youth justice, they work to elevate youth perspectives across the government through the development of relevant Queensland government policies, programs and services and they also provide opportunities to strengthen youth leadership capabilities and involvement in government through initiatives such as youth parliament. Our department also participates in the collaborative panels that have been discussed earlier today in 17 locations around the state. We continue to contribute to whole-of-government efforts to reduce youth crime and support holistic approaches to youth justice, including by leading and championing place-based and community-led solutions.

CHAIR: Thank you.

Ms BUSH: Can you give us an update on the Local Thriving Communities framework—importantly, what it is, where it is up to and where it is going and perhaps its role in this area?

Ms Parton: Local Thriving Communities is a reform that has been in place for a number of years. It was in response to the Queensland Productivity Commission's report into service delivery in the remote and discrete communities which found that, although there was a lot of services and a lot of money going in, the services were not co-ordinated and the people who live in the communities and the leadership of the communities did not have a good understanding of the services that were being delivered. Sometimes there were services that were doubling up where community did not need those services and in other places there were no services where communities did.

It has been a long-term reform. We released a two-year action plan in 2022 which outlines four key areas, one of which is building local community involvement in local decision-making around service delivery. We now have nine local decision-making bodies established in remote and discrete communities, and there are another 12 that have been set up in regional and rural areas that are not in the remote communities. Those decision-making bodies have been nominated by community to represent community in discussions with government around service delivery and investment.

To give an example, in Napranum there was identification that the police services that were being provided were not necessarily working for the community, that the police station was not staffed at the hours that they needed. Through the Local Thriving Communities reform, the local decision-making body sat down with the Police Service and discussed those needs. They ended up putting on another officer in community and changing the way the hours worked. It is about not looking at where additional funding is needed but looking at where existing services need to be better calibrated to meet the community needs.

One of the key elements around that is working in co-design with community as well on programs that will work for them. We have a few examples where initiatives to combat youth crime have been developed by the community, like community night patrols. Palm Island would be an example of that, where the community basically came up with the idea that having a night patrol, not staffed by police but staffed by elders from the community, would be a good way of trying to keep the kids who are on the street away from crime. They have groups of elders who put themselves on a roster who are out at night and basically just sit down and talk to kids who are roaming around the communities. They know most of their families and can provide them with that connection to community. It has been really effective. Although there has not been a formal evaluation, the community feedback is that it has dropped the crime in the community fairly significantly. It is about those types of initiatives.

It is also about providing community with better visibility over data on service delivery. We are in the final stages of undertaking some investment mapping across 11 of the communities. That is just going through the final checking of the data and then probably in the New Year now, given that it is December, we will be sitting down with the community leadership groups and going through that data. That provides them with information about which departments are delivering services in their community, what the services are aimed at, which organisations deliver the services—if it is a third-party organisation—how much money is being invested and whether they are employing local people or not in the community.

Based on my experience to date, I imagine that when our department sits down to have those discussions with community, the leadership will raise some things where they will say, 'We've never seen this mob here. We don't know what they do.' It is really giving government an additional level of insight over the service delivery that is happening. There will probably also be some insights into the services that are actually prioritised by community and where government might be able to reprioritise some service delivery.

Mrs GERBER: I wanted to dive into school attendance. We are talking about Aboriginal and Torres Strait Islander people here. There is a link between kids that are not at school and their interaction with the youth justice system and crime. I wanted to highlight that the Family Responsibilities Commission annual report 2021-22 reported on Doomadgee, Hope Vale, Mossman Gorge, Coen and one other community. It talked about school attendance being at an all-time low and how school attendance has led to non-attending children effectively being on the streets and that then results in misbehaving, breaking and entering or a community perception of crime. Can the department tell us what plans and actions the department is taking in order to increase school attendance in those communities where it has already been reported that there is a really low rate?

Ms Parton: Education is a pretty well-recognised contributing factor to keeping kids connected to school and keeping them out of the youth justice system. The Family Responsibilities Commission is an independent statutory body and they operate in Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge.

Mrs GERBER: Aurukun—that is the one I missed.

Ms Parton: Yes. They do a lot of work on the ground. They have local commissioners who are very involved in some of those strategies around keeping kids involved at school. I do not have a list in front of me, but I know that that ranges from organising breakfast programs together with the education department, working with them to provide local insights into things such as walking groups where they go around and pick up the kids and walk them to school.

Mrs GERBER: That group has identified that there is a low school attendance rate in Aurukun, in Coen and in a couple of other communities as well. I know that that independent body is doing work, but what work is the department doing?

Ms Parton: We have done a lot of work connecting Family Responsibilities in with the Department of Education because they would be the primary lead on those types of matters of getting kids to school. We have connected them up. They provide a lot better data than they used to to the Family Responsibilities Commission, and now Education is setting up local advisory bodies along the theme of Local Thriving Communities, but it is probably better for the education department to give you a bit more of a rundown on that work.

Mr HARPER: On the back of that, I engage with DATSIP up in Townsville quite regularly. They are on the Strong Communities team, and one of the very first pieces of work they did was look at school attendance. I think I am probably the luckiest MP in the state because I have three Clontarf academies in Thuringowa High, Heatley and Kirwan. They look after over 500 young Indigenous males in those schools, and they are achieving, graduating and getting employment. I want to alert people to that silver lining. I am sure you are aware of Pathways State College and Stars. We have lots going on to keep them in education. However, fair point, I do not know what is going on in those other smaller communities. You mentioned the Palm Island night patrol, and I see it is being trialled in Kowanyama. Will there be a formal evaluation? It is community-led, but I think that might be something we could do on a broader, larger scale. I know we have the youth co-responders. What else could we potentially look at?

Ms Parton: We are looking to find some money within the program to do some more formal evaluations. So far it is based on the reported data that we have access to through the Queensland Government Statistician's Office and that the council has access to on a community level. The funding

that we have is really targeted towards getting that local decision-making into the government system. We do not have an expansive array of funding programs, and they are based on community identified priorities. I know we have had three communities that have identified those types of programs. There are a couple of others—I think there is one in Cairns. Let me see if I can find some more information.

We have had one in Cairns where they have been doing some youth hub work. We fund QAIHC, the Queensland Aboriginal and Islander Health Council, and they are developing youth hubs as well. That is part of a Social and Emotional Wellbeing Program. In the department's submission, I outlined that a lot of other departments come and work with us to get their programs designed and developed in collaboration with community. As an example, in regard to the health and wellbeing program, the Queensland Mental Health Commission provided us with funding as a department so that we could co-design programs with community, but the funding actually comes from the Mental Health Commission. It is money around social and emotional wellbeing, preventing youth suicide. There are quite a few examples of programs, but they are not all targeted towards youth crime—mainly broader wellbeing programs.

Mr PURDIE: You mentioned in your opening address supporting young people who are transitioning out of detention. We have heard a lot of stakeholders and others talk about that 72-hour period and that there are some deficiencies in that where more services could be provided. What services are you providing? Can you provide the committee with any information as to what deficiencies you are seeing from other partner agencies that could be doing more in that space?

Ms Parton: Our department's involvement is mainly through those collaborative panels. We have officers called community connector officers in 17 locations. They work as part of the panels. The majority of community connector officers are First Nations people. They work for us. They work in community. On a lot of occasions they have very strong relationships with community leadership. They will try to facilitate solutions, if they are brought to those panels in terms of solutions with families, raising issues back with whether it is the local councils in the remote discrete communities or with service providers. I know there was one recently where they had some issues with service provision where it was not quite lining up with an Aboriginal community controlled organisation. It was about going back and talking to that organisation, making sure they had a full understanding of some of the needs of the people who had been referred to them so that we could maximise service delivery. We do not have specific programs for that type of thing, but we are involved in a whole-of-government response.

Mr TANTARI: I would like to talk a little bit more about your local decision-making bodies. I particularly noted in your submission that it is an interim local decision-making body and obviously it has come about from the Local Thriving Communities Action Plan. They are interim at this point in time. When will they become more than interim?

Ms Parton: Community has established them as interim bodies. We co-designed the Local Thriving Communities framework with the joint coordinating committee which is equal representation from First Nations members from outside government and then deputy directors-general. The next step, once an interim local decision-making body is set up, is to actually do a community agreement. So agree on community priorities and then put that into an agreement with government. Once that community agreement is in place, then that body becomes the recognised local decision-making body for that community. It is really just a way of easing communities onto the path of doing things differently. It has taken a bit of time, I have to say. The trust in government is not particularly high. We are four years in and we do have the nine local decision-making bodies. We have quite a few who have developed their community priorities and are working towards a community agreement. Does that answer your question?

Mr TANTARI: I want to flesh that out a little bit more. With regard to the make-up of the bodies, I know that there sometimes can be conflict within Indigenous mobs about who represents whom in certain areas. I know from my particular electorate there can be arguments in that area. It is a process that has been established by government, and you have just mentioned how there are difficulties around trust of government and things like that. How well supported have those decision-making bodies been and what sort of participation has there been? Do you have a model governance arrangement for the make-up of those actual decision-making bodies, how many times they are supposed to meet a year—that sort of thing? Do you have that sort of a model?

Ms Parton: The department does not dictate to community what it looks like, and it can be different in different communities. A number of communities have set up their committees under the Local Government Act as a subcommittee to council because under the Local Government Act you can have subcommittees that involve non-council representatives that are chaired by a council representative. For the interim structures, quite a few of the communities have done it that way.

Generally we are seeing a structure that is pulled together which represents all of those, whether it be family groups, people across the community who may not agree on everything, so you have a representative from each of those groups or at least a majority of those groups. I do not think it will ever be perfect, but the department certainly has not told community leadership how they can and cannot do it. We have basically said we have provided funding and support for mediation, and that has been utilised in almost all the communities that have established local decision-making groups. For example, in the Northern Peninsula Area, there is a representative from each of the different communities. In Doomadgee, we have a group that has been endorsed by 16 out of the 18 different family groups. There are very different structures for each one.

Doomadgee is probably a good example where they have actually set up an organisation that is supported by a trust. It is not under the Local Government Act. It is not a community. It is actually a community controlled organisation with a board, and the board has representatives from a number of families. Then they have a structure where they have support that has been signed up to by 16 of the 18 different groups in communities. It is a company limited by guarantee.

In some communities, we have provided the funding to councils to establish that. In other communities we have provided the funding to a community-based organisation to support the sitting members and also to support the requirements going into a meeting. Where there is a meeting to discuss government services, there is a lot of work to make all of the information from government, where they come with all the big folders and everything, to make that digestible in the community context and make sure that it is relevant to the community members' experiences. We have a community connector officer for each of those communities. They will sit down and spend a fair bit of time with the committees, with the decision-making bodies in those communities, and provide them with that support.

Mr McDONALD: I would like you to give us an understanding of the issues for longer term funding flexibility that are outlined in your submission. I am sure you are competing with Youth Justice, Health, Education and the Police Service and those different programs. How does that world of funding intersect? Are you not getting the share that you should because it is going to the other programs?

Ms Parton: That is a very good point. Our department does not really want to run Indigenous health. We do not want to run Indigenous education. We would much rather that the departments with those responsibilities were doing that work and that our main role is providing that real connection to communities. A lot of the programs that we deliver are where there might be a gap that is outside of the existing service delivery within a mainstream department, and we are delivering those programs to build the community capacity and involvement in some of that decision-making around those programs. The night patrol programs are a really good example because it is a difficult challenge for government to move money. Even if the crime rate drops on Palm Island, it does not mean that the police can then put one less police officer there. They may have only one police officer. Sorry, I do not know how many there are there, but it is not as easy for them to move around their existing resources like that to maybe fund something that is outside of their normal service delivery construct.

We have been working through the Local Thriving Communities reform. The service mapping is a really important part of it—being able to sit down with departments and say, 'How much money do you put into our community and what is it for?' The first tranche of that is for the specific funding, but the intention is, through Closing the Gap, that the government has made a commitment to provide Indigenous expenditure reporting that includes mainstream services as well, eventually. We are working with departments on how they identify that expenditure within their service system because that was a challenge initially, and then how do we get better at moving money around. Evaluation is something that we were talking about—having that evidence, 'Well, this is something that is working,' and having a community voice that says, 'Well, this is something that is not working,' and being able to put those things together to provide more flexible funding allocations.

Mr McDONALD: We have heard evidence from others that when there is support and hope in the community or surrounding the young person, there is a far greater ability to get them away from recidivism and get them on the straight and narrow. With that context in mind, target 11 is about reducing the rate of Aboriginal and Torres Strait Islander young people—and you mentioned it earlier—aged 10 to 17 in detention by at least 30 per cent. The national figure shows it is on track. However, the national data, which is only 2021-22, actual numbers show that the rate in Queensland is increasing. Do you have the more recent data into 2023 and what is being done? What measures and programs are you assisting with to try to achieve that target?

Ms Parton: There was data released mid this year by the national Productivity Commission. All of the data on Closing the Gap is publicly available as soon as the national Productivity Commission release it and there are agreed metrics that all the governments around Australia have agreed to report on. In terms of youth detention, target 11, the most recent data for Queensland is showing that there has not been any progress. We are not seeing a significant increase but we are also not seeing it dropping. That is available to the public. At the moment it is not on track to be met but we do not have 2023 reporting. There is no change. They are not on track to be met.

There are a lot of initiatives and the government is working on them across all the departments in a coordinated way. Family-led decision-making is one and that is currently available at four different locations—possibly more by now. There are also on-country programs, which I think Director-General Gee might have talked to you about this morning. They are specifically aimed at this as well. There is the development of the Aboriginal and Torres Strait Islander justice strategy, which is currently occurring. It aims to include a reference to this target as well. \

We have Youth Murri Court, which is operating around Queensland, which is a Department of Justice and Attorney-General mechanism. The Community Justice Group is also working with those programs. There is a fairly extensive implementation plan which is published annually—there was one published in December last and there is another one due to be published before the end of this year—which outlines the whole-of-government initiatives and programs that are contributing to each of the targets under Closing the Gap.

Ms BUSH: Just so I can get it right in my mind, the department primarily looks at it from a policy perspective, so most of the work that you do in the department is to look at policy and programming and coordination of programming rather than service delivery itself. You augment the departments to build their capabilities to deliver the services to First Nations people themselves?

Ms Parton: Yes.

Ms BUSH: I am still interested in the Local Thriving Communities just because I think it is really great work and it also connects with things like justice reinvestment and place-based responses, which we know is really important. Just so I can get it right in my mind, the recommendations came out in 2018. Since then nine local decision-making bodies have been set up and another 12 are underway. Is there a time where we might expect to see an evaluation? When you think about your plan on a page, what are some of those early signs of success that we should be seeing? Are we seeing them in relation to in this work?

Ms Parton: Yes, it has taken a lot longer. I have been in the department since 2019 and I did think it would be a little bit faster than it has been. Doing this kind of work where you are not only trying to change the way that community interacts with government but trying to change the way government works has been quite challenging. We are due to do an evaluation in 2025-26. We have an evaluation-monitoring framework that we are developing as part of this action plan. We probably expect to see the outcomes of that when we finish that evaluation in 2025-26.

Ms BUSH: It is a big piece of work. You are reorganising really. Is there something tangible we can potentially see at some point? Is there a community to give us a sense of how it actually operates in practice that we could observe or get some more information on?

Ms Parton: I might take that on notice and come back to the committee because I would like to talk to our community connectors and see if there would be benefit in actually sitting down with a local decision-making body and seeing how that works. I will take that on notice and bring that back.

Mr McDONALD: I am thinking about the Youth Murri Court and the limited locations it works in. Is there any thought about where that could be expanded to that would assist in the outcomes we are trying to achieve?

Ms Parton: I probably do not have enough information to make a recommendation like that. It would be a matter for the Department of Justice and Attorney-General. We have seen that the Youth Murri Court has been an effective approach in making some of those institutions that are not necessarily particularly culturally capable—and a lot of the kids who are bumping up against the system have entrenched disability, disadvantage, issues with literacy, so making something as accessible as possible and culturally supportive is probably fairly important in the system.

Mr TANTARI: I am looking at your submission—in particular, where the Northern Peninsula Area Regional Council established a youth hub in Bamaga. It is interesting to look at what that youth hub does. What was the involvement of the department in the establishment of that even though it

was established by council? Is there an opportunity to evaluate that? Given what I am reading here, it looks like it is very proactive in engaging young people in co-designing activities. Is the department looking at an evaluation of that program to see whether you would like to recreate those youth hubs in other areas of the state?

Ms Parton: That is probably part of the program where we are looking at finding some savings to undertake a more detailed evaluation. At the moment the evaluation is done on the basis of data that we can get from the community and from the Queensland Government Statistician's Office. That project was led by community. The proposal came from community. It was something that community thought would be helpful. We provided the funding. From memory, the funding for that went through the council. I can come back with a bit more information about that. It went through the council and it was then run by the council in conjunction with a local service provider. The department did not deliver that service. The community came to us and said, 'These are the things that we want to achieve,' and we provided them with the funding to do that program.

Mr TANTARI: I know I am being a little bit unfair because it said it opened in May 2023, so it has only been established for a very short period. It would be very interesting to see what that model looks like because it looks like it has some very interesting activities.

CHAIR: With regard to the decision-making bodies and working with government, obviously that incorporates working on youth offending including the serious repeat offenders, those who can be violent to others. How does it intersect with lore and our laws? Does everyone sit together and say, 'All right, this is how we wish to deal with it'? We were given an example at another public hearing of shaming. However, when it reaches those levels how does that actually work?

Ms Parton: The local decision-making bodies are based around service delivery. They do not do individual case management. They will consider the service delivery in the community. In terms of where that might intersect, they would not look at an individual case. They might come to government with a proposal and say, 'This is becoming a particular issue in our community. We do not have any of this type of mental health support. We have had three families who have identified that they need it, so how do we find a service that will meet this need?' Sometimes they have a local service, but they do not have funding. They might be bringing those types of challenges to the government rather than individual cases or making recommendations about particular interventions, which probably sits a bit more with the criminal justice groups.

CHAIR: We have heard in some areas there are some really fantastic programs for Aboriginal and Torres Strait Islander peoples but obviously that has not gone across the state to areas that need it. Can you talk about the difficulty in obtaining those programs in areas needed that could be remote and discrete? Is it also hampered by difficulty in obtaining those specialised services such as psychologists or skilled workers?

Ms Parton: I think the care and support workforce is definitely an issue that will come up there. The more remote you get, the more difficulty you will have in attracting staff to programs like that. The focus that we have taken is really on trying to build those capacities within communities, identifying and trying to get departments working on, 'How do we get more locally qualified nurses?' or, 'How do we train kids when they are coming out of high school if they are going back to community? How do we give them that training for those programs and skills that are needed within our community?' It will vary from place to place though. Some communities have very strong community controlled organisations like Palm Island, for example. They have a community controlled organisation that provides early childhood and health care—the Palm Island Community Company—and that is completely community run. In other areas that structure will not be set up.

Under Closing the Gap, one of the key priorities is around the importance of increasing investment in community control because that is when the better outcomes happen for First Nations people. It is where those community controlled organisations do not exist at all that you need a lot of support for the community.

CHAIR: That is those outreach services that fly out to them?

Ms Parton: That is right. That is when communities will be receiving services where they get fly-in fly-out workers. Sometimes that delivery model is costly and does not provide the best outcomes for people on the ground.

CHAIR: In relation to the MACPs, as everybody comes together, who actually monitors the outcomes? When everyone comes together and there is a series of recommendations or agreements, who is actually responsible or runs those to make sure that is actioned?

Ms Parton: From our department's perspective, we provide some fairly detailed reporting that goes back to the department of youth justice. The reporting is a fairly strong set of reports given there are 17 locations. We have an officer in each one. They provide monthly reports on the outcomes and the actions. It is not our department that is monitoring it, but I certainly know there is a fairly rigid reporting regime in place.

CHAIR: Everybody does that and it all feeds in?

Ms Parton: I would assume that is for every department who participates in that. I know that our department does that.

Mr McDONALD: I am still trying to get my head around some of these funding regimes and the different governments and the silos. I will use an example from the Family Responsibilities Commission annual report 2021-22 where they talked about Doomadgee needing new support services to address delinquent behaviour. That was from the report. Is that a service that your department would provide, or is that left to Youth Justice or to the local government to provide?

Ms Parton: No. It is not our department that provides the service. I meet monthly with the Family Responsibilities Commissioner. Any issues that they are having around the service delivery environment in community they will raise with us and we try to broker solutions with other departments. Sometimes it could even be the Commonwealth government. It might be a Commonwealth service. We do assist the FRC with finding the right service provider. There was an example recently where I think there was a lack of a domestic and family violence prevention provider. It is just finding the right people in the department so they can take that on-the-ground intelligence about 'This is not working for community,' and make sure that you connect them up. It is not our department that provides the service.

Mr McDONALD: Wouldn't it make sense if you are in touch with your community that you could have the joint funding community government model that you were talking about before, rather than shooting it off to another department? I am really confused about which departments actually take responsibility for it. It seems that nobody is saying, 'This is mine. I'm owning this.'

Ms Parton: That is a good point. That is why initiatives like Local Thriving Communities are needed and we pull those groups together with all the deputy directors-general of the 11 government departments who sit on that committee. I think that our department's role is more about the overall policy settings and the community connection and making sure that other departments are confident in being able to provide culturally capable services. If we were taking on service delivery across all the portfolios, it would be difficult knowing where you would draw the line for things like Indigenous health or corrections or policing. I think every department needs to be culturally capable in the delivery of their services and provide services to First Nations people across Queensland. Our role is to build that capability where it does not exist.

Mr McDONALD: In the meeting with the Family Responsibilities Commissioner, did they raise that issue of Doomadgee and the need for youth support services?

Ms Parton: I do not have that in front of me, but I would say the commissioner would have. In our discussions, normally I give an update on what I am aware is happening or any issues and then we will discuss those. It might have been raised and we would have connected them in with the relevant department.

Mr McDONALD: Could you take that on notice and come back to us with that?

Ms Parton: I can.

Ms BUSH: Kathy, looking for a moment at the work that you do in the policy space, we heard from JAG earlier around some of the reforms that are happening for them in the First Nations Justice Office. I do not have it in front of me, but they are looking at a justice impact test. I want to get your views. We recognise the over-representation of First Nations people throughout the criminal justice system. Despite all the efforts of all the departments, with the stroke of a pen a policy or legislation change can criminalise a whole cohort of First Nations people. I just want to get your views on how important the justice impact test and some of those features are and whether that is something we should remain committed to. It is more a general policy question.

Ms Parton: We have worked fairly closely with the First Nations Justice Office since its establishment around Closing the Gap. They are obviously leading the Justice Policy Partnership. I am a member of the executive group that supports that here in Queensland. I think an impact assessment is a good idea. It takes people out of their day to day, when they are in policy development and focusing on a particular challenge, to consider the impacts on the broader system. It is certainly something that we have done for Closing the Gap. The *Cabinet Handbook* was updated

this year to require every cabinet submission to have an Aboriginal and Torres Strait Islander impact statement and to consider the impact of the policy on the Closing the Gap targets but also on the priority reforms under Closing the Gap and how it contributes to reframing the relationship with First Nations people. I think it could be effective.

Mr TANTARI: I note the Social and Emotional Wellbeing Program is going to commence in early 2024. You are saying that it will be developed in partnership with the Queensland Mental Health Commission. Can you unpack for us what that program is about?

Ms Parton: I think this relates to where departments come to us and ask for help in co-designing programs that respond to community need. About two years ago the Queensland Mental Health Commission entered into a memorandum of understanding with our department. They provided us with funding and then we did the co-design of the program. Basically we built a program that would respond to community needs. At that point it went out for expressions of interest from community controlled organisations or local councils for programs and initiatives to address reducing the rate of youth suicide and building emotional wellbeing in the cohort of young people.

We are currently doing an assessment of the last one. We have done some reporting for the Mental Health Commission. We are just finalising that. We have entered into another memorandum of understanding. It is funding that comes from the Mental Health Commission. We will then work with the Mental Health Commission but also with people with lived experience and with Aboriginal and Torres Strait Islander people in developing the program guidelines. We will likely release those as well, so it will be an expression of interest process.

Mr TANTARI: I note here it says 'in First Nations communities'. Have trial sites been identified or, like you are saying, will there just be expressions of interest?

Ms Parton: Not for this next round yet. We have not finished finalising the guidelines for that. In the last round we did identify some areas where the Mental Health Commission themselves had said, 'There are some areas where we have a high prevalence of youth suicide and we would like some programs looked at in those areas.' We would work with them to develop those and sometimes work with the community organisations in their delivery.

CHAIR: With regard to heading into the Path to Treaty and negotiating treaties, is there any intersection with youth justice that you could foresee within our inquiries that we should accommodate or give some thought to?

Ms Parton: In terms of heading into the Path to Treaty, I cannot think of anything at this particular point. In terms of the policy environment, addressing some of the intergenerational issues for First Nations people is one of the key elements in Path to Treaty. It is also one of the key reasons why kids end up in the youth justice system—some of those intergenerational issues around employment and housing. I think as we progress with the Truth-telling and Healing Inquiry there will likely be recommendations relating to youth justice, but I cannot think of anything that this inquiry should look at specifically.

Mr McDONALD: One of the challenging groups that all of the experts and departmental people have talked to us about is the serious repeat offender cohort. As I said before, if there is support and hope surrounding those kids then they are likely to improve their chances of lowering recidivism et cetera. Do your communities talk to you about gaps that are in the community that you could tell the committee about that we can advocate for to assist with these worst of the worst? Is it orders of compulsion—that kids have to do these things? Do you have any solutions for us that we could talk about or think about?

Ms Parton: Again, that is probably something I would not mind taking back to the community connectors network and seeing if there is anything obvious that is coming from their conversations with community. We have certainly found that working in co-design with local people and local leadership is probably the best way to address those issues. The elders and leaders on Palm Island could tell you a lot more about what is going on in their community than I could, that is for sure. The early intervention and prevention is something that does come up fairly often in terms of looking for funding support. I am happy to take that back and see whether we can get you some more information about that.

Mr McDONALD: We are fully aware of that and some of the good things happening in that space. I thought there might be more behind the difficulties with short-term funding and flexibility that you have highlighted in your submission. We have had some excellent programs at Inala where they are doing some great work with some really challenging kids. I thought your community might be talking to them. It would be great if you could take it on notice.

Ms Parton: It does go back to that challenge of shifting money around within government. We definitely need to get better at that. I hope you would not have a department here that has told you today that they are very good at that. We are working on it. We have the action plan in place. That investment mapping I think is a really important next step in getting a full understanding of the service provision environment so that we can get better at working out rules about how we shift money from one thing to another.

Ms BUSH: Kathy, it has come up through the committee around the impact of labelling and particularly community attitudes to social media on young people. Obviously where there is intersectionality of a whole range of issues including First Nations young people, that kind of hate speech and vilification can be amplified even more. I think the member for Thuringowa gave some examples of young Indigenous people who were walking down the road, not doing anything unlawful but their photos were taken and it was put on social media. I do not know if that is something you want to take back to your community connectors as well around the impact of that and what that does to young Indigenous people generally and perhaps any areas of reform or recommendations that we can make to try to build communities' capacity to reframe their relationship with young people and young Indigenous people particularly.

Ms Parton: It is a difficult one, isn't it? A lot of it is perception. A lot of the work that we have done around service delivery and through the Queensland Public Sector Act reforms last year was really focused on government service delivery rather than on broader community. Making sure that we are trying to eliminate racism in the service system is really important. I know that every department has a responsibility now to develop a plan around how their department is reframing the relationship including how it is providing culturally capable services for the community. That is probably partly contributing to that. I am happy to go back to the community connectors.

Ms BUSH: As part of that as well, recognising that we have just introduced legislation to deal with hate speech, what your work might be in working with QPS to get good at detecting when we reach that threshold and how they might proceed with charges.

Ms Parton: Yes, for sure.

CHAIR: Before we close, I remind you that responses to questions taken on notice are due by 18 December. I would like to thank you both so much for the time you have given us. We have learnt a lot and really appreciate it. We wish you the best over the Christmas season. Thank you so much again. That concludes this public briefing.

The committee adjourned at 2.43 pm.