



YOUTH JUSTICE REFORM SELECT COMMITTEE

Members present:

Ms SL Bolton MP—Chair
Mrs LJ Gerber MP
Mr AD Harper MP
Mr JJ McDonald MP
Mr DG Purdie MP
Mr LA Walker MP
Mr CG Whiting 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

Monday, 4 March 2024

Brisbane

MONDAY, 4 MARCH 2024

The committee met at 9.35 am.

CHAIR: Good morning. I declare open this public briefing for the committee's inquiry to examine ongoing reforms to the youth justice system and support for victims of crime. My name is Sandy Bolton, 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: Laura Gerber, member for Currumbin; Aaron Harper, member for Thuringowa; Jim McDonald, member for Lockyer; Dan Purdie, member for Ninderry; Chris Whiting, member for Bancroft as a substitute for the member for Cooper; and Les Walker, member for Mundingburra, as a substitute for the member for Hervey Bay who is an apology.

The purpose of today's proceedings is to assist the committee in its inquiry into youth justice reform in Queensland. This briefing 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 briefing at the discretion of the committee.

Witnesses before the committee have called on all sides of politics to deliver bipartisan youth justice reform. I would like to restate the bipartisan approach that each member has committed to in the undertaking of this very important inquiry. As chair, I remind all members of the committee that questions put to witnesses must be relevant to the inquiry, and it is my expectation that these are asked in good faith.

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

McGARRITY, Ms Rebecca PSM, Deputy Director-General, Policy and Reform, Department of the Premier and Cabinet

OGILVIE, Ms Emma, Executive Director, Social Policy, Department of the Premier and Cabinet

CHAIR: I now welcome representatives from the Department of the Premier and Cabinet. Thank you for giving your time. I invite you to make an opening statement before we ask you questions.

Ms McGarrity: Thank you very much for the invitation to appear before the committee. I would also like to start by acknowledging the traditional custodians of the lands in Brisbane, the Yagara and Turrbal people, and recognise their connection to land, sea and community. I pay my respects to their cultures and elders past, present and emerging.

In December 2022, the Queensland government announced a 10-point plan to strengthen responses to serious youth offending. This plan was supported by new legislation with an increased investment of more than \$446 million to improve community safety and respond to serious repeat offending. As we know, offending by young people can range from minor, one-off offending—which represents most offending—to serious and persistent offending. Overall, we know the number of children committing crimes is steadily decreasing, but there is a very small cohort of serious repeat offenders who are responsible for more than half of all youth crime. While fewer young people are committing crime, the complexity of the youth justice cohort is growing. We understand that many young people in the youth justice system, and particularly those in the youth serious repeat offender cohort, have experienced chronic disadvantage or considerable childhood trauma and, as a result,

have extremely complex needs. As such, a system-wide approach to prevention, early intervention and rehabilitation responses is critical to breaking the cycle of offending and reoffending by effectively tackling the complex causes of youth crime.

In acknowledging the key role that early intervention plays in driving improved outcomes in the youth justice system, the Premier recently released a consultation draft document called *Putting Queensland kids first: giving our kids the opportunity of a lifetime*. Department of the Premier and Cabinet, or DPC, is leading consultation with the community on how to better deliver outcomes for children and family through early intervention. The draft strategy builds on existing government investment and proposes a range of investment priorities going forward.

However, for young people already in contact with the youth justice system, the government is focused on delivering programs that have demonstrated effectiveness in reducing offending and reoffending. As part of the \$446 million, DPC was asked to lead an independent evaluation of the youth justice package, including a renewed focus on monitoring of the implementation, delivery and results. The youth justice reform monitoring and evaluation project recognises the need to undertake systems analysis to determine what responses will prove most effective in interrupting offending trajectories. Our work in DPC has been focused on those system-wide initiatives and programs that have multi-agency components.

In early April 2023, DPC engaged the Queensland Treasury Corporation to partner and progress this work with us. This has included assisting in the procurement of independent consultants to complete core components of this work. There are a number of specific projects that have commenced, but as noted above, we are not evaluating agency specific programs but looking across the system and looking at where there is multi-agency engagement in programs. One of the projects which has been flagged under that body of work is the data linkage project. It is one additional component and it is being led by the Department of Youth Justice. The intention of the data linkage program is to look across multiple agencies—the Department of Youth Justice, Queensland Police Service, Department of Justice and Attorney-General, particularly courts data, Queensland Health, Department of Education, Department of Child Safety, Seniors and Disability Services—to provide a more comprehensive understanding of the circumstances, history and actions of young offenders, particularly those more serious offenders as clients in common of multiple justice and human service agencies. For the first time, this project will provide a system-wide, longitudinal lens on the nature, extent and outcomes of young offenders' contacts with the criminal justice and human services systems.

Linking this multi-agency client data will allow identification of key agency touchpoints, crucial for obtaining insights into system flows across multiple agencies, identifying trends and intervention points crucial for prevention opportunities, targeting the types of responses for particular cohorts of young people, including those serious repeat offenders, as well as looking at more detailed evaluations of youth justice programs and initiatives that are touching those clients as they move through the system. Assessing agency performance with respect to specific cohorts such as those serious repeat offenders, First Nations young offenders and young offenders with a disability will also help government to make informed decisions about investment. Better outcomes for children and young people interacting with multiple agencies is a key goal of the project.

As I said, this project is being led by the Department of Youth Justice, so for any specific questions about that data linkage program we will probably have to go to the Department of Youth Justice so we can provide that overarching advice. In addition to that, we are also looking to identify future evaluations, including those that target system levers and enable multi-agency collaborations, so we are doing that in consultation with key agencies as well.

In addition to the work that DPC is leading, the Queensland Audit Office, as I am sure you are probably aware, is undertaking an audit to assess whether Youth Justice strategies and programs are providing effective responses in reducing crime, particularly those committed by the serious repeat offenders, and improving community safety. We have met with QAO and continue to do so as they are working on their evaluation, but that is another aspect of the evaluation monitoring that is underway.

CHAIR: Emma, is there anything you would like to add before we start on questions?

Ms Ogilvie: No.

Mr PURDIE: In relation to that data linkage project, are they also looking at community-based organisations or is that essentially just government human service agencies?

Ms McGarrity: My understanding is where government has engaged a community service organisation or an NGO, for example, to do the work, if that data is being provided back to the government in a number of circumstances, I think that probably would encapsulate that data, but I think it is only where government agencies have contracted those agencies to do so. You will probably need to check that with Youth Justice as well, sorry.

Mr HARPER: I am trying to get an understanding of when this all came about, where it was born. The reason I ask that is the Townsville Stronger Communities action group has had a role over some years, so is that basically where this has evolved from, trying to map where these agencies are collaborating? Where did it start?

Ms McGarrity: I think the Townsville group is one example across the state, and there are a number of these existing now, where you have on-the-ground multiple agencies coming together and not just government agencies in some locations. There are also non-government organisations involved in these early action groups, and they are coming together to effectively intensively case manage responses with respect to these offenders. Townsville is a great example of where that has been going on for some time. Where there are particularly concerning events and a lot of youth crime they are coming together to really talk and case manage around what they can do better to connect up the systems on the ground to provide better services for people. That is occurring in a number of locations around the state, as you would be aware. As the government announced that investment portfolio in 2023, we were conscious of working better together to see how we could better enhance responses. Data linkage is a good example of that. We know that a lot of these youth justice offenders are common to a lot of systems.

We know, for example, that they might have been in the child safety system. They are probably known to domestic and family violence service providers as well. There are a number of different complexities to their engagement with government. It is about trying to understand that a bit better to work out where is the best point government can intervene to support those people to prevent them from coming into the system and prevent them from becoming reoffenders. We know that sometimes people might offend once, but there is a large percentage of people who do not reoffend. It is about trying to understand what responses might work for people so we can try and roll that out better and case manage that around the more serious offenders to try and reduce their ongoing involvement with the criminal justice system. You are right: Townsville is an example of that working really well. It is also about how we can replicate that around the system but also support the central agencies. I guess the benefit of a central agency is that you can see all of the different agencies working together, so how we can help pull that together to inform decision-making.

Mrs GERBER: I have lots of questions around the linkage project. I might just roll them out to you and if you cannot answer them, that is fine. I want to know what resources have been allocated to the data linkage project, including funding, but also the number of full-time equivalent staff. I want to know whether or not that resource is coming out of the \$446 million you spoke about or whether it is set aside separately. I also want to understand how that project will interact. The youth minister has promised to do a rolling set of evaluations of early intervention and preventative programs. Are you able to answer any of those questions?

Ms McGarrity: I can probably answer one or two of them. In terms of the FTE question, I know that since late last year Youth Justice has been recruiting people to do that work. I am not 100 per cent sure how many FTE. No, we would need to confirm with them.

Mrs GERBER: Is it something that you could take on notice and get back to us on?

Ms McGarrity: Look, I can tell you it is less than 10. It is that sort of number of people, but I can certainly take that on notice. I do not know the final figure because it is just commencing. The actual dollars for some of these projects are evolving, but it was part of the \$446 million. The money that was part of that \$446 million was to do a number of different things. As I said, there are some things underway and there are some things we are still thinking about and developing. There was money allocated to do this sort of evaluation work, and some of that money will go towards the data linkage project. I probably will not know the final figure for that, to be honest.

Mrs GERBER: Are you able to come back to us on that?

Ms McGarrity: Yes, we can probably come back to you with a rough ballpark figure of what has been allocated at the moment, but it might change. What was your last question?

Mrs GERBER: I just wanted to understand how the data linkage program might interact with the youth justice minister's promise to do a rolling evaluation of early intervention and preventative programs—I think around three years was the time frame that was given—and whether or not we are likely to see any of the funding for early intervention programs changed or cut based on the evaluation of those programs and the effectiveness of them?

Ms McGarrity: Your question regarding the minister's rolling evaluations is probably better directed towards the department. I think that was the intention when she announced it. That is probably best directed towards the Department of Youth Justice. As to how that evaluation will link back into the data linkage project, this would be across all of the agencies. It would not just be for Youth Justice. If we were seeing that there were a lot of touchpoints with the system very early on—for example, when the offender is three or four, before they are even coming into school or coming into school areas—if we could see that was a point where they were disengaging a lot and we could see that was a point in time where we thought that was a really good area to invest money in or a really good point where we should be intervening more than what we are currently doing, then that may result ultimately in more investment over the time because we would say, 'We can see that's a good point to do it,' or 'You're better off doing it at this point than this point.' That is the sort of thing we are hoping to see with that data linkage. Intelligence and learnings from that project might have flowthrough with how we are investing, but obviously it is early and we would have to see the outcomes, I think.

Mr WHITING: My question is how broadly is that data linkage program looking? If we are looking at the evaluation of preventative programs, in my experience Skilling Queenslanders for Work, which has been operating for 10 years very successfully in my area, has had an enormous impact on preventative strategies and working with whole families, preventing them from going down certain paths. This is more of a general question: how broadly is this data linkage project looking? I would say there are many different programs that are producing tangible and intangible benefits in terms of prevention.

Ms McGarrity: I understand. At this point it is an initial prototype, if you like. We are calling it phase 1. We are starting with data from criminal justice agencies and we are linking that to social service agencies, so that is health, education and child safety. That does not mean it cannot be expanded to other agencies. You have to do things in stages with data so it can be done sensibly and calmly and so you are getting a good result. You want to test that linkage as well to make sure there are no errors in it. Once we have linked the first wave of agencies I certainly think there is an opportunity to look at linking other agencies. As you suggest, the employment, small business and training data could be linked as well. There are probably a few other ones we could link in as well. That is a very simple suggestion. I think we could definitely do that if it works.

Mr McDONALD: We found a lot of information about the lack of data sharing across the different agencies, and the help that is needed is all around hope and support. My question has two parts: are you going to look at legislative changes and the impacts they have had bearing in mind the 2016 changes to the Youth Justice Act and where we are now? We heard evidence from police in the last fortnight that crime in Queensland is at the highest recorded. That is why this committee is here to look at these things. Will you look at the changes to the legislation and use the data to look at those different things as an ongoing process? How will it work for privacy triggers? Will kids have any say with regard to privacy, or will it be information that is just shared? Many of the people who have talked to us are very worried about the privacy aspect in terms of sharing data between agencies.

Ms McGarrity: Again, it is probably better to talk to Youth Justice about this sort of detailed question. It was not a specific aim to look at legislative change coming out of this. We are looking more at de-identified data. You might track someone through the system without necessarily putting their name to that. It might just be a de-identified process. It is not the intention necessarily to look at legislative change coming out of it; however, if it was something that we identified through the project I think that would probably be a matter for government to consider. I would not think necessarily that we would not provide that information. If we thought that was an issue we would provide that information. If that was a by-product, that would be a matter for government to consider. We are using the data that is held by the agencies, as I mentioned earlier. We are using the sort of data that is held. As far as the sharing of the data, it is probably not going to come out so much in this project necessarily because we are aggregating data already held, if you like. As I said, I do not think we would be prevented from briefing the government if that was an issue.

Mr McDONALD: Surely the important part of this is that each agency knows how to best give advice and support the kids. I am not sure of the benefits of having de-identified data or how that is going to help many kids.

Ms McGarrity: We will be looking at how that person might have tracked through the system. It is more of a meta-analysis, if you like. Bear in mind this has not started, so I am just sort of guessing at what might be an outcome. If a number of serious repeat offenders, for example, disengage from school very early we know that might be an area of intervention. We might need to do more for those families to support them as they are entering school, which is one of those things we flagged in that early intervention strategy the government has recently released, better supports for families and children as they are entering the school system. That will be something we would then be thinking about. Government perhaps needs to think about better interventions there or better investment in that space. I think we can certainly look at learnings in the Department of Youth Justice. I am sure we would be considering the other learnings that are coming out of it and how they might support individual children. I think that is always on the table for agencies to consider. I do not think they would not be looking to do that. I think ours is probably just more looking across the whole system.

Mr HARPER: In relation to the point you made with regard to gaps in education, we have been hearing about some kids in detention who have not been at school for a number of years, so it is exactly about trying to intervene early. Is there a capacity through data linkage to get assessments early in primary school? If you are dealing with serious repeat offenders at 14 to 17 years of age, would this data linkage program result in getting assessments in primary school for FASD, for example, so you can stop what is happening upstream by getting the right services downstream?

Ms McGarrity: Yes. As I said, it is early days. We are just starting to bring the data on now. I would think that is exactly the sort of thing that might be what the intelligence tells us—that we can see that intervening at this stage of a person's life is much better or a much more sensible investment, so it might result in more of that occurring. We do not necessarily need to wait for the data linkage program if there are learnings that we can see. We know that intervening early is a good decision. That is what government is doing through Putting Queensland Kids First. We are trying to move interventions more to that zero to eight phase of a person's life rather than waiting for them to get into the youth justice system. The government's focus is on the zero to eight age group. We are doing that at the same time as data linkage, so hopefully the two will work together.

CHAIR: We are just about out of time. I have a couple of quick questions regarding data linkage. We have heard from a lot of very successful organisations and programs that are not contracted to government. Will that be captured in the data linkage set-up?

Ms McGarrity: Again you should probably check with YJ, but it is at the moment data held by government agencies. I think it would be captured if government has contracted that agency and that agency is reporting in. Often contracts require NGOs to report data to the contracting agency, so I would think it would capture that. If they do not have a relationship with the government then I do not think it would capture that. I am happy to take that on notice.

CHAIR: My other question is—and these can be taken on notice—does it also incorporate siblings and the family in that data capture?

Ms McGarrity: Again, it is probably best to check with YJ, but I am fairly sure it is people in the system. Because it is de-identified tracking of an individual as they move through the system it would not capture people who are not in the system, if that makes sense. If it is a sibling who is not yet known to Youth Justice—

CHAIR: As part of early intervention that is one of the target areas so—

Ms McGarrity: Yes. That is something that the early action groups look at already, which again is a Youth Justice initiative. They look at the siblings and family supports for people in the system.

CHAIR: In terms of data sharing between agencies, is there the challenge that the actual IT systems themselves do not support that? Is that all being wrapped up in the process currently to ensure it is not being held up by those types of deficiencies?

Ms McGarrity: You would probably have to check with Youth Justice on that. I do not think they are looking at the individual data IT systems of agencies as part of it. It is more the extraction of data held by agencies into a central point. Then that links through in that central point, so it would not be looking at IT sharing at a lower level. It would probably be best to check with Youth Justice about that, sorry.

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Mrs GERBER: I appreciate that you may not be able to answer this question so I am happy for you to come back to us. I want to touch on victims. I want to understand whether the data linkage program will look at the increased number of victims across the state and the extent to which victims of crime and victims of particular crimes—property crime versus crimes against the person—will be considered in the data linkage program.

Ms McGarrity: Again, that would be more a YJ question. I think it is more looking at offenders in the system. I know DJAG is part of the project, so I would have to probably check that. I would have to get back to you about that.

Mrs GERBER: That would be great, thank you.

CHAIR: We have run out of time. We have a number of questions on notice. If we could receive responses to those by Monday, 18 March, that would be very appreciated. I want to thank you both for your time and the information. I am sure there are so many questions we could continue asking, but we had a good start.

That concludes this public briefing. I want to thank everyone who participated today. I declare this public briefing closed.

The committee adjourned at 10.02 am.