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
Ms H Radunz—Assistant Committee Secretary

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

TRANSCRIPT OF PROCEEDINGS

Monday, 5 February 2024

Townsville

MONDAY, 5 FEBRUARY 2024

The committee met at 1.08 pm.

CHAIR: Good afternoon. I declare open this public hearing for the committee's inquiry to examine ongoing reforms to the youth justice system and support for victims of crime. My name is Sandy Bolton. I am the member for Noosa and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander people, whose lands, winds and waters we all share. With me here today are: Jonty Bush 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. I would also like to acknowledge the member for Mundingburra, Les Walker MP, who is here today.

The purpose of today's proceedings is to assist the committee in its inquiry into youth justice reform in Queensland. The focus of this hearing will be on the seven priority areas identified by the committee so far based on evidence it has received. Hannah has copies of those if you have not had a chance to read them. These seven priority areas include: improving support for victims of crime and confidence in the youth justice system; the need for a long-term youth justice strategy; better and earlier assessment, intervention and prevention; improving young people's engagement with therapeutic programs and supporting their transition from detention back into the community; reimagining youth justice infrastructure; and the operation of the Youth Justice Act 1992, including the sentencing principles.

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 also like to restate the bipartisan approach that each member of this committee has committed to in undertaking this 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 by the parliament. 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 off your mobile phones or put them on silent mode. Before I welcome our first witnesses, I wish to state that the committee has reopened submissions so please head to the committee's website to find out how to make a submission online or contact our secretariat for assistance.

McKENZIE, Mr Karl, Chair, Townsville Justice Group

McKENZIE, Mr Mason, Representative, Townsville Justice Group

van AAKEN, Dr Bruno, Consulting Criminologist, Townsville Justice Group

CHAIR: Welcome. I invite you to make an opening statement, after which the committee will ask questions.

Mr K McKenzie: I am Karl McKenzie, chair of the Townsville Justice Group. With me are Dr Bruno van Aaken, our consulting criminologist, who works very generously pro bono, and Mason McKenzie, exhibit A for later, who will not talk unless you have questions for him. Bruno and I and other members of the justice group and community have been working on solutions for youth crime, specifically entry-level offenders. We were looking at a youth Murri Court but run by Indigenous justices of the peace with elders in the court. We think that is a better way of doing it rather than having the kids going straight into youth court. This would be entry-level offenders, medium-level

offenders. It is similar to the adult Murri Court: they plead guilty, they come into the court and it becomes a court of therapy where we can look at other avenues rather than jail for those young people. It is more therapeutic than jail.

Dr van Aaken: The whole thrust of thinking behind that is that we start throwing young children at age 10 into juvenile detention and incarcerating them, whereas that is, in our view, dealing with a social pathology by way of criminalising the behaviour. Yes, they are naughty boys and girls, but they are children. Our thinking was to make a difference and intervene at an earlier level and take the 10- to 14-year-olds and concentrate on that age group, rather than throw them into juvenile detention where they are then mixed with the general population and are more or less becoming entrenched in their criminal behaviour.

You have read the paper we have published and it is explained in that, but I will go through it very quickly. It is to take them out of that environment and stop putting the 10- to 14-year-olds into that carceral environment—depending on the level of offending, of course—and instead put them into a supportive environment where they can be educated, with reading, writing, arithmetic. Juvenile detention is largely an Aboriginal population—not that I wish to in any way denigrate Aboriginal peoples—so we would like to suggest that therapeutic interventions, educational interventions, might be a better way to deal with the problem and stop them mixing with the older ones and developing criminal behaviours.

Mr K McKenzie: And it can be done at a community level. It would be more or less a community court so it would not reach the next level, with magistrates and more serious outcomes. If we can bring young offenders in—and their families, most importantly. We have great services out there, like TAIHS, Yumba-Meta and a whole range of services. We would like to bring them all together in one space, in a cultural space, and deal with this in a cultural manner. There is already the legislation basically there to deal with. You would have the authority of the courts. Through the justices of the peace Magistrates Court training we have had our people trained already in that space. We have had our young people trained.

The slight difference is that we will have an elder and we will have a younger person there. That is why exhibit A is here. He is one of the younger ones. We already do this with police cautions. We have an older person and a younger person when we deal with the police with co-cautioning. The older person delivers admonishment and then the younger person links with the child and really shows them a future. It actually is quite wonderful watching the young ones link with the young ones. They can tell them exactly the same thing as you and I do and the kids are not interested. It is different when the young ones talk to them and say, 'Hey, mate, you've got a future.' He will pull out his phone and show the other young boys: 'Hey, I've got these two motorbikes. I bought these. I went out and worked for them. I was playing up where you were a few years ago but I got away from my silly mates. I engaged at school.' He is now at university and so are the other ones we use. He is studying engineering. 'Look, I've got all this stuff because I got away from my dumb mates and I re-engaged.' The kids listen to each other and they talk about mates who have apprenticeships and are working out at the mines—things we cannot do. It is so important, like with a youth Murri Court, to have an elder there but to have a younger person there. They have to be over 18, of course, and trained properly, but it is the younger people who will connect with the younger people.

CHAIR: Mason, do you have an opening statement—something you would like to say before the committee asks some questions?

Mr M McKenzie: In regards to what Karl has been saying, we have found with the police cautioning that has been very effective. I think because we are quite similar in age, when I propose a future and I start talking about my circumstances they resonate with that really well and they have been very responsive to that.

Mr PURDIE: Karl, you are talking about this youth Murri Court and, Dr Bruno, you are talking about the rehabilitation and early intervention programs. Karl, you said that the legislation is already there, but are you talking about a youth Murri Court having the power to compel someone at an early intervention stage to go and do a course, or is it voluntary?

Mr K McKenzie: It is voluntary, but the threat is that you go back to the higher courts if you do not engage. That is the whole purpose of coming in. With the adult Murri Court, they come in, we do a cultural report on them and then we see what their needs are, not just in terms of doing programs but also where they are living, their housing, their family, their culture, how much they are embedded in their culture, how much they want to be embedded in their culture. We can bring this therapeutic approach tailored to them using, as I said, TAIHS, Yuba-Meta and all of the other groups out there. We can tailor this whole program to them. It is usually a 12-week program. We get a progress report

after six weeks to see if they are engaging. If they are engaging, great, we keep it moving forward. If they are not, they get a warning. If they still do not he engage in it, fine, they go back to that other system where we do not want them to go.

Mr PURDIE: I am mindful that you have written a submission and you gave this presentation before the Legal Affairs and Safety Committee a while ago. It would be court ordered. The Childrens Court could refer someone to the youth Murri Court. Mason was talking about the police cautioning process. The police could send someone direct to that court if they are at a cautioning stage?

Mr K McKenzie: That would be up to how they wanted to do it. We would be willing to receive anyone who falls into the criteria of the Murri Court. For example, in the adult Murri Court they have to be simple offences; they cannot be violent offences. It depends on the offence. That is what I was saying: it is already there on who can come into that court space. The referral can be tweaked however it needs to be tweaked, but the idea that two JP mag courts can conduct a Magistrates Court is there in the legislation. We would still use the elders in the court. We would still have a cultural report done. So it would be just tweaked with what we find would be needed here to do that.

Mr HARPER: I declare I have worked with Karl McKenzie on the Townsville Justice Group in the past. You are doing fantastic work, thank you. In your initial words you said that you were working with low and medium offenders to, I assume, stop them from going into a serious repeat offender group, which I will ask a question on after.

Mr K McKenzie: Yes.

Mr HARPER: Would you consider separating the 10- to 14-year-olds a form of diversionary sentencing?

Mr K McKenzie: Almost, yes.

Mr HARPER: Do you know if that model works elsewhere in other jurisdictions where they have separated the age groups? Are there any outcomes from that?

Mr K McKenzie: It is not necessarily the age groups. The stats at the moment show that the younger ones are doing the lesser offending, so that the higher end offending is the higher age bracket—around the 17-year-olds. But if a 16-year-old fits that model then bring them in. We are just talking data at the moment, but it should be that every case is treated as an individual on what offending. It could be a child who is just riding in the car who was 16 or 17 but did not break into the car and do all those things and is someone we can really work with they should be in that space as well.

I think the data is that the biggest number of offenders is around 10 to 14, that age group. That is why we chose that age group. Again, it is more the principle of having a space where they can come, where it is still serious. They are dealt with in a very therapeutic way. Their needs are met, their cultural needs are met, their family needs are met and then hopefully at the end of that 12 weeks they will go on with the programs that they had. It is a space where we have some authority to do something with them rather than send them through the other courts. I have been on the Parole Board for over 12 years. I know what happens. Once they get into that system, off they go. We have seen too many of them in the jails and we do not want to see them in there.

Mr HARPER: If this was a diversionary sentence type model, where you could separate the cohorts, do you think it would be best court ordered? What we have heard so far is that when you are volunteering to go on a program it does not have the outcomes.

Mr K McKenzie: Absolutely.

Mr HARPER: Court ordered?

Mr K McKenzie: It has to have some authority behind it, absolutely. Kids are kids, and I can imagine when I was that age and playing up and someone said it is voluntary: 'Yeah, I'm going'; 'No, you're not.' It needs to have some authority around that space, absolutely.

Mrs GERBER: Firstly, thank you, Karl, for being here. You have been a very strong advocate in this space for a long time. I was on the Legal Affairs and Safety Committee in 2021 when you first made this recommendation, and I know there was a lot of work put into that submission. At that time I think you recommended that it be a two-year trial.

Mr K McKenzie: It was a two-year trial.

Mrs GERBER: Has any progress been made with that?

Mr K McKenzie: No. It is being shut down very quickly. The Chief Magistrate shut it down for technical reasons, I think. I was not privy to those reasons. I still think it is something we need to look at seriously.

Mrs GERBER: It was in the committee report back in 2021. In that report you did identify some impediments, some things that might need to be tweaked or addressed, in order to implement it properly. One of the issues that you flagged was availability of justices of the peace to be able to act as your magistrates. Is that still an issue?

Mr K McKenzie: We had training of eight JPs. The former AG, Shannon Fentiman, set up the training, so we had that. We have got young and elder JPs ready to go, but that would be just for the pilot to see how it worked. We are only asking for a pilot; we are not asking for this to be permanent. We want to have a look at it, bring all the agencies together and see how it goes. The other impediment, I think, is that it would come under the remote courts model, I think, and they are only in the remote areas. However, Palm Island is considered remote. We are asking either to extend the Palm Island region to the Townsville court or to get an exemption under that or however it could work, just for the trial. We do not need it full-time.

Mrs GERBER: The other impediment that you spoke about was more about facilities. I note that at the time Townsville Youth Crossroads was on board and supported the project and then you said that there might need to be some facilities that are developed particularly for it.

Mr K McKenzie: QCAT court 6, level D is not always utilised. I sit in QCAT at times. We are happy to utilise that space a bit more.

Mrs GERBER: It could be done? There are no real impediments?

Mr K McKenzie: It is all tweaking it—absolutely. I think there is an issue around sentencing of children by justices of the peace. With adults it is fine. I think that is where there may be a small issue around the sentencing of children, because at the end of the Murri Court, at the end of the process, they get sentenced and often it can be just suspended or nothing because they have been through the program, but there is a sentencing element at the end. There may be a tweak needed there.

Mrs GERBER: Maybe there is an extra qualification or whatever it is.

Mr K McKenzie: Yes, we can look at that.

Ms BUSH: Thank you so much for coming along. I echo the sentiments that you have been a long and strong advocate in this space. One of the priorities that we are looking at is a long-term, 10-year strategy for youth justice. Some of the things that I have heard you talk about today I want to draw forward and invite you to add to or to clarify with me—things like early intervention, support to be diverted from courts and diverted from prisons, a strong focus on education, a capable workforce, cultural responsivity, opportunity for work and employment opportunities and flexibility within the court system to respond to the young person's criminogenic needs. Have I captured that?

Mr K McKenzie: You missed the biggest one.

Ms BUSH: Yes, tell me.

Mr K McKenzie: It is engaging families. It is No. 1. The kids are a symptom of broken families. You did all the symptomatic things perfect. No. 1 is engagement of the families.

Ms BUSH: I agree with your views. A challenge that we have sometimes in that space is taking the community with us, challenging the notion that sometimes naming and shaming or getting more punitive is actually the way to go. What is your perspective on that or what would you say to that?

Mr K McKenzie: I do not think it is helpful with children. I really do not. If you name and shame—I remember back in my day, I was not the most wonderful child. I got in a bit of trouble. If you had named and shamed me, it would not have been anything to me. I would not have moved forward in my life. As I said, these kids are symptoms of broken families and the environment around them. We need to work with these kids and we want to move them forward as productive citizens. The breakdown of the family unit is what has got them there so to punish them even further is not fair. They need to be held accountable, 100 per cent—and everyone in here will agree with that. Absolutely, that is what we want to do. We want to hold these kids accountable and we want to get them into good programs to move them forward—absolutely.

As for the really high level offenders, we are happy for the system to handle that because we are not talking about those kids. As for the kids we can help, by naming and shaming those kids you have just ruined them. You have now pushed them into that high-end offender category, straight-up. We have great programs, as I keep saying, like TAIHS and Yumba-Meta and other great Aboriginal and Torres Strait Islander organisations and other NGOs who can really help in that space, but we need to pull people together and come together, and we think that Murri Court can be that. We would

want a presence of each of those organisations so that when we have these children we can say, 'Okay, this child needs culture. They even may need, unfortunately, ATODS—drug and alcohol.' We may need all those organisations there. We need to get them back into education as well. They all need to be in that space working together. I would love family programs and encouraging the families there as well.

Dr van Aaken: From a theoretical point of view, naming and shaming has been shown in research to be counterproductive. You would embolden and embed. You would create folk devils. These are all criminological terms which go back to the fifties.

Mr McDONALD: Thank you very much, Bruno, Karl and Mason, for being here and for the work that you are doing. I love the saying 'the best communities in the world are those that help themselves'. Your contribution to that is very admirable, thank you. We all agree that early intervention is very important. We all agree that detention as we know it now has to be reimagined, right? Karl, you mentioned consequences for action. We are charged with dealing with a very large cohort. We do not want to give up on the kids doing the worst-of-the-worst offending. What is your suggestion for these worst-of-the-worst kids, because that cohort is growing, more offences are being committed and more victims are out there?

Mr K McKenzie: The first thing I would like to see for every child who comes in is a health check, especially for FASD. It is growing rapidly. I do not know how we as a community are going to handle that, because FASD—it does not matter whether you are black, white or brindle or where you come from—can often present with very normal traits. When I was working with youth at the Upper Ross, we would have those kids there—and you knew the ones with FASD—and if you put in a negative stressor their behaviour would go off. Here is the strange thing: when we put in a positive stressor—so when they were playing games—if their emotions got out of hand, bang, there was violence as well. They cannot control their behaviour. We have to work through and find out which kids have FASD. There is a whole lot to be done. Someone I worked with found out that her child was playing up at school and playing up at home and did not know why. They needed grommets; they could not hear properly. These health checks have to be done very early on—as soon as these children enter in—so that we know what we are physically dealing with, because often there can be health issues and mental health.

We may be trying to punish people when it is no fault of their own: they have a medical condition. We need to start at the beginning in terms of health checks to know what we are dealing with. There are great people out there who handle this daily. We need to talk to the experts and get them in there. I do not really want to talk about the high-level offenders. I see the outcomes on the Parole Board. Again, I note the amount of health problems. There are people we are having to put through NDIS, but it was not picked up early.

Mr McDONALD: Health screening is obviously vitally important?

Mr K McKenzie: No. 1.

Mr McDONALD: What about that high-risk cohort? Have you had experience with that? What recommendations can you give to the committee so we can recommend to government?

Mr K McKenzie: I would not want to play in that space. We are really specialising in early interventions.

Mr McDONALD: It is very important.

Mr K McKenzie: I think it is critical. I am not an expert in that field. I see the outcomes and work with the outcomes. I think one of our problems is stepping into fields that we do not belong in. I am happy for those people to talk to you on that. This is where we work and we are happy to stay here. I think it would be not the correct thing to do.

Dr van Aaken: I would like to back Karl up in terms of the health checks; they are important. I have done research with older Aboriginal males as well as non-Aboriginal males. It is a part of my doctorate. It was part of my research—people coming straight out of prison in their late 20s, early 30s. Health issues were a constant—undiagnosed health issues, mental health issues, undiagnosed mental health issues. There is FASD, fetal alcohol spectrum disorder, which presents in a much different form the older people get. These all need to be diagnosed at an early age.

Mr TANTARI: Mason, I am interested in the comments you made to the committee about a form of peer model of therapeutic intervention. I would like to unpack that a little bit further. Do you know of any particular active programs, peer model programs such as you were talking about? You just gave a description of how you are having one-on-one relations with these individuals and that they tend to take on your commentary more than some old, grey-haired white man telling them what to do. Is there any peer-based program in that area that is currently in place?

Mr K McKenzie: Not that we know of. There may be. I am not saying an outright 'no', but not that we are aware of. If there is and you find out, please let us know. We would love to work with them.

CHAIR: You mentioned diversion to Murri Court and what you would like to see—that is, instead of the courts. A lot of what we have heard is that the early intervention has to happen much earlier than when anyone is at that stage.

Mr K McKenzie: Absolutely.

CHAIR: At what point? Are we talking the first caution from police? Are we talking a second caution? We are trying to get a better understanding of where along that continuum Murri Court should sit. Is it in the criteria for the offence to intervene earlier, rather than wait until police have laid a charge?

Mr K McKenzie: Yes, it is. It is in the criteria. Police will judge whether this person is fit for caution. That is how they do it at the moment. If they are fit for caution, they will go through a caution. If they have been cautioned a couple of times and it is not hitting home, there is the next step. We do not want the next step to be Childrens Court, a full traditional court; we want it to be the Murri Court. We want something with cultural authority and the authority of the Queensland court system in between to say, 'If you keep going this way, that is what is going to happen.' It needs both of those authorities and both of us to come together and say, 'No.' That is what the cautioning is: the police and Indigenous people together. We come together and say, 'The behaviour is wrong on both L-O-R-E and L-A-W.' Our logo is 'L-O-R-E sits with L-A-W', so we want to work together in that space.

CHAIR: Wonderful. Thank you so much. We have not had any questions taken on notice. I want to thank you so much for your time; it has been invaluable. It always goes too quickly. If committee members have any further questions, is it fine for us to write to you?

Mr K McKenzie: You have all our details.

CHAIR: Wonderful.

Mr K McKenzie: Thank you so much.

HOOKEY, Ms Bernice, Private capacity

RICHARDSON, Mr Reuben, Private capacity

CHAIR: Good afternoon to you both. Before the committee asks questions, would you like to make an opening statement?

Mr Richardson: Good afternoon, everyone. My name is Reuben. I am a father of two children—nine and 11—and director of a small engineering firm based in Townsville. I recently represented the national Leading Australian Resilient Communities program in Canberra, where we spoke on the youth crime issue in our region, along with 10 other groups from around the country. This issue came up a few times as a common theme. In Townsville specifically, we have close to twice the incarcerations of the Australian average, and grand theft auto of 10 cars a day is starting to become the norm. Whatever we currently are doing is not working. I wrote a short story to illustrate several ways as a society we are enabling this behaviour. I shared this story on social media and it received relatively good feedback. The story has been woven together from multiple accounts that we have heard over the past 12 months. I have included this in the submission for completeness.

I have a few reflections that I hope this story raises to show where we as a society are failing these children. The first of these is broken family units, which the previous gentleman mentioned, and accountability for parents. When adults are drinking all night, it is not a safe home for the kids. The kids go out on the street on their own all night. From stories that I have heard, they can be as young as eight. There are poor school outcomes. If you are not sleeping, you are not going to be awake for school. If they are disengaged at school, they start acting up and start falling behind. 'Home is not safe. Stealing cars gets me to Cleveland.' What happens when the kids are not caught quickly? The kids are having fun and people are getting seriously hurt and killed. I think of Jennifer Board and of Christopher Michael Hughes, who is now serving 12 years in prison.

In terms of soft policing, the kids think it is a game. 'Nice' jail may be better than home. Everything is relative. Some of them prefer to be in jail. No-one looks out for them when they get out. If they have the same family problems, they fall into the same cycles with the friends around them. Parents give up and then the kids can end up in state care. Twenty years ago, this was not the case. What has happened to our society? Is it global?

I have one anecdote that I will add. Recently we were in Japan for a few weeks. One observation I made while walking the outer suburban streets of Tokyo was of bikes, no fences, no locks. At a train station there were thousands of bikes all laid up with no locks. It is a high-trust society. In comparison, one of my colleagues had a bike—not expensive, worth only a couple of hundred dollars—chained to the house behind a fence, but the chain was cut and the bike was stolen.

The people of Townsville are frustrated and fed up with the lack of progress in this area and are demanding change. I saw this firsthand at the crime rally, where people were hurting and angry. They feel like no-one cares in terms of bringing about the drastic changes that are needed. Thank you.

Ms Hookey: Good afternoon. I am a solo mum of two sons. It is really important for me to be here today, because we need to help each other in raising our daughters and sons. Our people are now dying at such a young age and do not have male mentors around them anymore. It makes it a very difficult road. It is also about looking at other avenues to get support. When it comes to kids and youth being put away, we should look at the family unit they coming from. They can have a grandma, an aunty or their elders, but who looks after them in this process to help our young kids, who may be 10 or even younger.

Five or so years ago I worked in the youth justice space. It was so heartbreaking. At the time my child was 10. I would just want to wrap my arms around them a little bit more, but how do you do that? How do you wrap your arms around those who are hurting so much when they are sitting in a prison cell? You are there to help them, but there has to be consistency with it as well. If there is no consistency then of course they are going to fall off the wagon, because it is not going to be suitable for them—other than them supporting each other, particularly siblings who are there. That is most likely why there is an increase in young people in prison: they are just in there to support their younger or older siblings going through that.

It is important for me to be here today, walking in these two worlds and being an ally in what we are doing. It is like a cultural deficit, but how do we shift that deficit so that it is more generational healing and wealth? We are fighting this fight every day to amplify our voices. I deliver a women's

empowerment program across Australia. One of the important things it highlights is around self-determination and how we amplify the voices of those women. It is not just about the rise of women; it is also about not leaving our men behind in that journey walking forward.

Mr McDONALD: Thank you both for being here and expressing your voice on behalf of the Townsville community and from your own personal experience with youth justice. We are charged with inquiring into the whole system of youth justice, and we fully support early intervention programs—and we heard some great examples before—as well as other approaches. I feel the biggest problem we are facing right now in Queensland is this cohort who are committing more offences, creating more victims out there, and the seriousness of their offending is getting worse and worse. What are your thoughts and the community's thoughts about that?

Mr Richardson: For every gang there is generally an alpha. The alphas would be the ones who are bringing those younger kids along for the ride. We need to try to figure out who are the people who are really driving the show for all the crimes that have been committed and try to target them. If you can turn them, you could change whole groups within that community. That would come down to mediation and mentorship programs really focusing on the child as well as the family that surrounds them.

Some of the youth workers I talked to mentioned there were two categories. Some of the kids are wanting to change. They are wanting to change their life around. They tell them regularly that that is their goal, that they really want to make a difference. However, when they come out and outside of that, there is no follow-up. There is separation between the youth workers who have built rapport with the kids and what occurs outside. There is a wall. Once they get out and one of their older friends turns up with a stolen car and says, 'Hey, hop in,' they fall back into that. I have been hearing that within a week or two they will be back in there and he will be seeing them again.

Ms Hookey: Can I get you to repeat the question?

Mr McDONALD: What is your experience with youth justice and ideas around the worst of the worst offenders? What are the community's feelings about that and what we can do?

Ms Hookey: When I was working in the youth justice space we had the opportunity to go in and visit Cleveland and connect with 40-odd children in the age range but also in the low-, medium- and high-risk brackets. We sat down and yarned with them and asked them, 'What do you want? What do you want to do to change?' They all spoke about—I am getting emotional here—wanting to be part of a family.

Mr Richardson: That is what the gangs provide, because they have had a breakdown in their families at home, and as a society we have allowed that to happen to some extent. We have not held parents to account as such or we have not provided the support to the parents who are going through that to make sure that is occurring.

Ms Hookey: Also in terms of holding parents to account, sometimes they do not even know themselves, because they are young parents who have had the children young. Even if they are parents who are within a really good family unit, there is that peer pressure out there. It is also the unintentional road they go down because they look for that security and they look for ways to connect. If you cannot connect because you are a busy, working single mum or even if you are a two-parent family, you are busy working, then your child is going out there to make friends with other people and it could be that that child is going down that road.

To give you an example, when we did work with higher risk ones it was about having that holistic approach where you are including the family as part of the conversation—the family member and the child—and having the child apologise for the wrongdoing. Whether they write it down on paper and write a letter or otherwise, it made such a huge difference in lifting that weight off themselves but also the weight off the people who have been suffering and are frustrated with saying 'naughty little black kids' all the time. Then it focuses on how the breakdown in barriers around racism comes into that, because you are still facing all of that in everyday society. It is about how we do this together, not just old Joe over there and Billy over here. It is together. We need to do this together to move forward in order for it to work.

Mr HARPER: Thank you both for being here today. It is clear from your submission, Mr Richardson, that you want people held to account for the crimes they commit. How would you best suggest we get people to engage? The committee has heard that people are not engaging with rehab programs. I am not sure if you were in the room when Mr McKenzie spoke just before. I asked the question, 'Should it be court ordered?' when they, as you just said, come out, jump into a car and reoffend? If a rehabilitation program was court ordered, do you see merit in that? Should it be court ordered or should it be voluntary?

Mr Richardson: Where do you draw the line? At the end of the day, are they being rehabilitated currently? The answer is no in 90 per cent of the cases. Why is that occurring? I feel like those questions are not being asked and then support around those families is not being provided. If we are talking about fetal alcohol syndrome, we are talking about them being affected from birth. They have already lived through 10 years of that struggle. As soon as you find out someone is pregnant, does this future child of Townsville have the support network? In the 10 years of them developing, what does that look like?

I was getting a haircut yesterday and a lady mentioned that she used to work at one of the servos. She had had eight-year-old kids turning up at two o'clock or three o'clock in the morning, knocking on the door asking for some food because they were hungry and had not eaten. There are 10 years of pain that some of these kids are going through before you see the symptom, or the outcome, which is the crime starting with terrorising the neighbourhoods which I have heard about. Then it steps up to grand theft auto when they can reach the pedals and someone has taught them how to drive.

Ms Hookey: If it was court ordered, it would honour how you can move forward with this. Earlier Karl mentioned having that cultural rapport like they have in the adult Murri Court. If that alignment is there, it is not just like, 'Here's the court order for you to go and hook up with this service provider.' It is how the story of that kid and that family—

Mr Richardson: There is more coming.

Ms Hookey: There is more to it. When Child Safety want to place a child into the right home, they are taking all of the steps around what is required in that. There could be a little bit more in that process to help both the child and the family so you get a positive outcome out of this. They would not just be going back in again because they are looking for that safety or they are looking for security or they are looking to put food in their tummy.

Mr Richardson: If Cleveland is better than home, that is a problem. It is either one way or the other there.

Mr HARPER: With regard to youth detention as a last resort, last year in the parliament laws were passed including the declaration of serious repeat offenders. It is hard to get a definition of what that actually is, but I seek your opinion. What are your thoughts on removing youth detention as a last resort to those who have been declared by the courts as serious repeat offenders, of which there are about 46 in the state to date? I have some concerns about applying it to everyone. In the case of the kid who stole the bike it gets removed straightaway. Where do we go from here on that issue?

Mr Richardson: I would start at the top and work your way down. Grand theft auto would be a good start as something the community feels every day currently—trying to get that cohort on the right path.

Ms Hookey: It would be like when you are talking about the L-O-R-E and the L-A-W in terms of how you are able to look at that. When a child commits thieving offices and steals a car, yes, that is a serious offence. If they do that again, yes, that is a serious repeat offender in the eyes of the L-A-W, but that kid has trauma and problems. There has to be a way to look at how we can help them. It is not about that kid not being held to account. However, if that kid does not see that it is a criminal activity under the law, they are just going to go out there and do it because they are hanging out with their friend. Who does not want to hang out with a friend in a sense? I am saying that respectfully, but it is sad and it is heartbreaking. I am a mum and there are plenty of other mums and dads out there, particularly in our communities, in Aboriginal and Torres Strait Islander communities. It is heartbreaking and crushing when they are up for being declared a serious repeat offender, but they may not even know the damn meaning of that.

Mrs GERBER: I was going to ask you, as a local businessman and as a local to Townsville, about the sentencing principles. One of the terms of reference for the committee is to look at the Youth Justice Act. One of our priorities is to look at whether the current sentencing regime is meeting community expectations and achieving what it should be achieving in relation to juvenile justice. Do you think what is available to the courts right now is working? Do you have any views on detention as a last resort as a sentencing principle within the act, bearing in mind that has already been touched on?

Mr Richardson: Cleveland is at capacity pretty much all the time, from what I have heard. I have heard that they are basically having to rotate them out. 'Who is not the worst? We will let you go and then we'll put the new one in.' They are running on fumes, it seems.

One comment I had with regard to Cleveland specifically is about access to TV, which I believe is a human rights issue. This is a comment from one of the youth workers. I believe they have access to it for about four hours a day. A big thing for them is football. In terms of behaviour, currently they have free access for four hours. My children do not have access to TV for four hours a day every day. There are books available but they are not really encouraged to read.

We need to have a rethink about what is going on in their minds in terms of the effect of just watching TV for four hours a day every day and could they be reducing that? His comment was, 'Could you say no TV during the week, only TV on the weekend? But if you have poor behaviour in detention, you will lose that privilege,' which happens to be the football, which is apparently a big deal with the kids. I might not have answered your question completely. What was the question again?

Mrs GERBER: That is okay. That is fine. Thank you.

Ms BUSH: Thanks for coming along today. You probably heard me ask the gentleman before you about the 10-year strategy, which is something we are all very keen to do. We all recognise what the problems are. I think we need to think about what are the solutions, and you have given us some to think about today. Some of the elements I heard you talk about which could be incorporated into a 10-year strategy—again, I want to give you a chance to clarify—are things like a focus on culture; a focus on family; support for parents; practical support, financial support, psychological support to really build up the family element; a focus on community cohesion and respect; a gendered response, recognising the difference between men's and women's needs and issues; a health response so that young people can actually recognise the impact of the crime in the first place—Bernice, I heard you strongly say that, so thank you for that; and opportunities for young people to take responsibility, to take ownership and to apologise and make amends. Is there anything else you want to add, or have I misquoted you at all in that?

Mr Richardson: Working opportunities for the kids during the period of time they are in there. From what I have heard, there is actually not much work that they are doing in there. The one job that I have heard they are doing is cleaning their cell; that is about it.

Ms BUSH: In prison, you mean?

Mr Richardson: In the detention centre, I believe.

Ms BUSH: Are you getting that from the detention centre workers themselves? Where is that information coming from?

Mr Richardson: Workers themselves. That would be one of the tasks they are doing, and then there is occasionally cooking food for themselves. Are there other tasks they could be doing to help build up that rapport and work ethic?

Ms BUSH: Responsibility.

Mr Richardson: Work ethic, responsibility ideally. It is empowering.

Ms Hookey: The focus would be they want a change. When you go out into the workforce, you want to be able to help your mob when you go out there. We know that you have to have a blue card, but if you have a criminal record you are not going to get a blue card. You are not going to get that card.

Mr Richardson: Even if it is not child related.

Ms Hookey: Some of them are being impacted because they are healing themselves through 10 years or 20 years. When they go to apply for a job with a service provider that relates to working with children or working in that capacity or that space, straight-up it will show in their police record check that there is a criminal history and they will be disadvantaged forever.

Ms BUSH: Yes, you have that stigma.

Mr Richardson: Even if it is not directly related to children.

Ms Hookey: It could be just like, as we see stories, where they have stolen a packet of chips because they want to put food in their stomach, but it is a crime. We need to really look at and revisit how the legislation defines that. Like you said, you are coming back to that cultural ethnicity and protocols around that to allow for how we can support that process; otherwise, we are just going to keep sitting here talking about this every time and hitting a brick wall. It is not going to be nice.

Ms BUSH: Going through the system.

Mr Richardson: There needs to be some way to go, 'Okay, these kids want change. How do we empower them on the way out?' How do we gain that work ethic? Can we get them into work when they are coming out? Is there an alternative pathway to schooling? If schooling is not for them, throwing them into the school environment constantly where they are wanting to get expelled and just get out—what is the end goal? What does full focus from birth to part of community look like?

Ms Hookey: Again, with education, we know that our kids have to go to school. Their numeracy and literacy is really low. However, in saying that, we are learning every single day. We are not not learning something every day. To get them through, to be able to help with that numeracy and literacy, we are there providing those mentors, having people coach them so that they can be moving on that path of positivity. Otherwise we are going to go around and around in circles. I am dizzy from it, literally.

Ms BUSH: Like you said, there need to be opportunities when they transition out of prison for them to re-engage into community and to be held and accepted.

Mr Richardson: And to not fall into the same habits, to see where the family is at—that kind of thing.

CHAIR: I am mindful that we have run out of time, but I do have a burning question. We have seen the reports: the amount of offenders has decreased, but the amount of offences has increased due to this specific cohort of serious repeat offenders. Have you seen anything or believe there is anything that can be changed within the options available either to police or to the courts that would reduce the velocity, or do you see social media has played a part in that?

Mr Richardson: They are living out the game *Grand Theft Auto*, and that is—

CHAIR: That is why the velocity has sped up over time?

Mr Richardson: I think so. It is a game to them. They are chasing the police. They are throwing rocks at the police regularly and ramming the police. There is now a lack of respect. Junior officers are being berated by senior officers for actually trying to uphold the law. If I was a bank robber and I went to the bank and stole money, I know that I could just chase the police and the police would run away. I do not understand how we have gotten to that point.

Can I make one final comment regarding state care? I am guessing that is where kids end up when parents have given up. I heard an account last week directly from someone who has been in five different care houses over the last six months. Four out of the five were okay, in their opinion. However, in one case there were three other kids at the house—two were Indigenous, one was Caucasian—aged between, he said, 12 and 18, but I am not sure on that. All the kids had bloodshot eyes, and in the short time he was in the house they had showed him their drug stash and had offered him drugs as well—crystal meth. It raised many questions when I heard that. Where did they get the drugs from? How did they pay for them? How is that acceptable behaviour in state care?

The other observation I would make is about the ratio. In a number of the houses that he was cared at, there was one carer, I believe, although three carers over a 24-hour period—I think two or three. I am guessing they work in eight-hour shifts in one house. That appears to be an extremely inefficient method for caring for kids to a low standard. The carers are not acting as parental figures or mentors. It is not the same as parents who are wanting the best for their kids. The closest I thought it could be was akin to a babysitter. I do not understand. At the very end of the spectrum, when the kids are falling off that edge and they are ending up in state care, what does that look like? I feel like that needs a bit of a look at to make sure we are providing an environment that is as close to a family environment as possible where kids are getting well supported.

CHAIR: Wonderful. I want to thank you so much. There have been no questions taken on notice.

Ms Hookey: Can I just say one last thing?

CHAIR: Yes.

Ms Hookey: When you take these recommendations back to the core policymakers, and even for the act, put a touch of humility on it. Put a touch of deep within here—spirit. The ancestors are calling for change. We want change

Mr Richardson: Better outcomes.

Ms Hookey: And so much better outcomes.

CHAIR: Thank you. Everyone totally agrees that is what we all want: much better outcomes. Thank you so much. We really appreciate your time and wish you all the best for 2024.

LANG, Ms Wendy, Chief Executive Officer, Queensland Youth Services

CHAIR: Welcome. I invite you to make an opening statement before questions of which, no doubt, we will have plenty.

Ms Lang: My opening statement is about really having a balance between the young people's human rights and the safety of communities. They are the key issues that often come up. Our community needs to feel safe, but we also need to be aware of the human rights of our young people. There are a couple of things when we look at prevention and entry into diversion. In discussions with my staff, one of the key things was to mandate mental health assessments for all offenders and then provide funding for continued counselling with psychologists. There are repeated reports of young people in detention who have undiagnosed FASD, past trauma, ADHD and a range of different mental health disorders. I think as part of any future plan that goes ahead there should be assurance that all of the young people receive a mental health assessment and are provided with a mental health care plan that follows that and access to psychologists for that.

There was also discussion with my staff around mandating parental courses for guardians and parents of young offenders. There are problems at home and that is why most of them end up offending, but it is, as the previous speaker was saying, about providing wraparound support to those families. However, we feel it needs to be mandated. A lot of those parents refuse to acknowledge that they have an issue or a problem or even need support. That might require a change in the Youth Justice Act so that you can mandate that parents have to receive assistance and help. That is about the intense family support that they would need.

We also looked at researching models like Youth on Track in New South Wales. We talked about the early intervention. It is to have that collaboration between NGOs and the police where we are sharing information about kids who are on the streets and setting up that support where they can have that mental health assessment that can be case managed and they can be engaged in diversionary activities. If we look at those models, it works effectively in New South Wales. Is that something that can be delivered in Queensland?

We also thought that the NGO staff should have access to the CHART training that the Youth Justice staff have, again with early intervention; it is not about waiting until they are under a youth justice order to access that sort of structured format in assistance. If the NGO in a diversionary position were trained in CHART, that 12-step model could be delivered at an earlier time.

Early intervention with young people on child safety orders and who are self-placing: a considerable number of dual orders means they have Child Safety and Youth Justice in place for young people who self-place and are disengaged from their child safety officer. Do not quote me, but I think it is around 35 per cent who are on dual orders, but when we look at the dual orders, a lot of them are the kids who disengaged early from their CSO and have been self-placing and homeless. If there were a program or something that targeted those kids early, we might prevent them ending up in the justice order system.

Effective ways to stop recidivism and protect the community: as I said, protecting the community is also something we need to be aware of, particularly with the frustrations that people have with their cars being stolen and being victims of break and enters—and unfortunately the risk of vigilante groups who then decide, 'If the law won't do anything, we'll do something.' That is a critical point when you have a community level of frustration that needs to be prevented as best as possible.

One of the things we considered here was practical restorative justice—not just counselling and sitting down in front of a person and saying, 'I'm sorry,' but actually doing it as a diversionary activity where young people who have offended need to participate in activities where they give back to their community. It could be cleaning up parks or, if they broke into a shop, having to go back and provide cleaning up or mending—assist the carpenter or the glazier to fix that space. I can give an example of one that I know occurred in the Northern Territory, in a place called Tennant Creek. Young people who were on a diversion program broke into the aged-care facility. They did not actually do any damage, but they stole food out of the fridge. They were probably hungry. As part of their restorative action, they had to go back to that aged-care facility and bake cakes for the elderly, because cakes is what they stole. They had to bake cakes and then they had to serve them up as morning tea to the elderly people as a way of saying sorry.

I think restorative justice does not need to be just the convenor activity. It needs to have a practical approach where young people are engaged in a community service structure and are providing back to their community so that they learn respect and they learn that they can be a valuable

member of our society and provide assistance to other people in need. It could also mean going in to animal shelters and helping to do work in that way. I think the type of work they can do can be quite broad. It would be about getting the community on board and asking what services they have that young people can engage in and participate in as part of their restorative actions.

CHAIR: I am just mindful of the time. Is the document you are reading from your submission?

Ms Lang: We did not put a submission in, so I am reading from this.

CHAIR: Would you be happy to provide a copy to the secretariat?

Ms Lang: Yes, certainly. I thought I had missed the cut-off date. That is why I did not send it.

CHAIR: That is all right. I am just mindful of giving everyone the opportunity to ask questions.

Ms Lang: There is one other thing I want to talk about when we talk about suitable infrastructure. Personally, I do not believe that children aged 10 to 12 or 13 should be in a detention centre. Therefore, what is the alternative? Some of the things that we looked at were a fenced community or village, so they are in more like a house but it is still fenced to protect the child and protect the community but they live in a home environment. Each of the houses that are within that village would have a social worker placed there, the idea being to keep the children safe. We heard a story about how they get access to drugs, or peers who grab them and say, 'You have to come with us because you are small enough to get through the window,' and things like that. It is about protecting them from the environments that put them at risk and giving them a chance to be rehabilitated.

I would suggest that a flexi or an alternative schooling system be in the village as well. At times you could release them when they start showing that they are engaging. They could go to school but come back to that safe home until they are ready to be released. Whether they are in the watch house or detention, it is about having an in-between structure that provides security for the community but provides rehabilitation for the young person.

Mr PURDIE: Wendy, at the start you were talking about early intervention. I think you spoke about—and the committee has heard this previously—how Youth Justice does not really get engaged until a child is put on a youth justice order. Is that what you said?

Ms Lang: Yes. That is when the caseworkers tend to work with them in detail.

Mr PURDIE: When a child is put on a youth justice order, that is court imposed, isn't it?

Ms Lang: Yes.

Mr PURDIE: We know that a child might have a long history of offending before they even get to court to get an order. Are you saying that Youth Justice should engage earlier or are you saying that other groups should be—

Ms Lang: I am saying that other groups should be trained in the CHART method that they use in counselling.

Mr PURDIE: Are you referring to the 12-step model?

Ms Lang: Yes.

Mr PURDIE: Other groups should be tasked to engage before that?

Ms Lang: The NGOs should provide a diversionary service before it gets to a youth justice order.

Mr PURDIE: What is being provided here now before they get an order? Are there any NGOs that are actively doing that?

Ms Lang: Not to the model that they have in New South Wales or in the Northern Territory. There are some programs that kids are referred to. We know that there is Transition 2 Success, but that is more for kids who are currently with Youth Justice. Under the Safe Communities model we have run our Project Overhaul, where we try to engage kids in learning to make items in a workshop. They do a bit of carpentry and welding. Then also we have partnered with Pitstop Karting to do the mechanical side. There are limited numbers and it was only a two-year grant. You need things that can be a diversionary activity that continue to provide alternatives for young people to engage in.

Mr HARPER: It is good to see you again, Wendy. Just for context for the committee, how many years have you been with QYS?

Ms Lang: Twelve years in April.

Mr HARPER: I am going to say that you have probably worked with hundreds, if not thousands, of kids. Thank you for the work that you do in the community. I very much like what you said about mandating parents when they are connected to those serious repeat offenders and the Youth on Track New South Wales program. With regard to those diversionary activities or rehabilitation

programs, I am going to cut to the chase: should they be court ordered? Currently, Transition 2 Success, which you mentioned, is voluntary: 'Would you like to do the program as you leave?' What is your view: should it be court ordered or mandated as part of rehab or after?

Ms Lang: It is actually a very difficult question to answer. We find sometimes with young people who are court ordered that the motivation is not there and the willingness to change is not there. That is why a lot of times NGOs say that it should be voluntary, based on having that assessment of readiness for change, but I can see the benefit of court orders as well. It is a tough one to answer in that respect, because it is about the young person being ready to change—and that is the key to it. You can order someone to do something but there is the old saying that you can lead a horse to water but you cannot make it drink. Sometimes you just have to look at whether that young person is ready to change.

Mr HARPER: I mentioned youth detention as a last resort. If you applied it to everyone—from a kid who steals a bike to a kid who steals a car—what are your views on removing it across the board, or should it be reserved for those who are declared serious or violent offenders?

Ms Lang: I think there needs to be a matrix model that looks at age and risk. Again, I do not believe that a child should be in detention. Realistically, anyone under 13 is a child. It is not a healthy environment for them to develop in. Psychologists will tell you about their brain development and where they are at. They know that better than I do. My thoughts as a mother are that a child in detention is not appropriate. In terms of risk assessments, repeat offenders who are a risk to community safety need to be detained.

The previous speaker talked about humility and then looking at human rights. If a young person who is only 13 has been dragged into a crime by elders and peer pressure and they were made to jump in the car, the risk of that young person as a bystander as opposed to the person who instigated the crime I think needs a different response. There has to be some assistance given to those who have been dragged into it to rehabilitate and to redirect their future. Then there are the young people who have continuously—no matter what has been put in place for them—reoffended. They are a high risk and they probably need to be detained. It is not about having a one-solution-fits-all approach but really looking at the situation and the circumstances based on age and their risk to the community.

Mrs GERBER: In your opening statement you touched on children with a child safety order and their contact with the youth justice system. If it helps, I will give you the exact figure: 29.5 per cent of serious repeat offenders are also under a child safety order. Then there is also the figure from the Australian Institute of Health and Welfare that 58.2 per cent of children in the youth justice system have had contact with the child safety system within five years before their youth justice order. Because something is failing there, from your experience what system changes need to happen in order to stop those children who are in the child safety system from going down a path of youth justice?

Ms Lang: Queensland Youth Services also offers the Youth Housing and Reintegration Services program, which is for the homeless youth particularly coming out of child safety or youth justice.

Mrs GERBER: So housing is a big issue.

Ms Lang: Yes. One of the things we really struggle with is finding accommodation for those young people. As we know, there is also a housing crisis across Queensland. Getting real estate agencies or other people to provide housing to youth can be very difficult. My understanding is that child safety officers have very large case loads, so they cannot provide that intense support to the young person they are working with. Maybe some of that needs to be outsourced to NGOs to provide that service.

We find under our YHARS program that a ratio of one youth worker to 10 young people is fairly full-on to provide that intense support, taking them through what is their mental health situation, what is their engagement in the community, whether they are engaged in education or training, and what their family relationships are like. Under the YHARS program we use Outcomes Star, which has 10 domains, and the case management planning is around those 10 domains. A child support officer does not have the capacity to provide that intense support that some of the NGO services could do.

Mr TANTARI: Wendy, thanks for coming along today and for being so passionate in this area. Further to something you said earlier around the intervention programs, are you aware of any programs that are working well and could be expanded directly in relation to engaging the family in this interventionist system?

Ms Lang: I am fortunate to have a staff member with Queensland Youth Services who came from Tennant Creek and who worked with an NGO service there called the Mob. They do the diversionary program for Tennant Creek. From what she was telling me, even the police over there would acknowledge the impact that they have had on their community.

Mr TANTARI: Do they work directly with the family?

Ms Lang: Yes. They work with the families and the young people. They encourage the parents to come into what they call the Mob and engage and assist the young people with the activities that they are doing. They get the young people to put on morning teas or different events or functions for their parents and their community to get them in. They are aware that, particularly in Tennant Creek, a lot of the parents are alcoholics. They do not look at necessarily changing that behaviour, because it is too hard to do that, but what they do is work with the families on how to manage the behaviour of their children and just say, 'Yes, we do drink but we still care about you and these are the things we need you to do.'

They enter into an agreement with the parents and the young people, where the parents are giving them authority to pick the children up if they are on the streets, to take them in and address different issues on their behalf. They are also saying, 'We cannot do that at this moment. Can you do it?' They take the parents out on country and, when they are sober, get them to share their cultural knowledge so that the kids also learn to see their parents in a different light, so they do not just see them as alcoholics sitting around home. They take them out on country and say, 'This is our culture. This is what I can teach you.' I do follow the Mob on their Facebook page and I see different things that they do. My understanding is that they work in with the family, the community and the police to prevent these kids going into detention as much as they can.

Mr McDONALD: I have two questions. The first one is around the worst-of-the-worst offenders who are finding themselves in detention. We all agree that detention as we know it at the moment needs to be reimagined with extra support services. There is a very high recidivism rate for people coming out of detention. What sorts of programs do you think we could provide for that cohort to help with or stop that recidivism?

Ms Lang: You are right. The other hat I wore many years ago was as a director of studies at Barrier Reef Institute of TAFE. We were delivering the vocational subjects in Cleveland Youth Detention Centre. When you look at a unit of study in a vocational course that you are doing it might involve 30 hours. Normally you might get that delivered in two or three days. In a youth detention centre, because they only have a slotted time of 40 minutes or 50 minutes and they treat it like a school program rather than just focusing on the one certificate that they are doing, it became financially unviable to deliver within the detention centres because they were not getting enough units completed. The concept back then was to start them on their vocational certificates and then when they exited they would continue to study in that area at the TAFE and complete their certificate. Transition 2 Success was also trying to pick up those kids who were exiting out of Cleveland Youth Detention Centre to do that.

The other issue is: when they are exiting, do they have a safe place to live? If they are going back to the same environment that put them in detention in a lot of ways, is it necessarily safe for them to go back to that? That is where the family and the kin need to have their discussions, particularly again with Indigenous youth—it could also be for Caucasian youth—to determine out of the family members what is the best home environment for those young people to live in.

It should be about matching where they can go to so that they are safe, supported and protected. They could have been referred to programs like Project Overhaul to engage in something. There are a number of different alternative schools in Townsville now. We have the indie school, the flexi school and the silver lining school. Young people could be referred directly to that school rather than trying to return them to mainstream schooling. Getting them engaged in either education or employment, and having that set up before they are released, I think is an important factor.

Looking at bail support or transitioning out, Queensland Youth Services have been contacted a number of times by Youth Justice to ask if we could we stay in a motel with a young person until their transport is arranged to go back to wherever they are from. As you know, Cleveland has kids from all over Far North Queensland. Our response was, 'No, that is not within our role and our function so we cannot do that.' Honestly, I did not have any staff who wanted to do a 24-hour supervision in a motel. I believe that transitioning out of detention needs to be coordinated better. If you are willing to pay someone to look after them for a night, why not pay a family member to be there at the gate when they are released so that that young person is actually released to a family member immediately? Rather than 'we need to accommodate them here and we need somebody to supervise them during

that time', spend that money in a different way. At least then the young person will feel that they are being returned to their family, where it is appropriate, instead of laying in limbo. If they are left here a couple of nights before they can get back to Kowanyama, Mornington Island or wherever they might have to go, they are more likely to get into trouble while they are sitting here waiting to go home.

Ms BUSH: Thank you, Wendy, for coming along. There are obviously a lot of services here in Townsville doing fantastic work. We have had the benefit of going to some of those today, including yours. I know that it is very difficult, because it is hard for the media to report on crimes that do not happen—only those that do—but there are obviously services doing some fantastic work. It sounds like what you are saying is that there needs to be a lot more coordination between services, better referrals in and out of programs and a better response to youth detention. CYDC is obviously an older model, but a newer model might be smaller, more responsive, therapeutic, education-based centres. Do I have the essence of your submission right? Is there any service that you think is lacking?

Ms Lang: I do want to push that youth village concept, because it is a softer, more humane approach than being locked up in a cell. That may even be a pathway to transition those who are coming out of Cleveland, to go into a village which is less restrictive. When looking at diversionary activities with not-for-profit organisations, I must highlight: please not one-year funding. It is so difficult for NGOs when their funding is for one year. You cannot retain quality staff based on a one-year contract. If you are going to look at diversionary programs, at least make them three to five years so that you can make them work.

Ms BUSH: Yes. That is a great point.

Ms Lang: I think there is an opportunity for early intervention with not-for-profit organisations to set up a range of diversionary activities suitable for different age groups.

CHAIR: To clarify before we close: for the NGO, the range of diversionary activities needs to be much earlier and should be an option for the police?

Ms Lang: Yes.

CHAIR: Am I understanding that correctly?

Ms Lang: That is right. They do not have an offence at this stage—they have been brought up as antisocial behaviours such as loitering—and creating something for those young people straightaway.

CHAIR: It is an extra option for police but also could be an extra option for the courts?

Ms Lang: Yes.

CHAIR: That would be mandatory, not voluntary?

Ms Lang: Whether it is mandatory or voluntary, it is a hard line. My biggest thing there is an assessment of willingness to change. You really need to know that the young person is willing to change. It does not matter what you throw at them, if they are not willing to change then it will not work.

CHAIR: That is part of the data. We are trying to assess in the particular cohort that is creating the majority of offences whether it was because, along their transition, they could not participate in diversion.

Ms Lang: That is right. There is one other program I want to mention. We are in partnership with the Defence Force program Proud Warrior. I think there is an opportunity to build more of these partnerships across Queensland. They have asked us to look at Mount Isa to see if we can get something going up there. Our role is more of an administrative support role. The Defence Force runs a lot of the activities. Recently in Townsville the police have joined in partnership and will run activities at the police academy with this group. These kids range from those who were at shopping centres loitering to some who are on a youth justice order and some who are interested in joining Defence.

Another concept I believe in is that we should not just have youth justice kids doing a youth justice program, because you are not changing their circle of influence. They need to be able to engage with young people who do go to school, who might have a part-time job and who are functioning quite well in their families, because if you only allow them to engage with other offenders then they have no other examples of what they can be.

CHAIR: We really appreciate the time that you have given us today. We wish you all the best for 2024.

HARDING, Mr Bede, Chief of Staff, Townsville City Council

HILL, Ms Jenny AM, Mayor, Townsville City Council

CHAIR: Welcome to you both. I invite you to make an opening statement, after which committee members will ask some questions.

Ms Hill: Thank you, Madam Chair and committee members. Thank you for the opportunity to present to the select committee's inquiry into youth justice reform in Queensland. I am here representing a community that is at ground zero of the youth crime epidemic in this state. This community has had it to the back teeth with what it feels are woefully inadequate laws, a judiciary that does all it can to get youth criminals back onto the street and repercussions that are manifestly inadequate and not in line with the community's expectations.

I will not go into too much detail on the written submission I have provided; however, there is a combination of reforms that I would like to see. Some are tinkering around the edges; others are more radical. As much as it pains me that this committee even has to exist, it also pains me that this community is in such a state that it has to demand radical reform. There are a number of issues that are the basis of the problems we are facing: intergenerational substance abuse and poverty; overcrowding in houses; the breakdown of family units in large swathes of the Townsville community across all demographics; fetal alcohol syndrome disorders across all demographics; and the knowledge by many of these families and offenders that the law carries very little consequence for these young people breaking into cars and houses.

Even though it has been reported that only five per cent of young Queenslanders living in residential care have both child protection and youth justice orders, I maintain that this figure would be much larger in the Townsville LGA. My challenge to you is to present these figures as they relate to Townsville.

My submission aims to deal with the here and now—measures will go a long way towards making this community feel safer. However, I hope that this committee and the Queensland parliament will have the stomach for the reforms that are needed. We are told that abolishing detention as a last resort, mandatory minimum sentencing and relocation sentencing would breach human rights. I have said it at parliamentary committees before and I will say it again: what about the human rights of all law-abiding, decent Townsville residents who have had their homes broken into, their vehicles stolen and their lives threatened on sometimes an almost nightly basis?

The Human Rights Act was passed just a few years ago and has a lot to answer for. Many people in this city would not be sad to see its repeal. We have seen in the last few weeks a small decline in stolen cars in Townsville because most of the ringleaders of these offences are locked up in Cleveland Youth Detention Centre. However, we know that before too long they will out and about on the streets of Townsville, terrorising innocent families once again—families who do not know if they will wake up to an empty garage and busted locks on their front door. It is time the parliament got serious about meaningful consequences for youth offenders and do what this city expects of their state politicians on all sides. Thank you. I am pleased to take questions.

Mr PURDIE: Mayor, in relation to detention as a last resort being a principle that has been reinstated in the Youth Justice Act, how have you come to that position? As a community representative, is that from talking with police, magistrates or lawyers?

Ms Hill: We have seen many lawyers appeal any sentence that the judiciary has handed down and won through the appeals court. Kids will make mistakes—there is no question of that—but they do not make the mistake on the fifth, sixth, seventh or eighth appearance. That is the issue. In all seriousness, there are some great programs run at Cleveland, but they need time. They need 12 months to be able to run some of these programs. Particularly for hard-nut cases, there needs to be minimum mandatory sentencing so that these programs can be run and so that, conversely, the rest of our community can feel safe that something is happening. We have seen that there has been a drop in car thefts. Quite frankly, it is because these kids are inside. They are not out on bail; they are inside. Whether they are inside because of the fact they could not get bail is fine, but we need them to spend real time in there to do programs.

Mr PURDIE: Have you seen crime escalate in your time as mayor?

Ms Hill: Yes, I have.

Mr PURDIE: We have heard some people talk about crime perception and the need to improve community confidence in the system. Have you, as mayor, legitimately seen the level of crime escalate?

Ms Hill: We have seen it increase; there is no question of that. We have seen older offenders drag younger offenders into this, and they have become the next generation who are dragging the next generation in.

Mr HARPER: Thank you, Madam Mayor, for your advocacy for the city. You and I talk regularly on this issue—

Ms Hill: Yes, we do.

Mr HARPER:—and you would be aware that the parliament last year passed a couple of laws: one, breach of bail as an offence; and, two, declaration of serious repeat offenders. I have asked this question a number of times of other witnesses today: if you remove youth detention as a last resort, what are the risks and benefits of doing it across the board? Do we start with those who have been declared serious repeat offenders by the court? We were told by the Queensland Law Society that the declaration of serious repeat offender does increase sentencing principles. Do you think the removal of youth detention as a last resort should apply to them?

Ms Hill: To begin with, yes, it would be a great start. I have family members who as juveniles did the wrong thing and, I have to say, my father gave them a hell of a hiding and they would never do it again, but that is not always happening in some of these families. There are no boundaries. These kids need to understand that there are boundaries and there are consequences for their action. It may not be from mum and dad but it is from everyone else around you.

Mr HARPER: Is there a risk if you apply it across the board to first offences, or should it be a matrix approach?

Ms Hill: I am interested to see what is proposed, but at this stage the community has had enough.

Mr HARPER: So a kid stealing a bike?

Ms Hill: Kids stealing and threatening lives, and what has happened further south recently has just amplified that.

Mr HARPER: I am just trying to clarify it: whether it is a low offence, say, a bike theft or stealing chocolates from—

Ms Hill: It is not about stealing chocolates; it is not about shoplifting. It is about robbery, attempted robbery, assault with intent to steal, demanding property with menace with intent to steal, possession of things used in connection with unlawful entry. These are offences where people are carrying weapons.

Mr HARPER: So just to clarify and make sure—and I totally get your point, and that is why I said those as examples.

Ms Hill: I have given a list of what we believe are part of the issues. If you are doing this, you have come a long way down the track; this is not the first rodeo.

Mr HARPER: I am just trying to get clarification, that we do not do low-level offenders. Are you trying to apply it to the serious violent offenders?

Ms Hill: Mandatory minimum sentencing is about trying to get kids into a program and keep them off the street. At the moment, a child could do six months provision of bail in detention and then get out for time served without actually getting anywhere near a program, and that is a problem.

Mrs GERBER: Thanks, Mayor, for always making the time for these committee hearings. Back in 2021 I was on the Legal Affairs and Safety Committee when you joined the chorus of voices calling for breach of bail to be made an offence, and now you are here today talking about detention as a last resort. What I am hearing from you—and I want to confirm if I am correct—around detention as a last resort is that that principle needs to be removed so that magistrates and the sentencing system have the ability to impose the consequence that the community expects; it is not necessarily detention for a child who steals a bike on their first offence.

Ms Hill: No.

Mrs GERBER: Have I got that right?

Ms Hill: That is what we are saying.

Mrs GERBER: Thank you. I want to get your view on how the child safety system is interacting with the youth justice system and kids who are in the youth justice system. I know that you were in the room when I asked the question of the previous submitter around the statistics. I am happy to repeat those if you need.

Ms Hill: Could you repeat the statistics?

Mrs GERBER: Yes: 29.4 per cent of children who are serious repeat offenders are also on a child safety order, and 58 per cent of children in the youth justice system had come in contact with child services within a period of five years. That is a report done recently from the institute. I am interested in knowing how we make systemic changes to ensure that the child safety system—the state government—is doing its job and preventing children who are in its care from going down that youth justice path.

Ms Hill: The question you need to ask there is how many of these are in residential care facilities. I think that is the question we need to ask. I sat in on the Indigenous Leaders Forum in Cairns, where many of the First Nations mayors called for kinship cards, because many of them cannot get blue cards, to look after and provide good kinship care. I understand why they may be on CSOs—because there are some families, all across our demographics, where I have said that you would not leave a dog, let alone a child, because of the abuse. It happens everywhere, I can tell you that.

For the First Nations, they are very keen to introduce a kinship card where they can bring children back on community and deal with their community. I think even for the general community as well that would not be a bad situation, because members of a family may be back on the straight and narrow after committing an offence 20 years ago—particularly one related to alcohol—so they do not qualify for a blue card. We need to think about whether there is a way we can reintroduce children with families who can put boundaries down, where they may have had a past but in the last 10 or 15 years they have done the right thing. There needs to be that flexibility to get them out of res care and give them a family that will give them boundaries.

Mrs GERBER: Is that about redirecting perspectives? At the moment, the children are taken away and put under a child service order as opposed to the family—which may have one parent who could support them—being supported to do that.

Ms Hill: There could well be, but let's be honest: the moment one thing goes wrong, the media will blow it up and will blow up the program, even if 99 people have done the right thing. That is on all sides of politics. I have seen them try it with all sorts of people. There needs to be an understanding and a flexibility. There is a need to refocus on what the hell blue cards are doing and whether they are really dealing with the needs of community. If not, how do we introduce a kinship card which allows family members to try to look after children who need help?

Mrs GERBER: What is the issue with resi care for your community in Townsville? Can you give the committee a perspective?

Ms Hill: No-one is able to stop a child leaving a res care facility. The NGOs do not seem to be able to do it. To be honest, I have feedback where we have bankers and other groups on boards who are looking at some of these things around monetising and not necessarily about providing the community care. It concerns me seeing people like that on some of these boards, because in the end it needs to be about community care. I have groups wanting to provide res care for community that do not provide enough parking, that do not have full-time care on site, and I do not think that is right.

In terms of the need for affordable and social housing, there are people who have high needs who need 24-hour monitoring. If we cannot do that for adults, how the hell are we managing these kids? I have no time for some of these NGOs. Some of your witnesses spoke about groups that are trying to stop kids getting into that circle. In Townsville we see Clontarf and the Stars program working very well with our education facilities, but you have to get the kids into school. Who is dealing with truancy? Who is making sure that when the kids are in housing—whether it is in rented accommodation or housing—they are booked into school? I am hearing that teachers are going around and picking up some of these kids.

Mrs GERBER: We are told it is Education Queensland, yes.

Ms Hill: Yes, because they feel for them, and they are bringing them into school because the parents are not doing it. There have to be consequences for these parents who are not doing the right thing. There has to be a place where these kids can go. I hear stories of kids wanting to go to boarding school because they do not want to go home but the families will not support them into boarding school. They would be far safer there than in their home environment. I worked with a group privately to provide school uniforms for all of these kids who right now sometimes sleep in cupboards because they do not feel safe in their bed. I hate hearing stories like this. I cannot understand how parents treat children like this or allow their children to be treated like this, because all it is doing is creating the next generation. We have to break the cycle.

Ms BUSH: Thank you, Mayor, for coming along today. You always provide us with great submissions to all of our committees, so thank you. I did have a question for you but you have piqued my interest in your comment about the role of the media and how quickly we can shift from investing in things that we know and accept work to just blowing them up the next day because of something that happens. How do we take the media with us on that journey of recognising the things we all know we need to invest in and do more with and then withstanding them when things do go wrong?

Ms Hill: At the moment we have a cohort which I just do not know how you are going to deal with. At the moment, the only way is to lock them up, but I guarantee you that most of the people behind me want to break the cycle. We do. I do not want another mayor to be here in five years talking about the same issue. The media in many ways can be our enemy as well. I would say that you have to bring them along for the journey. For every one thing that goes wrong, find the 20 that have gone right in the program because it affects all of you. It does not matter what side of politics you are on, you have to work together to find the pathways through this.

It is not just one group; it will be various things that will help different communities. Some of our First Nations mayors are very keen to bring a kinship card back in. I think that will work not just here but also in other communities south of here. We are very keen to break the drug and alcohol nexus. I have spoken previously about integrating what they do in the Northern Territory with a banned drinkers register. It does not mean that you cannot drink at a pub, but it stops you from taking alcohol home and putting whole families at risk. That has had impacts on alcohol fuelled family violence. I will continue to talk about those things because they are important. We need to think about how we solve the issues in Mount Isa, Townsville and Cairns, and it will be different to how we solve them in Brisbane and parts thereof.

Mr McDONALD: I appreciate your presentation today. I have asked this question a number of times across our committee regarding the worst of the worst offenders. I appreciate your statement today, but we have already heard that there is funding going to Child Safety, which is being seen taking kids out of houses. We are seeing very poor or low levels of affordable housing here in Townsville. What sort of advocacy have you done in that space? Is there anything on the horizon? What are you calling for? It seems that there is a real need out there.

Ms Hill: We are doing some work around affordable housing because I think that is where council can assist. There are some people who are in dire need who have low-paying jobs and we need to get them into housing. I think that is the first thing we can do. My CEO has had a meeting with the DG and we have some way forward where we can assist in that. I think social housing needs to remain the remit of the state, because people in social housing often have complex needs that as a council we cannot afford to deal with.

Can I remind some of you that from 2008 to 2018 we had the National Partnership Agreement on Remote Indigenous Housing, where the state and federal governments worked together to provide housing in communities to stop the overcrowding and people having to move into the cities. We had that, and included in that was a program in training people with apprenticeships on community. That ended in 2018. The then federal government did not want a part of that. We have seen a steady increase in a lack of housing in First Nations communities and many of them drifting into places like Townsville, and there is still not enough housing here. Can I suggest that people look to go back to that agreement because that worked very well. When I have spoken to a number of the old hands in some of the communities, they have said that they would like to see that program back.

Mr TANTARI: I want to enhance what you just said. We visited the Street University earlier and one of the individuals there mentioned that you have a lot of individuals coming into your community from outlying communities. What do you believe those communities should be doing to assist your community in the management of those individuals?

Ms Hill: Part of the issue there is overcrowding in houses. Many of the communities have a no-alcohol or very low alcohol policy now. There is a program that Peter Beattie started in some of the communities where families are managed by the community if there are problems in the family. There are some communities that do that—the family responsibilities program that was instigated by Peter Beattie. Some of the people who live in those communities do not like it and it is their right to move into Townsville, but then again they must understand that they live in our community and they have to live under our auspice, which is that if you engage in antisocial behaviour you should be dealt with. That is not necessarily happening. I am not convinced the NGOs who manage people, particularly with drug and alcohol problems who are living on the streets, are doing the right thing. The other issue we have is that often many people who are let out of prison or out of hospital do not go back to community. That needs to be managed far better at a state level.

Mr PURDIE: A year ago I was on a committee up here inquiring into the safer communities legislation and heard you similarly advocating for your community. We know that you have appeared before the Legal Affairs and Safety Committee. You have been advocating fiercely for your community. You mentioned in your opening address the current woefully inadequate laws. I have seen you down at parliament. I know that you have access through multiple channels, whether it is coming down with TEL or others, to the corridors of power. Why have you not been listened to? What is the pushback you are getting?

Ms Hill: We got the breach of bail up, which was good. We got that through. That is an excellent law. I think all of you being here means that someone is listening. It is a start. The community has just had enough. It affects everyone in our community. It is not just the rich who get their cars stolen—people who have money have insurance; it is also the ones whose car is the only car they have because it gets them to work. I am a landlord and I have made sure every one of our homes has a deadlock on it to try to assist the people we rent to to make their homes safer. I have heard of cases where tenants have requested deadbolts to be put in and that has been denied. I do not know how you deal with that. There are some basic things you can do to help people protect their homes. It does not matter whether they are rented or not. There are lots of things that we say that are not being listened to by everyone. At least you being here is a start, because previously with the other committees we got the breach of bail laws up. Let us see what we can get up out of this committee.

CHAIR: Before we finish, I have a couple of very quick questions for you, Mayor. I see how passionate you are and how frustrated, and I can absolutely assure you that every single member of this committee is after solutions. There is one question that I seem to not get an answer on and that has not been clarified. You might be able to help me. How does removing detention as a last resort guarantee that there is a change in a magistrate's decision?

Ms Hill: Because there have been cases where the magistrate has said, 'Because detention is the last resort, I will place you back out in community.'

CHAIR: We have heard from other witnesses that there is a lack of options, whether that is options for the police or options for the court. There could be a missing part?

Ms Hill: There appears to be a missing part. Chair, the fact remains that many of these are recidivist offenders, and the more they are out in community the more they impact and draw more people in. That really needs to change. With the use of social media now, it is appalling. That is one that I have spoken about with the member for Thuringowa. If I could shut down Facebook and Instagram tomorrow, I would. I think it is the most toxic thing for the community.

CHAIR: I think that was a question I had asked because the volume of offenders has not increased; it is the offences by this small cohort and it is the velocity at which they are committing them which, when you look at the data, has sped up at an incredible rate.

Ms Hill: It has, but they also pull more people into their web. If they see that there are no consequences for the lead offenders, what does that mean for them?

CHAIR: Lastly, is there anything that you have experienced to say that you believe that the police, in terms of options or in that process, would be of assistance in the earlier intervention?

Ms Hill: At the moment the police often say that a juvenile offender was 'dealt with under the Youth Justice Act'. That just means they write them up, so 'Oh, yeah, I got written up. Big deal.' It does not mean anything. It really is about the volume. How often does a child get written up before he faces a magistrate and someone says, 'There are consequences for your action'?

CHAIR: Thank you.

Mr PURDIE: To that point exactly, we have been shown data that the number of youth offenders with a proven offence before the court has gone down, but we have heard from other people that there is pressure on police to keep cautioning, and you are talking about these young offenders getting written up. They are getting cautions and cautions and cautions. That is for crimes. We know that crime is going up, but the number of offenders before the court is going down. You have said that you have seen the level of violence go up. You talk about more offenders being drawn in. Your experience is not necessarily that the number of offenders is getting smaller; it just might be the case that fewer are getting a proven offence before the court?

Ms Hill: Yes, that is part of the issue: how many are being written up before they go to court.

Mr PURDIE: That is what we are trying to get to. We have seen that one chart, and people are saying that we are actually making a difference because that is going down, but when you listen to the police and others they actually say that fewer are going to court with a proven offence.

Ms Hill: That is true, but police will tell you that sometimes writing up one young offender means they get information on five others. How do you take away that discretion of police to use that?

Mr PURDIE: I am not suggesting that we take that discretion away at all. A lot of people get cautioned by the police—the majority—and never offend again, but there is pressure on the police, as we have heard, to just caution, caution, caution because the courts are overloaded and they are overloaded.

Mr McDONALD: Ninety per cent never offend.

CHAIR: We are running over time now. There were no questions taken on notice. Thank you so much for your time. As I said, I think you can see the commitment here by the committee and we look forward to being able to, in due course, give the first rung of recommendations. Thank you and all the best for 2024 to you and your community

Proceedings suspended from 3.07 pm to 3.36 pm.

ROSS, Mr Randal, Chair, Townsville Aboriginal and Islander Health Service

SMITH, Ms Tyrelle, Townsville Aboriginal and Islander Health Service

CHAIR: I would like to now call the representatives from the Townsville Aboriginal and Islander Health Service. Welcome. Would you like to make an opening statement before committee members start with their questions?

Mr Ross: I am the chair of the Aboriginal and Torres Strait Islander health service. I want to pay my respects to our traditional owners and our region before I speak today. This is an interesting topic because this topic is not new; it has been around for a long time. The last time I addressed such a huge delegation was at Jervoise Station when we talked about youth issues. I think Mr Aaron Harper, the member for parliament, was present at that time. In a closing statement in front of all those politicians who were there I said, 'Nothing is going to work unless you start helping men. If you do not start helping men we will get nowhere. We will still be here 10 years down the road.' Here we are again talking about youth justice issues.

Mr PURDIE: I do not know that background. What was that station you were talking about, when was that and why has nothing happened since then?

Mr Ross: Mr Harper can probably give an update. That was quite a while back. We are talking about nearly eight years ago.

Mr HARPER: As a result of that—and I know Mr Parker is here—the Yinda program was stood up with the uncles.

Mr Ross: There was a program that was funded and in that particular presentation I said, 'You cannot fund just one; you have to look at funding a whole collective of men to work together with the children. If you try to fund one, it will not work. It has to be the whole community.' As the old cliché says, it takes a village to raise a child. That is why I said it needs a whole group of men to work together to work with our children.

Mr HARPER: Thank you for the work TAIHS does in the community. I want to unpack that a little bit for the benefit of the community. We know there is funding that TAIHS runs for the Lighthouse program.

Mr Ross: Yes.

Mr HARPER: I can think of the diversionary program in the Upper Ross in the Community Gro centre. Are there any other programs that you can share information about in terms of TAIHS auspicing those programs and how are they running?

Mr Ross: We have the mentoring program, too, as a part of the Wulgurukaba traditional owners. I know they are doing their best at auspicing that program. We have a youth shelter as well. In terms of the Lighthouse, as you mentioned, they are doing a tremendous job with a lot of their workers. There are times when they do struggle with programs and they have called and asked for us to assist in some of those areas. That is when we will include some of our men and ask them to come along and help out. Like I said, there are struggles at times but there is still a bit of work to do. I think we are going back to have a rethink in the community. Some of the men are now coming together to talk about how they can help our services.

Mr HARPER: The Upper Ross Community Gro runs the diversionary after-hours program five days a week. I speak with Kathrin, the CEO. They are seeing about 58 kids per week straight out of that Rasmussen-Kelso area—young kids, primary school aged kids—after school and doing activities at the centre through to about 10 or 11 at night. I remember advocating for that and getting funding back in 2017 for that program, so there has continued to be recurrent funding. Do you know the amount of funding that TAIHS receives to keep that program going?

Mr Ross: I do not have the accurate details in front of me. I did meet with the CEO this morning and we were talking about some of that funding. I know there are some funding cuts coming. They are talking about trying to appeal more to the federal rather than state, trying to see if they can continue to keep funding them so they can support the youth hub. There is a considerable amount that we auspice as a part of that.

Mr HARPER: Does all of that go into that Community Gro?

Mr Ross: Yes, Community Gro.

Mr McDONALD: Thanks for being here and for the work you do. We have heard from others that there are regularly good outcomes when young people who offend have good support and family around them. We are also told that there are many instances when kids are taken away from family,

when they are displaced and then they find themselves in Townsville or Cairns and they commit offences. Can you talk to us about some of that situation and how we can help stop it at the front end—them being displaced from the community—and also get them re-engaged with support?

Mr Ross: In terms of some of the services that do offer that support there are some reviews going on at the moment. I spoke to another body that came in last week from Brisbane to look at providing accommodation for those who are struggling, particularly those 12- and 13-year-olds. This is where there is that lack of guidance to assist them. At this stage many of them are just hanging around with the others. It is a part of fitting in with others as a part of that group. Unfortunately, some of those groups are involved in stealing cars.

Mr McDONALD: The programs that you run are obviously very welcome but what gaps are there? We have seen a weakening of the laws back in 2016 and we have seen the slow increase in serious offenders over the last few years. What gaps are there? How can we help you to improve that and stop this recidivism?

Mr Ross: It is a good question. I have one of my staff here from TAIHS.

Ms Smith: Can I get you to ask that question again?

Mr McDONALD: Obviously you guys are doing some good work and supporting community, but there has been an increase in crime, particularly recidivist offenders. What gaps are there and what other assistance do you think you need so that we can actually make a difference and stop that recidivism?

Ms Smith: I have worked at TAIHS for over 10 years now collectively. My experience is in child protection as well as doing community engagement in that space. From my experience working within the family participation space at TAIHS, as well as the Family Wellbeing space, I believe that there is a gap in regards to connecting these young kids back to their family. We understand that sometimes the primary carer or the primary parent may not be in a position to make significant change in order for these kids to go back home, but the buck should not stop there. More work needs to be done to then go to other family members who can support these young people. If we are taking into consideration cultural protocols we understand that our aunties and uncles are the next mum and dad for these young kids so we need to do more work in that space to not only talk to these parents but also talk to significant family members who can support the process and ensure that they have a seat at the table, they understand what the concerns and the worries are and they can address them as well.

Ms BUSH: Thank you for coming along today. You have touched on it a little bit, but for those like myself who are not aware of the Lighthouse work that you do, the diversionary program after hours—and we have heard this morning from some stakeholders on a separate visit that there are many reasons young people commit crimes and one of the reasons can be that it is late at night, home is not a safe place to be, for a range of reasons they are not thinking clearly and sometimes it is about distracting them and keeping them occupied in those peak risk times—is that the work of the Lighthouse program that you run?

Ms Smith: Yes.

Ms BUSH: Can you explain to the committee what you are doing there?

Ms Smith: I have not worked in that space, but from my understanding they do work after hours for those high-risk children who are at high risk of reoffending and that is to mitigate risk from occurring again, but also ensuring that they have a safe space to go to at that time when home is unsafe for them.

Mr Ross: Can I just add that it is another place after hours for them to get the things that they need as a part of the home. If they are having difficulty that is where the youth workers will step in and help transport them and spend those hours with them after hours.

Ms BUSH: They can come in and get a feed and talk to a case worker and have a sleep perhaps if they need to do that if it is not great for them to be at home.

Mr Ross: Yes.

Ms BUSH: What kinds of things are you seeing? Do you have some success stories that you are seeing in that project at all?

Ms Smith: Some of the benefits of having Lighthouse there and sitting within TAIHS is that that is not the only youth service that we have within TAIHS, we have our Indigenous youth and family workers who sit in Family Wellbeing, so collectively we are able to support other programs within TAIHS. We have our Indigenous youth and family workers who work with those lower-risk children

who are on the radar and potentially could end up becoming high-risk offenders. Our Indigenous youth and family workers at Family Wellbeing have the capacity to sit at Lighthouse, not as a Lighthouse worker but as a Family Wellbeing worker, to run programs in that space to ensure that these young kids understand healthy relationships, sexualised behaviours, all those things that they may be at risk of so they can identify risk within the home, but in other spaces as well. From my perspective as a Family Wellbeing worker, that is a benefit we carry as a service at TAIHS and those are the supports that we can provide to these young kids.

Ms BUSH: Is there a demand from a funding perspective? Are you at capacity or are you comfortable with the funding you have? Could you do more if there was more available to you?

Ms Smith: Unfortunately I do not have the answers to that question, sorry.

Mr Ross: I am happy to elaborate.

Unidentified Speaker: Yes, more funding!

Mr Ross: I will elaborate, definitely. With more resources there is more that they can do. Like I said, there is a limit or restriction, but I think if they have greater resources there will be not only additional programs but support as well.

Mrs GERBER: I too was interested in understanding from your perspective what gaps there are within the youth justice system to support kids. We have heard you talk about the Lighthouse program. I was really interested in that because I feel that housing we have heard a lot about as one of those gaps and one of the reasons kids end up falling through the cracks. How long have you been running the Lighthouse program? How long has TAIHS been running it?

Ms Smith: I do not know specifically. I have not worked in that specific space.

Mrs GERBER: A long time?

Ms Smith: I believe maybe eight years.

Mr Ross: Close to eight.

Mrs GERBER: In terms of looking at it from a really broad perspective and trying to come up with some different, innovative solutions to the youth crime that Townsville in particular is experiencing, how much of an impact does the housing crisis have on the youth crime crisis that you are going through?

Mr Ross: Of course housing is extremely difficult. Overcrowding was always an issue, but you have got the next generation coming through and if they are not working or if they cannot find jobs again you are tripling the household more or less. Even in youth crisis accommodation you can only do so much, but there is still well and truly a shortage within Townsville.

Mr TANTARI: How many young people have gone through the Lighthouse in the last 12 months?

Mr Ross: I cannot provide that accurate information.

Mr TANTARI: Do you want to take that on notice and get back to us?

Mr Ross: Yes, definitely.

Mr TANTARI: Further in relation to the Lighthouse, how many beds do you currently have in the Lighthouse?

Mr Ross: I think the Lighthouse has only a couple of beds there. It is only a relief because we do have our youth shelter. In case they need a permanent stay that is where they would be referred to.

Mr TANTARI: Could that be expanded?

Mr Ross: Yes, definitely.

Mr TANTARI: Have you actually applied for more funding?

Mr Ross: I would have to verify that with our accountant who does our grants and so forth, but I know we are looking at trying to expand to support our services, yes.

CHAIR: In your opening statement you said that greater assistance was needed for the men. I need to get some more clarity around that because we have heard of the situations of those within the youth justice space, the households, with DV and alcoholism; are we talking greater assistance there plus there—I am trying to understand when you said ‘not just one man, it has to be all men’.

Mr Ross: We are just talking about one particular support service and I think it is about supporting all the support services because some of them are actually volunteers. They are trying to do their best and they can only do their best with what resources they have got. That is why I think it is looking at a care model and the men are currently working on that now to develop a care model to support the Townsville community.

CHAIR: Would that include the families?

Mr Ross: Yes.

CHAIR: To address what is occurring at home that seems to be contributing to the behaviour?

Mr Ross: Yes, it is designed to look at how can we support not only the mums but also the dads. There are a number of programs trying to look at how can we support that family holistically. If mum is not working let us look at what other programs we can establish with businesses in town to try to get our mums employed, and the same with dads. I know it has been a long time and the blue card has been a difficult process for many. Even though there are good men out there and they have not committed offences for over 10 years, unfortunately the blue card still impacts and affects them. The people are trying to do right and that is why we have to look at how can we support them holistically.

CHAIR: The other question was regarding those with children who are being relocated or displaced. You said that more needs to be done with the aunties. At the moment, from my understanding, that was happening with the broader family, especially under things like kinship care. From what you have said that is not happening?

Ms Smith: It is not that it is not happening, but more work needs to be done in that space to strengthen the families, not just the parents but the wider family's understanding of the reason we have services or individuals in certain positions to build connections with that service. Our families are quite hesitant to provide information to services such as Child Safety given it is Child Safety. One of the main barriers is our families refuse to give their information so then we need someone independent of Child Safety and the service, say family protection—

CHAIR: To broker?

Ms Smith: Yes, to sit there and educate the family around the importance of providing more family information for the reason that we can create a family option for these kids to go to. The thing is if we have Child Safety knocking at a family's door and they say, 'We have this child, can you come and sit with us, develop a case plan, a placement option?', our families will go, 'Well, are my kids going to be taken away?' They just see Child Safety and they close the door. It is important that we have solutions in place, say have an independent body that sits separate to Child Safety and the other service that works with Child Safety to bridge the gap independent to those two, that will sit there and educate these families about the importance of family mapping and cultural mapping in order to minimise the number of children going into care and remaining with family members. As I said before, it may not be the parent or the primary carer, but more work has to be done to family map in other areas.

Mr HARPER: Just to clarify, I advocated hard for that diversionary funding in the Upper Ross Community Gro. Did I hear you before say that the funding had been cut?

Mr Ross: I think it is federal funding.

Mr HARPER: No, this is state funding that is recurrent under TAIHS auspices.

Mr Ross: Not with us. It is Community Gro. I was talking about Community Gro. They were raising that this morning with me.

Mr HARPER: I just wanted to make sure that that funding from us is still there.

Mr Ross: No, you are safe.

Mr HARPER: Otherwise I will be on the phone very quickly.

Mr Ross: I did tell them I would raise it with you anyway.

CHAIR: We do have a question on notice, I believe, in relation to the Lighthouse. Responses are required by Monday, 19 February. I thank you both so much not only for the work that you do but also for attending today and wish you all the best for 2024.

Now we will prepare for an open-to-the-floor session. I know that there are many who wish to be heard. To get through everybody I will call the individuals who have been listed to give a brief opening statement or what you would like to share with the committee, because we want to give the committee the opportunity to ask any questions.

CLANCY, Mr Dennis, Private capacity

Mr Clancy: Thank you for having us here and for allowing me to speak on something like this that is very close to me and the community—that is, youth development. I have been at it for over 40 years now between Mount Isa and Townsville, where I have connected to youth through sport and then helped them develop from young boys into adults. A very important part of youth development is bringing that young teenage boy into an adult life. If we do not get it right, the problems get bigger. They do not get any smaller or go away.

From what I have seen over the last 10 to 15 years there has been a big shift in our youth and it is getting very bad. As a community we need to face it. I am a volunteer. I am not funded by anyone. I do everything myself. I run my own centre for youth. They come in in the afternoons rather than hanging around shopping centres and parks and playing games. I spend time with them and help them through life. They train with me. They develop with me. They become young men with me. Females come in too.

It is a real worry seeing things go the way they are. I am thinking of what my grandchildren are going to be left with. It is time I stood up and said, 'I can give you what knowledge I have and I can help. I am there.' I am not politically driven. I am a person of the community who wants to see the best out of our youth so that we can have a better community. That is where I come from.

CHAIR: Dennis, just to clarify, you have your own self-funded program?

Mr Clancy: Yes. It is the Hawks Boxing Academy Youth Development Program. I set it up myself over 20-odd years ago. I started at the Upper Ross PCYC. I started in 1984 in Mount Isa doing football programs with youth and helping to develop them from there. Then we moved to Townsville and I carried the youth development programs on from there.

Mr PURDIE: Dennis, I did not know you were coming but I have heard of you. A number of police in the past have told me about you. I just had to go through some previous messages to confirm. You were at Mount Isa. You are a legend with your footy and your boxing and what you have done with youth. You just said that you have seen an escalation. Why is that? You are obviously an expert. You have been dealing with these offenders for a long time.

Mr Clancy: The biggest thing is that if we look back in time to about the 1990s there was a big shift in world trade and for Australia to get on board. Productivity became a big word. I was working in the mines in Mount Isa. We would work eight hours and then come home, sit down and have a feed with the family around the table. We would talk about what was going on. We would go down and give the kids a hand at the football club and then come home. That was the family structure. That family structure has been broken now.

One of the most powerful and best structures we have is our family pillar. It is cracking and breaking. With that, we are seeing the problems that are coming out of that. If we do not put something back in to help the family—if the family is not there, we have to provide something for those kids and show them what it is about. That was all taught by the aunties and uncles and everyone in the families and the neighbours. We do not have time for that now. A lot of people haven't. Mum is out working. Dad is out in the mines. He only comes back every couple of weeks and has time out. These are all the things that are starting to do us damage. This is where our youth is running into trouble. Like I said, we have to try to help them.

Mr PURDIE: I take your point. We obviously need a million of you out in the communities volunteering your time to help these people. We cannot really the fix that family dynamic from this position. In your experience, what could we do?

Mr Clancy: Like I said, we could build something in there for the youth. The biggest thing is that, if we utilise the resources that we already have, it could be done pretty simply. Look at all the PCYCs we have throughout the state. They have beautiful big buildings set up. Half the time they are not getting used. They have buses there that we could use to pick up the youths but they are not getting used. All of our schools have football ovals and basketball courts and they are not getting used most of the time. We need to get social workers, sport and rec officers, and staff like that into the PCYCs and build them up as a community again. To me the PCYC now is run as a business, not as a community centre as it was when I first started.

Mr PURDIE: We have heard that. That is a good point.

Mr Clancy: That is on the weekends, 24 hours a day, having sporting events there, getting our youth there and getting police officers there to have a game of basketball with the kids. We can connect and bring our community and police closer to our youth. Our youth do not want to see the

police. They are good youth—they have not done anything wrong—but they have to duck for cover because they will get pulled up. These are the things that are out there. I am just giving you messages from what I see as a volunteer youth worker. I just hope we can get some help.

Mr HARPER: Thanks for being here, Dennis. I have lived in the Upper Ross now for 30-odd years. In my former career with the ambulance we used to train there with the police. I remember we used to raise money for new bags, gloves and equipment. The impact you have had on some of those kids—and we hear about some of those Palm kids going on to be great fighters and changing them into men—is something you are to be commended on. You have thrown your life into this.

Last year the police minister announced PCYC 'back to basics', which is exactly what you have just said about getting back to basics, putting that big ring back up on the stage at Upper Ross and engaging kids. I think what you are saying is that we need to have a community-led response here. Get sport and rec—

Mr Clancy: Sport and rec is a big thing.

Mr HARPER:—around the table and pull this together at a local community level. That could be done at Mount Isa. It could be done at Cairns.

Mr Clancy: Everywhere—the whole state has it.

Mr HARPER: Would you agree that we need to get back to that basic model of engagement?

Mr Clancy: That is where we have to do it. It would help to bring that family structure back to our youth so we can engage with them. I tell you that it is through sport and different recreational activities such as a barbecue afterwards—that is how we connect with our youth. The hard part is that we all look around and say, 'We don't know how to talk to them or how to deal with them.' Get involved with them. Do things with them. They are easy. Once they can trust you and have respect for you, they will learn anything. They will listen all day. They want you to tell them. They are willing. They are sponges. They want to learn and know what is going on. It is up to us as elders in the community to be able to give them that knowledge and help them through life. Then we might not have as much trouble running around the place where we are locking doors every time we leave the house and the first thing you do when you get up in the morning is go and see if your car is still there. You just do not know what is going on out there now. If we can get help like that—get those weekends going. We want activities for our youth on the weekends. We do not want them just sitting around doing drugs or alcohol.

The big thing I have found with youth—in that teenage group—is that they are easily influenced by other people around them. You have to have good role models that influence them in a positive way. They will then grow into good role models and they will pass that on. Then we change the loop. As it is now, the role model that these young kids are looking up to is the young drug dealer or the car thief in the neighbourhood. He is the one they think is the hero. He is no hero. He is the one who is destroying the lives of those young ones. We have to get that positive message out to our youth.

Mr HARPER: Thank you very much, Dennis. Thank you for the work you have done.

Mr McDONALD: Thanks, Dennis. I really appreciate what you are saying. We had a conversation with some people from the Queensland Rugby League about junior sport from that perspective. I really appreciate what you said. There are existing structures in place that we can support which is a great thing. Have you had experience back in Mount Isa with regard to Rugby League? Was that junior or senior?

Mr Clancy: It was senior. I have coached right through from senior A grade to Foley Shield and I have played. Then I went into under-17s and under-19s and I got back with the youth again. There were some really good boys who went on with their football all around the state. Then I came down here and started it again. I went with Rugby League but then I thought I would give boxing a go this time. It is easier because you do not have to deal with a big group. You deal with the individual. Boxing is a good way to do that. Every time he makes a mistake he gets punished, and that is the way youth learn the disciplines of life. You make a mistake you get punished. You get in that ring and you make a mistake, bang—you get hit.

CHAIR: We have time for one more question.

Ms BUSH: It is really just a comment to thank you for coming along. As you are speaking, I am reflecting on my community. I represent an inner-city Brisbane seat, so we are quite different but what you are talking about are the same issues that we face. You have both parents working. They are time poor. You have kids on devices. They are going to sports all over the place. Parents are rushing around from one end of the city to the other. Kids are unsupervised. It is a real indictment on all of society at the moment, so I hear you.

Mr Clancy: Exactly. It is overall. I am happy to hear that and appreciate what you are saying because the message is starting to get out there. You are the people who can do things. I can do things down the back shed with the boys and have a great time, but you are the people who are in control and who have the power to make a difference, to make changes. Do it for us. Then our communities will be lot better places for us all.

CHAIR: Dennis, thank you so much. I want to thank you for what you do and for what you have been doing for 40 years. I agree with the member for Ninderry that it is a pity we could not clone you and make a million of you and put you out in every community. Thank you so much for your time. We have run out of time.

Mr Clancy: Thank you for the time to give you some insight so that maybe we can make a change.

CHAIR: Thank you so much.

GEISZLER, Mr Brett, Private capacity

CHAIR: Thank you for joining us, Brett. As you have heard, we are quite short on time and we are trying to get as many questions in as possible.

Mr Geiszler: Thank you for the opportunity to be here. I spoke last time at the Legal Affairs and Safety Committee hearings here after the death of Jennifer Board. I am here today as a father and as a victim of crime and supporting victims of crime. Tonight at 10 pm I will be on the roadside where three years ago tonight I was on the roadside at the death of Jennifer Board. I walked the scene that night to try to work out what had happened as a former police investigator and I pretty quickly established what I thought were the facts of the case, and that is now all before the court.

What is lost in all of this I think is the fact that there are thousands and thousands of victims out there. From some of the questions that have been asked from the committee here today—since I have been listening; I got in a little late—there seems to be a lack of understanding of the scope of the problem. In Townsville last year, 2023, we had 1,628 stolen vehicles. That represents an intrusion into somebody's home, the theft of their property, the impact on the family and everything that goes with that. As a police officer, I have attended numerous break and enters where people have not even been able to sleep in their beds at night because of the invasion of privacy.

We have lost sight of the fact that in Brisbane, with a population of 2,505,000 in the greater Brisbane area, there were 4,104 cars stolen. I get told a lot of times since I have been active in this space over the last few years, 'Oh, but it happens in the cities too.' Let's put that into perspective. For Brisbane to have the same level of offending as Townsville, that would have been 20,200 cars stolen last year. It is a massive problem. Every person who is impacted is impacted not just today but forever.

I am going to say some things that you may not like to hear—that is, you have to stop making this a political football. There is a member on the committee here who will not even engage with me as my local member of parliament. He blocked me from communicating—I cannot even see his website—because of the fact that I took him to task after Jennifer's death about breach of bail being an offence. Now he has the hide to sit there and make out—

CHAIR: I think you are saying that the committee does not understand the enormity—that is why we are here. In the short amount of time we have we are seeking solutions, and our questions are about solutions because we do not want to see any victims.

Mr Geiszler: I want solutions too, Madam Chair.

CHAIR: Could you please proffer forward so that we can ask some questions about the solutions.

Mr Geiszler: I am just trying to paint, for you guys who do not know, the situation I am in. I have some experience. The last year I was in the police force I spent the year working with kids in schools. We just heard the local mayor speak about truancy. I was in my own vehicle going from house to house dragging kids out and getting them back to school. We solved a murder because of the relationships that I forged with kids—who would have otherwise been out there stealing pushbikes back then. Now, they are parents of kids who are out there stealing cars. I will give you some other things. People talk about serious repeat offenders. Let's call them what they are—they are habitual criminals. If there are 46, there are 46. If there are 146, there are 146. We know who those people are; the police know who they are. What are we doing to remove those people and to stop them committing crime?

People say, should detention be a last resort for a first offence? Give me a break. A police officer cautions people time and time again before they are charged. They get charged time and time again with 'admonished and discharged, no conviction recorded'. The mayor said we have had a bit of a break because kids have been locked up. I can tell you that yesterday there were 13 cars stolen in Townsville—there are still five outstanding from last week. I will drive home tonight and probably see a stolen car. As a police officer, I used to drive around looking for them. I was in two or three chases of stolen vehicles back in the 1990s. Now, I come across them. I have nearly been cleaned up on my motorbike twice. I sat down with the then premier only a few months ago and said to Ms Palaszczuk, 'You are playing Russian roulette with people's lives.' Yesterday there was a lady killed for her car in Redbank Plains by a 15-year-old. The government are playing Russian roulette with Queenslanders' lives. We need to take these people off the streets. Everybody else has said—

CHAIR: And please, that is we would like to hear—the types of solutions to do that.

Mr Geiszler: The solutions are in the Criminal Code. It has been there since 1901.

CHAIR: Because of time constraints, if you could identify the part in the Criminal Code within the policing or court realm that needs to be changed it would help us enormously.

Mr Geiszler: We have made great inroads. Last time I said that we need breach of bail as an offence so that the police can take them off the street before they commit another offence. Finally, we got that. I said that we needed a dedicated police helicopter here in town to catch these kids in the act because there is a big difference in the mind of a criminal between being taken off the street when they are in a stolen car, or rounding them up three or four days later—now we have that.

We need mandatory minimum sentencing. There needs to be clear consequences for actions. I heard the last speaker and I agreed with pretty much everything he said. The fact of the matter is: why are these kids seen as the heroes amongst their peer group? Because there are no consequences. I would be a hero, too, if I could get out and ram a police car and drive away laughing—that is why they are the hero. We cannot let them get away with that, Madam Chair. There have to be serious consequences. They are not stealing a chocolate bar, and nobody is saying we should lock up kids for stealing a pushbike. They get plenty of chances, but there has to be a point where for the safety of everybody in the room, for the safety of my kids and everybody's kids, we do it. I do not want to see any more people dead. There were four in a stolen car here last week who were lucky not to be killed—I am talking about the criminals. I do not want to see any more little criminals killed, either.

CHAIR: We are running out of time to ask questions. On top of mandatory sentencing—is that in line with Townsville mayor Jenny Hill so that programs can be undertaken? Are you talking about a one- or two-year minimum?

Mr Geiszler: There will be people who are far more educated than me who could put a finger on it, but ,yes, at least a year minimum when you look at the fact that the offence of unlawful use of a motor vehicle is seven years—14 years with a circumstance of aggravation. They are burning these cars. They are breaking into people's houses armed. We are not just talking about taking a car for a joy ride. Most of the cars now are burned, so we have got arson and we have got continual dangerous driving. I get booked 360 bucks because I go seven kilometres over the limit. Give me a break.

CHAIR: Is there anything on top of the mandatory sentencing? I have run out of time, so I will get to one question from each side only.

Mr Geiszler: I could talk all day. Mandatory minimum sentencing, I think, is the most important.

CHAIR: Is there anything that you have there that you are happy to provide?

Mr Geiszler: I will do a written submission. I just did not get a chance to do that? Can I still do that? I thought I had missed out.

CHAIR: Yes, absolutely. We have opened submissions up, so that would be fantastic, thank you.

Mr PURDIE: Brett, thank you. I appreciate your emotion. Not only being an ex-police officer—

Mr Geiszler: It is a difficult day today.

Mr PURDIE:—but I understand that Jennifer Board was your daughter-in-law?

Mr Geiszler: She was a close personal friend of my son and, with respect to Jen's wishes their relationship was off the radar at the time, that is all I will say.

Mr PURDIE: I pass on my condolences, and I appreciate why you are so emotional. This committee has heard from serving police. As you know, there are strict policies on serving police. They are not allowed to be critical of the government, the courts, or the service.

Mr Geiszler: Of course.

Mr PURDIE: What you are saying seems to be what every serving police officer I know is saying with equal passion. You said that you have witnessed this escalating crime issue. Why do you think it has escalated? Can you pinpoint a time as to when it started escalating?

Mr Geiszler: I believe it started with the weakening of the youth justice laws in 2016. That is specifically where we saw it increase here locally, but in my time in the police in the 1990s working in juvenile aid and then in the police in schools project, which Peter Nolan and I kicked off—it is societal issues. Many people here have talked about alcoholism, the crime in families and the breakdown of the family unit—all of those sorts of things.

Mr PURDIE: But they are not acute things. FASD, parents drinking alcohol and the breaking down of the family unit has not happened in the last eight or nine years. In your experience as a police officer, do you think you can pinpoint that to the weakening of the laws in 2016?

CHAIR: I think you are now putting words—there is a culmination in what he has been saying. We will have it in *Hansard*. I think the question has been answered. I will hand over to this side.

Mr PURDIE: You cannot just gloss over a point in time that might have led to this crime crisis.

CHAIR: No-one is glossing over, but we need to get to the solutions. We can keep going back over time but we need to get to solutions, so if we can remain solutions focused.

Ms BUSH: Thank you Brett for coming. I acknowledge your contributions and efforts and recognise that you are working with a number of victims of crime, so thank you. We are all here because we have very personal reasons to be here, so we do hear you.

I want to qualify what you are saying around mandatory sentencing because we can keep locking people up longer and longer but, if we do not do something different with them when they are there, we are just kicking things down the road. Hypothetically, is it not so much about the time that someone is away, but about what is done with them so that when they come out we know that they have changed their ways? Is it not so much about time, but about them being able to demonstrate on departure from a detention centre that there will not be another victim? Is it more around that, I wonder.

Mr Geiszler: Yes, and no. At the end of the day, nobody is going to change their behaviour in five minutes inside.

Ms BUSH: I would not suggest five minutes would be an appropriate sentence.

Mr Geiszler: The whole point is that there has to be enough time to have that behavioural change. We need to make an admission here that some of these kids are probably beyond helping. Yes, we can say that. When I say 'beyond helping', we should be targeting a lot of these programs to the next generation, the younger kids who are coming up behind. For the kids who are out there now who are of the age of criminal responsibility and who are putting things on Facebook and social media saying 'we do what we want and we do not care'—the ones who are ramming police cars and deliberately attacking the community—there needs to be serious consequences for serious actions.

I am not saying a year is probably even enough. It could be a two- or three-year stint is needed to break that cycle of behaviour and to get them a qualification so that when they come out there is something meaningful that they can contribute. They should be getting a trade; they should be getting something while they are inside—they should not be just let back out in six months. We have this farcical situation that Mayor Jenny Hill pointed out now where, because of the breach of bail, they are incarcerated whilst they are on bail. Then, they go before the court and they are let straight back out on the street—why are we doing that?

Ms BUSH: Is there a trade-off between giving someone a sentence that is treble what they are doing now but nothing changes in terms of programs, or treating them with a program response in prison that will guarantee that they will come out a better version of themselves?

Mr Geiszler: I think what you are saying is correct. Yes, let's do both.

Ms BUSH: I think we are agreeing, yes.

Mr Geiszler: Let's get them out of the community and retrain and help them so that when they come out they are equipped to become productive members of society. They will not be seen as the hero if they are not back on the street in six months time.

Ms BUSH: I hear you, thank you.

Mr Geiszler: Thank you for your time.

CHAIR: Would you please make a submission?

Mr Geiszler: I will do a typed submission.

CHAIR: Wonderful, thank you. Again, we are so sorry about your loss and everyone will be thinking of you at 10 o'clock tonight.

Mr Geiszler: Thank you. I appreciate it.

CHANDLER, Ms Judy, Private capacity

CHAIR: Thank you for joining us. You would have seen that if the introduction is long we get caught and members cannot ask questions.

Ms Chandler: I will be brief; thank you very much for the opportunity. I wanted to speak on behalf of not only the side of the victim but also the perpetrator because there are just a few little things to say. I hope I am not all over the place. From the victim's side, as you know, a lot of people are terrified, even young mums—am I going to take my baby to the shops; should I do shopping online? They are really thinking about what they should be doing. There are so many stories from people of near misses as well. I know it is probably only a small number of kids who are causing the greatest issues. I think if only we could get a great solution for those kids with sentencing and rehabilitation. I guess I am feeling that some of the kids do not feel of value. We all need to be valued, loved and accepted in society and I know that a lot of them might not have had the best start in life.

Things are always caught, not taught in a family. We learn so much from just being with our families and if it is not the best environment, then those kids are going to struggle. I think to teach them those things probably takes five times longer because it was not caught from being with mum and dad. There is also a fatherless society. I feel that if we can get more men involved in kids' rehabilitation that would be a great thing as well. I know that the ALP have bought a lot of property up north, and I am not sure what it is for. No-one has advocated this yet, but—I come from the bush—I am a firm believer of 'if only we could get some of those kids on some properties'.

The Cleveland Youth Detention Centre must cost a fortune. They have people like speech therapists—I am not quite sure why they are there if the kids are not allowed to go out because they are often in their cells. If we could get those properties equipped that would be good. You have seen it work before, where the kids have got to be part of the society and they are not allowed to leave. They cannot leave and they are to be there for six months—even more—to learn to be share the cooking, the washing and some of the property work. It is a different environment. They are away from those who could be encouraging them to offend again. I feel it is a worthy option. Of course, there are trades as well. Everyone has said some wonderful things about what to do, but I really feel that that is something that could be considered. I know that it would be expensive, but I know Cleveland and the other detention centres would cost a fortune as well.

These kids respond so quickly often when they get that responsibility, but they also need to have that. They have not had that compassion and care because their families have been dysfunctional, that is across the board; it is no-one in particular. When we see the breakdown of society, as previous speakers have said before, if we do not have a good family unit, then we are always going to struggle. I would like to propose something like that to be considered, as no-one else has mentioned it. Maybe there are things that I do not know about, either cost-wise or legalities or whatever, but I would really like to see that. I am not sure what those properties were bought for, but I know there have been quite a few purchased, maybe for different things, but there could be a dual purpose for them perhaps. That is what I would like to see as well.

I will look at my notes quickly. I am very concerned about some of the families who have been in grief because of the loss of lives in Queensland due to youth crime. I do not want to go too much into that because some of it is quite personal for me. Residential care concerns me. It could work if there were enough people there and, I guess, if the kids were locked in, whatever the word is, so that they are safe, for themselves and others, and they are not encouraged out. There have been instances where a few families in Queensland have lost loved ones because of kids who were in residential care—and they are only young, I know—but they have got out of residential care and either stolen vehicles or committed home invasions and people have died because of that. I just do not want any more families to suffer because of that. I do not want the kids to suffer either. That is so important.

Also, if I may, touch on victims of crime, I am finding and hearing a couple of personal incidents of people who have had their cars jacked, some of them close to me, and others have had home invasions with knives pointed at them. With one particular carjacking, because of the way the police report was written, there was no conviction recorded. They probably will get off. There was no conviction, therefore there was no compensation to an 80-year-old lady who had just bought her first car, in her life. It says it when you read the victims of crime statement. I am not quite sure where, but she landed on the ground. Thankfully she was not drastically injured, but she still lost her car and it was written off. Whatever the system is that perhaps you get to meet—I am sorry, I do not know the right terminology.

Mr PURDIE: Restorative justice.

Ms Chandler: Yes. The story was quite different that she told. The report listed 'unlawful use of a vehicle', but nothing about the fact she had been squashed on the ground, or knocked on the ground as the car got away. Of course, the car was written off and all that sort of thing. That is probably not so much an issue, but it was more the assault to her. Because that was not mentioned, she then has to find that compensation which I would have thought should have been part of the victims of crime matter. It is the simple things like that. Like other people have said, the people who are wealthy who are getting their cars stolen, yes, it is inconvenient and whatever, but they probably have insurance. There are a lot of people in this city who do not. I cannot imagine the difficulties incurred through losing baby car seats so that parents cannot drive their child anywhere; they cannot pay their rent because they then cannot go to work. They are the people that this must really impact.

CHAIR: Judy, we have run out of total time, but I do want to give each side an opportunity to ask a very quick question.

Mr McDONALD: Thank you, Judy, for your presentation here today. I really like your concept of caught versus taught because we do benefit from positive role models in our community, and many of these kids do not have positive role models. In fact, it has been very clear that when people have health and support, then they are in a good position. Can you tell us your background and how you have come to the conclusions that you have?

Ms Chandler: I have had a blessed life, I feel, not privileged but blessed with a good family and a cohesive community. I grew up where the village did raise a child, out on the properties, out in the bush. I can say that then about the kids because I know what we learnt. We learned as five-year-olds how to be responsible and to be partakers in the property or whatever. I think that that could be a good way to help these kids, something like that, where they can see results of what they have done with the animals that they have taught or the dogs that they have trained or the cattle or the crops that they have helped grow—those sorts of things—looking after each other, feeding each other and cleaning up the mess, and things like that. That is where I come from. It breaks my heart that some of these kids have not had that good grounding in life. Even though I am a victim in some ways, we really do, as a family, want to support these kids and do the best we can for them.

Mr HARPER: Thank you, Ms Chandler, for being here today, particularly advocating around victims of crime. Certainly some of the people I have met, such as single mums who have had their car stolen, I have gone to engage with them and perhaps advocate to the insurance company to waive the fee, it is a difficult place to be for any victim of crime. We talk about the restorative justice-based conferencing where they make the youth meet the victim. Do you think, as a committee, we might reconsider that and put the victim first and call it 'victim conferencing', so they get to tell their story?

Ms Chandler: I think so. This is only second-hand from the victim of this situation: it was suggested that they could do it, but then it may not be of great help for the child in the end because they actually can sometimes get off lighter. I do not know if that is correct or not, so I apologise if that is not right. The other matter was that it was suggested to her that she get onto Legal Aid about things because of her mental capacity. Because it happened in her own home, it started to impact. You think you are brave and then it starts to really affect you. She just said, 'I couldn't get Legal Aid because they were supporting the alleged perpetrator.' That is what she was told when she rang Legal Aid here.

Mr HARPER: There definitely needs to be more in the victim support space.

Ms Chandler: Yes, I think so. It is broad spectrum, but when you get down to the individual level, I think there are a lot of people who do not meet the criteria. There are probably some who do not need it, however—

CHAIR: Judy, thank you so much. We really appreciate your submission; it is invaluable to the committee. We wish you all the best for the year. Hopefully from today a lot will be achieved. Thank you.

CASSELLS, Mr David, Private capacity

CHAIR: I now welcome Mr David Cassells. I invite you to give a brief opening statement and to give some of the other members of the committee the opportunity to also ask some questions.

Mr Cassells: I will try to be brief. My name is David Cassells. I am a retired environmental scientist. I spent most of the latter half of my career working in international development with the World Bank and UN agencies. I am a fifth generation Townsvillean, and I have been back in Townsville in a semi-retired fashion for the last 15 years or so. I am currently an adjunct associate professor in the College of Business, Law and Governance at JCU.

First of all, I wanted to say that policy analysts and development practitioners talk about 'wicked problems', and youth crime is that. It is complex, it has multiple causes, there are very diverse opinions about what should be done, it has real economic costs and it is intermeshed with so many other things. One of the pithy things that has always stuck in my mind was Al Gore, when he was vice-president of the US and talking about climate change, which is a similar wicked problem, said, 'With wicked problems there's no silver bullet; you only have silver buckshot,' and I think we have heard a fair bit of that already today. So, a multifaceted response is really important.

Briefly, from my perspective, it really does matter. In social engagement with senior officials at both the university and the hospital, people have told me it is getting hard to recruit people to Townsville because of at least the perception of crime. The granddaughter of one of my research colleagues took a position at the hospital here last week. She, on the weekend, changed her address for her car insurance; her bill went up by $300. That gives you an indication of how important it is and how important lasting solutions are.

I think one of the dilemmas that I see in the media and in community a lot is there is pretty well a constant call for toughening up responses, and I think we have seen over the years governments have responded to that. The difficulty for decision-makers is that most of the criminological research would say that that at best is somewhat of a bandaid solution and, if not implemented properly, can simply kick the can further down the road. There are plenty of examples, particularly in our society where we do have high rates of recidivism, that it may actually make the problems worse over the longer period.

Putting those limits into perspective, clearly ultimately addressing underlying causes is fundamental. There are so many things that are going on. We have heard some of the good ones—Project Booyah, The Street University. All of these things are happening. I see very little of it in the media, but I see a lot of alternative things, and I think none of them by themselves are the silver bullet, but they are all really important parts of the silver buckshot.

There are alternative solutions. My grandparents were Danish, so I look a lot at Nordic countries. I looked at some statistics for Norway. It is almost the same population size as Queensland—I think they are 5.3 million and we are 5.2 million. We have about 9,500 people in prison; they have 3,000. Their age of criminal responsibility is 15; ours is 10. We have, I think on average, about 290 kids a night in detention; in Norway it is three. They have much lower rates of both crime and recidivism. So, I think at the bare minimum, a committee like yours and our society needs to look to that sort of experience and say, 'What are they doing right? Why is it working there? Can it possibly work here?'

I have heard a couple of presentations, and I am sure Keith Hamburger, the former corrective services boss, has made a presentation to you. I know he talks about a multifaceted therapeutic approach to detention. I think there is much merit in that. I think the dilemma for you folks is that that is going to be very costly, it is going to be not instantaneous in results, but in the long run, if we do not do things like that, I think the alternative is going to be even more costly in societal and economic terms.

That is essentially the perspective I want to bring. I welcome the committee. I think a bipartisan approach in this becomes important because if everyone is scoring points off each other, you cannot have the sort of conversations that would allow a model like that to work. It will not all be smooth, but I think ultimately that is the direction that it has to go, and it will require real leadership to actually build the social consensus to make that investment. If we do not make that investment, I do not have high hopes for the future. I have lived and worked in both Port Moresby and Georgetown in Guyana where there is almost total breakdown, and I would hate to see that happening here. There are many social indicators that are indicating that it could go that way. There are really serious underlying causes and they must ultimately be addressed.

CHAIR: Fabulous. Thank you.

Mrs GERBER: I want to clarify something. I am not sure if I heard correctly, from your opening statement, but you were talking about the crime problem and the crime crisis here in Townsville being a community perception. Do you believe it is a perception or do you acknowledge that it is an issue?

Mr Cassells: No, it is certainly a problem. I said it matters. I talked about the impact on insurance and clearly the impact on the community and safety. With the incident last week, amongst the offending kids themselves, there were five who went to hospital, two in a very serious situation. That is a serious problem. I think the perception is that there is only one solution and that gets too much air play, if you like, compared to the more difficult process of addressing underlying causes that we have to do in the long run. That is all I am saying.

Mr HARPER: I want to talk about generational dysfunction. This is a hard nut to crack. Let me read this: the headline says 'Out-of-control kids terrorising Townsville residents', and then the news article states—

Children as young as 12 have turned a regional city into a war zone and authorities say they are powerless to stop them.

That was in February 2013. Here we are in February 2024 with this hard nut to crack. This is something that goes back generations. I remember going to stolen cars in my former career 30 years ago. So how do we get there? I appreciate what you said: it has to be a bipartisan approach. Everyone has to be all-in on this—the community and all levels of government working together. I think it is a very long road to travel and we as a committee want to get the short-term solutions.

Mr Cassells: I guess the bad news is that I do not see any short-term solutions. I think things like appropriate law enforcement are really important. Kids driving around at 100 k's with no experience is frightening. You have to address that, but unless you address that in the sort of systematic framework that people like Keith Hamburger are talking about then I think we will be back here in 30 years pulling our hair out—if we have any left to pull out—and maybe facing situations even worse.

A few years ago the police union president said that the elephant in the room was the large number of Indigenous perpetrators, and that is certainly true, and that is the result of a couple of hundred years of systemic discrimination, disengagement and disenfranchisement. Unless we address those problems, I think we are going to be coming back with varieties of the same problem forever and a day.

One of the things that worries me is that in the 25 years that I was overseas our schools became enormously socially segregated. More than any other country in the OECD, we are getting increasing concentrations of privilege, largely in the private sector, with an enormous proportion of more people going to private schools, and concentrations of disadvantage in public schools that are not well funded. Whatever your views are on choice and things like that, there are some social implications of that which I think are frightening. If you look at some of the experience in western Sydney, you see these same sorts of problems but not with an Indigenous background because you have that same problem of disenfranchisement and disengagement and the inability of school systems to engage people. It is complex, but unless we do the lot I think we are just moving forward in very small increments.

CHAIR: David, we have run out of time but I have one quick question. I said at the beginning of our inquiry that we know we have the things that have to be done immediately to address community safety and we have those things that have to be done in the mid term and the long term. So far we have heard about the early intervention and the things to create greater safety so we do not have a growing number of this particular cohort. You would have heard today the views on mandatory sentencing for this cohort that are leading the way and on social media. Do you see any option other than mandating a sentence and instilling the appropriate programs so that we are not going in the cycle of the repeat offending and we are keeping communities safe right now? Mr Hamburger's ideas and the therapeutic approach can take time, and I think the communities have run out of time and are looking for some immediate relief.

Mr Cassells: I personally do not see mandatory sentencing as a solution. Anything I have read and any lawyers or criminologists I have talked to are saying that taking discretion away from the courts reduces flexibility and has no real effect. Clearly, it would have a very short-term effect. Kids who are in jail this week cannot be doing things outside, but that is a very short-term outcome which may not even last to the next election or the next year. I think the longer we delay on those underlying things and having that comprehensive sentencing option—the things that Hamburger talks about—that is what will make the difference. You might get a micro benefit but I think it will be a very micro benefit. That would be my judgement.

CHAIR: Thank you so much for your time. We really appreciate it. I am sorry it has been so brief but we are trying to fit in as many people as possible who want to come and talk. Thank you again and all the best for 2024.

GEE-HAY, Ms Fay, Private capacity

SURHA, Ms Enid, Private capacity

CHAIR: I invite you to make a short statement, and you have seen how short our time is.

Ms Surha: One of the things I have been looking at with regard to this forum is strategy. I looked at your Youth Justice Strategy Action Plan, and we actually do have one. It has run out and there is a review on it. We have some pillars there that said what youth justice is to be doing. Before I go ahead, I would like to say that it is really hard for police, Child Safety as well as Youth Justice to work in this area, given what the community is going through at the moment. I think one of the things is that we do have a strategy. You need to look back at that strategy when you have the review and look at what is going well and what is not going well. This is probably something that those at the top end can have a look at.

One of the things I do find in all government departments, and even in the NGOs, is that they do not have cultural governance. If you do not have your cultural governance that is embedded into your system, no matter what you do, you cannot actually start planning and put in a plan. I have looked at the strategy, I have looked at your prescribed service, and there is also your prescribed government departments that youth justice is supposed to be working with.

I hear that there are issues with health. I know that is an issue because TSCAG—the Townsville Stronger Communities Action Group—approached me in regards to our young people not having a 715 done. Do you know what a 715 is? I think you should all look that up because a 715 is important. A 715 is the First Nations Aboriginal and Torres Strait Islander health check. That was an issue with the police; they could not get a GP. They overloaded TAIHS because the kids could not go there. The 715 is really important for our kids in the level of their health. You talk about FASD. Did you know that JCU had a FASD clinic which is now defunded? These are the things that we need to look at and think about what is existing now on the ground that you can utilise to start working with our young people.

We have services like Family Intervention Service, Relationships Australia, Centacare and TAIHS—I can name them and rattle them off. The only thing with some of these is that you cannot inundate TAIHS all the time. They are limited with their staff and professionalism as well because with all of our services you have to have clinical, background and support workers, but who is looking at our kids in a clinical sense and healthwise? Do they have a psychologist? Do they have a psychiatrist? Do they have social workers in there? All of these services need money. Even in your courts, do they have that? Do they have someone assessing them?

Do you know about Tracy Westerman's WASC-Y? There is an actual tool that you can use. It is the here and now of what that kid is going through, of what is happening to them. There is a WASC-Y for adults as well, but most of it is used in health for young people. These are some of the things that you could use and embed in a system when you go through it again in your strategy. Maybe you can look at what you can do now and for the future and how you build on that. That is one of the things you have to be looking at. You need to look at what programs are currently out there. We all know about certain ones. You have alternative schooling like Mungalla Silver Lining School out at Crystal Creek, which is away from this area, but they are on skinny money. They have hardly anything. Maybe get some dollars into those existing programs. You have flexi learning that is happening but they are inundated. What you need to do is look around at what is going on. We are talking at the top, not at the bottom, because you cannot get your worker bees to do that. They do not have the time; they are looking after the children. What you want is your executives, your leads, up the top to talk about it. Government departments need to talk with each other.

Do you have deeds and agreements with Queensland Health where you can actually have Child and Youth Mental Health Service involved with therapeutic services? I do not know if you know them; that is a referral from Child Safety. These are things where that is all they do: child safety for young people. They have clinical workers; they have health workers who are clinical cultural. What you need to look at is what is existing out there and how they made it work.

Even for youth justice, you actually have cultural liaisons. Child Safety have cultural liaison officers. They are support workers but you also need health professionals or someone with that background who has gone through uni. You have First Nations psychologists, First Nations social workers and First Nations psychiatrists. Find them. Look for them. Get them to help you to embed your cultural component into the system because that is what you need. There are organisations and people out there in a bigger arena that can help government departments to embed that—help them to do that. Get your local people in as well as a reference group or advisory committee; get your

elders. In all of these documents, there is talk about elders. I do not know if they do have access to elders or any kind of reference group. This is going to help you with an existing system. The only thing is that it is too mainstream.

CHAIR: We have run out of time. Excuse my ignorance, but are you with an organisation or an entity?

Ms Surha: I am a community member at the moment. I do work with health and I am with Elders for Change as well. My thing is that I look at a system and see how we can use it and build on that. I know that the courts have some things in there. You have your forensic team in there working with the children now, but that is not enough because you are impacting them too much. You need other outside and alternative places, and that means dollars.

CHAIR: We will have a quick question from each side.

Mr McDONALD: Thank you for your presentation. I could tell when you were giving it to us that you have a very deep experience base that you were calling on, very practical. Where would a young person get a 715 and how would that be referred? We heard that 65 per cent of young people going into youth detention centres have not seen a dentist or doctor for many years, if ever.

Ms Surha: That is true. Your 715 is from your GP. Your local GP can do a 715. If you look under the system, it will tell you exactly what the scheme is about. It is a health check. When they do that, they might be able to see where their mental health is at as well. If they do have FASD then a referral can go through, but it is really hard because there are not a lot of psychologists and psychiatrists who do that FASD assessment.

Mr McDONALD: I want you to be assured that we are looking at the full range of problems. We have seen that there are clear gaps and we are just trying to get real clarity around that.

Ms BUSH: I have two very quick questions. We have heard a lot as a committee about the importance of doing health assessments as early as possible and getting schools a bit more involved in the referral. I want to get your preliminary views on that. Do you agree?

Ms Surha: One of the things is that that referral does not happen, and I think the reason is a lack of knowledge about what is out there. There are services working in isolation that do not know what is out there for them. How do they actually make that connection? How do they know what is out there, what kinds of services are out there? I am doing that; I am mapping up a service for myself in my own organisation. I find that one of the biggest issues is linking our people into the culturally appropriate service, and services need to have First Nations workers in there to support them to engage. That means holistically—with the children and the families. If you do not do that, it is not going to work.

Ms BUSH: You have kind of answered my second question. One of the themes we have heard from a lot of submitters is the importance of place-based responses and having agencies and non-government agencies co-located to share information and case management and to work together. I think what I am hearing from you is that when you have a range of stakeholders, that is a bit of a protective mechanism for people who do turn over. If you have staff who leave and they forget that there is a 715, you have other people who can kind of hold that corporate knowledge.

Ms Surha: You need to have a look at the structures again, because they come before the police and the justice system. I think that is where you start doing your actual assessment. You need a First Nations person in that. You need to start employing our mob into those positions to help you to do those assessments and say, 'This young one needs to be referred to this,' on an individual, case-by-case basis, because each one has a different story to tell or different reasons they are in that system, whether they be followers or leaders. Even the leaders have some issues there. These are some of the things you need to be looking at. If you do not embed that, we are just going around in circles; your frameworks and your implementation plans have fallen through the trees. These sorts of things do not even happen. There are some things in here that have been developed that I have noticed but not a lot.

CHAIR: Can I ask if the secretariat is able to have a copy of what you have been referring to? We could not see it as you were referring to it.

Ms Surha: Yes, it is one of your guys. I actually put all of it in there and there is a framework as well, so you can have that. I will get my own because I already saved it.

CHAIR: Also, will you be submitting in this round about a lot of the things you have spoken about? We have opened submissions again in response to those priority areas.

Ms Surha: Have you? Yes, I will. I will be putting in those sorts of things. I will put in some information. I might even give you some information that might be helpful for you.

CHAIR: Wonderful.

Ms Gee-Hoy: Could I say one thing? Being in our own community and hearing the victims, I can say that our people are victims too who have had their cars stolen. We want the community to know that we do not condone what our young people are doing. We are all the same. We all have the same feelings. We want to see a better future for our kids. We want to have peace in community and we need to come together as a community. Elders want change and we are getting tired, too, of being blamed: 'What are the elders doing? What are the parents doing?' We are getting tired of that.

The elders are finally meeting with the police. We met with the superintendent a couple of weeks ago and it was about how we can work together for the betterment of our community. It was like working with YJ, with the police—and I know the police are strapped too. They have a policing job but then there is all of this coming into it—you have YJ, PLOs, co-responders, all of these mob; we have to work together with them. We finally had that meeting with them. They finally came to us. We were saying, 'We gave you solutions a long time ago. Our old people have been around 50 years. We have been giving solutions but no-one is listening.' Finally, our people have an audience with the police and we want to know how we can work together. How can you use elders for change in our people to work with our kids for the betterment of the whole community?

CHAIR: Fabulous. Thank you very much and all the very best for the year.

APPLEBY, Ms Arika, Private capacity

CHAIR: Welcome.

Ms Appleby: Thank you for the invitation. Firstly, I would like to thank all of the speakers who have spoken before me. It has been very informative, actually. I am one of the ones who run the diversionary programs for the kids in Townsville, Ayr, Charters Towers and Palm Island. I cover quite a big geographic area. One thing I have noticed is that each community has such different needs. A lot of those communities filter into Townsville, whether that be due to health, schooling, changes in family dynamics or housing. Those are just a few of the things I have noticed within my community.

I have been very lucky to be part of the health literacy group here in Townsville as well. I have been informed they have created a program now for people who actually leave the hospital because they do not want to be seen because it takes too long. You are talking about parents here. Then you look at the kids and you wonder why they do not access it. If their parents are not accessing services of health like that, they are certainly not going to.

These parents are also working longer hours, meaning it puts a lot of pressure on these diversionary programs to work a lot harder. The trouble with the diversionary programs is that a lot of the parents are working nine to five and these kids are committing theft outside of those hours. They are working between the hours of five o'clock in the afternoon and one o'clock or two o'clock at night through to the morning. What I have noticed with a lot of the programs I run is that not many other people are working outside of those time frames. At the moment I am running programs that run from six to 12 o'clock at night. I am on a yearly contract. It is very difficult to sustain these kids in the environment that I have if I am not around for very long. We are constantly trying to find funding to continue these programs. We do good work, but we need them to be sustained. That is the problem we have.

There are a few things that we need to hold the government accountable for, which is getting really great diversionary programs within the youth detention facilities but also outside of them. Sadly, we are always going to have kids who will access that service for various reasons, but what are we doing within those areas to divert these kids inside the system and out of it? We are inviting people within the community to come in to those centres and build those relationships so when they come out we have some level of responsibility for them.

Then we talk about responsibility within our communities as well. Today we have touched on the cultural lens a lot—our cultural responsibilities. We have those but we also have a community responsibility. We had a cyclone two weeks ago and everybody was in crisis mode straightaway and managed to do some really great work within this community and help each other out. We say that it takes a village to raise a family; that is what it was like for a lot of us 20 years ago, but that has changed. Just two weeks ago we showcased in this community that we can do things when a crisis appears. It is no different with youth justice. It is time for us all to stand up—not just government but community as well—and say, 'What can we do here?' It is not just a cultural responsibility and it is not just a government responsibility; it is a community responsibility.

Those are the three things I have noticed. I shake nervously as I say this because I am extremely passionate about it and I am also out of breath because I am carrying a load here. They are just a few of the things I reflected on. I really appreciate a lot of what everyone has shared here whether through being a victim or through academics. It has been nice and refreshing to hear that people have really great solutions.

Mr McDONALD: Where did you say you work?

Ms Appleby: I work at PCYC. I am also part of the First Nations youth council and I am on a few different little committees.

Mr McDONALD: Thank you for the work that you do in this space. I do not know if you heard me ask a question earlier to a couple of the elders regarding some problems we have come across where Child Safety have taken some kids out of family and put them into other areas and there have been some real problems caused from that. Likewise, some others have been displaced. Can you talk to us about some problems you have encountered and give us some examples of how that happened and maybe how it has been fixed?

Ms Appleby: I have actually had that happen. I had a kid who was punched in the face by his father. That was a very big, crucial moment for him and that had to be sorted pretty quickly. He was removed and was sent with a family member. I found that to be beneficial for that young person

because I think about safety—we have spoken a lot today about safety and a lot of these kids do not have that. If they can go to a familiar family member who can support them in that space and get them back into school and reintegrate them into community, I think that is quite important.

CHAIR: We also heard that a lot of that displacement occurs for mental health reasons when they are brought into an area to receive treatment and then they cannot go home. The reason given was that community did not have the capacity or did not want to deal with that particular issue. I am trying to understand what the alternatives are if a community says, 'We cannot deal with this youngster anymore.' What are the solutions?

Ms Appleby: It is tricky. You have community that struggle to deal with this young person. On the other hand, I took a young person to the local police station here in Kirwan and I said, 'She does not feel safe at home because of X, Y and Z.' She was 11 years old. They said, 'There is nothing we can do for her at this point in time.' She was actually put back into that place. It is difficult on both sides. You have people of power who cannot even make change, so how can you expect the community to? It is a fine line. Where do you call it? If you are taking them out of there and taking them to the police to try to find safety, they do not have anywhere for them to go and they have a massive backlog for child safety related issues. It is a hard one to answer because there are a few things that are not working. We have to change a lot of that to make it better at home.

CHAIR: What do we change it to? I suppose that is what I am asking the community. I have lived in remote communities in the Northern Territory—it is very different now; that was 30-odd years ago—and the issues being confronted now were not confronted then. In terms of the structure within community with the elders in remote areas, what is the one thing you would say needs improving that can empower community to raise that child?

Ms Appleby: Firstly, they need a house. That is a big thing. I am currently not in a home and I am actually doing all right for myself. I could not imagine someone in community who might be uneducated, does not know how to navigate online systems and things like that. How do they manage that? I am finding it difficult with the housing crisis here. I could not imagine how anybody else could get through that.

What community you are in will also determine what you have access to. Charters Towers versus Townsville versus Palm Island is very different. The other thing is, yes, we are lucky in Townsville; we have the option for TAIHS and First Nations specific supports. However, they are also bombarded because so many people come from other locations. You can see that with the health system here in Townsville. How do we sort this, because six different communities come to the Townsville Hospital and they are also looking for places to live? We have a lot of kids who logistically come here for health care and end up staying here. There are a lot from Palm Island, actually.

Ms BUSH: I have a question, but I know the member for Thuringowa also has a question. Do we have time for two?

CHAIR: I think this is important.

Ms BUSH: I will try to ask it quickly. Thank you so much, Arika. I really appreciate your views on community obligation and responsibility. I am interested in traditional media, social media and the impacts of narratives on this issue. Of course, social media can be a wonderful tool for connecting people and connecting victims of crime and a whole range of people. It can also be a bit of an echo chamber that is quite unhelpful and increases anxiety. I am interested in your views around whether you see the need to reform social media pages and some of the content that is put out there on crime generally and youth crime specifically.

Ms Appleby: One hundred per cent, yes. We say that all young people are social media savvy. There are a lot of older people who have jumped on board. You can see that in a lot of Facebook groups that circulate. What we are doing wrong is giving these kids airtime. They think they are doing pretty good. The problem that comes with that is they are feeding off that and enjoying it. We are actually helping them do that. We are promoting them. They are thinking that they are just deadly. This is something we have to reform; otherwise, nothing will change.

It is also about the media. Media need to stop feeding it as well. Sadly, the major political issue that happened in November last year did not help. That added tension to something that was already boiling up for some time. After that, even around the Australia Day situation—there is a lot of tension building. First Nations people actually do not want it. We are like, 'We don't want this attention on us. We just want to be within our communities, just like everybody else. We want to be everyday community members doing good and trying to support our youth.' Something we need to focus on is good news stories and things that our young people are doing well in this community. We should start pumping those and sharing those actively. It is really a media frenzy out there at the moment.

Mr HARPER: Thank you, Arika. We sat down last year in the office. I reckon you are puffed from all of the work you do out at the Towers and Townsville. Thank you, because your contribution today is pretty compelling. You talk about that young 11-year-old girl, and we talk about housing and crisis accommodation. It is absolutely critical that we focus on that as well, so they are not going back to environments where harm can be caused. Politicians are great at making announcements: 'We funded this for that.' Last year there was a focus on the PCYCs, of getting back to basics. Is that starting to evolve? What are your observations on the ground since that? Is the rubber hitting the road? Do we need to push it more? What else can we do in that space?

Ms Appleby: PCYC is quite massive. They are used a lot for infrastructure and for their diversionary programs with police, specifically the branch managers and the commercial managers. I do First Nations work. I have a First Nations coordinator role. I am under a different banner of funding. I was funded through the state government with Sport and Rec. My funding is from a different bucket of money. It really comes down to how you are funded, who is looking after you and, essentially, if they are happy to keep going with that program, depending on what that particular funding agency is looking for. I have done that many one-year contracts that PCYC has had to put me on full-time. That is great for me, but that is another thing we need to take into consideration. When you put people in these positions, they are real-life people. I am pregnant. I was freaking out. The reason I am not in a home at the moment is because my contract came to an end. I was thinking, 'How do I fund a home that is going to cost me $500 a week when I am pregnant and I don't know if I have a job?' Those are things that you have to factor in. You will keep good workers around if you look after them. Wendy spoke earlier about having two- or three-year contracts. I believe that is a really great idea, because then you will be able to see how the outcomes resolve over a few years and see if it works. Those little things are really important. It is mainly around the time frames in which we are running those programs. There is only a handful of people doing those programs outside of those hours.

We also need to think outside the box. Stereotypically, we are putting these kids into programs such as sports. Not every blackfella wants to be a sports star. I wish I was deadly like Johnathan Thurston but I ain't got it, you know? Ash Barty? I wouldn't mind that! It is not happening for me; I am more of a singer. I am not going to show you today, but I am pretty good at it. We have some kids who have just started a radio program in Townsville. They are doing radio school for seven weeks, starting in March. On Friday they were live and it ended up going viral for all the good reasons. They feel that deadly and empowered. Even the community is getting behind it and going, 'These kids are pretty good.' I think that is a really nice response to see and a perfect way to show that social media can be used in a really great way.

CHAIR: I am mindful of time, but you have been incredible. Thank you so much. Will you be putting in a submission?

Ms Appleby: I suppose, yes.

CHAIR: Thank you. We would really appreciate that. All the very best to you and, of course, for the little load you are carrying. When are you due?

Ms Appleby: April. I will be working right up until then. There might be a birth at PCYC! We will see.

CHAIR: How wonderful. We wish you all the very best.

Ms Appleby: Thank you very much.

BURCHETT, Mr Arthur, Private capacity

CHAIR: Welcome.

Mr Burchett: Firstly, thank you for allowing us to have our voice. I look forward to actions after you travel and hear from everyone. My thoughts are with Jennifer Board's family and friends and with every victim who has lost their life due to youth crime and think of the effects it has had on their family and friends. My thoughts are with all victims of crime.

I will briefly talk about my childhood. I grew up in a very poor family. My grandfather used to bash my grandmother and was an alcoholic. I grew up knowing that was wrong. I did not want to be like that. A couple of speakers today talked about PCYC, about sport and about other matters. I was lucky that I played some sports. That was my little safe environment.

Over the past 14 years I have been involved in the vocational education system, which has partnered with some of the community-based organisations. I want to congratulate Arika and Dennis. Money needs to go to these real programs. I will give some examples of what I have witnessed. Funds have to be looked at and audited across all of these programs. I heard a bit of a cheer before about 'throw more money'. Let's look at the money and the programs out there now. I employed one girl. She was 16 years of age. She wanted a second job. Two months into employment, I had a little honesty chat with her: 'What do you want to do with your career?' She came from a bad family. In the car ride home, she opened up to me and told me that she had stolen cars two years earlier. I did not even know. I had seen her at her current job and asked her if she wanted to learn more skills.

She told me that she went through a 12-week program. Her words to me were: 'Arty, it was a joke.' I asked, 'Why was it?' She said it was just a tick-and-flick: turn up and get your name ticked off but if you did not turn up it was okay. She had her own motivation. She wanted to get on her own two feet. Her family life was bad. She had motivation from when she went to court and they said to her, 'Next time, you are going to juvenile.' That was her wake-up call. The program was supposed to involve 12 months of mentoring but after the 12 weeks there was nothing. She got a phone call and a message at the 12-month mark so that that community-based organisation could tick that box. This is where some of these programs just really need to be audited. Honestly, Dennis and Arika are amazing. I was sitting there thinking, 'This is where the funding and the real change can happen.' They are engaged.

On the first day of my courses I tell the people in front of me about my upbringing. Someone talked earlier about the connection. People respect me because I open up to them. As a child, I used to have to boil water for my bath. My grandparents could not afford to fix the hot-water system. I understand what it is like. I am proud of what I have become. I made a promise to my grandmother. I am here today because I wanted to speak up. I want to help drive change. I want real change, though.

We have heard stories about why these kids are doing it. There is money out there that we really need to push to real programs. Sometimes I see the same programs getting funded. When I ring up some departments, my concerns are brushed aside. It does not matter how politicians will stand up and talk about it. Sometimes the bureaucrats are letting the whole system down.

It was great to hear about the after-hours support—100 per cent. If you are going to give funding to some community-based organisations, include a clause to ensure that happens. Stop this nine to five or eight to four. These kids need services outside business hours. I loved hearing what the guys were saying. I actually thought, 'Wow.'

I recently registered my own RTO. I am the little kid who grew up in a poor family and all that—I will be saying the whole story to everyone who enters my RTO. I was hopeless at school. My motivation was that I wanted to make my grandmother proud, because I knew that my grandmother cared about me. My grandmother had 10 children. I come from a big family.

I have heard also about the hardened criminals. I am a big believer in a mandatory 12 months and having courses happen over that 12 months. Earlier I heard someone say that TAFE had 40 or 50 minutes. Why? The people are not going anywhere. These kids are not going anywhere. Why are they not allocated two or three hours? Real, genuine courses need to be put in place. Let's hold them accountable, in the sense of the training company or the community-based organisation, and see the real outcomes. I am not sure how the funding is given at present. Let's space it out over the 12 months. If it is a 12-month mentoring program, there need to be check boxes. Instead of a phone call or text message, there needs to be face-to-face interaction. There need to be signatures and comments. For any community-based organisation that says that is too hard, don't fund them. If we are genuine, let's clean it up and let's really look at the money that is invested now. Today we have heard of two programs that should be diverted a lot of money.

CHAIR: Thank you.

Mr McDONALD: Thank you very much, Arthur. I was a police officer for a long time and I know that your support of community is a great thing. Congratulations on having the courage to speak about your background and share your story with others. I am sure that you will touch others who will be able to say, 'I can do it as well.' What will your training organisation be offering?

Mr Burchett: It was registered at the end of November. It is called Equality Education. It is going to specialise in hospitality, leadership and management. When I was at school I was quite poor. My first job was in hospitality. It gave me skills. I have heard that we need to help people get employment. We also need to help the employer that is giving the extra time. We need to look at what funding model will help employers to engage. I know that many employers will engage if there is an incentive.

Another thing I heard before and agree with 100 per cent is about the community getting involved. I have had a small business for three years. I sponsor Jennifer Board's memorial carnival. I also give quite a lot back to the community in the sporting organisations. There are big companies out here that need to give back to help these programs. There need to be more community-based organisations linking up with business, not just wanting grants. Once again, it is the whole partnership together.

Mr McDONALD: Thanks for your interest.

Mr HARPER: Arty, I am pretty sure we have run into each other in the past. Was it the Dream, Believe, Achieve program you were connected to?

Mr Burchett: Yes, your nephew I helped out.

Mr HARPER: My nephew went through that, mate. This was a young man who had fallen out of school. He lost his mum in 2019 to brain cancer and came down to live with us. I am happy to report to the community that he has a job and he is going well. He is over in Perth at the moment. I just want to share that with you, Arty. I know that you are totally invested. I got to see that at a pretty personal level. Keep doing what you are doing. I am glad you have branched out for yourself. You are kicking goals, by the sounds of it. I hear what you are saying.

Mr Burchett: Cheers.

Mr HARPER: Thank you, mate.

Mr McDONALD: Work is dignity. Have you seen examples of that, where you have had kids you have brought through and been able to get them engaged in work—and in meaningful work, as you say?

Mr Burchett: Yes. I hate hearing 'we are black; we are white'. No, we are all human. It is not just an Indigenous problem out there; it is a human problem. In one of my classes a mother stood up and said, 'Mate, you don't know what it is like to be Indigenous.' As soon as I told her about my upbringing, she sat down. She thanked me. I have seen her at Castletown so many times. She has four children and they say, 'Hello Arty.' She has been employed for five years. It is matter of having genuine community-based organisations and the money going to those.

CHAIR: Arty, thank you so much. I really appreciate it. It is really good that you shared your story. I wish you all the best for 2024. That concludes this public hearing. For anybody who would like to submit, I reiterate that we have opened submissions. Anything you would like to add would be very welcomed. Submissions are currently open until 1 March. I thank Bonnie, our Hansard reporter. A transcript of these proceedings will be available on the committee's webpage in due course. I declare this public hearing closed.

The committee adjourned at 5.32 pm.