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YOUTH JUSTICE REFORM SELECT COMMITTEE

Members present:

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

Staff present:

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

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

TRANSCRIPT OF PROCEEDINGS

(Private)

Monday, 4 March 2024

Brisbane

MONDAY, 4 MARCH 2024

The committee met in private at 10.02 am.

CHAIR: Good morning. I declare open this private briefing for the committee's inquiry to examine ongoing reforms to the youth justice system and support for victims of crime. My name is Sandy Bolton. I am the member for Noosa and chair of the committee. With me here today are: Laura Gerber, member for Currumbin; Aaron Harper, member for Thuringowa; Jim McDonald, member for Lockyer; and Dan Purdie, member for Ninderry. We have apologies from Les Walker, member for Mundingburra, who was substituting for the member for Hervey Bay; and Chris Whiting, member for Bancroft, who was substituting for the member for Cooper.

The purpose of this morning's proceedings is to assist the committee in its inquiry into youth justice reform in Queensland. This briefing is a proceeding of the Queensland parliament and is subject to 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.

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

This private briefing is being recorded by Hansard, and a transcript will be provided for you to review. Should the committee later wish to publish any part of your evidence the committee will seek your views before doing so, in accordance with schedule 3 of the standing orders.

TWYFORD, Mr Luke, Principal Commissioner, Queensland Family and Child Commission

CHAIR: Good morning to you, Luke. Would you like to make an opening statement before we start our questions?

Mr Twyford: I would like to acknowledge that we are on the lands of the Yuggera and Turrbal people and pay my respects to their elders past, present and emerging. I have not prepared an opening address. I wanted to maximise the time that you have for our discussion. I have been, as a regulator of the youth justice system, watching the work you are doing, and it is to be commended.

CHAIR: Thank you so much.

Mrs GERBER: Can you tell us a bit about your role in the review you are talking about? You have done a five-month review into the residential care system for children and young people. Out of that you identified some key areas, which include giving young people and children a greater voice in decisions affecting them, keeping families together and connected, and continuing to redefine Aboriginal and Torres Strait Islander-led models of care. You have made a number of recommendations. Can you talk us through that review? Also, do we have a copy of that?

Mr Twyford: I will step you through the process of the review, because I think there are a few quirks to it that make it unusual to other reviews that the commission has conducted, and then I will answer the question. In about July of last year we had significant issues in our residential care system being raised both in parliament and in the media, as well as by members of the community. I could try to list them all, but I will summarise.

There was an increasing number of children and young people in residential care—an 85 per cent growth over five years. Compared to any other Australian jurisdiction, we were well above and almost double the national average in terms of how we were using residential care. There were hundreds of children below the age of 10, and indeed five, in residential care settings, which are an inappropriate place for childhood attachment and care to be provided. There were community concerns about youth justice incidents that had occurred that were raising the question of the supervision that was occurring in residential care settings. Indeed, we had members of the community act in a vigilante way at some of our residential care sites in Queensland.

We had workers disclosing the sexual exploitation of young people in residential care settings. To add to that, it was more so the sexual exploitation of young women who were growing up in residential care but being exploited by males in the community who were targeting those addresses and those sites. Then we also had concerns being raised by the sector around the proliferation of providers, licensing and regulation and consistency of housing. There were quite a number of complex concerns, and then minister Crawford asked his department to lead a review. This review was a ministerially commissioned departmental review, not a review by the Queensland Family and Child Commission.

In the terms of reference I was asked to provide strategic and independent oversight and advice to the minister—so to perform a quality assurance role to the department's review. The department, myself, PeakCare—particularly Tom Allsop—and QATSICPP, with Garth Morgan and his staff, engaged in a regional roadshow. We went to numerous sites and held 41 engagement sessions with departmental workers, sector workers and young people and asked them, through a process of learning, what were the key issues impacting the quality of residential care in their experience. That culminated in a ministerial round table that minister Crawford ran in October and in a departmental report, which is what the member for Currumbin references, that was made public in January by the new Minister for Child Safety, Minister Mullen.

That residential care road map outlines what the department has learnt and committed to do differently. It contains, I believe, 41 separate actions that the government will take. As the person providing independent assurance to that, I am currently finalising my response to government around whether the findings are of a high quality and likely to deliver the change that we need—so stepping through them and providing government advice and the community advice on whether DCSSDS's road map is heading in the right direction or what I would recommend be done additionally or differently.

Mrs GERBER: Is the QFCC doing its own report into it which you will release?

Mr Twyford: Our advice back will be a report against the road map.

Mrs GERBER: Will that be public?

Mr Twyford: Yes, absolutely.

Mrs GERBER: When?

Mr Twyford: Within the next four weeks, definitely. I hope it will be within the next two weeks.

Mrs GERBER: Excellent. Well done.

Mr HARPER: Thank you, Luke, for coming in here today. That is a staggering number—1,763, up from 951. What happened? Why the spike? Obviously COVID might have played a part. What percentage of kids are on YJ orders who are actually in the system?

Mr Twyford: Thank you for the last part of the question. I suspect that is why I am here, and I will give a lengthy answer to that. Despite the review, what happened is still a little bit of a mystery. The department does have demand projection modelling that it uses, along with Treasury, to monitor demand. COVID was not factored into that modelling. We do have a number of reforms underway in the child safety system in Queensland that I think have pushed and pulled the results to where they are today. Certainly, over the past 10 years all jurisdictions have seen a decline in people volunteering to be foster carers. That is a trend nationally. I am concerned about that and am doing further work to understand that. That is a natural, ongoing trend decline, but during COVID many families were not putting up their hand to say, 'We will take in a stranger's child and become foster carers.' The world was more closed. It was about being isolated.

We have had two years, I think, of nil to few foster carer recruitment campaigns occurring and, as a result of that, pressure on the child safety system of children entering. In the return after COVID, schoolteachers saw young people at more risk than they would have pre COVID. They were making child protection reports and we saw the increase in children entering care, particularly older children. It was unique, I think, in that we lost some visibility of children for a period of time. Then we have a social setting where it is potentially easier being a foster carer for a primary school aged child than it is to be a foster carer for a teenager. I think all of those things combined have created that pressure on our child protection system where residential care has increased. I think the system now is playing catch-up. That is why we are seeing the pressure that we are.

There is a big answer I want to give around the percentage of young people in residential care who are in the youth justice system. It is highly complex. I have just sat through the testimony you had about data linkage. There is a data answer to be given, but I want to start with the policy answer.

That is, children and young people who find themselves in either the youth justice system or the residential care system more likely than not have come from a family of dysfunction, community dislocation and a disempowerment of them, who they are and who they want to be. I have a case study here that I will read out if time permits, but I will not do that now.

What we see is both our statutory systems being driven by social disadvantage and social dysfunction—family dysfunction. I do not support the idea that one system causes the other. Just because you are in residential care does not mean you will become a youth offender. Certainly, there are hundreds of wonderful young people in residential care who just inspire me for their generosity, their community spirit and their will to be community leaders. I do not want to colour that.

When we get to the data and we ask, ‘How many children in residential care are in youth justice?’ we need to understand that residential care is a placement; it is the address where they live. If the young person is in a watch house or a detention centre, that is their address in the computer system so they are not counted as being in residential care and in youth justice. I suspect that is why the child safety department reports a three to four per cent figure for the number of kids in residential care who are in youth justice: we are comparing addresses with legal status. I am pleased to say that I have commissioned some work within the commission to unpack each of these statistics and try to present an awareness-raising project to say, ‘None of these figures are wrong, but you are coming at it from different angles.’

When we flip our perspective and say, ‘How many children in youth justice were involved in child protection?’ we get a startling statistic that around 20 per cent of young people in detention are on a child protection order. I would like to expand that and say, ‘What percentage of children on a child protection order have any youth justice contact—not just detention?’ But 50 per cent had child protection contact within the last five years. Thirty per cent of young people on the serious repeat offender index had a child protection order, so we can start to see different variations depending on the cohorts we are looking at.

For my project within the commission we have identified three cohorts that we want to analyse and then cross-correlate. In child protection it is: children known to the system—there was a notification and there was an investigation but that is all; children on orders—so a court has decided that the child is unsafe to live with their family; and then children in residential care or any other placement type—so children in residential care, children in foster care, children in kinship care. We will get a different youth justice statistic for each of those three child protection cohorts. Then when we go to youth justice it is: young people on youth justice orders; young people on the serious repeat offender index; and young people in detention. So it is a three-by-three cross-cohort analysis. It will tell us what we know—it is the children with trauma in their childhoods who are finding themselves in residential care and youth justice—and it will confirm what is in the residential care road map—that young people need love and support and belonging and when they do not have that they are more likely to become antisocial. That is a very long answer. I will pause there and see if there are follow-ups.

Mr PURDIE: I have stacks of question. I do not know where to start. You talked at the start of your presentation about the alarming stats in Queensland and how those stats in Queensland are alarming compared to other states. Then you started talking about the impacts of COVID. I think we all agree that COVID was not specific to Queensland. You have touched on it, but why the difference? What is Queensland doing differently from other states, excluding COVID—mindful that we all went through COVID. Do you have any other explanations at this point as to why Queensland has such a higher rate than other states?

Mr Twyford: I have things that I speculate on, so they are not evidence-based and I would therefore be cautious providing them to you in answer to your question. But I would touch on Queensland being very regionalised compared to other centres. Then there are different ways of operating. Alternative care models are certainly different. That is why government’s road map talks about creating more nuance in our system. Other states will have home-based placements that are neither foster care nor residential care. In Queensland we have foster care, kinship care and residential care, and all residential care is contracted the same and looks the same. Identifying how we could create care homes for large sibling groups or care homes for neurodiverse young people who are disengaged from school and treating them with specialisation and interventions that are targeted to their needs, rather than saying, ‘This is residential care,’ is certainly a key and critical part of government’s proposed actions.

The answer to your question really is: I do not think we have a clear answer and we still need to understand. We have commissioned work with PeakCare looking at why we are reducing our foster carer rates. Victoria has done some social and economic modelling around what they could do

differently. We have engaged the same research organisation in a partnership between the Queensland Family and Child Commission and PeakCare and that independent researcher to provide us advice. Our community survey that the QFCC runs shows a number of people unwilling to be foster carers but an increasing number willing to care for the child of their friends, which is an interesting social change that we are seeing over the five years we have been doing the survey. We are just trying to understand what a person would be attracted to in terms of opening their home to another child or another young person and what is the best model—not just marketing but what is the best model—to engage them into that process.

Mr PURDIE: In this report that is about to come out, are you identifying some other best practice options that other states are doing? Are you going to touch on this in your report?

Mr Twyford: I am currently trying to craft it in a way that is succinct and direct to government's proposed actions but also pointing to where we think there are more steps to be taken. The retention of foster carers is certainly one thing we will point at clearly and specifically.

CHAIR: Has the drop in the number of those prepared to become a foster carer happened in other states?

Mr Twyford: The number of foster carers within the system?

CHAIR: Yes.

Mr Twyford: Yes, and there are two measures to be used here. I am sorry to be data-specific, but the number of foster carers is somewhat stable. It has dropped over time, but the departmental data will say that we are recruiting nearly as many foster carers as are exiting. What has significantly dropped is the number of children in foster care. Whilst we are doing our best as a state to recruit foster carers, they are generally taking fewer children or children for a shorter period than they historically would. That is a key change.

CHAIR: In other states have they experienced the same, or are there different models between the states? We have heard that there are certain aspects to foster caring that have made it less supported by some families, including cost of living and the amount of funds being provided. Is it the same in every state or is it that Queensland has a different model that has not kept up with other states?

Mr Twyford: In terms of financial payment, we would be average compared to other states—the financial support we pay carers. All states are struggling to have enough foster carers. That is why we are seeing a transition for a whole number of reasons to kinship care being more formalised and supported across Australia as well as alternative care models.

The big critical thing they have not touched on—and I will just touch on this case study—is that the children we are asking carers to care for, I believe, have become far more complex. I will tell you about a deidentified case that came across my desk this week. It is a boy from Queensland. He is 15 years old. He has had 44 arrests, 259 police interactions, 50 court appearances and periods of detention, and he has not been in school for two years. In the last 12 months he has had eight different residential care placements. We see a young person that is completely disconnected and disassociated from anyone in his life who would provide structure and meaning. If you go back before any of the offending happened—and this is why I think you are talking to me about residential care despite being a youth justice committee—before school he had multiple domestic and family violence incidences in his home and parental substance use: alcohol, cannabis and IV drugs. In his first year of school there was an ADHD diagnosis. His attendance was sporadic, is the official record in the system. He was recorded as suffering emotional harm due to ongoing DV and his parents separated when he was in transition. The next year there was substantiated physical abuse, alleged neglect, lack of food, exposure to drug related behaviour and needles, and the school identified developmental delays. You start to see the story.

Mrs GERBER: That is in grade 2?

Mr Twyford: Yes. What foster care home can start to provide security for this child when we are already down this track as a six- or seven-year-old? In the next year there is ongoing domestic and family violence, alleged sexual abuse—exposure to prostitution. He starts demonstrating sexualised behaviours and his father is entered as an inpatient to a mental health facility. The next year, when he is eight years old, his father is incarcerated. He is caught making a bong at school. The year after, he has an intellectual impairment diagnosis and he started to preregister for the NDIS. His mother has domestic and family violence issues with her new partner and there is another alleged physical abuse of the boy.

When he is 10 years old his mother commits suicide and he returns to his father's care. He then starts to demonstrate suicidal behaviours at the age of 11 and he is suspended from school multiple times for drug and alcohol use. When he is 12 years old he is diagnosed with PTSD and other behaviour dissociative behaviours. He is caught with a knife at school and he is physically assaulted by his father. At the age of 13 his father seriously assaults him. They are homeless, living in his car and his father dies of a drug overdose. He then enters residential care.

I gave you the statistics of his youth offending whilst in residential care before I gave you his life story to try to emphasise the point that we are dealing with highly complex young people. The sense that we could take this boy and put him into a home with cert III qualified staff on shiftwork and start to train and model good behaviours around structure, hope for the future—that is the great challenge of the residential care system and where I think it is well behind where it needs to be.

Mr HARPER: What a bleak and tragic story that boy was literally born into.

Mr Twyford: Yes, and I will say it is not unusual for me to see that.

Mr HARPER: Hats off to foster carers. My family has been looking after kids for 15 years. It is complex. I am sitting here going, 'Yep, yep, I get it.' When you look at Victoria, which has a population around the five million mark, very similar to our population—you touched on geography and alternative models of care—what is their percentage of kids in resi care? You can take that on notice if you need to. I just wanted to get an idea of what a comparative jurisdiction number was.

Mr Twyford: I can give you as at 30 June 2022, so it is a little outdated. At that point, Queensland had 1,582 young people in residential care. Victoria had 488.

Mr HARPER: What are they doing differently to us besides geography? What can we learn from them?

Mr Twyford: It is the right question. I would also say that New South Wales had 706 and South Australia had 710. We are double those three big, populous states.

Mr HARPER: Is it proportional to our Aboriginal and Torres Strait Islander kids? What percentage of kids are First Nations out of those 1,582?

Mr Twyford: I absolutely should know that one, but I will take that on notice. I think I will reflect back to my last answer. I think there is a social setting that we have not got quite right, and I do not know exactly what it is—and it is probably many. I think too many of the young people in residential care and in the child protection system are disengaged from school, have mental health needs that are unmet and have domestic and family violence in their backgrounds. To what extent we are different in those regards to other states is a critical question for me and one of the reasons we did the Growing up in Queensland report: to try to start to build that social wellbeing story.

At the heart of your question I think is the right concept: we are not in a systemic sense any different from Victoria or New South Wales or South Australia. They run child protection systems; they run residential care systems and youth justice systems. What I worry about is that our numbers are increasing and there is churn. I think the committee has heard—and certainly Commissioner Lewis and I have put our submissions forward—that you do not seem to be getting reformist outcomes from our system. People are not going into detention and learning not to reoffend. People are going into residential care not for hope and healing and security and safety, and I think therefore we have a churn in our system that with the right levers, the right economic and social conditions, we could revert and address. I have just given a very motherhood answer and I have not given you anything concrete to act on, so I feel a bit like I need to do more research.

Mr HARPER: I found that answer very good.

Mr PURDIE: Luke, I do not know if this was touched on in your report. You just gave the antecedents of a young offender, and I would suggest that the majority of them have a similar chronology. Look back to when he was in grade 2 and before he committed all of those crimes and ended up in custody. How many government departments had how many points of contact and failed that person to the point where they are living in a car with their dad who overdoses, they are in and out of jail and they are committing a lot of offences? In your work or any of the work by PeakCare, are they actually looking at how we as a committee can recommend to government all the points along the way when a government department could have intervened so that that person would not have ended up where they are? Is any work being done on that? Will your report touch on systems that can be improved for a young person like that?

Mr Twyford: I think that is my mantra, and my role as the children's commissioner in Queensland is to bridge those gaps between systems. I would encourage you to look at past and also the soon-to-be-released Child Death Review Board reports, which is where I and the board take that

multisystem level lens. I was interested in the presentation you just had on the data modelling, looking at what are the linkages and where the system is failing. The data is important for future policy and for investment, but I can tell you now that the problems are the disengagement from schooling, the violence in the home and the use of substances in order to address childhood trauma. Until we have all of our systems being more aware of how to address social dysfunction, we will continue to struggle.

Our schoolteachers do an amazing job. Asking them to be more involved in the life of someone such as I have just read about is a hard ask, as is asking a school, 'Hey, can you not expel this young person who brought the knife because they don't have anything else?' You could speak to the mental health clinician and say, 'This boy is not turning up to your appointments,' but there is no way that his life is scheduled around a clock, let alone transport, let alone paying for an Uber or a taxi.

We see our systems continuing to operate in traditional silos. There is much more language now about cross-agency work, cross-agency taskforce, serious repeat offender indexes, multiagency working groups. That is all fantastic, but we need someone in those young people's lives with a leadership role. It should be family but when it is not, who is it? Sometimes it is the schoolteacher, sometimes it is the sports coach, sometimes it is the foster carer and sometimes it is the residential care worker. To my mind, it is the absence of that child advocate that lets these young people drift across systems. On a pure reading, it is not anyone's role to look out for the child. It is someone's role to look out for their schooling. It is someone's role to look out for their alcohol and other drug counselling sessions on a Thursday. It is someone's role to look out for their sports carnival in two weeks time. Who is caring for the child? That is the missing ingredient.

Mr PURDIE: This goes to questions that we have all asked before: DoCS are the lead agency in child protection matters but there is no lead agency for youth justice. The police end up trying to plug the holes. We know that Youth Justice have made their silo as thin as they possible can. Say Youth Justice became the lead agency and had vision over all of those—education, housing, child safety, policing, health—and had an advocate type role from grade 2, as in the chronology that you just read out, or earlier through to the end. Do we need someone to have ultimate responsibility and who is the best person to have that?

Mr Twyford: There is a lot in that question.

Mr PURDIE: Do other states do that? Do other states have a department that is ultimately responsible across all the silos?

Mr Twyford: I think you are right, and you have echoed what I just gave in my last answer around the need for a leader around the young person. I would lift that up and say that it has to be a leader around the family situation. There is no point a youth justice system intervening after offending. Exactly as you say: the police are there; they are arresting, apprehending and warning. But it is the life trajectory that has led the young person to be there that universal services—Education, Health, Housing—are more likely to pick up.

I think it is actually about empowering frontline workers to see their role as a bigger job in Queensland. If you are the mental health counsellor for dad when he is an inpatient, can you also turn your lens to the boy and say, 'How are you fathering? How is your boy going? Does the boy need any other help?' When you are an overworked child safety officer and you are doing the third domestic violence investigation into that house, how do you see your role as not just completing the investigation because of your caseload but actually saying, 'What is the long-term future in this household and who can I rope in?' I think the good workers are doing that; they are stuck on what to do next.

When you see this tragic case, it is really hard for me to retrospectively say which single department should have stepped up more and when. However, it is very easy for me to read it and say that everyone needed to do a better job. This outcome was probably obvious or predictable at some point.

I would caution against Youth Justice being the coordinator of holistic family support. I think they need to be more empowered to go to every other department and say, 'This is a priority. We have a 13-year-old boy who is off the rails. You need to get him into a priority housing system.' That will address and effect youth justice improvements. I do not think we have currently empowered the youth justice system to do that presently, to say, 'You need to get him back into school.'

Mr PURDIE: And intervene earlier?

Mr Twyford: To be empowered to go to other government systems and other NGOs and say, 'You need to do this in order to address youth crime and improve change in this young person's life.'

Mr WHITING: It seems to me that what you are talking about there is a vastly different model from what we have. Traditionally, our model is that we are the government and, in a hierarchical organisation like the police, say, 'Okay, there is a problem and I am appointing you to fix it. One person is your issue. You fix it.' What we are talking about is changing a whole paradigm. Instead of saying, 'Government man, you go fix it,' it is how, across all systems of government and across all sectors of society, we go about addressing childhood trauma. Certainly over 20 years of representing Deception Bay I have seen my fair share of trauma in families, but the village fixes it; it is not the government man. I am outlining a paradigm that needs to change and it seems like that is informing your thinking as well.

Mr Twyford: Absolutely. I would say it is not a choice between community and government; it is about how government empowers community. How does government provide the tools that the community needs to address its issues? By 'government' I mean federal, state and local. Many of the solutions are in a young person's view of their community. My most recent *Growing up in Queensland* report showed that there is a remarkable number of young people who are proud of their community. Guess for which communities that is not true and how that correlates to youth crime? Young people who are proud of and are a part of their community are less likely to commit crime, so there is a community-based solution here—absolutely.

Mr McDONALD: Luke, thank you very much for your information. The case studies are very touching. I am concerned about a number of the metrics that we have received which I think confirm that stories you are telling. Sixty-five per cent of kids going into the detention centres have not seen a doctor or a dentist—ever. Where are those touchpoints? How do we get these kids help earlier? The member for Ninderry asked a similar question. I want you to think about evidence we heard from Carinity Education in Rockhampton only last week. Lyn, the principal, said that when addressing the issues of the child they recruit the parents to the school and have over 90 per cent success rate in stopping the offending behaviour. I know it is about a solution for those kids. Can you turn your mind to that?

Mr Twyford: I absolutely agree and endorse that. Our submissions are certainly trying to say that youth justice solutions will be found in the role of parents and the role of families, exactly as you have just said. Recruiting parents or a parent-like figure into the youth justice intervention for a young person has been shown to have far better success than treating the young person as an independent sole operator. It is sitting family members or a family group down—elder, grandma, brother or whoever it is—and saying to them as a group, 'Look, this young person is off the rails. They are going back to detention for the third time. Can we all talk about what we will all do differently when they are released this time?' It is about actually empowering the family to drive what changes will be in that young person's life rather than—I think a bit like where our discussion has been—the government worker saying, 'Here's the plan for release,' and maybe it gets to the parents or the family or maybe it does not. I think that is spot-on. It worries me how much in the youth justice system we do not use the words 'parent' or 'family'.

Mr HARPER: I want to unpack the alternative models of care that you are talking about. Can you expand on that for us?

Mr Twyford: Right now, we run a very traditional foster care system. You put your hand up and go through an expression of interest process. You are checked and cleared through all of the appropriate regulatory models and then you are a foster carer. You have young people in your house and you receive your weekly payment. Kinship care is exactly the same except that you are a relative to the young people in your home. If we do not have enough of those, you go into a house run by a corporate entity—a provider that is using industrial relations conditions and other national regulation to run an institutional home where there is one young person per bed. In order for economic sense, there are three young people and two workers. If there is NDIS or other funding involved, that model loosely shifts, but ultimately it is a residential home in a suburb in Queensland with shiftworkers coming and going and it is covered by workplace health safety and other laws that make it incredibly un-homelike. They are basically funded and run based on bed nights: 'How many nights was Luke there?' That is your funding.

Alternative care models put a whole range of options in between. We know that in other states and territories and internationally there are professional foster carers. It is creating an environment where a former nurse, a former schoolteacher, someone with a specialisation in youth mental health or whatever it might be that would be of benefit is actually receiving a wage to run a home with one, two or three young people in it. It is a hybrid between foster care and the residential care system. It

provides a much greater point of stability. There is a houseparent and you know who that houseparent is. They are not shiftworkers. You are waking up to the same person who was there when you went to bed. It is far more homely. That would be one.

There is a whole number of organisations here. Some have pilots in Queensland and have had for some time. Treatment Foster Care Oregon would be one. It is a group of foster carers in a collaborated network. They provide respite and professional development to each other in a hub model. They all come at higher cost compared to foster care. My work in the review so far has been saying, yes, that is true but there are far greater savings compared to residential care.

The other big problem we have is sibling groups. Children in the child protection system are more likely to be from larger families. Having foster carers who can take one or two children is great, but what if you have four or five children? We actually have a system right now saying that automatically means residential care unless we can find a kinship carer. Then we have workplace health and safety and residential care saying, 'Five children is two homes so we are going to charge you for the two homes and we are going to separate the siblings.' The idea that we could take some of the money we are currently spending and employ someone to run a large sibling group home would be another alternative care model.

Mr HARPER: Can you just clarify: are we restricted by children numbers?

Mr Twyford: There are a whole number of regulations that the department has said it will look into as part of its road map. I will be supporting the fact that they need to look into it. It is work health and safety, fire and also some interpretations of child safety principles and practices where the providers would prefer that there be one child per bedroom.

Mr HARPER: Is that different from other states? I indicated before that I have family who have looked after three brothers and two sisters since they were babies. That is five kids—albeit they are in a different state. Do you think we are restricted?

Mr Twyford: Each state creates its own bespoke set of rules. The department has said it will look into ours in Queensland which we definitely need to do.

Mr HARPER: Yes. We have to keep them together.

Mrs GERBER: I want to ask a funding question. I am not sure if you are able to answer it and I am not sure if I am correct. There is no extra funding for the recently released road map; is that correct? If there is not, do you have a view on that? Have you formed a perspective on how much might be needed and what we can advocate for?

Mr Twyford: That is a good question. I know that the minister, in launching the road map, gave an interview where there was a reference to there being no additional funding. I am aware that peak organisations have received funding to do some of their actions that are in the road map. I am not entirely sure how to balance those two things. I suspect the department has funded the action from within its existing budget, but that is a question for the child safety department. Residential care is a billion dollar industry in Queensland, so I do not want to call for more funding. When you see that a foster carer receives 40 grand a year and a residential care provider receives 400 grand a year, it is clear that we can make huge savings simply by shifting what we use and how we use it.

My parents were foster carers, so I am connecting with the member. I would love to see foster carers more financially supported, particularly for adolescent young people with trauma backgrounds. I think the outcomes are clearly there in evidence and research around the benefit of a home-like, stable environment. At that rate, you could double what you pay a foster carer and still have \$320,000 in savings. It just seems like our economics have got away from us a bit in the care system. That is not to take away from all the workers in the system, because they are not the highest paid. That is the other great conundrum. Increasing the quality of what we do and recognising the effort that the workers are putting in would warrant an increase in wages for them. I will be saying in response to the government's road map, 'You need to rebalance the economics and what we are invested in.'

Mr WHITING: In relation to a question I asked in the previous briefing, considering the benefits of broad programs—I talked about Skilling Queenslanders for Work; I have seen in my area how they evolved into working with families beyond just working with an employee—how do you quantify that? How do you measure that when you are looking at such a broad range of programs that make a positive impact on those families that are raising these children?

Mr Twyford: I do not know how to answer that. You just have to. I think you have met with some of the people whom I like to champion within the youth justice system like Fight 4 Youth, Esuarve and Teens Take Control—all providers that work with young people in a way that is holistic; Brisbane

the parents come and attend—but I would say none of them are funded by any government holistically. They are funded for their programs, not their rent. They are funded to do activity, but they are stretched.

Mr WHITING: They find ways of extending that funding to deal with all of those other issues.

Mr Twyford: Absolutely. Again, what I have just said about the economics of the residential care system you can apply to the community youth justice system. When we go to community A, who is funding the school re-engagement, who is funding the violent offender counselling, who is funding the alcohol and other drugs—and how are all three working together holistically to say, 'In community A, this young person is going to all three programs but who is that? Who is the male figure in his life? Who is mum? Who is his younger brother?' It is about creating an ecosystem of funding, particularly for a state government, where it is not just a patchwork of grants but a holistic way of working for an outcome. I think we have a way to go.

Mr WHITING: We have talked about empowering the community. I know that around Queensland there are communities that need to be engaged first. The communities have traditionally sat back and said, 'You, government, fix it. We're going to sit back and watch you fix it.' How do we engage the communities that have potentially been disengaged? How do we encourage them to be involved and to take a broader responsibility for resolving the issues within their grasp? It is a broader question of: how do you get the community onboard?

Mr Twyford: That is putting me at risk of social engineering.

Mr WHITING: Yes.

Mr Twyford: What I would say is: in every event a community runs, government funded or not, is there a place for young people? Is there a place for children and youth? It is in our DNA that we care for the children of our friends and our neighbours. I fundamentally believe that. Most humans, apart from their own traumas, want to provide love and safety to other humans. How are we embracing that in community events and community funding? Making our libraries a place for teenagers has been an amazing thing that the State Library has done. In Youth Week, one of the best places I go to is the library. How did that happen? You do not think a librarian and a 15-year-old in black clothes are necessarily the best of friends, but I encourage you in Youth Week to go to your library. There are young people having an absolute great time with librarians. It is weird and beautiful all at once. That is the community we try to encourage.

Mr PURDIE: Luke, you talked about how there is this social change—that there are not as many kinship care agreements but there are people who are couch surfing and families are saying, 'I'll look after that kid.' What are they doing in other states? Do we have any mechanism at the moment to put someone on a friendship care agreement where that family could get \$10,000 or \$20,000 a year to cover education and whatever? Do we have any framework at the moment that would support that if that is where we are heading, and are other states doing it better?

Mr Twyford: I think we have the awareness that we should look at it. I think we have frameworks that inhibit it, and rightly so—things like blue cards, ochre cards and child safety screening. There are financial mechanisms: how do we decide who we pay and how much and when? There are a whole number of grandparents right across Queensland caring for their grandkids full-time who are not receiving financial support. The children are not in the child protection system because the grandparents put their hand up. Both economically and in terms of child safety regulation, we would need to really think through that and ensure that government is not intervening too much in people's lives. Whilst balancing that, sometimes the intervention prevents escalation into other government systems like youth justice.

Mr McDONALD: Were you meaning that blue card is an impediment to that?

Mr Twyford: Yes. Deciding to pay someone because there is a young person in their house automatically makes it child related employment, which means there must be a safety assessment and a clearance.

Mr McDONALD: Have you got a solution for that? You mentioned ochre card.

Mr Twyford: Commissioner Lewis put out a report pre Christmas into her review of blue card for kinship carers. I believe, based on the evidence in that report, that we need to reconsider that family caring for family is not child related employment. If my nephew comes and stays with me for the weekend, I am not undertaking child related employment. I am still saying that Child Safety need to do their safety assessments and do their due diligence. They are making a decision that it is safe

to put a child in this home, but parents do that all the time. We have informal babysitters, whether they be family friends or our brothers and sisters, aunts or neighbours. Family caring for family does not automatically equal child related employment.

Mr McDONALD: We are talking about each of these solutions and summarising in terms of putting the right kids into the right care homes. Where there is family, hope and support, it is all sorted. There is very little risk. We get into a problem area when kids who are offenders get into resi care. What is the solution there?

Mr Twyford: I am sorry. That is probably going to take us another hour.

Mr McDONALD: That is okay. Take it on notice.

Mr Twyford: I think that is the right question. It is something that I should have brought up earlier. In the review, one of the most disappointing experiences I had was going to a residential care house associated with the Townsville detention centre. It was known as the house where young people exit to post detention. The workers there were telling me that the young people have a feed, have a shower and disappear, and that is about the best they can do. I said, 'That is not the best the state, the community, the government should be doing.' How is that house building relationships with a young person whilst they are still in detention so that they want to come to this house and be at this house and stay at this house? What is the infrastructure in that house that is enticing to those young people?

For some young people to choose not to stay there but to go back into detention sends all kinds of signals around our service design. It is relational. It is structural—infrastructure. We have made a recommendation in the Child Death Review Board that government needs to consider a form of secure care. We are not saying it needs to automatically be introduced. There are a whole range of risks associated with that decision. Right now there is ambiguity around restrictive practices both in youth justice practice and in residential care practice that we are saying needs to be addressed. Having specialists with relationships with young people exiting detention would give that home a better chance of keeping the young person there, providing them structure and making a difference.

CHAIR: We have heard from witnesses regarding that exiting of detention and the gap that exists there. What is happening in detention is not reducing the reoffending. Pathways are so important—pathways that are either educational according to the age of the offender or training. That would need a residential component onsite. Do you see that as one part of the many different aspects we should be looking at?

Mr Twyford: Yes. In response to the residential care review where they say they need more service types—more nuance—one of them I will advise them they need is a youth justice focused home setting service. Rather than putting young people exiting detention into a generic residential care home with whoever is available at the time, we should be asking: 'What is your specific service standard for you running a home with young people on the serious repeat offender index or exiting detention?' Therefore, the skill of your workers, the level of your funding, our service expectations and our performance monitoring is all framed around these young people with high touchpoints with the youth justice system. Maybe the schooling needs to be on that site rather than expecting people to come and go. Maybe they need a better chance at exercise and things that will engage young teenage boys to stay in that home and be there. Let's design and fund that house rather than using the generic residential care and not being too surprised when it does not quite work.

CHAIR: Basically you are saying it is an alternative. Instead of a facility—and we have heard a lot about different types of facilities that can deliver training such as a certificate I. It might be on a property or elsewhere. All would have its relevance for specific needs.

Mr Twyford: Absolutely. If we can attach a young person's needs to a specific service design rather than a generic service design, we will be in a much better place.

CHAIR: And without the time constraints, because the relationships need to be ongoing as part of that.

Mr Twyford: Correct.

CHAIR: You mentioned models elsewhere including Treatment Foster Care Oregon. You said there is evidence that that is much more superior and delivers better outcomes. Do we have a reference point that we could—

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Mr Twyford: I would probably tone that down. It is an alternative model that has success with the right young people. Equally, there will be some young people who are not suited to that model. It is being piloted in South-East Queensland by the department of child safety. I think it has been in place for three years or more. I can see whether there is an evaluation that I can send through.

CHAIR: That would be really good. Thank you, Luke. I do not think there are any burning questions. Thank you so much for your time. We did have questions taken on notice.

Mr PURDIE: Did we?

CHAIR: I thought there was one.

Mr Twyford: The percentage of Indigenous young people in residential care.

CHAIR: Yes. I remind you that answers to questions on notice will be due by Monday, 18 March. That now concludes this private hearing. I thank you, Luke, and your team. I thank the Hansard reporters. A transcript of these proceedings will be provided to witnesses in due course. I declare this briefing closed.

The committee adjourned at 11.00 am.