



# ***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 A Tantari MP  
Mr TJ Watts MP

**Staff present:**

Dr A Beem—Committee Secretary  
Ms A Briggs—Committee Support Officer

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

### **TRANSCRIPT OF PROCEEDINGS**

**Friday, 16 February 2024**

**Toowoomba**

## FRIDAY, 16 FEBRUARY 2024

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### **The committee met at 10.33 am.**

**CHAIR:** Good morning and thank you for welcoming us to Toowoomba. 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 the 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, the member for Cooper and deputy chair; Aaron Harper, the member for Thuringowa; Laura Gerber, the member for Currumbin; Jim McDonald, the member for Lockyer; Adrian Tantari, the member for Hervey Bay; and Trevor Watts, the member for Toowoomba North, who is here on behalf the member for Ninderry who is unable to be 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 that have been identified based on the evidence the committee has received so far, both in public hearings and from the submissions. If you are not familiar with them, the priority areas are: improving support for victims of crime and confidence in the youth justice system; whether there is a need for a long-term youth justice strategy; better early assessment, intervention and prevention; improving young people's engagement with therapeutic programs; supporting their transition from detention back into community; reimagining youth justice infrastructure; and the operation of the Youth Justice Act 1992.

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 who are gathered here today that they may be excluded from the hearing at the discretion of the committee.

I restate the bipartisan approach that each member of this committee has committed to in the undertaking of this important inquiry and endeavour. 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 turn your mobile phones off or to silent mode. Before I welcome our first witness, the committee has reopened submissions. Please head to the committee's website to find out how to do that online or contact our secretariat for assistance.

### **VENABLES, Ms Kate, Executive Director, CatholicCare Social Services**

**CHAIR:** I now welcome the representative from CatholicCare Social Services. Good morning, Kate. Would you like to make an opening statement before committee members ask you some questions?

**Ms Venables:** Thank you very much for the invitation to attend. I really look forward to the outcomes of the committee inquiry. From my perspective and the perspective of a not-for-profit that provides youth justice services, I was really wanting to come along and speak more about the management of the programs that we have as opposed to the specific programs that are happening on the ground. Whilst obviously I have some idea of them, I am not working directly in them. I have amazingly qualified staff who do amazing work but really my thought, in terms of the conversation I want to have with the panel, was that it be about some of the management of how the programs work.

**Mrs GERBER:** I see from your written submission that one of the services you provide is youth bail support. Unfortunately, one of the areas that has not made it into the priority areas is around Child Safety and the intersection of Youth Justice with children who are under the care of the state. I want

to get your organisation's perspective on whether communication is happening correctly from Child Safety through to Youth Justice. Can you speak to the committee about any gaps or any failings in the system there, because we have heard that there are significant failings in the system?

**Ms Venables:** We probably do most of our work with Youth Justice, to be honest, rather than Child Safety. That is primarily because, in some ways, most of the young people we are working with are 14 and above. The biggest problem we have in terms of that age group and where the gaps are, in terms of what it means for our workers and the programs that we run, sits in the housing space, particularly when they are 14 and 15 years old and have chosen not to live at home. Often times they may be within the broader Child Safety remit but there are other issues that Child Safety has as such an incredibly overworked system so 14- and 15-year-olds do not actually get much of a look in, frankly, not because there is any particular systemic desire not to support them but because there are so many other urgent issues there. What happens is that often those kids are not actually able to get into housing because they are not adults; they are not 16 years old. That is a real gap for us.

**Mrs GERBER:** And so are they just on the streets?

**Ms Venables:** We then have to do a whole lot of work to try to find housing for them; that is exactly right. There are not enough youth beds in town anyway, but that is a particular issue because people who have the housing support, understandably, carry extra risk when they have a 14-year-old versus a 16-year-old. That is probably, on the one hand, where that gap lies for us in the way we deliver our programs.

**Mrs GERBER:** How could that be improved then? With kids who have YJ orders and also under Child Safety or under the state government's care, is it a matter of communication? Is communication not happening there? What is that?

**Ms Venables:** I am confident that reasonable communication goes on. I just do not think there are enough bodies on the ground to be doing the work, really. Ultimately, when Child Safety have families with really small people who have no capacity to speak out for themselves, obviously they are going to have to focus. They have to have a priority. I think the reality is that we need to work out how to support 14- and 15-year-olds without expecting that they are going to have family members to be supporting them because often times that is why they have left home.

**Mrs GERBER:** Do you deal with the residential care system as well? We have heard a lot about the broken residential care system.

**Ms Venables:** Only very indirectly. We probably pick up kids who, for whatever reason, have come out of residential but it is not direct work that we do, no.

**Ms BUSH:** Kate, obviously, when crime is happening, communities are hurting and victims are really frightened then our natural response—and I am a human, too—is to want to detain more children for as long as we possibly can but your submission outlines that that is not really effective. Can you tell the committee what backs up that view? In this region, what service delivery is working?

**Ms Venables:** I think that there is probably enough research to suggest that detaining children or young people is probably not the most effective way to change behaviour. That is partly because, when you get a whole lot of young people in the same space together, it is an unlikely scenario that you have someone who suddenly says, 'Gosh, we could make better choices.' I think there is the inevitability of groups of young people who come from a whole lot of challenging backgrounds and do not necessarily have the exposure or the ability to be able to make better choices so you are just lumping them all together. It is an unlikely scenario that they are going to change.

Whilst it is entirely appropriate sometimes to take them off the streets, both for public safety and also for their own safety, long term that is not the solution. Longer term, we know that we have to enable them to have opportunities to actually get some really basic skill sets in place that they have not had because their families, for a variety of reasons, have not had the capacity to enable them to do that. A lot of what we do is actually providing activities for those young people to do. We engage youth workers who come from social work backgrounds and that sort of thing, and they have the skills to build really healthy relationships with appropriate professional boundaries. We navigate and find ways for them to be making better choices. It is not particularly complicated. It is about taking them away to have really good physical activities, helping them understand how to make choices about shopping and washing and all those kinds of things, which they have not had before.

**Ms BUSH:** There is a sense that some children might not volunteer or opt to do that. Do you feel that you need a legislation change or policy change to take that choice away from people and compel them into programs?

**Ms Venables:** There is no question that if it is about choice then you have to be open to the risk of someone choosing not to do it. I am not sure that the research necessarily would suggest, to be completely honest with you, that in fact enforcing it is going to have any better outcomes. Yes, you might get them to engage in a program but you are possibly not more likely to make that long-term change. I think that there are certainly opportunities where, now that we have 72-hour orders, we are doing some really great work upfront. That is shared across a collaborative group of Youth Justice, a variety of not-for-profits in town and the QPS. If you can get in there and engage in those first 72 hours, we certainly have much better outcomes for longer term engagement.

**Mr WATTS:** Kate, you spoke about a resourcing gap in terms of availability for kids aged 14 and above. Could you speak to the facilities for drug detoxification, drug rehabilitation and mental health—both beds available and support—in our region generally for young people?

**Ms Venables:** I guess it is probably not going to come as a surprise to the committee that there is actually not an enormous amount of that support available. What there tends to be is more of that community service support. It is workers who are available during the day to do some work when they are engaging with young people, but we do not have a drug and alcohol facility that is designed for 14-year-olds and 15-year-olds. Understandably, we do not want to use the one for the adults because there are a whole lot of other issues there. We need to make sure that we have appropriate facilities that are age appropriate and designed for the stages that they are in so that you have the capacity to put the right support in at the right time and not have a one-size-fits-all response. There is very little in terms of their ability to be able to step out of community and into a facility that would give them long-term care and enable them to understand and develop the capacity to then make a choice when they are released.

**Mr WATTS:** Thank you very much for that. Further to that, what happens if someone aged 14 needs detoxification or mental health residential support and are heading down a path of crime?

**Ms Venables:** It is a great question. To be completely honest with you, in our organisation I as the executive director make a decision about when it is unsafe for staff to be with young people. To be completely honest with you, one of the things that we regularly will check is if they are drunk and therefore there is a possibility they are going to be abusive. I will say, 'We can't work with that young person' because my responsibility is to protect my staff obviously as well as enable the ability to be able to support young people. To be completely honest with you, I actually do not know because I would say to my guys, 'I'm really sorry, I appreciate that young person is going to need some support but we are not the ones who can provide that.' It is a disjointed system and it is not necessarily designed for easy flow. Whilst we can certainly refer up to the hospital when needed—and we have great relationships with QPS—the reality is it is pretty staggered. Sometimes it depends on the individual in the other organisation who is actually able to provide the support in the time period needed.

**Mr WATTS:** The danger then is that they will self-medicate and look for peer support which obviously can lead them down the wrong path; would you agree with that?

**Ms Venables:** I would suggest that that probably is most adolescents. There is a heightened level of complexity, but most adolescents think they can solve the world on their own.

**Mr HARPER:** Thank you, Kate, for your work in that space. There is clearly a gap, you are saying, in terms of rehabilitation for those affected by drugs and other volatile substance misuse. If you are not going to take them, whose responsibility is it?

**Ms Venables:** I will be honest with you, the police are pretty amazing and they certainly are able to step in at the crisis point. There are certainly other organisations that can do some work once the young people have sobered up, once they are out of the watch house and that sort of thing. We would obviously work with them then.

**Mr HARPER:** Who are those organisations?

**Ms Venables:** There are other community service organisations that get funding through Youth Justice. That is who I would be talking about. Obviously, there are some Queensland Health supports but, given the need, there are not enough.

**Mr HARPER:** I am in Townsville where we have the Cleveland Youth Detention Centre. You are close to the Brisbane Youth Detention Centre here. When they come out of detention, would you support compelling someone to undertake a rehabilitation program post sentence or should it be voluntary? I am interested in your views.

**Ms Venables:** Obviously, I am now talking on behalf of my staff. I am not working directly with this. We understand that ultimately the best way to engage these young people is to have a relationship with them. We send our staff down before they are released—so when they are down at

IBI—and we hope to start engaging them. Obviously, given the gross disproportion of Indigenous young people who are represented, mostly our Indigenous staff will go down and they engage in visiting. Depending on what is available at the time, sometimes there is some craft that they do and they really want to have some elders brought in as well so we can really build a relationship. I am not a medical person so I will not comment about the capacity or whether or not you will have a better outcome from compelling. I do know for sure that when you build a relationship you are much more likely to have engagement.

**Mr McDONALD:** Thank you, Kate, for the work that you do. This committee is charged with doing a wide range of things—from early intervention before they come to you to all the way through to dealing with some of the worst-of-the-worst offenders. Your space is a very important one, but I heard what you said before in that you very much rely on the police. I notice in your submission that you have produced some positive outcomes. Can you talk to us about some of the negative outcomes and who picks up in that space because we are very concerned about the high number of offenders creating more victims and the seriousness of those offences. We need to stop them getting to that point.

**Ms Venables:** Some of our funding is actually for broader family support. We employ counsellors to be able to work not just with young people themselves but their siblings and their families. From our perspective, we know that the ability to be able to engage with the whole family is often pivotal in terms of our capacity to engage those young people. Within my organisation, because we have a significant breadth of services, some of what we are exploring is looking at programs that would enable parents who may not have had, for a variety of reasons, employment opportunities to be able to get some capacity there. Some of the time the negative outcomes—and I am not going to say that is directly related to recidivism—come from the fact that when a family is struggling all the time it is really hard to find a positive influence and change behaviour if a young person continues to go back into a family that is struggling so much. Part of what we want to do is try to get in there when young people are offending—and sometimes seriously offending—to know that they have a family. Where and how we can work with them is a pretty important part of what we talk about.

**Mr McDONALD:** The negative ones go into the youth justice system from your—

**Ms Venables:** We work with the youth justice system. They are in the youth justice system already.

**Mr McDONALD:** I understand. If you get positive outcomes, they do not go back into the youth justice system, but negative ones end up in detention.

**Ms Venables:** That is right.

**Mr McDONALD:** That space of detention is something we are grappling with. At the moment if a kid needs detention they go into an adult watch house or into a detention centre. There is not another detention model or confinement model that provides care for those kids. Have you got any experience of that or can you talk us through other options?

**Ms Venables:** I guess what we see is the failure of the watch house to be able to provide adequate support for young people. The Christmas before last, we know that the watch house in Toowoomba was full to overflowing. There were some incredibly negative things for those young people in terms of trauma that they were having to live with every day when there were three or four people in a cell designed for one person because the detention centre was full. There is no question that, if you have the capacity to have the facilities to support young people, you will have a better opportunity to engage them because sometimes those young people do not necessarily have to get to the detention centre. If you can get them into the watch house and put some supports in place then, with QPS supporting them and organisations such as mine going in and doing visits, which is what we do—we visit on Tuesdays and Fridays—sometimes you have the capacity even there very early on. We know that some of them have not seen their mum for five days and they are devastated. It is the reality.

**Mr TANTARI:** Thank you for coming along. Kate, I want to expand on a comment in some of your evidence earlier in regard to how your organisation services individuals who come out of detention in that first 72 hours. Can you elaborate a little more about what your organisation does in that space during that 72 hours or about what you provide to those individuals?

**Ms Venables:** In some ways this probably goes, funnily enough, to what I thought I was going to be talking about. With Youth Justice, young people are assigned to us or we pick them up to support them. With Youth Justice, we do what is called the 72-hour plan. My guys do not work beyond 8 pm because my funding only allows me to employ them until 8 pm. If you want 24-hour service, it will not come from an organisation that gets the particular funding we have for youth justice. We will work as

late as we can to be able to try to get plans in place and make sure that we have the young person essentially engaged, hopefully really positively, for the night and we would work with them and pick them up again the next morning. We do not work with them after 8 pm.

**CHAIR:** Kate, you have heard the word ‘grapple’ and as a committee we are grappling with a number of aspects. What we have heard in previous hearings and in submissions are some fairly clear themes and concerns. One of those is that we have this high rate—I think it is 94 per cent—of those who are detained and just cycling through. It means that there is that exiting—and you spoke about the 72 hours—and, from everything we have heard, in 72 hours you are not able to address the reasons for the offending in the first place and everything that has happened in that youth’s life and prevent more crime. That is the part that I am grappling with because, on one hand, we are hearing that choice or consent has to be given; however, many bad choices have been made previously in rejecting measures such as interventions early on. I do understand both arguments, but I am trying to get some clarity because we cannot keep doing the same thing and expecting a different result.

From what we have heard that there has to be a transition between detention and coming out. That transition has to have a residential component. It has to have education or training and it has to be literally for a minimum of a year to have the types of effects required. Programs, whether they are for three weeks or three months, are not effective. We have heard of some great examples—the Diagrama model—which has only a 33 per cent recidivist component. Of the offenders that you are dealing with, is that the way forward to see a reduction so we can actually move beyond this same cycle?

**Ms Venables:** In some ways I guess we try and create a very small version of that in those first 72 hours. We take young people out in a bus to Perseverance Dam and there is a whole lot of physical activities they do out there—cooking and that sort of thing. One of the things we are really aware of is if they are released back into community in Toowoomba and they do not have family supports that are going to get them really going on the right track straight up, it is pretty easy to just quickly slip back into your old group. Actually being removed from the community where you probably have been making poor choices is certainly part of that solution. We can only do it for a certain amount of time. We can only do it because we do not have the money to pay people beyond 8 pm. We have a whole lot of restrictions about the capacity of what we can do. We do know that, when you are taking young people outside of the space where they continue to reoffend—and having the opportunity to build relationships—you have much better outcomes, because you have young people who will be open to engagement.

**CHAIR:** It needs to be much longer than what it is currently and it has to go through the night.

**Mrs GERBER:** Thank you very much, Kate. I want to pick up on something you said before around police. You were talking about your engagement with police and how they are stretched as well. We know that at the moment across Queensland we have around 202 fewer police than we did 18 months ago. Do you think, particularly for your region, there is a need to increase retention and recruitment for police?

**Ms Venables:** I think the answer is yes. Certainly, we know that, when we think broadly about some of the young people who are not Indigenous, the PLOs are amazing. The ability to have cultural liaison officers who are also working the streets as they are walking around is incredibly valuable.

**Mrs GERBER:** Do we have enough of those?

**Ms Venables:** No.

**Ms BUSH:** You mentioned that your funding only allows you to work until 8 pm. Is that because there is not enough funding, or is it in the contract that that prohibits you from working? What is the actual issue there?

**Ms Venables:** Great question. There is not enough funding. We pay them under an award which until 8 pm is flat rate essentially. They get weekend rates, but beyond 8 pm we just do not have enough money to keep stretching.

**Ms BUSH:** What is stopping you from orienting your hours after-hours, so gearing all your staff to not work during the day when the kids are at home but actually at night?

**Ms Venables:** To be completely honest, it is probably my making a risk assessment about that.

**Ms BUSH:** Thank you for your honesty. I have been grappling with that too.

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**CHAIR:** Kate, I thank you so much for your time. We have run out of time. There are no questions on notice, so we do not have to go there. I want to wish you all the very best in continuing the work you are doing. Thank you so much.

## **CUNLIFFE, Mr Ken, Toowoomba Victims Advocacy**

**CHAIR:** I now welcome Mr Ken Cunliffe from Toowoomba Victims Advocacy. Ken, good morning, and it is good to see you again. Take it that we have all read your submission. However, I invite you to make an opening statement because I am sure we have plenty of questions for you.

**Mr Cunliffe:** Thank you, Chair, and thank you very much to the committee for hearing me. I would like to acknowledge the presence of a few other members of our group, Toowoomba Victims Advocacy, here today who have all experienced significant crime in their lives. The principal reason for our being is to achieve better outcomes for victims. To keep it very short, there are two main things that we would like to see. One is access for all victims to the justice process. I think if there is a silver bullet it would be just that. I believe that currently some access is granted to victims of violent crime. Not to take anything away from victims of violent crime who have experienced extreme trauma in their lives, victims of home invasion also experience trauma, and that has not really been acknowledged so far. The second thing is a little bit related, and that comes to support for victims, and again we would like that support extended to victims of home invasion, and principally to address the trauma but sometimes they have uninsurable financial loss as well. These things need to be addressed.

There is a third thing that I would like to speak to, and that is the silos that tend to exist between government departments. Principally in this area you have the youth justice department, you have police, you have the Attorney-General but the others as well—education, health and you can probably even look at transport and main roads and a few other ministries trying to resolve some of these things. We really need to have all involvement. There is a fourth one as well, and that is that we need a nonpartisan approach to youth crime, just as national defence is nonpartisan. I will leave it to you for questions.

**Mrs GERBER:** Thank you very much, Ken. I have met with you a number of times throughout the various inquiries we have done throughout the years and I am very grateful for your advocacy in respect of victims. One of the remits of this committee is to look at support for victims and I wanted to ask you about the court process, and you touched on it in your opening statement. We know that in 2015 the Childrens Court was closed to victims and their families. What difference would that make to victims and their families to be included and to be able to have access to the justice system? Perhaps in answering that question, can you also tell us your story because I know that you personally were a victim of crime and denied the access that you desperately needed in order to get closure.

**Mr Cunliffe:** We became victims about 2½ years ago when our home was invaded at two o'clock in the morning. The long and the short of it was that we had requested access to restorative justice. We heard nothing in the wake of that. We had pretty scant contact with the police afterwards. I am a bit of a bulldog, so I wrote letters to the youth justice minister, the police minister and also the Attorney-General. To be frank, I got a response from the youth justice minister, nothing from the police for a year and then it was via a senior police officer here in Toowoomba and nothing whatsoever from the Attorney-General, so I felt that we were completely shut out of the youth justice system.

**Mrs GERBER:** In terms of access then to the Childrens Court as well?

**Mr Cunliffe:** I think that victims are really the conduit between public confidence and the justice system. If victims have no confidence—and at the moment they do not. At the moment there is very little confidence in the justice system for victims and therefore also for the entire community and that is why I feel it is so important to get that access back.

**Mrs GERBER:** If the government could have done it in the sitting week that we just had, what difference would that have made?

**Mr Cunliffe:** I would like to decline to speak to that.

**CHAIR:** Yes. I want to remind everyone about our bipartisan nature and to keep the questions relevant.

**Mrs GERBER:** Point of order, Chair.

**CHAIR:** There is no point of order.

**Ms BUSH:** Ken, it is great to see you again. Thank you. You have been such a great submitter on our previous victims inquiries and I think a lot of your statements that you have given us before formed a couple of good recommendations, including expanding the victims' charter to cover property victims which is great. I totally agree with opening the courts up to victims and the Premier has foreshadowed that, which is fantastic. We talked, I think, at the last victims' inquiry as well about a



recognition statement on behalf of the state recognising the pain and trauma and seeing the victim experience. That was in our last report. Do you still see merit in something like that—that is, on behalf of the state an expression of recognition and sorrow of sympathy or empathy? Do you know what I mean—the recognition statement things we talked about?

**Mr Cunliffe:** I think it would help but, to be frank, I think that we would actually like to see justice being served—

**Ms BUSH:** Of course, yes.

**Mr Cunliffe:**—and that is simply what it boils down to.

**Ms BUSH:** Justice is different to different people and you talked about restorative justice. A lot of people think that that is a soft option, but we have heard on this committee that when they are given the choice children would prefer to go to detention than do restorative justice and face their victim. Would you like to see victims have more control over that process?

**Mr Cunliffe:** Yes. One of our members did undergo a restorative justice process and she found it very confronting in some ways. She never realised the level of trauma that some of these kids experience. At the end of the day, I understand that the offender in that case has gone to TAFE and is actually making something of her life as a result, so there are distinct positive outcomes that can come from it. I think it happens too infrequently.

**Mr WATTS:** It is good to see you, Ken, and thanks for your advocacy for victims. One of the complaints that I have had by someone whose daughter was a victim—the father was a victim and so was the daughter—is that they were looking for mental health support here in Toowoomba as a victim and they were told that when they go through the process it may take six months. Their complaint to me was that the youth offender can access all kinds of supports much quicker than the victim. What would be your comment on mental health support for victims locally and support generally for victims locally and its availability and its speed?

**Mr Cunliffe:** Thanks for that question; I think it is a very good one. I would like to see localised detention facilities. I would like to see localised rehabilitation and also mental health, and this is where I speak to breaking down some of those silos in government. This is absolutely critical, and the previous speaker Kate talked about their inability to address drug rehabilitation. I think that mental health falls into exactly the same basket. We absolutely have to do a lot more to address all of these issues from the community.

**Mr WATTS:** For the offender and the victims?

**Mr Cunliffe:** Yes, absolutely.

**Mr HARPER:** Thank you, Ken, for your very good and well articulated submission and your story. It reflects many right across Queensland, including in my community of Townsville. I also appreciate your comments around the bipartisan approach; let us just get on with it and take the politics out of it. We have a job to do. On your front page here you have departmental silos. In Townsville there was an established Stronger Communities Early Action Group which includes Health, Child Safety, Youth Justice, Police, Housing and Education from memory—seven. That has been well established now and they are doing some good work and in fact extending out to Cairns and Mount Isa. Would you like to see a similar whole-of-government approach here in your community and do you think that that is something that would work as a model? That has been established in Townsville now for about five years.

**Mr Cunliffe:** Yes. I think it has to start from the top. I think that right at ministerial level we need more collaboration across the board and then that has to filter down through the communities, but we definitely need that in our own community as well.

**Mr McDONALD:** Thanks, Ken, for your submission and we appreciate you being here today. Regarding your issue of consequences for action and the government failing young offenders from a soft-on-crime approach—

**CHAIR:** Member—

**Mr McDONALD:** I am reading from his submission—the soft-on-crime approach. What solutions would you like to see happen and how can we fix that?

**Mr Cunliffe:** Victims need to feel safe. I said in my submission that the first role of any government is the security and safety of its citizens. I am well aware that a lot of the down-the-line interventions are going to cost an enormous amount of money. In the meantime, what are we going to do? We have to keep the community safe. The community has to be confident before they are going to be willing to spend the tax dollars to implement any of those intervention processes.

**Mr McDONALD:** Yes, that is a very good point.

**Mr TANTARI:** Ken, thank you for coming along and telling your story today. Yes, it was very heartfelt within your submission and we really do appreciate it. I also want to reiterate the words of the member for Thuringowa, who said that you indicated that there should be a bipartisan approach to resolving this problem. You mentioned earlier and also within your submission that property victims ought to receive financial assistance. Are you aware of any Australian models where property victims gain access to that sort of support?

**Mr Cunliffe:** My own view—and this is a personal view—is that where an event is insurable then it is up to the victim to make sure that they have access to that insurance. There are many instances that are not insurable, and I raised the incidence of a tradie who had his ute stolen and he was not able to work for a period of time until his tools had been recovered. That is not insurable and I think it is perfectly reasonable, particularly with such higher rates of crime where effectively the community is not being protected, to have that support.

**Mr TANTARI:** Do you think that is something that not only the government should look at but also the insurance industry as well?

**Mr Cunliffe:** I think there is merit in that, but is it the insurance industry's fault that our rates of crime are that high?

**CHAIR:** Before I hand over to this side again, with your members—I am just trying to get an understanding—do you meet together to talk about what they feel right now? We understand that the particular cohort that is creating this situation that no-one wants to be in are just put in detention and they are just cycling around, so detention is not deterring them. You would have heard me earlier mentioning that on exiting detention going into a secure residential type facility is about education and training for a period of time that is going to make the difference to reduce that very high recidivist percentage. Have you spoken about that at all, because what we are hearing from other regions is that it has to be community led and it must be place based? Do you have some thoughts you could share with us?

**Mr Cunliffe:** Yes. We do meet—unfortunately over the last little while we have not met as frequently as we would like, but we do meet—and we often have guests come in and speak, and I think the member for Toowoomba North was one such guest who has visited us and gave us some valuable information. One of the things that we do look at quite closely as potential solutions—as I have mentioned in my submission, a lot of good policies came from the previous government but they were badly implemented. Then the baby was thrown out with the bathwater, if you like, rather than fixing what was wrong with it and moving on with new initiatives that were going to help as well.

**CHAIR:** Was that, for example, the boot camps?

**Mr Cunliffe:** The boot camps were a prime example of that.

**CHAIR:** They have now changed considerably. They are not called boot camps anymore. What you are talking about is having similar types of secure facilities that do provide the pathways to employment or to finish their education.

**Mr Cunliffe:** I understand that the problem with the boot camps was that there really was no after care at the end of the boot camp. They were there for three months, or whatever it was, and they went straight back to their previous peer group with no support.

**CHAIR:** Could you envisage something in the Toowoomba area? If you can, who would be the organisation that you have encountered that would have the capacity to facilitate that?

**Mr Cunliffe:** That is a very good question and one that I do not know the answer to.

**Mrs GERBER:** This committee is really keen to work together in a collaborative way to try to come up with recommendations to fix the youth crime crisis in this state, but I really want to home in on victims and victims' support with you because I know that is the space you have been in for a very long time. Unless you are prepared to acknowledge a problem, you cannot come up with solutions. That is why I am asking really pointed questions. In terms of supporting victims in the justice process and victims in the court process, what needs to change in the current legislation to allow victims and families the support they need throughout the judicial process?

**Mr Cunliffe:** In my own experience, our interaction with the police was insufficient. We were met by the investigating officer and the forensic specialist after that. Then it was left up to us to go to the police station to recover stolen property.

**Mrs GERBER:** Were Victims Assist Queensland—the government organisation that is meant to connect you with police—part of that process at all?

**Mr Cunliffe:** No, they were not and there is a very good reason for that. Victims of non-violent crime do not fall under that act.

**Mrs GERBER:** So there is a change.

**Mr Cunliffe:** I have read through the Victims of Crime Assistance Act. It is quite well written, but I would say that one minor amendment that would fix it would be to redefine home invasions and some other crimes as violent crimes.

**Mrs GERBER:** I know you gave us that submission back in 2021 when the committee toured for the victims of crime inquiry. Thank you for continuing to pursue that. Thank you for making that submission to the committee today.

**Ms BUSH:** You are right. That was a recommendation in last year's report. The government has accepted that recommendation and they are reviewing the act at the moment, so that work is continuing. The strong evidence we have heard from you is about having a robust response from police all the way through to help navigate the whole system. It goes from police, to courts, to YJ. There are different parties there, so having that navigator to help get you through that and be your voice is, I think, what I am hearing from you.

**Mr HARPER:** I will ask pretty much the same question that I asked Kate. The community rightly expects people who have offended to go into detention for a period of time. When it comes to post sentence, what are your views or your group's views on compelling—that is, the courts ordering as a condition of their release—a person to go into a rehabilitation type residential component that the chair spoke to? Should that be compelled? Should there be a court order or should that be voluntary? What are your views on that?

**Mr Cunliffe:** At the moment they have no access to rehabilitation at all. I do know of one instance where a mother tried to get their son into rehabilitation. It was completely voluntary. He knocked it back for the simple reason that he did not want to relinquish his mobile phone. Yes, I absolutely think that mandatory rehabilitation services are required.

**Mr McDONALD:** Thank you very much, Ken, for that answer. It was a question I was going to ask you. We understand that, if there is a compulsion order in place, good practitioners will take three days or three weeks or three months to build that social and emotional support and that trust relationship to be able to head them in the right direction and put them on the right pathway. Tell us how that could fit within some of the programs to make it meaningful for victims to see justice done?

**Mr Cunliffe:** Nothing will be meaningful for victims unless it is transparent. We need that transparency. I think that is one of the reasons we need that access to the court process. We need to be able to understand the reasons a judge or a magistrate have given their judgement, particularly if there is leniency. If the consequences fit with community expectations then the victim will go away well satisfied and that message will filter down through the community, but at the moment that is not happening and it has not been happening for a long time.

**Mr McDONALD:** Did you say before that somebody did not do a program because they could not have a mobile phone?

**Mr Cunliffe:** Yes.

**Mr McDONALD:** Did I hear that right?

**Mr Cunliffe:** That is exactly what I said, yes. As a result, they have now graduated to the adult justice system and they and the rest of the community are worse off for it.

**Mr TANTARI:** I am interested in the commentary as we have gone around the state and listened to witnesses at hearings. We have been asking witnesses how they feel about social media. How do you feel about what social media is doing in creating an environment whereby individuals, for notoriety, are driving through social media a lot of these incidences that are occurring and egging on other youth to do the same? Do you think there is an impact in your community from the use of social media driving other individuals to be involved in these sorts of actions?

**Mr Cunliffe:** Absolutely, without a shadow of doubt. I think that the notoriety the offenders get from posting their crimes on social media drives others to do it, and it probably contributes significantly to the recruitment of more criminals.

**Mr TANTARI:** Is it your opinion that the government should look at something in that social media space about controlling the posting of those sorts of videos?

**Mr Cunliffe:** Yes, absolutely. Just on the social media side, if I may, I know that for the community the social media side is very significant. I think that is a response to the lack of transparency in the justice system anyway.

**Mr WATTS:** My question is around transparency and communication. You yourself said that you had a poor experience in terms of communication as the investigation was progressing. In knowing that our police are stretched and numbers are down, what advice would you have for the committee for a victim to be kept up to date as the investigation goes on and then the ability to see justice served and to understand the reasons? What advice would you have for the committee in terms of communication and transparency?

**Mr Cunliffe:** We came up with a very simple information sheet that would have had the crime record number on it, contact telephone numbers for police, contact telephone numbers for support and various other useful things for victims, and the police have declined to bring it in because they believe there is enough there already. I can tell you that clearly there is not. That is one thing. Secondly, members of our group volunteered to go out and support victims of crime. Again, we would be relying on information coming back to us from the police to do that and, again, that has been knocked back. The other thing I would say is that in today's age where you have really good connectivity with IT and the internet, it is not difficult to imagine a system where you could log into your crime and see where that investigation is up to without even contacting anybody.

**CHAIR:** You just mentioned an information sheet. Would you be able to supply a copy of that to the committee?

**Mr Cunliffe:** With pleasure.

**CHAIR:** Thank you. In your submission you spoke about concerns around the narrative of certain ethnic groups being over-represented. Can you explain that a little more so I can comprehend that?

**Mr Cunliffe:** I do find it very problematic when we keep saying that a certain ethnic group is over-represented in the justice system. That may well be the case, but I think underlying that you have a problem with those ethnic challenges not being addressed before those children reach the youth justice system. When they reach the youth justice system, it is too late. If a child commits a crime, he needs to be subject to exactly the same justice system whatever his ethnic background.

**CHAIR:** Do you have a lot of different ethnicities in Toowoomba?

**Mr Cunliffe:** Yes.

**CHAIR:** There are multiples?

**Mr Cunliffe:** Yes.

**CHAIR:** We might be able to get some more information about that later.

**Mr HARPER:** Last year we passed some laws in the parliament around the declaration of serious repeat offenders and breach of bail, with bipartisan support. How much further should we go? Do we go stronger? There is this narrative around removing youth detention as a last resort. Do you think that should apply to those who have been declared by the courts under that previous law or across the board?

**Mr Cunliffe:** Can I answer that simply by saying that, in spite of these laws coming through, we keep seeing the same names crop up when we have access to those names. That tells me that there is still something wrong. Whether it is a problem with the legislation or whether it is a problem with the administration of that legislation through the courts, I do not know. Wherever that problem is, it needs to be identified and addressed.

**Mr McDONALD:** Thank you very much for your response to that, Ken. It has become very clear to us that these kids and Legal Aid know the system. You mentioned leniency before. When kids go to court, why do you think there is leniency?

**Mr Cunliffe:** I wish I knew. I really do wish I knew. I do not. All I can say is that I feel that the judges and magistrates probably see youth crime as a victimless crime because they never see the victims. They even seldom see the offenders because the offender is either on a remote connection or represented by a state defender.

**Mr McDONALD:** Even though a youth offender may have been cautioned by police, been through restorative justice by police and then get to court, the magistrate is required because of the instruction that detention is a last resort to be lenient again. That is why detention as a last resort needs to be removed.

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**Mr Cunliffe:** I cannot comment.

**CHAIR:** No. That is right. I want to thank you so much for not only the time but also the effort, and I thank all of your members. It has been invaluable so far to hear from people everywhere we have visited but also to read the submissions. As you have seen, the pointed questions are not meant in any way to be upsetting. We are grappling with a couple of aspects. We are drilling down. I very much appreciate it. If we have any further questions, do you have a problem with the committee contacting you?

**Mr Cunliffe:** Not at all.

**CHAIR:** We really appreciate that. There were no questions taken on notice. However, there was a request for that information sheet. If that could be provided to us by Friday, 1 March, I would really appreciate that. Thank you so much.

**Mr McDONALD:** Thank you for your advocacy.

**CHAIR:** Yes. Thank you for everything that you do.

**PATTERSON, Ms Rachelle, Chief Executive Officer, Lifeline Darling Downs and Southwest Queensland**

**CHAIR:** I now welcome to the table from Lifeline Darling Downs and Southwest Queensland Rachelle Patterson, CEO. I think you have seen how there is an opportunity to make an opening statement before questions from the committee.

**Ms Patterson:** Good morning, committee members. I am Rachelle Patterson, the CEO of Lifeline Darling Downs and Southwest Queensland. In 1992 I was a plain-clothes constable—trainee detective—working in the Juvenile Aid Bureau in Fortitude Valley. Most of my time was spent working with young people who were committing a range of offences from petty crimes through to very serious ones involving people almost losing their life. The Valley at that time was a magnet for youth offenders. Depending on the offences my response would range from cautioning through to arresting and charging them with serious offences. Sometimes those offences were pretty well the same as the ones we are seeing committed in Toowoomba right now and over the past 18 months.

I cannot tell you how many people I arrested, but I can tell you there was a group of them I arrested over and over again. When I was not arresting them, I was often spending time connecting with them. I used to pick these kids up sometimes, get them a 30 cent cone—back then there was only one type of cone; it was ice-cream. My partner and I would drive these kids around the streets listening to music as loud as they wanted it to be. We thoroughly enjoyed their company, even though part of the reason we did what we did was to buy a couple of hours of offences not being committed. I sometimes wonder what became of Rennie, Anita, Chris and David, although I can guess. When people were not getting seriously hurt by these kids they were just ordinary young people with a couple of things missing: they did not have hopes, dreams or a loving family. I know that because every time I took one of them home after being released after committing yet another offence I went into their homes.

Fast forward just over a decade and I have left the police, I have got a psychology degree and I have started working in intensive residential or resis. Basically, I am working with the same cohort of kids that I described; however, I am doing it for kids five years earlier before all the wheels have fallen off. The particular resi I worked at had a sanctioned restraint policy. This was because the young people are so extreme in their behaviours they were often a risk to themselves and to others. My first shift I crash-tackled an eight-year-old boy who attempted to jump out the window to take his life. Had I not reacted as quickly as I did I have no doubt he would be dead or in a wheelchair now. On another occasion, the same young person was being coerced by an older resident to stick a knife into a toaster. Fast forward 20 minutes, I had three young people barricaded in a room whilst the main 12-year-old offender was trying to break the door down to stab everyone. I managed to lower these kids and another worker over a balcony using a sheet. Police arrived a short time later and ended up restraining the 12-year-old offender.

One of the most distressing parts of that role was having to constantly take these young people on their contact visits with family. Often the young people would become distressed and escalated before a contact visit. Sometimes this would reach boiling point and result in a young person having to be restrained. If they were not they would smash the glass, the windows, they would cut themselves or they would find an object to hurt another young person or a staff member. In the couple of years I worked there I do not think there was a staff member who had not been hurt or hospitalised, me included.

Fast forward a couple of years and I was managing a place of safety program in Fortitude Valley which offered a place for homeless young people to come at night, have a shower and get something to eat. The real purpose was to engage with them so that they would enrol in a flexible education program during the day. The program worked incredibly well until government changed the rules so that children could not be given access unless they were brought there by police. Fortunately I still had some old contacts so I used to work around the funding guidelines, ring police, get them to meet us at the door and sign the kids in as though they had brought them there. Without this program these kids did not have anywhere safe to go. That was 20 years ago.

Several years later I am working in remote WA. I am there to examine the nature and extent of homelessness in the East Kimberley and later to manage a Commonwealth program, the Remote School Attendance Strategy, to ensure that children in remote communities are attending school. Most kids were not attending school, let alone finishing their education. What struck me was the significant number of young people up there that were taking their lives. Suicide seemed to be a logical step for young people over there. Given the rate of domestic and family violence, neglect and every form of abuse commonly experienced by young people up there, it was not really that surprising.

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I also worked as a volunteer ambulance officer up there for a period and it meant I was regularly in the homes of the most significantly disadvantaged. It struck me at first that I never saw young people in any homes I went to. I realised pretty quickly it was because they were so unsafe that they had worked out it was safer to be on the streets, sometimes committing offences, but hanging out with their friends. Different state, same issues.

In my last role I managed a number of out-of-home care programs in New South Wales. That included being responsible for foster care, supervised contact and dental care programs. It had been 10 years since I had worked in the out-of-home care system in Queensland, but everything was exactly the same. The resi kids were refusing to go to school, the schools did not want them there, many were engaging in risk-taking behaviours, as well as committing offences. I am sure I only knew part of what was going on. The children were still escalating before visits with parents and their only way of coping was to go from zero to 100. It struck me that I was 10 years down the track and everything was the same.

Now as CEO of Lifeline I am responsible for the delivery of 30-plus programs funded by both the state and the Commonwealth through various departments. We are funded to run youth justice programs. We also deliver a number of intensive family programs, working with parents in an attempt to get the kids back on track and also the families back on track and prevent, hopefully, the removal of children and/or achieve reunification when they are on short or interim orders. Sometimes I debrief my staff or managers after a particularly tough day. Sometimes the debriefing is for staff who have had to be involved in removals. Sometimes the debriefing is because they feel Child Safety are not listening and removing children who are clearly at very significant risk of harm.

In my few decades working in the system wearing many different caps what have I learnt? Children have not changed. They are not worse. They are not more dangerous. If there is more crime now it is because governments have failed these children and the children before them. Government is failing this cohort, a cohort of children who were born into their environment and occasionally end up committing crimes. This is not directed at any particular government, not the one that is sitting, it is a long-term systemic issue. I have never met a child who chose a path of disengagement, antisocial behaviour, disengagement from education and wanted to be in care. I have met too many to count who experienced trauma at the hands and minds of a parent only to be further traumatised by the system in which multiple governments are complicit, even if unintentionally. Every one of the children I have worked with in all my various roles, over many decades now, have all experienced trauma. Many have experienced physical and sexual abuse. All of them have experienced emotional and systemic abuse. The system's abuse has come from the education system, the child protection system, the health system and the youth justice system. These kids are being failed. The trauma they experience as children predestines them to the same cycle of abuse, sometimes for the rest of their life, as victims, offenders or both.

Had I been summoned to provide my views about this issue as a very young plain-clothes constable 32 years ago I would have said exactly the same things, although I would not have had as much evidence then. It disappoints me that we are still looking for answers after all this time when really the systems have not changed. I have been talking interchangeably about young people in care and committing offences. I do not think for a second that young people in care are more criminal in their behaviour. This is simply a consequence of a broken system. I do not know any of our current cohort of youth offenders, but I feel like I know them all. I can describe most of them and their family life without having met a single one of them. They have missed considerable school. Their education and learning will have been inconsistent and disrupted. They have poor diet and nutrition. They do not have strong peer support or influences. They have had inconsistent parenting, likely a single parent. One or both parents may have had a drug or alcohol issue. If you visit the cupboard and the fridge it will be close to bare. What is in there will have little to no nutritional value. Mum and/or dad have probably come to the attention of services at some point in their life. They will not have strong or healthy attachments.

Schools need to have better capacity, skills and resources to meet the needs of children who have experienced trauma. School is likely to be the first place that a young person comes on the radar of the system. The first blip is when the services need to wrap around a young person and any of their siblings and the family. Responding once the young person has committed an offence is too late. Running a series of tests on a young person in custody is too late if this is the first time it has happened. When a young person misses school consistently all systems need to activate. There needs to be a supportive response for the family to find out what is going on. This needs to be a wraparound health, mental health, education and child protection response. When one young person

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comes on the radar due to their appearance, behaviour or lack of attendance, it is an opportunity to support the family. It is an opportunity to see what they need, not to punish them for what they are not doing. They may not have the skills to do any better.

Every youth offender will have previously come to the attention of services, whether government or non-government. Youth offending is the result of systems failing. Time and again I have seen youth specific programs reduce and close. In Roma we have been funded for several years for a three-day-per-week youth worker. Not surprisingly, we have fairly consistently failed to produce results in that program. It is a low-level job in a remote setting offering employment for only three days per week. We have never been able to keep someone in the role as it is not something that can sustain meaningful employment for someone. This contract is due for renewal in a couple of months and I am expecting to be advised that due to poor performance it will not be re-funded. Of course, what I can see and have been feeding to the respective department for years is the model needs to change. It is not funded as a full-time position therefore we are unlikely to ever find a suitable long-term candidate. This means that the opportunity to work proactively with a young person before they commit offences will disappear. It is the only such role in that town. You do not need to be too embedded in the sector to realise that young people who have experienced trauma, are homeless and poorly educated are at risk of ending up in the criminal justice system. If we lose that funding there will not be a single youth worker for the region. This in a region where there are many disengaged young people and suicide is an issue. I have been around long enough to know that once that funding disappears it will be almost impossible to get it back for the region.

In Charleville we deliver a family intervention service which operates closely with Child Safety. Charleville is just like every other remote town with many wonderful people who are thriving and, just like every place, there are many families who are living in domestically violent situations with children who are significantly at risk. I know this because we deliver a diverse range of programs and we are constantly working out ways to support, assist and keep people safe from their own family. Several years ago there was an entire team of child safety workers in Charleville. That gradually reduced to a point several months ago where the office was closed down altogether. The child safety team for the entire south-west—it is about a million square kilometres—now works from Roma, which is about three hours away from Charleville. Right now I am aware that this team has significant staff shortages and even the team leader is having to case manage 78 children themselves. If the team leader is spending their time managing the equivalent caseload of two CSOs, who is looking after the child safety officers?

The state of Queensland is taking children from families and assuming parental responsibility for them. The state is telling the public that they care for these children better than their parents, yet the CSOs and team leaders are having to simultaneously and individually exercise parental control for 50, 60, 70 or more children at once. This does not account for all the other children who should be receiving the attention of Child Safety, but there just is not capacity to do so. Over the years, I have watched this pattern on repeat. NGOs are funded to work with families at risk and youth offenders, yet we are often unable to connect with our government partners because they are so seriously under-resourced themselves.

In Charleville, the FIS program, the family intervention service, can only work with families if we receive a referral from Child Safety. For several years we have had very few referrals. This has meant we have had no cases to work with in a town where all our other program staff have been flat out working with cases. Those referrals should have been coming from that same team leader who has a case load equivalent of two CSOs. We have taken matters into our own hands of late and have started engaging with families that are at risk of losing their children. We cannot keep waiting for referrals. We already know who those families are so we are instead being proactive to keep children safe, noting this means that technically we are working outside of our contract.

Governments, past and present, have failed children but they are also failing their own workers. My examples may appear to paint a critical picture of the various government workers in the region but that is definitely not the case. I believe the majority of Child Safety, Education and Youth Justice staff are doing all they can. I know that many of our regional government department officers are very short-staffed. It is not really surprising. Who would want to sign up for managing those types of case loads as well as having to do so travelling around the enormous region that we have? This is a recipe for burnout and I think we are seeing that currently given their respective vacancy rates.

If these departments are not sufficiently staffed and resourced, they cannot support the NGOs providing the services, which leads them to burn out and you have resignations of staff working with the hardest young people and families. Ultimately, the systems that cannot look after their own cannot possibly support clients. This ultimately leads to more children being harmed and victims potentially



becoming offenders. Currently, the focus is on the consequences of a failed system—youth offending—rather than focusing on the systems themselves. Youth crime is the consequence of a failed child protection system. Before we know them as offenders, we knew them as victims.

**CHAIR:** Rachelle, thank you so much.

**Mr McDONALD:** Wow! Rachelle, if I could write an operational history of what is happening then it would have been exactly what you said. Thank you very much. A lot of the time here we get into a conversation about the detention of kids and that is a part of the problem. However, we are focused on early intervention. I was also a former police officer. I asked a principal, 'Can you tell me your 10- and 11-year-olds who are my 15- and 16-year-old problems?' He said, 'Jim, I can do better. I can tell you the five- and six-year-olds.' Can you tell us about the support that you would recommend in schools? How can we support Child Safety and Education—that solution right there—bearing in mind that we are going to address the other things later on as well? Thank you for your operational experience and understanding, and for deciphering what is going on in the region. It was outstanding.

**Ms Patterson:** I have never worked in the education system except in the university setting. I would say that it is not rocket science. This is really all about resources and skills and training at every level. In terms of education, my understanding is that the education system right now is stretched to capacity. What I have seen time and again through my roles is that teachers can only do what they can do and one child has the capacity to completely turn a classroom upside-down. It is that human rule of trying to get the best results for the majority and this one falls to the side. If there is not a significant investment in the education system then how will that ever be addressed? It cannot be. I do not believe that the teachers have adequate skills and training to have those appropriate trauma conversations.

I can now say the exact same thing in regards to child safety officers. I do not want anything to be taken as any criticism of Child Safety because I think they are doing what they can with what they have. I am aware that we have a couple of team leaders and child safety officers who are working who are mostly new graduates. I know what I was like when I was a new graduate and that was after I had done 10 years of policing as a detective, working consistently with murders. You are quite idealistic. Again, that is no criticism of them but if there is not the depth of experience in a department then bad decisions will be made. That is not the CSO's fault. That is a system problem. Why are CSOs not remaining in that department? What is going on?

**Mr HARPER:** Rachelle, are you busy for the next couple of years? I say that because, whatever recommendations we come up, we will need someone like you to implement them across government. You have the operational experience. Much like Jim, who is a former copper, I had 30 years experience as a paramedic so I kind of get where you were going with emergency services and what you have seen. I think you would agree with early intervention in primary school and, in fact, preschool so you can ID someone who has FASD and you are going to stop downstream issues; would you agree?

**Ms Patterson:** Absolutely. I do not mean to sound pessimistic, but it is almost to the point where, once a young person has been in detention—I am not saying that we will not keep working with them—it is possibly too late, whereas it is a good indicator to jump in with the kids in that family who have not even been born yet.

**Mr HARPER:** Very early in your opening statement you mentioned that you had sanctioned restraint policy. Does that happen today? I hear that in some residential services the kids just go out and reoffend. What is the situation?

**Ms Patterson:** I cannot tell you what the current situation is. I would imagine there might be, but I would also say probably things change and what is best practice at this point in time may not be best practice at that point in time. I do not think I am the best person to ask about what resis may or may not have around a restraining policy.

**Mr HARPER:** I think you are the best person to lead change. Thank you very much, Rachelle, for your work.

**Mr WATTS:** Rachelle, you and I have spoken about early intervention in the past. I think you cannot intervene too early. Time is short so my question relates to the west. West of Toowoomba, resources start to get smaller, distances start to get bigger and lifestyle, meaning no disrespect, is a little tougher both for the kids trying to find things to do and for the people who are trying to deliver the services they might need. What advice would you have for the committee in terms of funding models for additional resources, in a way that could improve the lot of the people who live west of the divide?

**Ms Patterson:** Trevor, I think initially there needs to be an understanding of what the gaps are. Once you understand what the gaps are, which need to be informed by the people living in that community, it is about appropriately resourcing them and resourcing them for a significant period. There is no point providing contracts to NGOs for one to two years because generally you have staff coming from another area, perhaps Brisbane, and they plan their life around that. They are not going to wait until the end of a contract to find out whether they still have a position. Six months out, if you cannot tell them that they have a job then they are probably heading off to another organisation or they are returning to their city. They are not invested in a long-term way.

Obviously, positions need to be appropriately funded. The example I gave was the youth position at 0.6. You are not going to find, presumably, a young person coming out of university who has those skills and who can work just three days a week. It is not doable so you will not hang on to them.

**Mr WATTS:** I want to clarify that point because it is important. Obviously, the 0.6 is funded by the case load and they are not referencing the fact that 0.6 is not employable as there is nobody there to do that job. You might get a 0.6 case load in the centre of Brisbane or on the Gold Coast, but it is not going to work west of the divide; would that be a fair characterisation?

**Ms Patterson:** That is correct. To state it really plainly, if we are given an amount of money, we then look at what part of an FTE that pays for. This is not an exact amount, but say we have been given \$85,000. Internally, we work out that that equals 0.6 of an FTE at that particular level. Then we negotiate with government, if it is 0.6, which means they are working however many hours per week, what that means in terms of the hours that we can give to government. Effectively, that is the number of hours that they have purchased from us. It is not necessarily correlating with what a need is.

**Mr WATTS:** So you would advise that that model needs to change?

**Ms Patterson:** Yes.

**Ms BUSH:** Rachele, that was fantastic. I think that was an exemplar submission so thank you so much. I too have worked in government and in service delivery. I was the CEO of a statewide victim support agency so you have touched on a lot of experiences that I can relate to. I have been in the position of having to top up the 0.6 FTE with our own fundraising. I know what that is like. Workforce is obviously key here—a capable, strong and coherent workforce. Do you have issues with the blue card? I know that there are people who have had negative blue card notices issued but have incredible life experience that could have been a contributor to the workforce. I am interested in your views there.

**Ms Patterson:** That is an interesting one. It has been different at different times. We find right now that blue cards are processed quite quickly. As an organisation, we are never given the reason that someone's blue card might be declined. Probably the biggest issue that I have seen is that we have at times had staff who might have been working with us for a period and then we are advised that something in their circumstances has changed and they cannot work while that matter is being investigated.

I will not give any specifics so I do not risk identifying anyone. A little while ago, we had a staff member whose investigation went on for three years. They ended up moving on because there was still no result. That person was able to work. They were given the approval to continue working yet we knew there was an investigation going on about something. We were dealing with a highly distressed staff member who did not know, at any given time, whether that blue card was going to terminate his employment or not. Sitting with that is very complicated. Meanwhile, staff members are dealing with very complex clients and things can already be quite triggering for them, let alone dealing with personal things going on for with them and wondering not just whether they are going to have that job but whether or not they can even work in this sector ever again. I think that blue cards are a very good thing. I think that rigour is a very good thing. But there needs to be an expedience for how decisions are made.

**CHAIR:** We are running out of time so we will need very quick questions.

**Mrs GERBER:** Mine is not a quick question.

**CHAIR:** We will have to give apologies if we start running late.

**Mrs GERBER:** Rachele, thank you so much for your frank and fearless submission to our committee today. I thoroughly appreciate what it must have taken for you to compile that, draft that and then deliver to us that really frank and fearless advice. Thank you so much. I really appreciate it.

**Ms Patterson:** You have to be part of the solution, not the problem.

**Mrs GERBER:** My question homes in on the child safety system and its interaction with the youth justice system. I want to get your views on what system changes need to happen with the child safety system talking to the youth justice system in order to ensure that the child who is under state care gets the service providers—which are all out there, ready, willing and wanting to help—that they need. To narrow it down a bit more, we have heard that Child Safety does not communicate very well with Youth Justice and Youth Justice does not communicate very well with the individual NGOs and community organisations that are trying to help. Does there need to be a lead agency? Does there need to be a single case worker? Can you identify for us one thing that will help with that system failure?

**Ms Patterson:** That is a really tough ask to give you one thing.

**Mrs GERBER:** I know but we have no time.

**Ms Patterson:** Very quickly, I have never seen government departments work well together. Sometimes they work well with each other—

**Mr HARPER:** Emergency Services do.

**Ms Patterson:** Of course. Completely different. Government departments generally do not work well with NGOs when they do. What I would say is it is always because of the person involved, the culture is wrong and the culture is not set up to get people to talk to each other. What it generally means is, for example, with my FIS example, some people are prepared to work around the system to get outcomes for young people.

**Mrs GERBER:** And they are being forced to do that because they need system change and it is not happening.

**Ms Patterson:** In my experience, the further you get away from the city the more likely people are to work around. There are not as many eyes on. People start being more committed to getting outcomes because they do not have all the support services there to tap into so they have just got to get on with the job.

**Ms BUSH:** Picking up on that last comment about getting rid of those silos, the member for Thuringowa advocated really hard to get some good place-based responses in his community in Townsville. Is that something that could help here in Toowoomba where you have got the agencies working together, there is an information sharing arrangement in place and they have got brokerage funding to actually be agile and responsive? Do you see something in that?

**Ms Patterson:** It can absolutely work as long as there is some significant embedding and cultural changes in all of those respective departments so that in Brisbane they understand this is what we are doing and you must educate your staff because if they do not have permission to do that it will not happen. It will be a great intention, but if you do not get systemic changes so that everyone buys into this it cannot happen.

**Ms BUSH:** It has been working for five years really well there.

**Ms Patterson:** Yes, of course it can. It is perfect.

**CHAIR:** Staff is a huge issue across the whole country. We have to get these staff sooner rather than later. Is there anything you have seen that has worked in other jurisdictions to be able to procure the staff that is needed?

**Ms Patterson:** I think it is about whether or not the organisations are being properly remunerated to get the staff because we need to compete with other high paying jobs. Because, quite frankly, what we are asking people to sign up for, what I have seen in the last probably two years, is such a significant increase in the complexity of all of our clients. No-one ever presents with one issue anymore, there is always multiple issues, so it is a pretty big ask for people to sign up to a day job where they are doing that all day, every day.

**CHAIR:** We have many participants here today who have been victims of crime. As you would have heard from one of our previous witnesses, the most important thing is to develop that greater safety now. That is not discounting everything that has been spoken about and what you have spoken about that the intervention has to be much, much earlier.

**Ms Patterson:** They are different things, but they both need to be happening simultaneously.

**CHAIR:** What do we do right now with those who are cycling through this system over and over? They come out of detention and they reoffend often because they want to get back in because that is safer. What would be the one thing that you could say to the committee that would address that need for greater safety?

**Ms Patterson:** Can you please repeat that?

**CHAIR:** Those who are already in the system, and you mentioned earlier that there is not much hope because they have already entered the system and they are going through, but is there any one thing that you would say, such as, 'Look, by doing this with those who are cycling through it would create greater safety.' You heard me mentioning transitioning out into long-term facilities for education and training instead of continuing in the cycle because the programs are just far too short to actually address family situations and all the contributors. Would you say that that would be an appropriate way to deal with those who are in the system now?

**Ms Patterson:** Once a young person comes out of the system, whether they are on bail or whether they have come out after a lengthy sentence, what are they coming back to? It is like an adult offender in the same way that you do not finish your sentence and then get a new set of friends or a new family. The reality is they come back out and, of course, like we would all do, like I would do if I was imprisoned, the first thing I would do is reconnect with my family and friends. They do not get a new set of friends and family. There needs to be a significant investment, and it needs to be a bilateral commitment by all levels of government to contribute to that—not for a period, forever—because we are always going to have this problem. It is a reality. If there is not that significant investment to ensure that there is a place there to wrap around these kids—and it will need many places and it sounds like the one that Townsville has is an ideal type of system—without that what do they think is going to happen? A young person, given the trauma that I have talked about, might get out and they probably do not want to get locked up again, but they are going to go home and all the same things are still there and they are going to get a friend say, 'Hey, let's go pinch the Mercedes around the corner.' They have got no alternative. They are going to.

**CHAIR:** We are out of time. As we do have so many more questions, would you mind if we could write to you with those?

**Ms Patterson:** I would love it.

**CHAIR:** Thank you so much. Your contribution has been invaluable. All the best for the year.

## **McDONALD, Mr Geoff, Mayor, Toowoomba Regional Council**

**Mr McDONALD:** While the mayor is taking his seat, could I declare to the committee that Geoff is my brother.

**CHAIR:** Is that a conflict?

**Mr McDONALD:** There is certainly no material conflict and this being the inquiry that it is I am sure my colleagues will not mind if I remain at the table.

**CHAIR:** Of course. I am glad you said that. Mayor, good afternoon and a very big welcome. Thank you for welcoming us to Toowoomba. I think you are very familiar with hearings and the opportunity to make an opening statement after which we will ask you some questions.

**Mr McDonald:** Thank you very much, Chair. I do appreciate the opportunity to say a few opening words, if I could, probably to set the scene. Thank you to those community representatives who have already appeared before you today—Kate Venables, Ken Cunliffe, and Rachelle; I just heard the tail end of Rachelle's presentation. Thank you for having so much interest in what Rachelle had to say and asking some more questions. Then, of course, you will hear from Wade from Goolburri after you have had a break. Thank you to those community members, and there is some interest, obviously on this subject because you have quite the gallery here as well which I guess showcases that you are in Australia's Garden City, you are in a beautiful place, a place where safety is paramount to all of us. As individuals we all like to live in a safe place. It is one of the very reasons people choose to live where they live. We do regard ourselves as a safe place and that comes about because we work together from grassroots and often are the ones who solve our own problems, to be fair.

In this case we have called on the government for assistance and I will outline some of those things that have come through and we are grateful for that and obviously we would like to work closely with government to enhance those areas and perhaps do a few more things. Thank you again.

**CHAIR:** Before you continue, anything you are reading from are you able to provide to the committee when you have finished?

**Mr McDonald:** I am certainly happy to. I have made a few notations just hearing the tail end of Rachelle's presentation, but I am more than happy to do that. I could email it across as well. We are also renowned as a city and centre and region of peace and harmony. It is an aspirational goal—an aspirational goal that we all aspire to. It is a very good reason we see so many migrants and refugees come to our region. We have been a refugee welcome zone now for a decade—for 10 years. We celebrated that last year. With that comes the opportunity of integration of new cultures but also has unearthed some challenges as well, whether that is through language barriers or integrating into the workforce and into the community. Thankfully, as I have said from the outset, we have marvellous community groups, NGOs, who all work together to help out.

To give you a picture of that, we have the largest number of Yazidi refugees in our region across Australia. We have 3,000 first settlement and secondary settlement around another 2,500 people, so that is 5,500 Yazidis, hence our region's largest non-English first language is Kurdish, which sets us apart from other areas. I frame that in the sense that we need to be very conscious, as a community, that we have folk that may not have a good grasp of the language, of English, and therefore tolerance in our community is something that we pride ourselves on. However, we do need additional support for those agencies—and I am not sure if Kate Venables from CatholicCare touched on that—certainly from a federal government perspective. This is something that could be noted. We are always after additional funding to support agencies such as them to do that fine work and, of course, we also have refugees from other Middle Eastern areas and South Sudan.

We are fortunate to have, as I have said, support agencies that help our refugee community and have allowed our community to avoid the troubles that other major communities have had with gang violence from those with a refugee background. For many years our Toowoomba Regional Council has worked closely with a broad range of support agencies, Queensland police, Victims of Crime and Youth Justice through an organisation known as Safer Toowoomba Regional Partnerships. I have our latest newsletter here for you all for your reading pleasure at some point. Perhaps it is a discussion for another day and maybe an initiative the state might like to roll out amongst other communities because of its success.

Despite the work being done behind the scenes, last year our peaceful community saw a spate of criminal activity, particularly bold car theft activity that shocked the people of the region and amongst it, sadly, saw the death of 75-year-old Robert Brown after being assaulted at a taxi rank in the heart of Toowoomba city. One year and one day ago, just after Robert Brown's death, our region hosted a highly publicised community safety forum attended by police minister Mark Ryan, then youth

justice minister Leanne Linard and representatives of the Queensland Police Service, including Commissioner Katarina Carroll, Acting Deputy Commissioner Mark Wheeler and Darling Downs district officer Superintendent Doug McDonald, who did a wonderful job chairing that forum, along with representatives of Youth Justice. The forum allowed the community to express many harrowing stories and asked the Queensland government what they could do to help our region.

After the forum—and it was only weeks, very short weeks afterwards—the former premier, Annastacia Palaszczuk, visited our region announcing several programs. Some of those programs included the introduction of the youth co-responder team, which I will sing the praises of each and every day. It is a wonderful program and it is one that has certainly proved to bear fruit as far as keeping youth offenders off the street—and those who may offend off the street—and into where they need to be. Project Booyah has just started in our region. I think it is one of half a dozen or a dozen across the state. It has only started in just the last week with a cohort of young females in that program. There was a greater presence of police, albeit that presence was largely as a result of additional hours for policing and we have seen over the last 24 hours the impact that that is having on the Queensland Police Service. There has been some progress.

One of the other areas, and a particular area where council has been involved, is with the numberplate recognition of vehicles, particularly stolen vehicles, which has proven very useful in the collection of stolen vehicles. There are some 13 cameras. Eight are already installed and five are now with Toowoomba regional council for installation over the next coming weeks.

Following the premier's visit, a local Queensland police round table was held with supporting organisations, some of which have presented in front of you today. Our region has received support through two co-designed workshops. I heard Rachele mentioning the gaps across this sector and what that looks like. The whole emphasis of these co-designed workshops was to identify the services we currently have and identify the gaps that there may be. Through the passage of time, sometimes what happens is that an organisation is funded to do a particular thing and they do a great job. Over time, the service that that group is offering often expands with less funding or the same funding so they are doing more with the original funding. What we are seeing is that there is a blend of agencies that are doing similar things instead of a concerted effort towards understanding what the gaps are and having funding to those gaps. I will talk about that again shortly.

Having the two workshops has been a great initiative, led by the state government and supported by council. We are looking forward to seeing the outcome of those over the next little while, which will help frame up the next steps (a) gaps and (b) something that has been spoken about in our community for a long time, which is to have a dedicated youth hub of services in one particular area where agencies can come together and actually support each other. Funding often, to some of these agencies, is sadly swallowed up by people having to do administration work, reporting, acquitting and chasing grants rather than actually delivering. That is a big gap for us. If there were a more holistic approach of agencies sharing administration support, sharing grants officers and being able to really use the money that is given for programs for that purpose and not get distracted by other things then that would be a really big start.

Our region stands ready. We have proven over a number of years that we stand ready to support whatever initiatives may come forward from the government. You would have heard of a number of those initiatives that have come through from the deputations here today.

We are staunchly about a safe community. That is what we are. We are a peaceful community. We are a community where people choose to live, learn, work and play because of the beautiful place it is whether it is our landscape, our gardens, our education, our health, our manufacturing, our retail—whatever it may be. Ultimately, it comes back to safety. That is why I am so grateful that you are here today to be able to answer some questions.

**Mrs GERBER:** Mayor, thank you for that comprehensive oral submission. We heard from the mayors in other regional councils such as the mayor of Mount Isa and the mayor of Townsville who talked about how their councils are having to pick up the pieces for a youth justice response and do some of the services that they would like the state government to fund or take on board. Can you tell us a bit about what Toowoomba regional council is doing in the youth crime space so that we can understand what the regional council is doing?

**Mr McDonald:** That is a great question, Laura. I guess it strikes a nerve. You will talk to any mayor across Queensland or across Australia and the same story will be told: local government receives three cents in every dollar of tax take across the nation—three cents in every dollar—yet we are responsible for over, quite often, two-thirds of the assets, road networks and what have you. To put on additional things for us is a challenge. It really is. We are delivering some things that are not

deemed as core business for councils. Obviously, a reaction to youth offending is important in our community because we are the closest to the community. It is important. We cannot help but get involved in some way.

Fortunately, we have the vehicle of Safer Toowoomba Regional Partnerships that I mentioned earlier. The deputy chair of that organisation is the superintendent of police, Doug McDonald. Doug heads the crime and violence prevention committee or focus group. That group meets consistently. In fact, there is another round table with the invited folk who have been on this journey since we had the public forum. That is coming up this month.

We are playing a role. As it turns out, the constitution for Safer Toowoomba Regional Partnerships says the mayor or the mayor's delegate. It has been my great pleasure to be the chair of that organisation since 2012. The former mayor, Councillor Paul Antonio, who has been a strong advocate for safety, was particularly on the front foot in regard to what was happening in our region. I pay tribute and credit to Paul for his advocacy, particularly to the government, and for inviting the premier here. I am the chair of that organisation currently and have been for 12 years.

I have to say, and I go back right to the opening remarks, that our community is unique in some respects by the way we work together. We are doing our bit as a local government. We have that group that comes together and troubleshoots. We also have a youth team called Youth Connect within council. We have the Regional Youth Advisory Committee in council and we also have the Youth Leaders Program in council, all of which work very closely around identifying issues that may be there or issues that may arise within this sector, much of which goes on unheard and without any fanfare. In fact, if I were to do a survey in the streets of our region and ask who knows about Safer Toowoomba Regional Partnerships, I would be surprised—and it is probably by design—if one in 10 or one in 50 even knew what that is. However, it is there. It is working. It goes behind the scenes largely and touches on areas that have been an issue. Graffiti is one of those programs that we work with.

We are doing our bit, in answer to your question, Laura. The challenge for us is to make sure that our service agencies, our NGOs, which are doing the heavy lifting, are funded appropriately and are given surety around funding. If that is a three-year commitment to give some accuracy and surety so they know where they are heading then that would be a brilliant first step around that and that is probably the same for a lot of services across our region.

If we are focused on this area, we have terrific programs. I see Cooby Reflections are in the room here today. They have a wonderful program working with youth, an outreach program, Adapt Mentorship on-country program. There are agencies here that have had some funding but then they need to acquit, then they need to apply for more funding, then they need to hold on tight by their fingernails to see if they get that funding so that those programs can continue. We are doing our bit with supporting letters and all those things—they are always coming. We will do whatever we can under the remit of local government. As I said before, three cents in every dollar makes it very difficult to do much more than what our core business is.

**Mr HARPER:** Thank you, Mayor, for your opening statements. I picked up some similarities with our community in Townsville. Mayor Jenny Hill came to our hearing in Townsville. They are very similar cities, I think. Our best assets are our people.

**Mr McDonald:** Exactly.

**Mr HARPER:** You said that a number of initiatives—youth co-responder, Booyah, some high-viz policing—have been adopted in recent times since that forum and that council has also funded some cameras—13?

**Mr McDonald:** Not 13; there are 13 in total. We have committed not only to supply some level of funding but we have also supplied our infrastructure, which is the critical part.

**Mr HARPER:** So the monitoring?

**Mr McDonald:** The poles and things, where we have infrastructure. One of the issues is to make sure that these cameras are in a covert place, whether they are in or out of main highways into the region because that is where you can often pick up the vehicles that are stolen. Then, of course, we have our CCTV monitoring system. That is not just in the CBD. It is in the broader townships as well. It is growing. It is a heavy investment for us into this area.

We are working with police. Our safe night precinct is a good example. It was rolled out some years ago. Trevor was a big part of that as well at the time. That has been brilliant. The radio network, CCTV and all those sorts of things are working together. That is an example. The 13 cameras are not all funded by local government. We provide infrastructure to support it and minimal funding to make sure that those cameras can be operational and work. There are five more ready to roll out.

**Mr HARPER:** The good member for Hervey Bay and I enjoyed a coffee at one of your local businesses down the road. I could not help but notice the federal member's office as we walked past. This question goes to all levels of government working together. The federal government has a community safety fund. One of our former members, Ewen Jones, who has sadly passed away, got over \$1 million in funding to do security cameras.

**CHAIR:** Member, is there a question?

**Mr HARPER:** Do you work with your federal counterpart and have you been able to get funding in the community safety space for additional cameras as deterrents?

**Mr McDonald:** We definitely have been working with our federal member, Garth Hamilton, and his predecessor, John McVeigh. One thing that we are grateful for is the relationship we have with both levels of government. As far as funding goes for specific projects, I probably cannot answer that but I am more than happy to get you some information in regard to it. I certainly know that Garth is very present in regard to forums and ways that local government and federal government can work together. If there are other opportunities that present themselves, I am sure Garth will let us know.

**CHAIR:** Maybe you could take that on notice. We are very short on time and there are committee members still to ask questions.

**Mr McDONALD:** My brother Geoff and I will catch up again a little later so I will defer to the member for Toowoomba North.

**Mr WATTS:** My question overlaps a little with the federal question. As you know, we have been a refugee welcome zone for a long time now. We have a very large Yazidi community and, before that, a lot of the guys I play basketball with came out of Sudan. How are we travelling? Some of those people have arrived with trauma. There is a high need. I know from a state level, whether it be in our schools or other areas of state government such as health, that that creates an extra burden. What is the federal government doing to support locally that population coming in? Do you think either the state or the federal governments should be doing more to make sure that they become great Australian Yazidis?

**Mr McDonald:** That is a very good question. It is a simple answer to say that we can always do with more. There is no doubt about that. Making sure we do more in the right space is the critical part. For us locally, and I mentioned it earlier, we have the largest Yazidi population in Australia. Through the TAFE network—and I visited there only a couple of weeks ago—over 300 students are going through there at the moment, learning English. That program has obviously grown.

We need support for that secondary settlement. There should be a way of identifying when people leave an area and people come into an area. The system should be in place. It is supposed to be in place but it just does not seem to be working. The biggest thing for us and the call that I have made to the immigration minister—and I have had a good listening ear, I have to say, as well—is that the secret is for us to have an understanding of how many migrants and refugees we will have coming into our area. That seems to be silent at the moment, unfortunately. Multicultural Australia have challenges trying to understand that as well. When a cohort will arrive, where they are from, what services will be needed—those are the things that we will know about; it is the secondary settlement that we will not know about. It is two pronged: one, we need more information from the federal government as to when people are arriving; and, two, we need a better system to be able to understand when folk are leaving one area and shifting to another. In our place, they are coming to Toowoomba. That would be the biggest thing for us. We can then track, monitor and understand, and uplift services if required or seek funding to uplift services in a particular area.

Trevor, in answer to your question, and I will mention this in Canberra as well when meeting with the minister: that is probably our biggest challenge at the moment. It is something that we cannot control but we should be able to have a say on when an intake can come and how many we can accommodate with the services that we have because at the moment we are being overrun and it is not fair on our community.

**Ms BUSH:** Thank you, Mayor, for coming along today and for your fantastic submission. I wholeheartedly agree with you that it does take all levels of government to work together. What we have also clearly heard is that it takes family. These children have families, and it is about reconnecting and working with the family. It also takes community to embrace them. That is really hard. Even the best community when they are frightened can say, 'I just do not want these kids here anymore.' We have spoken before about the peace and harmony work you have done and multiculturalism. Are there learnings from that program we should be thinking about to work on the community sort of thing?



**Mr McDonald:** There should be a paper on it, to be fair. I keep harping about our community. Maybe I am biased, and I should be biased, but seriously there is no better community for looking out for each other than others.

**Ms BUSH:** You do great work.

**Mr McDonald:** We have seen it through disasters. Whether it is floods or fire, whatever it might be, we see it regularly. We have an organisation—we are blessed to have them here—called Pure Land Learning College. Pure Land Learning College had an aspirational goal of Toowoomba being a place of peace and harmony. It is something they have been driven by and something we have got onboard with as a council. They do a wonderful job integrating people in the community. The university brings people from all cultures. Our schools have multiple cultures. Our community embraces what we have. The pinch point comes when we do not know when people are arriving, we do not know what services they require, and then they come from elsewhere. That is the pinch point. Maybe it is another piece that we could provide to you. I would not say it is the blueprint for every community, but we can certainly give you some insights on what has worked or what we could have done better. We are always learning. That is the benefit of having a community that will talk with each other and understand where those pressure points are. I am more than happy through my office and agencies to perhaps present something at some point in time that can show you some of those things if it is useful in other areas. Safer Toowoomba Partnerships is a model that I think could be very useful for other groups, and I could talk about that all day if you need to.

**CHAIR:** Mayor, we have unfortunately run out of time but I do have a question. Everywhere we have travelled we have received expert advice and submissions about the importance of those who have to be contained or detained in smaller, therapeutic place-based facilities. Often the elephant in the room is that many of these children may need care for some years so they are not a danger to the community or others. Obviously you are all very pro-active in this space. What are your thoughts around that, and what is the need in dealing with those that are cycling through serious repeat offenders? What do you see for Toowoomba? Do you see something similar to small secure therapeutic facilities? Has it been discussed? Are there any thoughts?

**Mr McDonald:** Everything should be on the table. I do not think we need to be Robinson Crusoe in some of these things. I think there are examples across the world. In fact, there are examples in some states of Australia where there has been some headway in this area. I think we are at a time when what we are doing is not working. It is broken. Something is broken here and we are all trying our best. Every individual wants the best. We all want the same outcome. That is what we want, so let's get some science. Let's get some case studies that have worked, see how they worked and have a genuine conversation about what that looks like.

What happened in our CBD 12 months ago was absolutely shocking. What happened in Redbank is shocking. Those sorts of things should not happen. To have the offender out on bail flies in the face of anyone to think that is the right thing to do. If there was a place for that person to go where there were the right supports, they could work through a system and a program and come out the other side and become an advocate for people with lived experience, that is the sort of model that I personally would like to see. We are all people; we all really want the same thing. It might have been Rachel before who talked about individuals wanting to feel loved. They want to feel part of something. They want to feel as though they are contributing. Sadly, some of those individuals are in the wrong cohort and that is their family. We have a broken system at the moment. We are better people than what we have seen. We are better people than that. We have great opportunities to do better and we need to learn from areas that have done that.

**CHAIR:** Well said. You do have a question on notice.

**Mr HARPER:** Just to clarify, the good mayor said he could provide more information on my question—sorry for my lengthy preamble before, Chair—on what the federal government under the Community Safety Fund has delivered.

**Mr McDonald:** I will be able to furnish that in the next week.

**Ms BUSH:** Were you also taking a question around the paper that you mentioned on peace and harmony?

**Mr McDonald:** Yes, that is fine. That may take a little bit longer, if that is okay, but I will be with Pure Land Learning College tomorrow evening.

**CHAIR:** The date that we need that by is Friday, 1 March.

**Mr McDonald:** That is fine.

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

**CHAIR:** The sheets that you had earlier, could you also email those through at the same time or provide them to the secretariat?

**Mr McDonald:** There are copies of our latest newsletter as well. On behalf of our community, thank you very much. We do appreciate it. We believe we live in a safe place. There are always horrible things that happen, but as a community we are stronger if we work together.

**CHAIR:** Thank you so much and all the best for the year. The committee is now going to take a short break. We will resume at 1 pm.

**Proceedings suspended from 12.37 pm to 1.06 pm.**

**COLLINSON, Mr Wade, Goolburri Aboriginal Health Advancement Co. Ltd**

**POWER, Mr Justin, Director, Member Services, Queensland Aboriginal and Torres Strait Islander Child Protection Peak**

**CHAIR:** Welcome to you both. I invite you to make an opening statement. Then committee members will have some questions for you.

**Mr Collinson:** Good afternoon, Madam Chair, Deputy Chair and honourable members. The Goolburri Aboriginal Health Advancement Co. Ltd, which I will refer to from now as Goolburri, thanks the committee for inviting us to give evidence today. My name is Wade Collinson. I am the manager of the Goolburri Family and Child Wellbeing Program. This program provides various services from Ipswich through to Toowoomba, Southern Downs, Western Downs, Goondiwindi and the south-west. The various services we offer are the Family Wellbeing Service, family participation, foster and kinship care, post-care support, specialist domestic and family violence, Indigenous youth and family wellbeing and the youth participation program.

I am joined today by Justin Power, who is the Director of Member Services at the Queensland Aboriginal and Torres Strait Islander Child Protection Peak, of which Goolburri is a proud member. Though I am a non-Indigenous man, I have been given permission by those who have the authority to give that permission to speak on behalf of Goolburri today. I would first like to acknowledge the traditional custodians of the land on which we meet today, the Giabal and the Jarowair people, and pay my respects to the ancestors and elders past and present, and I extend that respect to Aboriginal and Torres Strait Islander people who join us here today. I acknowledge the committee's recently released priority areas for phase 2 of this inquiry and I hope to be as helpful as possible today in replying to any of your questions.

In relation to youth justice, Goolburri delivers a single youth justice funded program which is titled by us as the youth participation program, otherwise known as youth justice family led decision-making or YJFLDM. We have delivered this program since 2019 and, apart from us, equivalent programs are delivered in three other sites—South Brisbane, North Brisbane and Cairns. This program is delivered only by Aboriginal and Torres Strait Islander community controlled organisations and the premise is that these organisations inherently value and embody the culture of those we service. Goolburri's youth participation program is delivered in Toowoomba and it includes Gatton as well as areas through to Roma and we have recently started delivering service in Goondiwindi. Initially the program was only able to be offered in Toowoomba; however, through our efforts, we requested an extension of delivering service and that resulted in where we are today. However, we desire to provide a service further and have now requested Youth Justice to allow us to extend these services to include its whole catchment area.

Goolburri's youth participation program is grounded in a deep belief that families and the community have the knowledge, wisdom and an unrivalled commitment to their children that, if rightly supported, will bring about authentic and lasting change. The program aims to facilitate bringing together children and their families to examine their challenges, generate solutions and collectively lead the actions that will result in positive change with primary personal accountability to each other and their community. It is not about making an excuse for the offending behaviour. Cultural ways of yarning allow the young person, their family and support network to feel culturally safe, comfortable and relaxed to discuss challenges and concerns. The family are then supported to create a way forward and what is developed is the family plan. This plan not only addresses the challenges experienced by the family and the young person but also focuses on creating a positive future, and this plan has been used by the caseworkers with Youth Justice and on some occasions has been used by the magistrate as part of their sentencing. At a deeper level, this program provides the means for Aboriginal and Torres Strait Islander families and young people to be heard by systems that have traditionally silenced the lived experiences of Aboriginal and Torres Strait Islander people.

With regard to the specific reference to the committee's second priority area for consultation, it is widely recognised and researched that early intervention is effective in addressing the risk factors of youth offending before formal system intervention is required. Early intervention and prevention programs are not only effective in mitigating the progression of children to formal youth justice involvement but potentially could be cost effective in reducing the taxpayer burden of funding incredibly expensive detention centres. Our youth participation program has the capacity to broaden its scope to include children at a much earlier stage of development who are at risk of entering the formal youth justice system. The barrier to doing this, though, lies within the restrictions of the statutory youth justice system to act only when the minimum age of criminality is reached—that is, 10 years of age.

Our youth participation program has also unfortunately been limited in some ways by the low referral rates from Youth Justice which require them to be the priority referrers. In our experience, young people are only referred by the department staff when young people are firmly entrenched in the justice system, usually around the age of 15 or 16, and these have already experienced periods of custody and detention. Referrals also rely upon predominantly non-Indigenous public servants explaining and marketing the benefits of our program accurately and effectively, enough to foster the young person's interest to participate and participation is voluntary.

Service contracts have also been rigid and we were unable to adapt to the changing situations of young people. For example, if we only can service Toowoomba and the young person moves to Warwick, that is outside our catchment area. Furthermore, new programs for youth justice enter the sector with great frequency and, despite the good intentions of coordinating all the youth justice programs, we believe our program is lost in the crowd of options. The confusion this causes young people and families is our greatest concern. We believe that we have an incredibly valuable program that offers a genuine alternative to publicly delivered youth justice services for Aboriginal and Torres Strait Islander young people and their families, and the dominance of the Public Service in this space and the insistence that funded programs be tied closely to Public Service delivery reduces that value. In the interests of better outcomes for everyone in our community, we ask the committee to consider in particular the factors of bureaucracy and resources that diminish the effective operations of programs such as ours. On behalf of Goolburri, I thank you again for inviting us to speak and I thank you for considering our perspective.

**CHAIR:** Thank you, Wade. We really appreciate that.

**Mr WATTS:** I am interested in understanding when and how you think we should intervene. You spoke about having to wait until something goes wrong and you have until they are 10 years old. To me, at that age you have probably already set up some poor patterns and probably already missed some education; there are already some issues. In terms of a funding model, how would you see the government being able to fund an organisation that can reach back down to a younger age and then have that funding potentially follow that family or at-risk young person so that, if they do move around, it can work? Do you have any advice for us as to how that might work, or do you even think that is a good idea?

**Mr Collinson:** Not in youth justice, but in child safety we do that. We have a fairly complementary level of services. We are in a reasonable position where we offer a family wellbeing service. It meets with family and does family-led decision-making. When children may need to be removed from a home they have opportunities to live with family, and we support them under our foster and kinship care program. They are all complementary services.

With the youth justice program we offer it is one service: it is facilitation and that is it. We bring the families together, we have the meeting and we develop a plan, but then we have to rely on other people to implement those plans. We would want to explore the possibility of a similar system whereby we have these complementary services that are able to interact with families before the necessity for family-led decision-making—so early casework, early case management. I do not know what you would call it, but another family wellbeing youth justice focus. The model already exists for us. It is just a case of carrying that across to a youth justice framework.

**Mr WATTS:** Earlier we heard about siloing between government departments. Clearly it needs to be more comprehensive. For example, let's say a 12-year-old comes to your attention and they have two younger siblings. Surely they are also going to be at some level of risk, yet this identification and funding is not going to allow you to address some of that.

**Mr Collinson:** It should.

**Mr WATTS:** I totally agree. The question from me is: is that siloing a limitation on your organisation's capacity to reduce the number of people who fall into the trap of youth offending?

**Mr Collinson:** The intent originally was that it was not initially just about the young offenders but also identifying siblings and so forth that had the possibility of going down the same path. The intent was also about working with those young individuals as well.

**Mr WATTS:** It was all-encompassing.

**Mr Collinson:** Yes, but, again, it comes down to those young people being referred. We can only rely on referrals to come our way; we cannot initiate that ourselves. We had an experience where Youth Justice refused for us to engage with people unless they engaged with them first. Even though it was identified that the young people were there, we could not interact.

**Mr TANTARI:** As we have gone around the state we have heard that many who are in the youth justice system have many and varied complex health and wellbeing issues. In your experience, can you tell the committee what you see are the main issues affecting individuals who come into contact with you from the youth justice system?

**Mr Collinson:** Thinking about some of the work we have done, most of the issues are predominantly coming from violent households or coming from complex situations. There have been a few with mental health issues, and we have been successful in working with them and their families and being more compliant in following through with their stuff. We are also fortunate that we have a medical centre that we tap into. Goolburri has a number of programs across the board. We can utilise those as well to assist.

**Mr TANTARI:** You have health practitioners there who work within the system who assist you with those individuals; is that correct? Did you say you have a health centre?

**Mr Collinson:** We have an open-door policy within Goolburri itself. If somebody presents up at the medical centre they can potentially be referred to us. I suppose I should make it clear when I talk about referrals. Because of the difficulties we had with Youth Justice in the early days, we bypassed them and started going to QPS and the magistrates who promote those referrals to come our way as well, which was quite successful. In that sense, QPS was actually doing referrals to us as well. With regard to what you are saying, we interact within ourselves with the different services and programs we offer.

**Mr TANTARI:** In the mental health space with regard to this cohort, you say you have come across a number of them who have mental health issues. What proportion of those do you think would have those issues?

**Mr Collinson:** I would have to come back to you on that. I am sorry, I do not have the stats for that. I can only talk about the ones we have worked with.

**CHAIR:** We can make that a question on notice, if you do not mind.

**Mrs GERBER:** Thank you for being here and for giving us your view; it is very valuable. It probably affirms some of the things we have been talking about as a committee in relation to the system, but that is what I want to ask you about. I want to drill down into your program so we can better understand the practicalities of what you are dealing with and what you are working with. You said that your program brings together families and children to work out their needs. Does that include their health needs and their education needs? It is holistic, looking at everything that child needs?

**Mr Collinson:** Cultural needs, connection.

**Mrs GERBER:** All of it?

**Mr Collinson:** Yes.

**Mrs GERBER:** That referral comes from Youth Justice, so those kids may already be under a YJ order—or are some of them not under a YJ order?

**Mr Collinson:** From YJ they are under an order.

**Mrs GERBER:** They are all under a YJ order, and then sometimes you are bypassing that because Youth Justice is not sending you enough referrals, so you are getting it from the Magistrates Court.

**Mr Collinson:** QPS, we talk to the Magistrates. When the magistrates have young people come to them, they encourage them to go to participate in the YJFLDM, our program, so we will have staff outside the courtroom to talk to young people.

**Mrs GERBER:** Those kids have had a lot of touchpoints by then. They have a YJ order; they have a caseworker in Youth Justice; they have police; they have a police investigator; they probably have Legal Aid involved. When you get that kid referred to you, all their health needs should be known by then. That should all be something that is known to the system. Do you get that information then so you are able to work it out, or does that child have to go through that process all over again because the system is not—

**Mr Collinson:** The quality of referrals is not necessarily helpful and it does sometimes require us following up in order to get more information from the referrals. Previously, referrals that were coming through tended to be more relevant to our family wellbeing service because the family was struggling—not necessarily a young offender, even though there was a young person in that house. We are working on that. We have always been working on that. The challenge now is that, specifically in this region, there has been a completely new lot of staff that have come through so now we have to revisit the whole YJ process again of how to refer, how to do things.

**Mrs GERBER:** The reason I ask is that this is not the first time it has been raised. In Townsville, Cairns and Mount Isa it was raised that they will get referrals, and the referral will not say that the child has FASD or the referral will not say that the child has never been assessed for FASD. All of these complex needs the organisation needs to know about in order to properly work out the supports that child and that family need, but they are not getting it from the systems that have already been in touch with the child.

**Mr Collinson:** True. The other side of that, though, is that the family may not divulge a lot of information to Youth Justice. We come across information that Youth Justice does not necessarily have. One of the concerns we had at the beginning of this program was that any information that was obtained in order to help the family, help the young person, was not to be used against them if Youth Justice had access to that information, because they are possibly disclosing stuff that is more beneficial that helps us develop a plan with a positive outcome.

**Mrs GERBER:** That is a nuance we have not heard before.

**Mr Collinson:** They are more open to us.

**Mrs GERBER:** Also, perhaps they are not disclosing information because they are afraid it will be used against them in the youth justice process.

**Mr Collinson:** Yes, in the early days it potentially was. That was why we were very clear about it. To be honest with you, the beginning of this whole process has been very difficult. It was not something that was accepted to begin with. We had a lot of challenges. We were intimidated by members in Youth Justice. My team was intimidated. We were constantly challenged. It was not until they changed the system or changed the people that we started to have some buy-in, if you will. In the early days it was very difficult.

**Mrs GERBER:** When you say 'early days', what are you talking about?

**Mr Collinson:** Since 2019. It was very challenging before they removed some people or individuals who were still stuck in the old ways and were not prepared to adapt to new ideas. Like I say, some of my team—even some of the staff in YJ, with respect to them—were not aware. It was not trickling down to them as to what we were doing. When we were meeting with them they did not know who we were, so there was a lot of resistance to begin with. In fairness to YJ now, because there were changes we are slowly making a lot more progress. The referrals are still very minimal. In the last three months we have only received three.

**Mrs GERBER:** What is your capacity? What could you deal with if they were sending them to you?

**Mr Collinson:** It is hard to say. If we look at the family participation program, which is a program under Child Safety, a staff member with that—because it is purely focused on facilitating a meeting—can carry up to 10 or 12 families. That is throughout the region; that is not just in one location. It is hard to determine capacity until we get utilised. Then we can come back with the data to say, 'We're now out of capacity. We need to request additional support.' We need to have the evidence there.

**Ms BUSH:** I have a few questions but I might ask the most important one to me, which is around restorative justice and victims. When it is done well, restorative justice can be transformative for all parties. It does concern me that very few are opting in to that and that we have young people who would prefer to go to detention. How do we make restorative justice culturally safe? How do we rethink that, do you think?

**Mr Collinson:** The intention was that there would be a parallel process. The family and young person would be doing both the YPP process as well as the restorative justice process because they focus on two different things. That took a while to be adopted as well. Originally, the victim had to give approval for the young person to participate in the YPP, and over a period of time that was challenged and then it became like a parallel process. I do not think it is ignoring the victim. It is not saying the victim's views are not important, because they are, but it is about saying to the young person, 'You have to do this.' This is where we are heading towards, so it is not just going to be a one-way thing and there is something else here. We support them in that restorative justice process as well, so if they need a worker to sit with them we will sit with them.

**Ms BUSH:** You do some of the work with the minor involved to get them prepared for a conference? Is that some of the work you say that you do?

**Mr Collinson:** Yes, it is preparing the family and stuff to understand what the concerns and worries are, obviously, but still realising that, yes, you are going to have to address this. We cannot deny—and we do not deny—what has happened. We look at where we go from here. The intention is to prevent reoffending or, in some cases, offending.

**Ms BUSH:** Are there any recommendations that you could make to us around what we could do to improve the uptake of young people?

**Mr Collinson:** To encourage them to participate more? We have thought about this constantly. It is a continuous thing. The challenge is that it is about self-determination and you cannot mandate it as part of a bail condition. Something to potentially consider is if magistrates suggested the young person participated in this program with the understanding that the information that is collected may be utilised as part of the consideration of the sentencing and so forth. As I said before, it has been done and the magistrates would be willing to do that. I think the young people need to see how this is going to benefit them. The other issue, like I was saying before, is about how it is a departmental person explaining it. We have suggested that one of our workers will be going to that and actually explaining it to the person so it is more culturally relevant. An Aboriginal and Torres Strait Islander worker would be saying, 'This is what we do. This is why we do it,' or 'This is how it is going to benefit you.' We are still exploring other options of uptake.

**Mr McDONALD:** Thank you, Wade and Justin, for being here and thank you for your frank and fearless advice. It is very much appreciated. I just want to challenge that issue of self-determination. I want to support the fact that self-determination is very important. What we are challenged with is kids in this youth space who have made some poor decisions and ended up in the youth justice system then being asked to make a good decision to be a part of a program that might help them. We are hearing much evidence that the kids are not consenting for one reason or another—from mobile phones, as we heard today, through to other issues. I have a strong belief that compulsion and compulsive orders are necessary to be able to get the kids to that program. You might have heard me say earlier that it might take good practitioners three hours, three days, three weeks or three months to get a kid to actually connect with the carrot or stick approach. Could I challenge your thinking about that so that we can get these kids who have made poor decisions to be able to be in programs that can actually give them that social and emotional support and bring them gently along that path to then make that self-determination, as you well articulated, because we want to get these kids in programs?

**Mr Collinson:** Just to clarify, are you saying that to participate is potentially a requirement of a bail condition?

**CHAIR:** Court ordered.

**Mr Collinson:** It is very difficult. I am probably not the best person to comment on that. I believe that self-determination is also about where things go. The coming together and where they choose to go as part of that planning is considered as self-determination: 'This is where we want to be. This is how we want to do.' I would want to know why there might be a resistance to uptake of this. Again, it comes down to how it is being presented. We do not have the same problem with our other services that have that same approach of encouraging people to participate in the process. I would be reluctant to probably push it, but I can see where you are coming from. I am not saying it is not a good idea, but I am also hesitant about saying, 'Yeah, do it.'

**Mr HARPER:** In terms of compunction to do programs, you mentioned in your opening statement that participation in some of your programs is voluntary.

**Mr Collinson:** It is all voluntary.

**Mr HARPER:** I am just trying to get clarification. Currently a magistrate, as a condition of release on bail, could compel a person to do a program. Do you think that would or would not be helpful as a condition? They have done their detention and post sentence are told, 'We need you to go and do this program.' I have asked this of a couple of witnesses.

**Mr Collinson:** Then if they do not do it?

**Mr HARPER:** There has to be a consequence for that.

**Mr Collinson:** Yes, but they have already experienced a significant amount of consequences as it is.

**Mr HARPER:** I just need to get an idea. You have been doing this for five years. What is your uptake? What numbers have gone through? Could it be more if they were compelled to do it?

**Mr Collinson:** I do not think it is a very straightforward answer, I am sorry. I think there are a number of things we have to factor into that. Potentially it could be for some but not for others. We have to understand the reasoning behind why—

**Mr HARPER:** The individual—

**Mr Collinson:** You have to remember that some people are accepting it and are taking up the offer. The other part of that is that, at the end of the day, not all the referrals are from YJ. Referrals are self-referrals. Referrals are from QPS.

**Mr HARPER:** I understand that.

**Mr Collinson:** There are people who want to buy in. I suppose we need to look at the intention for the young people under YJ—why there may not necessarily be a full buy-in with this service. Again, it comes down to how this is being presented and how it is put out there.

**CHAIR:** We have run out of time

**Mr Collinson:** Oh, that is unfortunate!

**CHAIR:** Do you have any problem if the committee writes to you with some further questions, because I am sure we do have some?

**Mr Collinson:** Sure. That is fine.

**CHAIR:** I do have one quick question before we finish. You spoke about early case management or intensive. We have already heard that once a child enters the YJ space often it is too late. They have already gone along a path where there were opportunities to intervene much earlier, but at what spot? Is that QPS driven as in a referral? If YJ were the lead agency and its role was earlier—not once they entered the YJ space—could the police identify those who do not respond to the cautioning or the efforts earlier so that the processes we are seeing happen in detention, such as those for mental health checks and identifying FASD, happen much earlier than what happens currently?

**Mr Collinson:** We also believe that Education Queensland has a responsibility. We have a meeting with Education Queensland to try and encourage that, because if children are there they see children; if the children are not there, there is a reason they are not there. That gives us an early opportunity. Again, that is not YJ; they are our other services that we utilise. We have to be creative in utilising our other services to target the potential issues with the young child. I do not think we have really explored every single avenue of targeting the earliest ages. It is also about Child Safety. In the work they do, potentially there is opportunity for them to do referrals as well and for us to get in early.

**CHAIR:** As I said earlier, sometimes this will have to be intervention prior to birth. We have two major issues at the moment. One is the immediate safety of those who are already in the system and how that can be addressed to make sure that cycling is not happening. Obviously there are those who are just starting to come through, including siblings. In terms of when they first come to police attention, we understand from data that 80 per cent of those interventions are successful, with the other 20 per cent needing to be identified much earlier in terms of what is happening later on.

**Mr Collinson:** Are you asking whether QPS should or could actually do those referrals at an earlier stage to—

**CHAIR:** To that intense—

**Mr Collinson:** That would be great—if YJ allowed us to go further down, to work with younger people.

**CHAIR:** Wade and Justin, thank you both so much. We really appreciate it. All the very best in your efforts.

Now we will hear from people who have registered to speak. There are a number. To make sure that everyone gets an opportunity, you can say to us that you do not require us to ask any questions; you would just like to share an experience. That way, hopefully we will get everybody in.



### **LONG, Mr Brendan, Private capacity**

**Mr Long:** I am in my 70s. I have lived in Toowoomba all my life and have never seen it so bad. With all respect to Geoff—I know Geoff and his wife, Lisa, very well—I feel that Geoff is a little bit delusional. We are not a city that is peaceful and harmonious. Please, this does not indicate what the people in Toowoomba are feeling. I am a member of the 65,000-member crime page on Facebook for which Ken Cunliffe does a lot of work. It takes him away from his business to help people and to put a lot of clarity onto the page so you do not get a lot of ill-informed people, because people can be a little bit knee-jerk in their reactions.

Good people are here today full of anger, frustration and resentment at the ineffective role of politicians and magistrates, who are regarded as community leaders. They are far from it, as this has been going on far too long. All matters relating to youth crime continue to put the community, the Police Service and the Ambulance Service at constant high risk. In February last year at a meeting I spoke very strongly on the subject of a voice for victims of crime and consequently became television and front-page news all over the bloody country. I did not want to be on the *Chronicle* for that particular reason. I strongly advocated for victim impact statements to be a mandatory part of the judicial process before a magistrate delivers their verdict. We all know that nothing has changed since that meeting, regardless of the statistics that the government put to us. I would like to see statistics relating to the carrying of machetes, axes and knives that has started in recent years. I wonder, as do many of my friends in Toowoomba: has this started with Asian, African and Middle Eastern people?

A few weeks ago I visited the Toowoomba home of elderly couple Leigh and George McDougall. I went to primary school with George. I wanted to visit them to experience firsthand the impact of their home invasion. They were victims of a callous and traumatic home invasion. George was attacked with an axe while preparing breakfast for himself and Leigh. Mrs McDougall eventually let me into her home after many questions asked of me from behind a locked front door. I was shocked by what I was told. I wondered how governments and magistrates have allowed themselves to become so desensitised to human life. I asked her if she would be able to give an impact statement. She said that she is too afraid to leave the home and has asked me to speak on their behalf. I just want politicians and all magistrates to know of the ongoing trauma that these two people are experiencing as a result of a traumatic home invasion—with or without an axe.

Mr McDougall has had a long and distinguished career as an Army pilot. However, his life has changed forever. He is virtually disabled due to a severe axe attack not only to his chest but also to his wrist, and that is the main problem with helicopter piloting. The invasion has severely affected their mental health and, as a result, this callous incident has now permanently affected their 48-year-old marriage. As a result of the incident, Mrs McDougall now lives in the home on her own and has limited mobility with a wheelie walker to navigate through her home. She told me that her home was her castle and now it is her jail. She sleeps through the day and stays awake at night and has almost no family care at hand. She has the constant vision of blood spattered throughout their beautiful home. These two people are absolutely broken.

This is one of many heart-wrenching stories that politicians and magistrates have to experience firsthand, either by compassionately listening to victim impact statements prior to sentencing or by personally visiting the victims. They could, just as I did, knock on the front door of these traumatised home invasion victims. Please do not think of Ipswich grandmother Vyleen White or deceased Brisbane home invasion victim Emma Lovell as just another youth crime statistic. The next fatality could be your mother, your daughter, your sister, your brother, your son.

The soft approach to crime has not worked for many years now, and the safety of the community is the No. 1 priority of governments and magistrates. They have failed the community with their laws for the offenders, as magistrates have done with their lenient judicial sentences. We are all tired of the slap-on-the-wrist treatment and the constant revolving courthouse doors that have been going on for many years. Everybody feels the same way and wonders what it will take to change this process. There will be some major civil revolt to stop this unless home invasions and carjackings and other similar trauma is personally experienced to finally make them hit the accelerator pedal. Hopefully with a state election a few months away we will not see more watered down laws regarding youth crime.

The issue that has to be addressed—and I have heard it very seldom today—is consequences for the heartache and misery they cause. Forget the talk about proposed ankle tracing bracelets. They will only vandalise them, just as they have done to our homes and our cars. Stop papering over the cracks and introduce effective new legislation that has to be enforced by all magistrates. This can be done. We saw it through COVID. Jails can be built cost effectively and be simplified with no home

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comforts, remembering that the offenders should not be more comfortable than the homeless on our streets who do not get the inmates' guaranteed three meals a day, with free medical, dental, recreation rooms, counselling and many other taxpayer paid benefits. Detention should not be a last resort. Legislate new consequences under the youth act to be endorsed by magistrates. Stop picking the weeds and start mowing the grass.

**CHAIR:** Thank you, Brendan.

**PAULL, Ms Karynne, Private capacity**

**Ms Paull:** My story is certainly nowhere near as extensive as the poor couple Brendan was talking about. My home was broken into November 2022. It transpires that a 12-year-old climbed through our cat door into the property and stole our house keys.

**CHAIR:** Karynne, I have just realised that someone is live-streaming the proceedings. For anyone who is coming up to speak, be mindful that somebody is live-streaming.

**Ms Paull:** Thank you. We were asleep. It was two o'clock in the morning. We did not hear a thing. My husband got up at around seven to go outside for a cigarette and noticed his smokes were gone. He just thought maybe he had left them outside the night before. He went outside. My car was gone. I was still home. The car was stolen. It took about a week, I think, for the police to find it. I have utmost respect for the police, but it is the ongoing things—the insurance companies that you have to deal with. Even with the police, there is just no involvement. You ask them, 'What is going on? Has anyone been charged? Have you found who stole it? Can I get any of my stuff back that was in the car?' and they are like, 'No, it's a juvenile.' You cannot have any access to any information. You cannot go to court. You cannot give a victim impact statement. I wanted to do restorative justice—more so because maybe there was a chance that by me speaking to the child or the youth, something I could say might just give them the hope that people actually do care about them. I have a 14-year-old son and I cannot imagine being that child and not having that loving, caring family environment to, I guess, help learn right from wrong. The police officer I spoke to said, 'Look, it's too far gone for that child. Don't even waste your time.' I am just thinking—no disrespect to the police at all—what are we doing to help these children?

I know that we have had some amazing speakers here today and I think early intervention is really important, but with the lack of involvement as the victim you feel like you are a victim again and again, trying to get any information. I heard that the adult who was charged in relation to my case was appearing in court for not only my case but also 79 other charges. Again, what happens to him? It is not that I want people to go to jail—there have to be some consequences, some actions—but I think victims are just left out of the process. Insurance is another issue. You have to pay your excess and then you make two claims—you have contents and then your car insurance—and then your premiums go up so I am a victim again.

**CHAIR:** Do you have a problem with a couple of questions?

**Ms Paull:** No, that is fine. I will try my best.

**CHAIR:** You mentioned that you did not get access to restorative justice. What happened there? What was the reason?

**Ms Paull:** The police officer that I spoke to said that it would not be worthwhile because the child was too far gone. Obviously the child was well known to the police department, for want of a better word, and that is what they said: there was no point.

**Mrs GERBER:** Thank you for having the courage to share your story. I am really sorry for what you have been through and clearly what you are continuing to go through. I want to focus in on the victim support that you have spoken about. What difference would it make if the Childrens Court was opened up to allow victims and their families to be in the courtroom—maintaining, of course, the protection that the child's identity cannot be disclosed by media outside those proceedings. What difference would it make if victims and their families were allowed to be in the court?

**Ms Paull:** I think it would give you a little bit of closure and perhaps the opportunity to talk about the impact on us. For me it was more the restorative justice side of things, gaining more of an understanding of where that child has come from—not their personal information but what has led them to that so we can, down the track, help these children. I think for me it is more closure and feeling like you are listened to and acknowledged as being a victim, because it sucks being a victim. I have said it before: it feels like you are continually a victim, every step of the process. Even now, 14 months after the incident, at every noise in my house I am like, 'Oh my God, is that someone coming back?' I go to the mall or I go and pick up my son from school or we go to sport or whatever it is, and I am constantly looking around me. Mine was not a violent attack—it was not a carjack—but I am constantly looking around. I see people walking along the street and—it is terrible; I think I am a nice person—I go, 'My God, are they going to mug me?' It is a horrible community to live in at the moment. I know that there are other areas in Australia the same, but something has to give.

**Ms BUSH:** Thank you so much for sharing your story. I have worked with victims of serious crime for a very long time. To Brendan's point as well, my sister and my father were both murdered so I understand absolutely—

**Ms Paull:** I am so sorry to hear that.

**Ms BUSH:**—the pain that you are expressing. I do take my job very seriously, as we all do. It always impresses me how much victims of crime have space for compassion and actually want to stop anyone else feeling or experiencing what they have experienced and how they can almost put aside their own needs to want to help a young offender. I just wanted to make that comment. I am disappointed that the system has not worked for you. It should be working a lot better for victims, and certainly we are very keen to work on making that happen.

**Ms Paull:** I have to admit that in the beginning I was angry. Two weeks before I had had a fall and I had broken my tibial plateau, so I was on crutches. My car was the only way I was able to get my son to and from school so I was pretty bitter. I have to thank Ken. I met Ken through the crime page on Facebook. He reached out. He met me with another colleague and reassured me and offered me that support. I genuinely believe that without the support of Ken and Sara I would not be doing as well as I am.

**Ms BUSH:** It goes to show you what a good peer supporter can do—someone who has actually experienced that helping you. No matter what service is around, you actually need someone who can relate to what you have gone through. I think there is something in that for us to think about as well. Thank you.

**Mr WATTS:** Thank you for being here. It is nice to see you again. We have heard that going to court and having better communication in that process would be helpful. I am interested in the victim's welfare and mental health. What do you think should be available? I have had multiple people say to me: 'The accused can get a lawyer that day. I cannot get mental health support for six months.' What do you think should be available?

**Ms Paull:** I think maybe more link, if you want to put it that way, with someone within the QPS or even a community agency that you can ring after you have had this trauma event. I think it was Ken who mentioned earlier some sort of online thing where you can check where your case is at—that sort of thing. There should be a contact number that you can just ring and know that, if you need some mental health help or you need to go and see a doctor or a psychologist or something to help you get through or for someone to come to your house to check security and those things, there is someone there—be it a volunteer police person or a community agency—so that you do not have to wait. For instance, my doctor is fantastic, but I normally would have to wait one to two weeks to get into him to even get a referral to go and see someone, if I needed to see a psychologist or something like that or if my son was affected or whatever it is. I think there should be some sort of contact where you can get those referrals in a timely manner or even just have someone to come out to the house and just reassure you.

**Mr WATTS:** Thank you. I think it is very important that we start to look at what victims need as we go through trying to fix this system.

**Ms BUSH:** Did anyone connect you with Victim Assist to do some of that work? They are funded to do some of that.

**Ms Paull:** No, but I think because ours was not a violent crime.

**Mr WATTS:** It was property crime.

**Mr HARPER:** So the criteria should be changed.

**Ms Paull:** Yes. That is it exactly. It should be changed, and that was the thing. I cannot remember who told me, but I did google it and it very clearly says victim of crime, being beaten or domestic violence—and I do not downplay any of those things.

**Ms BUSH:** The act is very clear that to access the financial assistance scheme you need to have been a victim of a personal crime, but any victim of crime can ring that number and get referrals and get free counselling. I am worried that that is not getting out.

**Ms Paull:** I did not know that. Nobody knows that. Trying to get any information—again, I respect the police and they are incredibly busy with what they do day to day. I went to the police station I do not know how many times and I left crying every single time because the first person you meet at the counter is perhaps non-sworn—I do not know if that is the correct term. They will say, 'They're dealing with your case,' but I need to know A, B, C, D, E. Maybe that is one little change that they can make: have a liaison person at the counter who is dedicated to help.

**Ms BUSH:** That is a good idea.

**CHAIR:** Karynne, thank you so much for sharing your story. We really appreciate it.

**MARTEN, Mr Peter, Private capacity**

**CHAIR:** Good afternoon, Peter.

**Mr Marten:** I am a victim of three vehicles being stolen on three separate dates. When one of those vehicles was stolen it was done in a violent manner and a person was stabbed while they were asleep, to get the keys. You cannot even sleep in your bed without being stabbed. Something is wrong. When I was a kid there were consequences. Today there are no consequences. That is the problem—full stop. You talk about getting help. Sorry, but you ring that number and you are not able to get help. By the way, if you apply, you will get some help in two to three months time when your application has been approved—two to three months! I am sorry. Tess is the person who got stabbed. I am still very angry—very angry—because the government is doing nothing.

We are having a talkfest now. What about having an ‘actionfest’? Get something happening. We are sitting here talking about these things when we cannot even sleep at night without being stabbed. A lady cannot go and get groceries and sit in the car without getting stabbed and killed. When does it stop? These kids video all of it. My car was filmed doing 200 kilometres an hour down Ruthven Street on their TikTok shit. I am sorry. That is okay: you just let them out of jail 30 minutes later. They were caught and 30 minutes later they were released—30 minutes! My car took six months to fix from that incident. They get 30 minutes.

**CHAIR:** Was that in the watch house?

**Mr Marten:** I have consequences of costs involved with that. They say, ‘You can try to get that back from the parents,’ but you cannot identify the kids to get to the parents. Hello—something is wrong with the legislation there. The government talk about fixing the problem. They do nothing. The opposition say, ‘We’re going to try to do something when we get into power.’ Have they ever of thought of private members’ bills? Get things moving. You talk about getting psychiatric help. There is a two-month wait—

**Mr WATTS:** Six months—I have had victims come and see me.

**Mr Marten:**—to even get approved to be able to get it, and these kids are out again.

**Mr Long:** It is just not acceptable.

**Mr Marten:** It is acceptable to the government.

**Mr Long:** But it is not to us.

**Mr Marten:** It is acceptable to the government. What about my rights to be able to sleep safely at home? What about my rights to own a car? What went wrong? Tell me what went wrong?

**CHAIR:** I cannot tell you what went wrong. I realise that you think we are just sitting here talking. This is a different type of committee. We will have an interim report out as soon as we finish these hearings and the next run of submissions. We are determined. You would have heard earlier about the murders of the member’s sister and father. I have been held up. We get it.

**Mr Marten:** Yes, but I bet the persons who got caught got jail time, did they?

**Ms BUSH:** In our case, yes.

**Mr Marten:** We get no jail time. We get no consequences—nothing. You cannot even put an impact statement in. You cannot get anything done.

**CHAIR:** That is what has to change.

**Mr Marten:** There are absolutely no consequences. There is jail time. By the way, I am sorry that that has happened. Jail time does not fix that either.

**Ms BUSH:** I agree.

**Mr Marten:** There is nothing for us. Where is it?

**CHAIR:** We are working on that.

**Mr Marten:** Working on it is not enough. Where is it now? Two weeks ago a young kid was walking through a person’s house with a machete saying, on Facebook, ‘I’m going to slash someone as soon as I can find someone to slash to steal a car.’ That is allowed. I put a comment up saying, ‘This is not acceptable,’ and Facebook banned me. What!

**CHAIR:** Has Taskforce Guardian been here yet, member for Toowoomba?

**Mr WATTS:** There have been several programs run through town, but car theft is up 159 per cent and house break and enters are up 59 per cent.

**CHAIR:** When they have come in in other areas, they have been arresting—

**Mr McDONALD:** That is not fixing the system.

**Mr Marten:** They arrest them and they are let go. You are not understanding. They are catching them, but they are let go.

**CHAIR:** That is what we are trying to get to the bottom of, including through the court processes. That is why we are here—to try to get to the bottom of that. We are meeting with witnesses and we are meeting with police. We want to hear—

**Mr Marten:** Where's the support for Tess? Sorry, where is it? She has been stabbed. She has to wait to get psychiatric help which she is now getting herself. Where is the help for her?

**CHAIR:** I agree. It should be right there.

**Mr Marten:** She is suffering. She does not sleep at night. I do not sleep at night anymore—stuff that because you are only going to get broken into sooner or later. With the next lot, I tell you what, I am not holding back. There are going to be bits of kid that they are going to come and pick up.

**CHAIR:** Have you been working with the member to try to get earlier access?

**Mr Marten:** How do we know this?

**Mr WATTS:** I do not know whether you are in my electorate or not but I am happy to help.

**Mr Marten:** We are in Jellicoe Street.

**Mr WATTS:** You absolutely are then.

**Mr Marten:** Why do we have to go to you? Why are not we getting support straight-up?

**Mr WATTS:** I could not agree more.

**CHAIR:** I totally agree. That is why I am asking the question, so we can get your details to try to get some assistance straightaway.

**Mr WATTS:** When there is a failure of government, I am the conduit to try to help you fix it.

**Mr Marten:** It is a failure all across the board.

**Mr WATTS:** I agree.

**Mr McDONALD:** Peter, my background was as a police officer for many years and I am pleased to be part of the opposition. My sympathies go to you and your family and friends for all that has happened to you. The system should not be that broken. The system in terms of support and counselling should not take that long, as we heard also from Karynne. You mentioned before about a private member's bill. Do you know what happened during the week in parliament?

**Mr Marten:** Yes. I know one got up—

**Mr McDONALD:** No.

**Mr Marten:** Sorry, not got up—it was attempted.

**Mr McDONALD:** No. We did put up a motion about removing detention as a last resort and also about accessing courts, but unfortunately it was defeated.

**Ms BUSH:** Come on. Take the politics out of it.

**Mr Marten:** That is one, but at least you can go to the election now and say, 'Well they didn't want to support it.' How about another four or five or six or seven? Let's get them in there. By the way, the police do an amazing job. I cannot fault them in any way, shape or form. With what resources they have, they do an amazing job. They catch them but they are let go.

**Ms BUSH:** Thank you, Peter, for sharing your story. I am happy to talk to you and to Tess offline about some of the victim access services, if that helps. I have heard you today. I have heard your story. I am sorry. I wish I could wave a wand to go back so that it did not happen to you. I really do.

**Mr Marten:** We all hope it did not happen to the lady in Brisbane—

**Ms BUSH:** I agree, and the next—

**Mr Marten:**—and that it also did not happen to the person in the city here who got stabbed, but it does not fix it.

**CHAIR:** Thank you, Peter.

**Mrs GERBER:** Thank you, Peter. I am so sorry.

## **HUMPHREYS, Ms Janice, Private capacity**

**CHAIR:** Good afternoon, Janice.

**Ms Humphreys:** My name is Janice Humphreys. I am an associate of Ken's and our Toowoomba Victims Advocacy group. My story started on 30 January 2022. We were invaded by four youths. They stole all our keys and two of our cars. I have spoken to you two ladies before.

**Ms BUSH:** You have spoken to me. I thought so.

**Ms Humphreys:** It was extremely distressing. We are talking about social mental health. My husband is very sick. At the time I was speaking to two psychologists. When our GP found out, they were all calling me weekly because I was in such a mess. They stole my husband's car—there were only four in Australia—and they completely wrecked it underneath because they were doing high speeds through town. We got \$7,000 worth of speeding fines. His car was one of only four in Australia, so it was pretty rare. They stole my car, which was the car of my daughter who had passed away. That was my space with Jodie. That is why I was such a wreck. However, the police were wonderful.

To this day we do not know the names of the people who took the cars. We do not know if they went to court. We do not know if they faced any consequences. We have no idea. It would have been really good to be able to follow that through. I think it would have been a kind of closure to know that they had to face some consequences. We all have to face consequences for things we do throughout our life, no matter who we are, but these young people do not. They can do whatever they want and there is no consequence.

We were invited to do restorative justice with a person who was not there when the cars were stolen. This person was a joy-rider throughout the day. My husband did not want to do it. I was a bit nervous. Our daughters did not want us to face this person. This person had no idea—absolutely none—of the impact they had had on John and me by entering our house uninvited and stealing our cars. That person has started a TAFE course and now has a job and vows that she will never go down that path again. I hope that that is true.

What needs to happen—and many people before me have said this—is that these children need to be cared for before they are born. The government is doing them a disservice by not giving them any support. I do not for one minute think 'poor them', but it is poor them because I could not believe what was told to us about their upbringing. I had no idea that children were allowed to grow up like that. They are not nurtured.

There needs to be a possibility for them to rehabilitate. As has been said before, you do not do that in three months; it takes a lifetime sometimes. I said something in a message to Ken, and that is exactly what Ken had spoken about. There needs to be a bipartisan section that does not change every time government changes, and we do not get pinged from it. If we, as normal, everyday people see this, why can the powers that be not see it? It seems to be the answer. Put them in a boot camp. Make them work hard. It will not do them any harm. It will teach them. Years ago, men or boys did conscription, did they not, in the Army? How many men really came out better than how they went in?

They go into safe houses. It costs—what is it?—a quarter of a million dollars a year to keep one person in a safe house. The person who is there looking after them cannot tell them they cannot go out. That young guy killed four people in Maryborough and he was in a safe house. Well, who was that house safe for? Nobody. They need to be accountable. I think that is all I have to say, really. There will be a whole generation of delinquents if we do not do something.

**Mr WATTS:** Thank you. I am very sorry these things have happened to you, as I am sure everybody is. You mentioned bipartisanship and there has been talk about bipartisanship. It is very difficult, because we do not all necessarily agree on the solutions. I would like to think I am closer to where you are than some others, but that is not a reason for us not to try. You talked about early intervention. You heard the story of one of the perpetrators against you. What would you like to see or what do you think can be done better by any government, of any political party, to help with some of the closure? I think we understand some of the things that some sides of politics would do in the prevention space. I am interested in the victims and how that process can be done better. At the moment it seems to be failing terribly.

**Ms Humphreys:** It is. We need transparency. We need to be able to witness what is happening to them and I think the magistrates need to see us hurting. You read stats from the government—car thefts are down. Well, I am not sure where they live!

**Mr WATTS:** Not in Toowoomba, let me assure you.

**Ms Humphreys:** Not in Toowoomba, no. Do they move them, like they do the unemployed, to different departments? The magistrates need to see the amount of people who are suffering.

**Mr WATTS:** Victim impact statement through the judicial process?

**Ms Humphreys:** Yes. Restorative care—they should be made to do restorative care. It has turned me around from being an angry victim to a person who is saying, ‘These kids need help.’

**Mr WATTS:** The victim impact statement, you think, was good for them and you—that restorative justice process?

**Ms Humphreys:** Yes. It is a joke around town: ‘Oh, they caught the kids that stole those cars.’ ‘Oh, yeah. How long did they stay in the lock house for?’ It would not be long, we all know that. At Christmastime people were even saying, ‘Well, you can get ready for more car thefts because they’re all coming out of juvie so they can be home for Christmas.’ They do not have a home. Why are they sending them out?

**Mr WATTS:** They are the facts, and they are undisputable in terms of what happened. Can I ask you about how you would perceive detention as a last resort? I do not think it was you—

**Ms Humphreys:** No.

**Mr WATTS:** There was one adult offender who had 79 charges from earlier offences.

**Ms Humphreys:** Yes.

**Mr WATTS:** What do you think about detention as a last resort?

**Ms Humphreys:** It should not be a last resort. How are they facing the consequences if they have not got detention? It should not be a last resort. They need to be scared of the consequences, like we were when we grew up. These days the police run away from the thugs. In our day, if a policeman looked at us we were panicking, thinking, ‘Oh, God!’ There is no respect. But they are not taught respect either. However, everybody knows what is right and wrong; you do not have to be taught that. So, if they doing is wrong, they need to face the consequences.

**Mr HARPER:** In the spirit of bipartisanship, I agree with the member who just spoke: I think every victim should be able to do a victim impact statement. As the Premier indicated this week, the doors to the courts should be open so we can see what is happening and you should be able to follow what is going on.

**Mrs GERBER:** Could have done it this week. Ten years too late.

**Ms Humphreys:** Yes, to see what has happened.

**Mr HARPER:** I agree with you. To remind people, last year, with bipartisan support, the declaration of serious repeat offenders was passed in the House. Breach of bail as an offence was passed in the House.

**Mrs GERBER:** After the government first removed it. They removed it in 2015 and then victims like you forced them to put it back in the act.

**CHAIR:** Members, this is exactly what people have had enough of. Please, just drop the politicking.

**Mrs GERBER:** That is a fact.

**Mr HARPER:** Chair, I was just demonstrating that that has happened. What next would you like to see in parliament? With the comment from the member on youth detention as a last resort, should that be applied to those who have been declared serious repeat offenders by the courts? Is that a starting place?

**Ms Humphreys:** Yes.

**Mrs GERBER:** May I ask a follow-up question to that, too, Chair?

**CHAIR:** No. I said one question on each side. I am not going to have a tit-for-tat and I will get the opportunity.

**Ms Humphreys:** I never realised it was two sides.

**CHAIR:** As you can see, I am an Independent. That is why I am chairing. I do not get involved in this. I am trying to get to the solutions.

**Ms Humphreys:** Yes. It is not political. It cannot be.

**CHAIR:** Yes, that is right. This is where we have to get to. We have to get to the greater safety. What I am struggling with is: I hear different arguments; however, the whole aspect and everything from what we have learned is things like that removing detention as a last resort is some kind of answer when already, with those serious repeat offenders, it is a tiny part of the equation. You would



have heard me today asking the question. What we are seeing is that there do have to be consequences, but those consequences have to be earlier, they have to be mandatory and they have to provide the pathways, because these youth who have cognitive impairments need to be diverted and redirected, with those consequences much earlier, to keep community safe. For those who are already coming out of detention, the elephant in the room is that, as I said earlier, there will be those who will probably not be safe for the community or themselves for many years. There is that conversation around what type of facility or secure facility is needed. Everything we have heard across the state is that it has to be a decision by communities; it has to be community-led and place-based for those with such impairments that it may take many years for rehabilitation.

**Ms Humphreys:** I believe we need a holistic approach for this rehabilitation—in one place would be good—and they need to be able to learn trades—

**CHAIR:** Finish school, yes.

**Ms Humphreys:**—so they have something they can go to. I do believe there is a program in place where Aboriginal employers take on Aboriginal perpetrators and teach them a trade, and that seems to be working quite well. Like we all do, they need a purpose; otherwise, we just hang around doing nothing.

**CHAIR:** Do you see that the community would support, as has been talked about before, a secure, small, therapeutic facility?

**Ms Humphreys:** Yes. In saying therapeutic, it does not have to be full of luxury either, but they need the basic needs and the right people, which is also a problem, to apply these basic needs and to teach them. They could go out for work release or something.

**CHAIR:** An education.

**Ms Humphreys:** There are lots of things.

**CHAIR:** There are, and we have seen some models across the world that work a lot better. The reality is that our statistics show, when it comes to incarceration, that they come out, reoffend and are back in, and that is what is creating, from everything we have seen, some of the greatest danger, going in that cycle.

**Ms Humphreys:** I am not saying incarceration should be hard and fast; I am saying using that as a consequence. If they know that is what is going to happen to them, it has to happen. It is like when you tell a child 'no'. You could bite your tongue off sometimes and think, 'I wish I hadn't said no, but I have to stick to my guns,' and that is what they need.

**Mrs GERBER:** Janice, the member for Thuringowa spoke about serious repeat offenders and asked if a starting point would be to remove the principle of detention as a last resort just for serious repeat offenders. What he did not tell you was that to be a serious repeat offender you have to have already been on a detention order. So if we are removing the principle of detention as a last resort for just serious repeat offenders, they have already had an order of detention at some point in time; it is too late. My question is to allow you the opportunity to say whether or not, with the fullness of understanding the terminology that was used, you think the principle of detention as a last resort should be removed from the Youth Justice Act?

**Ms Humphreys:** That is a tricky question, isn't it? If you remove it in the beginning, they will not be there at the end because they will not be repeat offenders. I am saying do it for all of them. I wish to say one more thing: at the end of last year I went to a local school which does not have a great name and I sat through a presentation award with my granddaughter. I could not believe the accolades that some of the children received, yet this school has an absolutely terrible name. I said to my granddaughter, 'Why is there so much trouble in this school when they offer so much?' She is 17 and she said, 'Grandma, not everybody wants to do things. They would rather be a victim and a person that is never offered anything. They do not take the challenge.' That was from a teenager.

**CHAIR:** Janice, I want to thank you so much. We really appreciate it. There is a lot you can see we are grappling with, especially when we have this debate around things like detention as a last resort. From everything we have been told as to why that is cycling, it is that detention is not a deterrent. We are yet to find any reason as to why—

**Ms Humphreys:** Because they do not want it.

**Mrs GERBER:** But community safety has to be first.

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

**CHAIR:** It actually is, and I think this is where a lot of the misunderstanding is, but let us keep digging through. You are helping us enormously in the process.

The time for this session has expired. I want to not only thank everybody—I know how hard this has been—but also give some reassurance. I know that you have seen a bit of the, I suppose, political divide or sides, but what I can reassure you is that every member here has the intent. This is not a talkfest. We have not left our homes for weeks on end to come on a talkfest. We are very determined to have that interim report out with recommendations at the end of March. We are drilling down so much to find out what we can do right now to get greater safety whilst also preventing those people coming through who have not hit the system yet. As we did hear, it has taken many years to get to this. This did not happen overnight. It has taken many years, and a lot of this is going to take some years as well in terms of ensuring that we are not sitting here again in 10 years having exactly the same conversation. If that were to happen, I know you would be very angry and I would be very angry. I know the belief about politicians, but sitting here at this table are ex-policemen, those who have gone through crimes and suffered PTSD as a result of those crimes and a paramedic who has seen the sheer horror of what happens with crimes, and it lasts for many years. I thank everyone again for their assistance.

**CUNLIFFE, Mr Ken, Toowoomba Victims Advocacy**

**MARTEN, Mr Peter, Private capacity**

**Mr Cunliffe:** The member for Thuringowa will know that I will hold people to account for things that I am not happy about. I think in the wake of an incident that happened up in Townsville I was pretty vocal about that. What happened in parliament this week was, I think, a case of playing victims as political pawns. We need very much on this issue of youth crime a sincere end to that right away. We need to see a commitment from all sides of politics that they will not use victims as political pawns. That is all I want to say.

**CHAIR:** Well said. Thank you.

**Mr Marten:** I certainly know that as a kid if I did something like this I would get my arse kicked by a number of people, but what about community service? I would also have to repay the damage I have done.

**CHAIR:** And restitution.

**Mr Marten:** For instance, my first car was \$45,000 worth of damage plus all of the other things that I did not add into that. That was just the car damage. They should have to go out and do that amount of work. That would sort the problem out pretty quick.

**CHAIR:** What has been interesting in a lot of the investigations we have done, even leading up to this, is that we have heard that community service has to be more than cleaning off graffiti or something. We have also heard—and I have spoken to a couple of councils—that the reason they are not doing like they used to do in my community, with building footpaths and so on, is apparently because of those levels of red tape, including insurance and who is responsible. It is becoming very embroiled in the layering of knowing who is to blame if something happens. I think we are pulling apart all of that. Be assured that we are looking at so much and it covers everything from housing to health, education and those things that are restricting the ability to move on and get things sorted in this space. I know that it is frustrating but, as I said, give us a bit of time. Thank you, everyone. We really appreciate it. I would like to thank our Hansard reporters and our secretariat, who do an incredible job keeping up with all of us. I declare this public hearing closed.

**The committee adjourned at 2.34 pm.**