

## Youth Justice Reform Select Committee inquiry into youth justice reform in Queensland

**Submission No:** 93  
**Submitted by:** [REDACTED]  
**Publication:** Making the submission public but withholding your name  
**Attachments:** See attachment  
**Submitter Comments:**

## **Our background:**

I am an Aboriginal woman and my husband is a Torres Strait Islander man who live in Far North Queensland.

My mother is a member of the Stolen Generations. As a result of her lived experience, her trauma of being removed from her mother in the 1940's by (then Department of Welfare) and resulting disconnection from her family, culture and community has been passed on to her children and grandchildren. This is referred to as 'intergenerational trauma' and was caused by ineffective government intervention to her family at the time. My siblings and I are 2<sup>nd</sup> generation survivors of this intervention, and we have lived the consequences of past culturally inappropriate interventions every day of our lives. My mother has now passed on, and I am in my early 50's.

I have lived experience of growing up in a dysfunctional family environment, including domestic and family violence, in a one parent family. My brother entered the justice system at age 17 due to his criminal behaviours. He was a recidivist offender until his early 30's and is very lucky to still be alive today given the violence and criminal lifestyle he survived. My siblings and I have all suffered varying forms of child abuse. The most significant and damaging form of child abuse I survived was sexual abuse and emotional conditioning (coercive control). I was a child victim of intimate partner violence at the age of 13 and pregnant at the age of 14. I was a sole parent and raised my child on my own as his father succumbed to a serious methamphetamine addiction and a life of serious crime.

At the age of 15 years, I commenced working at an Aboriginal Legal Service. I was a trainee officer and I contributed to the Royal Commission into Aboriginal Deaths in Custody by listening to the personal stories of many incarcerated Aboriginal women and men. The common theme amongst prisoners was their experience of trauma and intervention from both the Child Protection and Justice systems. This early professional experience (combined with my personal lived experiences) led me to dedicating my career to changing the systemic issues that contribute to Aboriginal and Torres Strait Islander peoples over representation in both the child protection and justice systems in Australia.

In short, I now have 37 years of experience working across Australia within Child Protection, Aboriginal and Torres Strait Islander child and family services, as a practitioner and policy officer, I have developed and implemented state-wide programs in Victoria, and held senior roles in both the Victorian and Queensland Departments of Child Safety. I consider that I have in depth professional insight into child abuse, family dysfunction, complex issues and their drivers, the service system and systemic issues that impact on achieving positive outcomes for Aboriginal and Torres Strait Islander children, young people and their families.

Sadly, my husband has also endured a life of serious family dysfunction. He and his siblings were all engaged with the Queensland Child Safety system as children. His siblings are now adults who have repeated the dysfunction they experienced as children, and two of his siblings have had over 20 years of Child Safety and Justice systems interventions, as parents to their own families and also resulting from their own criminal lifestyles. The issues that exist in their lives are extremely complex, however are intergenerational in nature, and originate from traumatic experiences. They have numerous children (our nieces and nephews), who are currently supervised by both the DCSSDS and DYJESBT. These children are recidivist offenders, and have been incarcerated numerous times as a result of their criminal behaviours. My husband and I have NEVER been invited by professionals to contribute to service responses or addressing the issues of the young people's behaviours, nor have we been asked to contribute our knowledge or insights. This is totally in contradiction to all Departmental policies, practice and legislations.

My husband is a man of 'culture', and has grown up with strong connections to the Traditional Owners and both the Aboriginal and Torres Strait Island communities across FNQ. He is the eldest in his family, and has important cultural responsibilities to his broader family and kinship network. He has a background in both Aboriginal and Torres Strait Islander health, and more recently, the child/youth and family sector. Until recently, he was a cultural mentor for one of the Youth Justice funded 'On Country' programs being trialled in Queensland.

## **Our experience as Victims of Youth Crime:**

In 2019, I became a victim of youth crime in Far North Queensland. As my husband and I are respected community members, we were informed very quickly by community members who the youth offenders were. Additionally, QPS were able to obtain both DNA and fingerprints to also evidence who the offenders were. Sadly, of the five Aboriginal and Torres Strait Islander young people who committed this crime; two were closely related to my husband. One of the offenders was my husband's brother's son; our direct nephew. Some of the offenders were charged and brought before the Court. I have much to share about the nature and circumstances of this crime, and would be happy to do so to the Inquiry if this is requested by the Select Committee.

After dedicating my life to change and improvements to the lives of Aboriginal and Torres Strait Islander people, the trauma I suffered as a result of enduring this crime led me to resign from my senior position within the Department of Child Safety. I had questioned why I had given so much of my life to a career of advocating for Aboriginal and Torres Strait Islander children and their families. What came next for me as a Victim of Youth Crime has been a very long journey of personal survival, and an eventual diagnosis of CPTSD in 2020. My journey of healing and recovery continues today.

As Victims of Youth Crime, we were never informed as to the offenders journey or consequences for their destructive behaviour. We were never asked to participate in a 'restorative justice' process (even though this would have been absolutely beneficial for all), nor a FLDM process. I had to follow up with QPS myself just to find out if they were charged. The crimes committed against us have involved enormous financial and quality of life consequences for us, and we have never received any compensation, support or assistance from any of the offenders, their families, funded services or government departments. I applied for VAQ assistance to assist with the cost of my recovery; I have required extensive mental health support, and was denied counselling sessions by the Victim Assist Case Manager, as the crime did not involve violence in our presence. This is totally unacceptable and neglectful of the diverse needs of Victims of Crime. After enduring financial losses in excess of hundreds of thousands in income, property and cost of recovery, I felt strongly that I should be entitled to some paid mental health support sessions at the very least.

## **Our submissions to the Committee:**

In brief, we would like to submit the following points to be considered and explored further within this opportunity to better understand the serious and complex nature of the Queensland youth crime epidemic, the ongoing reforms to the youth justice system, and as a matter of priority, support for victims of crime:

- That the approach and priority from this point on becomes a '**truth telling**' exercise by all parties and stakeholders. Anything less than this is a wasted opportunity, will continue to fail in understanding the situation and is misuse of taxpayers funds. No more 'sugar coating' by bureaucrats or others who have invested reasons for continuing the failures of the past or present.
- All future attempts to address the issues of Youth Crime in Queensland, including amendments to legislation, policy or practice that are designed and supported by taxpayer funds must include the lens of 'lived experience'. This includes being trauma informed, and relatable to all stakeholders (not just professionals). Youth, their families and the Victims of their crimes.
- There needs to be a more thorough and informed description of the impacts of youth crime within government departments and agencies. There exists a complete failure to include the lived experience of victims of youth crime, as well as the serious extent and harms caused by the crimes committed (regardless of the nature of the crime).

- Young people in the criminal justice system who are repeat serious offenders are not receiving adequate or culturally appropriate assessment and interventions. We have many examples of this to provide. The level of understanding required for the complexity of the issues involved, requires a much more higher standard of knowledge and experience than is currently afforded.
- The 'On Country' programs are not always culturally appropriate to the diverse cultural needs of young offenders who are referred to them. For example, a 'camp' on the Traditional lands of one Aboriginal cultural group, will not meet the needs of young people who originate from the Torres Strait Islands. Each young person should be genuinely reconnected to their cultural group(s) of origin, or at the very least, who they identify with. Additionally, there are many inappropriate and complex referrals to the program, which is minimally resourced, and are not equipped to respond adequately to the complex needs of some of the young offenders referred to them.
- The '72 hour' transition plans that are formulated lack crucial information that contributes to the success or not of the young person in reoffending upon their release from juvenile justice detention.
- All youth justice and child safety funded programs and services should be attached to 'outcomes based funding'. The current form of measuring the success of public investments is not transparent. All departments should also be subjected to more public accountability and transparency as to how they operate and respond to stakeholders. This includes independent evaluations and reviews which are publicly reported on.
- Current practice of both Child Safety and Youth Justice practitioners fails to address the crucial factors of intergenerational trauma influences and drivers of complex issues. Future attempts to address these issues must understand these if sustainable changes are to be achieved. Both Departments should have a joint specialised trauma informed, culturally appropriate 'practice framework' for dual clients and families.
- According to the briefing submitted to the Committee by DCSSDS, approximately 30% of young recidivist offenders who are supervised by Youth Justice (and also have Child Safety involvement) are residing in Residential Care. This model of care historically has not produced outcomes conducive to the wellbeing of young people in state care, let alone young people who engage in crimes.
- There exists many parents and family members of young offenders who partake in their own substance abuse and drug dealing. Future funded service responses must not only make accurate assessments of where this is occurring in a young person's life, but there needs to be compulsory substance abuse models and programs that have the capacity to engage and treat young offenders with substance abuse issues, as well as their carers/parents/family members. As a society we need to stop responding to just 'individuals' and become more targeted responses in broader family and kinship networks to enable healing from traumas.
- There is a wicked resistance to truth telling and accurately identifying the serious harms caused by gambling in our community. The associated harms are both under reported and under estimated in relation to how gambling (especially poker machines) harm and behaviour drives and correlates with youth offending. There needs to be a public Inquiry into how serious the harms of poker machines are to Aboriginal and Torres Strait Islander families and communities. This includes the key issue of inadequate or lack of supervision of children and young people, and the correlation between criminal offending and poker machines in Queensland.
- Many of the current service responses to Queensland's youth crime issues are not compulsory for young people or their parents to engage with. Engagement with services should be mandated within sentencing.

- We question the accuracy and reality in practice of the submissions to the Committee supplied that inform the measures being 'undertaken' specific to 'First Nations' children and young people. We question how 'representatives' on the First Nations Board are appointed. We also question the 'active participation' of Aboriginal and Torres Strait Islander 'families and communities' in these initiatives. We submit that often representatives are 'hand picked', or appointed and selected without adequate experience, and often are more 'privileged' members of community. This needs to change.
- Finally, we also question the process of the recent IMAC initiative, as another attempt by the Queensland government to respond to the ongoing reforms to the youth justice system, and as a matter of priority, support for victims of crime. I submitted an application to DJAG to join the newly established IMAC, and was not assessed as a 'suitable' applicant to become a member and provide advice, guidance and the perspective of victims on how Queensland can reform the criminal justice system and support for victims, particularly in relation to youth crime. Given the unique depth of both mine and my husband's experience in relation to this, it is beyond belief that I have not been selected to contribute meaningfully to this important initiative. We are extremely disappointed in this outcome, and once again feel that our attempts to be heard and contribute positively to solutions have been ignored.