




Speech By  
**Michael Berkman**

**MEMBER FOR MAIWAR**

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**JUSTICE, INTEGRITY AND COMMUNITY SAFETY COMMITTEE**

 **Mr BERKMAN** (Maiwar—Grn) (3.42 pm): At the outset, I want to very quickly take a moment to correct the record. During the last sitting week, I made some comments about the Woolloongabba Priority Development Area and the work of local Labor members around that. I said at the time that, to my knowledge, they had not made submissions. I have since become aware that the member for South Brisbane has made a submission on that. Certainly it was not my intention to mislead and I apologise unreservedly for any issues that caused.

I want to speak to the Justice, Integrity and Community Safety Committee oversight report as someone with a very keen interest in the work of the QFCC and as a member of the committee. I have to start by sincerely thanking Commissioner Lewis, Commissioner Twyford and all of the staff at the QFCC for their work. They do extraordinary and very important work. I think it is easy for us to overlook the breadth of the QFCC's functions. Very broadly, their purpose in statute is to promote the safety, wellbeing and best interests of children and young people and to improve the child protection system. That takes them in all sorts of directions. While we regularly rely on their submissions on legislation and other crunch points within the child protection or youth justice systems, it is important to remember that they really are the experts. That body has been established specifically to inform the government on how to achieve the best interests of children.

In that context, I regularly find myself wondering how it is that the QFCC's advice is given such short shrift when they advise governments on the direction legislation should be taking and where proposed legislation is driving deeply problematic outcomes. I sympathise with the commissioners for the fact that they have to present themselves at committee hearing after committee hearing and say essentially the same things about why the youth justice system in particular is failing and why the child protection system and the youth justice system interacting is so problematic. Not that long ago, Commissioner Twyford said—

... we have been here before and we have said these things. The frustration within me and people who have appeared before us, I suspect, is this weaponisation of youth justice policy ...

He went on to say—

At my very first committee appearance at Queensland parliament in my current role ... it was a bill to raise the age of criminal responsibility in Queensland. The thought in my head today is how far we have come from that debate to now—the hope that we had for a bipartisan youth justice reform select committee that was then ceased and the multiple submissions where I continue to say the same things ...

If we should be listening to anyone on youth justice policy it is the QFCC but, instead, they are roundly ignored and the consequence is that our system fails. It continues to fail. We can see this in black and white not just in the QFCC's annual report but also in the committee's own report on it. We have echoed their observations in this report.

Queensland detains more children than any other state, we have the highest rates of unsentenced detention and Queensland children spend the most nights in custody. Over the five years

referred to in the report, there had been an increase in the number and rate of children and young people subject to youth justice custody and a decrease in community-based supervision. The committee's report says, in as many words, that the Queensland model of youth justice is not effectively rehabilitating offenders. I cannot point to anything that has happened in the meantime that will have improved that. In fact, the quotes I was reading from Commissioner Twyford referred to the changes this government has made. Their view is that they are going to take us backwards. They are going to result in worse outcomes, more reoffending and more young people tied up in the youth justice system and the cycle of criminalisation.

This report also makes a point, which we barely need to be reminded of, about the overrepresentation of Aboriginal and Torres Strait Islander children in child protection and youth justice and also the fact that Aboriginal and Torres Strait Islander children in out-of-home care are dramatically overrepresented. In the oversight hearing, Commissioner Lewis specifically pointed to the work of the First Nations and Child Rights Advocacy team and how uncertain their funding was at that point. They need more certainty and long-term funding for that work within the commission. I endorse the suggestion she made that we establish a commission for Aboriginal and Torres Strait Islander children. I have little faith that this bunch are going to take us there, given how blithely they have disregarded First Nations voices so far in this term—

*(Time expired)*