

**TRANSCRIPT OF HEARING**



<b>FILE NUMBER:</b>	
Commissioners:	Commissioner Kim Wood (CW) Commissioner Bronwyn Fredericks (CF)
Presenters:	Mick Palmer (MP) Jenni Pack (JP) Wayne Parker (WP) Russell Butler (RB) David Glasgow (DG) Alfred Smallwood (AS) Brad Hanaway (BH) Questions/Comments - various

Inquiry into Imprisonment and Recidivism

Townsville Public Forum  
conducted at Rydges Southbank, 23 Palmer Street, Townsville  
on 8 May 2019.

**QUEENSLAND PRODUCTIVITY COMMISSION**

CW: ...assisting in the Inquiry is the other Commissioner for Queensland Productivity Commission. Our process is a public inquiry process, so our opinions, our views, our recommendation to government arise out of presentation and interaction with the presenters and people like yourself. Bronwyn, can I ask you to do the acknowledgement to country?

CF: So in terms of the formal process today I do acknowledge the country that we are presiding over as the Commissioners but also the public hearing and acknowledge elders past and present and future, in terms of this place, but also those elders past, present and future of any sites in which people are going to be Skyping or phoning into today. So we acknowledge them.

CW: Thank you Bronwyn. The process today is to essentially conduct a public inquiry process to provide scrutiny on the draft report we've released. For those that haven't seen it, it can be downloaded from our website, Queensland Productivity website, [www.qpc.qld.gov.au](http://www.qpc.qld.gov.au).

We're looking at what we got right in some of those earlier recommendations, what we've gotten wrong, what we've missed. After the hearings are over and we finish with a final inquiry hearing in Brisbane on Friday this week, a second Brisbane inquiry, we've been to Cairns, we've been to Rocky, we've been to a range of places. We'll then produce a final report which goes to government on the 1<sup>st</sup> of August. They have up to six months to consider that, so the draft report's on the website now, it's public. The final report goes to government and they have up to six months to consider their response and then the report will be published. There's a range of other materials on our website as well and previous inquiries as well.

Today we've got five presenters. Hello, how you going? Come on in and welcome. We'll have a short break at 11, we'll have a short lunch break at 12:45 and we finish around about 1:30-ish. 1:30-ish, so please, it's an informal process this morning to some degree, if you need a cup of coffee or need a toilet break, you need to go, just don't be shy. The transcripts of the presentation will be published on our website, as well the video and the recordings. Presenters will make a 15 or 20 minute presentation. The two Commissioners will ask a range of questions. And then we'll ask the floor for perhaps a comment on the presentation. We won't take questions for the presenters, but you'll be invited to make a comment if you have one. Our process is normally to invite presenters to speak, so we will have time to take some comments but what we're not looking from from the floor is intensive questioning of a presenter. That's not what they've, that's not what they've signed up for and it's

not helpful to our process. We ask people to be truthful in our presentations, we ask people to play the ball, not the man, we're not looking for, you know, a litany of unhappiness, as can happen these things, and we're asking people to treat others and each other with respect.

I know there's no members of the press here today but we normally ask members of the press to identify themselves and not to record the proceedings, as those proceedings recordings will be made available to them. Logistical matters are men's bathroom, ladies bathroom. In the event of a fire alarm going off, the hotel material tells us to assemble in the back car park. I'm suggesting, Bron and I have discussed this, that simply going down the stairs and being out the front is probably the safest option, given our location.

If anybody does make any comments from the floor, we ask people to present, to state their name and their organisation if they represent an organisation.

Tea and coffee up the back. Stay for lunch if you can. And we'll ask the presenters to identify themselves, so any of the presenters, you will know who they are, based on them self-identifying.

Look, with no further ado, Matt, I think Mick Palmer, AO, is our first speaker. Mick's a former Police Commissioner from the Northern Territory and headed up the Federal Police. Has a long and strong involvement and a strong interest in drugs and ways to handle that problem. We intended to have him Skype through. The technology hasn't been kind to us, Sid?

SX: (unintelligible – (ui)).

CF: We got it working with our office, but Mick's down I think on the Gold Coast and we just can't seem to get him to work, so we will have him on loudspeaker through the mobile phone.

CF: Just while Matt and Sid are organising that, if during the breaks people want to ask questions they're most welcome, to Commissioner Wood and myself.

CW: Yeah.

CF: In addition, we've got Matt and Sid, who while they're working with technology, they are members of the team of the Productivity Commission and they're quite happy to ask, answer questions in regards to the processes of the inquiry or where we're at or if you have any technical things that you need answering. The other thing is if you

have an issue during the day, just need assistance or whatever, please just ask Sid or Matt, okay.

SX: Okay, Mick, I'll hand you over to our Commissioners and we'll get started. Thanks for that. Okay, yeah, I think so. He was just having a little bit of trouble hearing you just before.

CW: Okay.

SX: But I think if we're close enough, (ui).

CW: Did we put Mick on loudspeaker?

SX: Yeah, put maybe put him on loudspeaker.

CW: Hello, Mick, are you there?

MP: Yes, I am.

CW: We'll just see if we can turn you up.

MP: Sorry for the, sorry to (ui).

CW: Oh, look, mate, that's technologies, that's, that's the risk we run. Mick, could you just introduce yourself and we'll see if the audience can hear.

MP: Yeah, certainly. Mick Palmer, Michael Palmer's my name. I am a former Commissioner, former career Police Officer essentially and former Police Commissioner at the Northern Territory.

CF: Can you hear?

CW: Can hear.

MP: (ui) Fire and Emergency Service and Commissioner of the Australian Federal Police. Retired from Police in 2001 and been involved in a range of reviews and inquiries for government since that time and been involved in (ui) I guess now for some 25 years or so.

CW: Mick, excuse me, it's Kim again, Mick, there, that, it's very difficult to hear you from the audience this end. Guys, do we have any other options?

XX: (ui) sorry, the (ui) was this working at all, amplify?

CW: I couldn't tell you, tell you.

XX: (ui).

CW: Mick, if...

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- XX: If it's only a few us, we can sit in the front row and pull the chairs across (ui).
- CF: If you don't mind that. It's not ideal.
- CW: Mick, we're just, we're still just playing with the technology, if you'll bear with us for a few minutes, we'll see if we can improve things.
- XX: (ui).
- CF: Alright, just.
- XX: If I can hear it (ui).
- MP: (ui).
- CW: Mick, could I, I get you just to state your name again, we've got a different set of technologies at the moment, we'll see if we can hear you a little better.
- MP: Yes, yep, you're coming in quite broken as well, Kim.
- XX: (ui).
- CW: Right. Bear with us just for a moment. Guys, is there...
- MP: Yep.
- CW: Guys, is there, do we have any other options?
- XX: Why was it sounding so decent (ui).
- CF: Either people can come in closer or we can reschedule him for Friday (ui).
- CW: Why don't we move up to the front just to see, Mick is a chap well worth hearing. Apologies everybody, you too, Mick. Did I break it?
- Mick, we're moving everybody a little closer, to see if that improves audibility. Hello there. Very close.
- XX: Very friendly.
- CW: Alright, we give it one more try. Mick, could I again ask you to identify yourself?
- MP: Yes, certainly. Mick Palmer, former career Police Officer and former Commissioner for the Northern Territory Police and the Australian Federal Police, between (ui) 1988 and 2001. And since then I've been involved in a series of reviews and inquiries and have been advocating for drug reforms for some 20, 25 years now (ui).
- CW: Thanks, Mick. Mick, I think it may be best if we try one more time and call you back on a different phone, I don't think this phone has the volume. Would you bear with

us, we'll just try one more time, then we may need to reschedule you. Okay, thanks.

MP: Alright, mate.

CW: Let's try him perhaps on this phone, we'll just see if it's any louder.

CF: Cause it need, it needs to be picked up on the tape as well.

CW: Yeah, that's, this will pick up (ui) this way. That won't send it through there, cause it's not their system, but.

MP: Hello, Mick Palmer.

CW: Hello Mick, that's a little louder.

MP: Yes, it is.

CW: Is it, can we persevere, do we think? Mick, I think we've got the best solution we're going to find this morning, apologies to you and to the audience. I think we should start now, we can hear you, and we've got enough audio to record.

MP: Okay, good, thank you.

CW: Please proceed, Mick.

MP: Did you like me to introduce myself formally at the beginning?

CW: I think so, now we can hear you, that would be useful.

MP: Mick Palmer's my name, I'm a former career Police Officer and a, and Barrister of Law, I had about 33 years' service in Policing including some seven years as Commissioner of the Northern Territory Police and then seven years as Commissioner of the Australian Federal Police. Since my retirement in 2001 I've been involved in a series of reviews and inquiries for the state and commonwealth governments and have been involved in drug advocacy I suppose, for some 20, 25 years now.

CW: Fantastic. Mick, please proceed with your presentation.

MP: Thank you. Essentially I guess I came to the realisation some several years ago that our (ui) approach to the illicit drug policy is badly broken. Essentially is ineffective and I think on reflection probably always has been. And that despite our very best attempts and endeavours over a long period of time now, drugs really are as readily available now as they've ever been. Experimentation is probably at an all-time high with an ever widening array of increasingly dangerous drugs available for use. Market place is totally unregulated and probably organised crime figures

and drug trafficking criminals make huge profits, pay no tax and follow no rules other than their own. That, you know, as a consequence of that our policy is one that really desperately needs review. Ironically, this conclusion I guess irrespective of the evidence that now is available, clearly available in my view, from other countries around the world and the numerous commissions of inquiry and reviews that have been adapted in recent years, but I now find it causes, I guess anybody who looks would, that, and my opinion is strongly corroborated by those inquiries and reviews and the evidence in support of consideration of changes in my view almost overwhelming. I understand, you know, that to be responsible, public policy must be evidence based and I understand the reason for political caution, in terms of considering change and the need to bring the public with us, but policy makers must be prepared to seek and test the evidence wherever it can be found and I think this is not currently occurring within the Australian context and it is something which desperately needs to happen. In regard to the use and possession of currently illicit drugs, Australia's policy surely should be changed from one of criminality to one that primarily is aimed at minimising harm. We have a great policy, illicit drug policy that talks about minimising harm but in that, we don't achieve that aim, probably never have. It should be aimed at minimising the harms caused by drug use and actively protecting the health and wellbeing of drug users, drug addicts and drug victims. Whilst controlling and reducing drug related criminal trafficking and related offences must obviously remain an important part of any strategy, it should be complementary in my view that the primary aim of providing health and social care is important for drug addicts and drug users and while that should not be construed as suggesting encouraging drug use if you like, or even condoning it, it must be (a), a policy that is aimed at understanding the reality, that people will use drugs, do use drugs and will continue to use drugs regardless of whatever laws are in place and that our whole focus has to be on minimising the harms to those people, who choose that, that excuse.

Contrary to public opinion and I think frequent political assertion, law enforcement illicit drug trafficking, use and possession, it really has had little positive impact on the illegal market place or for that matter on the Australian market place or for that matter the international market place ever. We've never reduced demand, we've never reduced supply for more than a very short period of time. Price goes down, supply remains undiminished and demand remains the same or in many cases in regard to certain drugs increased. We probably now have better trained and generally better equipped and resourced policing than we've ever had in our history.

We have pretty effective policing, police forces in this country. Probably as effective as any in the western world. They're probably more effective now than at any time in our history, but on any objective system policing of the illicit drug marketplace has had almost no impact on the profitability of the drug trade or the availability of illicit drugs. At a local level, young Australians can and do purchase illicit drugs with ease and generally within (ui). In any conversation that occurs however, about changing our drug policy, it'll be important to divert, divorce emotion in my view from the debate. A lot of emotion gets involved in discussions in regard to drug policy and going soft on drugs is then often touted for the first response to any suggestion of change. I think we need to realise that here aren't any good or bad people in this discussion, only very concerned people. And this fact needs to be recognised and respected in the overall discussion process. As I remember reading one of the advocates for drug law reform in South America, one of the countries most impacted by (ui) many years ago, we know it's future generations to be realistic. Drug use does occur. To be prepared to listen and consider these commentaries and to examine the facts and the options available to us. Within the Australian environment, I asked the question why in the face of poorly performing policy would we not be prepared to consider that any benefit from drug policy changes and experiences in other parts of the world and try new ideas when the ones we have are failing miserably. I don't know, Commissioners, if you want me to continue going or just to answer questions, so that sort of summarises my views, I've got a range of ideas I guess as to how any journey forward should occur, which I'd be happy to share if that's relevant, but.

CW: Mick, for the public record, we have some time available to us and it would be very useful if you did expand a little further on some of those suggestions you have. There will be a high level of interest I suspect in your presentation and others today, so please, please proceed.

MP: Alright, thank you very much. I guess the simple overwriting fact in my opinion is that, you know, with the best intentions in the world we simply as many other people have now said we simply cannot arrest and imprison (ui). It's not going to happen, it's never worked and will never work and anyone who takes five minutes to look at the United States environment would, you know, come, would have to come to the same conclusion. Huge amounts of money spent on a problem that continues to get worse. And on drugs supplying countries to the south of the Unites States, that's Mexico obviously, now suffering huge rates of crime and homicide and huge violence, simply serving a marketplace on which trillions of dollars is spent

controlling drug, drug use and possession, doesn't work. I'm not suggesting we, we must be prepared to try new ideas and approaches, and I'm not suggesting going soft on drugs, but rather getting smarter, about the way we deal with drugs. As I said, I think the central plank of any current illicit drugs, of our current illicit drug policy is harm minimisation, the central plank has to be harm minimisation but the approach of the policy has to be one that gives us some realistic chance of achieving that.

As a starting point, I think we need to recognise that to improve its effectiveness, Australia's illicit drug policy should be reframed as primarily a social health and economic issue, the policing playing a strong, targeted support role aimed at the organised criminal marketplace where the benefits of police intervention are highest and the risks and dangers, particularly to the most vulnerable in our society are lowest.

Develop strategies to better understand the health and wellbeing dangers to social users and to addicts which arising in purchasing often tainted or corrupted drugs from a totally unregulated black market and then being treated as criminals for doing so. We have the courage to try new approaches, but we do so gradually and implementely care taking to ensure that the community understands the research and the reasons and benefits that are underpinning the changes and supports that journey as it unfolds.

The only way we will get political change I think is if the community clearly is in support as it now is on the back of the surveys that have been conducted in regard to tool testing with 63 plus percent of people strongly supporting the trialling and use of pill testing at festivals and similar events.

Some of the incremental steps, and ladies and gentlemen, I believe we could consider I could actively promote awareness and understanding of current decriminalisation arrangements already in place in Australian jurisdictions and the benefits being achieved, meaning they go unsaid, goes normally unstated, but there is, you know, a range of, there are a range of conditions afford decriminalisation of particularly of cannabis in various jurisdictions and the benefits that are flowing from that are quite obvious, when time is taken to look at them.

That we adopt decriminalisation as a firm, national strategy, the personal and recreational use of illicit drugs nationwide, I think we ought to be moving towards that, it would be a very strong and positive step to take.

That we introduce a policy that clearly distinguishes between antisocial behaviour and the drug use that may have contributed to it. That is we punish the criminal behaviour, but we treat the drug use. Sometimes the criminal behaviour will be caused by people committing crimes such as robbery to obtain money to buy the drugs to feed their habit, now the cases of course, particularly ice to get so much public mention, the violence may be caused by the use of the drug itself. But whatever it is, we need to separate the anti-social behaviour from the drug use.

If we're going to stop the merry go round that currently occurs and stop the rate of (ui) in our prison system amongst others.

Implement a policy that aims to engage with and support drug users, not to isolate and punish.

Create an environment within which people are likely to talk to each other, learn and to teach and to change behaviours. Like happens at the interactions that occur, that have occurred at the two or three trials that have occurred now at festivals in Australia and I know occur in many locations in Europe, where doctors and other medical professionals are talking to people who are bringing drugs into testing facilities and being able to give them advice in terms of why they should reconsider their approach, what is the danger involved in what they intend to do, etcetera. The more we engage rather than isolate and divide, the more likely we'll have had, we will have of changing behaviour patterns.

As at trial, I believe we should commence pill testing as a matter of urgency, at festivals and similar gatherings, with a view to achieving really three things, obviously reducing harms and the recent festival as I understand it in Townsville only a few days ago is a classic reflection of that, I (ui) 59 people (ui) hospital and some 20 were admitted and 11 overnight or something. And the figures are frightening and it seems to me that a government that in the face of that clear evidence of the dangers involved in what is occurring who sits on its hands and does nothing, really creating a situation where they're becoming potentially liable for negligence. I mean, there are things here that clearly can and should be done that have been done with success in other parts of the world and in the face of that sort of evidence should not be ignored in our country.

We have to purely, as part of that testing, encourage users to become more aware of the quality and toxicity of the drug they're planning to use and the dangers that may be associated with it. Tell the truth to the people who are taking drugs, tell the truth about any adverse reactions that may result from such use and report

accurately any health problems to authorities, at the moment they're likely to tell lies, pretending they've got food poisoning when in fact they've had an overdose of drugs at a festival, for fear of getting into trouble. Very unlikely to tell the truth to family and friends if they think they're going to be disappointed or ashamed by their behaviour. Everything about the environment seems to me as counterproductive to what we really should be trying to achieve.

We need to increase funding of treatment options for people with drug use and addiction problems to a level sufficient to create the capacity, quality and flexibility of treatment options to meet realistic demand. Not push this in a corner. Photographs on the front page of major newspapers showing men kneeling in gutters, injecting themselves with an illicit drug while people walk past carrying briefcases onto work, I think they are photographs we ought to be ashamed of.

Introduce initiatives to reduce the size and profitability of the black market with the intent of gradually moving drug supply as far as we sensibly should from the black market to the white market. Unless we can find some way to reduce the black market and the lucrative nature of the profit that plays from it, and increase the size of the white market, law enforcement will always chase its tail and we will always have the same problems we have now. In my view.

Implement strategies aimed at increasing employment and reengagement options for addicts and released prisoners who are often in the most awful of situations. Now, particularly in terms of in prison, which I know is one of the focuses of your inquiry, I've been involved in a couple of prison inquiries both in Victoria and Tasmania and the situation faced by prisoners who well and truly served their time often for quite moderate offences when they get released is bleak to the point of almost being hopeless. And in my time in Tasmania I was actually involved in an inquiry when people are released on, when a person released on one day on a cold night, break into a place for shelter, was arrested the next morning still lying asleep and was put back in for breach for parole when he'd been released of course with no funds to enable him, no family, no funds that enabled him to do anything about his own comfort and wellbeing. Mean, the whole process it seems to be is so fundamentally flawed that we almost ought to be ashamed.

Significantly increase the certainty and cycle of funding for NGO treatment facilities. Consider the establishment on a trial basis of controlled drug consumption rooms that are now flowering and flourishing across Europe, to assist in containing, managing and reducing episodes of drug abuse and the consequent likely harms

and the results that are being achieved in now over nine or more countries in Europe are really very, very positive.

They get active steps to improve the accuracy and relevance of, excuse me, of drug testing of vehicle drivers. Now, there are some findings in that, and that as that members of the Commission may know, some of the drug testing can identify drugs that may be in the system for many days and may be having in fact no impact on the driving ability at all, I'm very concerned about driving safety obviously, but we do need to make sure that the testing we have is likely to be achieving the aims we want to achieve and that is maintaining safety on the roads, not simply punishing people for having taken illicit drugs sometime in the past. Cannabis is an example of one that is likely to test quite some time after the use has occurred and when there is no impact on the driving at all, no measurable impact that anybody has been able to identify.

Prohibit any form of advertising, I think this is important as we move forward, if we do move forward to any sort of regulated supply, we don't advertise it, we go, you know, we avoid the track that, secure this track that smoking went down and alcohol I guess is still involved in, in banning any advertising and later to regulate a supply and strictly govern and regulate approved suppliers and cultivators so that we really as a government really manage the marketplace.

Just couple of other things, I think, I think it would be wonderful to consider the implementation of a number of pilot studies in at risk, particularly remote and low socioeconomic communities, both urban and remote, to assess causes, problems, social healing options and pathways towards better health and wellbeing. Instead of just locking up the symptoms we should go looking at the causes and trying to find solutions to the causes of the problems that create maybe the most concerns and is most dangerous to the people engaged in it.

Identify and engage local champions to drive and encourage the pilot study.

Programs with a view to creating pilot areas as (ui) and excellence, so we can learn from what's occurring in one community and pass it to another.

Increase capacity and the use of interventions for young people linked to medical workplace or workforce strategies. I think that's a really important part of the equation, I've worked quite closely for some time now with Matt Noff and the Ted Noff Foundation and sat across tables from these young street kids who were finding refuge in the Wayside Chapel and the Ted Noff's facilities and some of the

stories would make you weak to hear them, even as a hardened police officer, I hear some of these kids' stories who are only 14 and 15 when they're telling them and it's amazing to me that they're still finding the strength to move at all. And they need all the support we can possibly give them. People, some people come out of hideously and horrific backgrounds and circumstances and they've been preyed upon from very young age. And if ever there's an example of drug use being a symptom rather than a cause it is in regard to many of those young people.

In any review and reform process must include a strong strategy to engage with the public as I said before, and it must be recognised that community leadership and support will be crucial to the achievement of any meaningful improvements or changes to our drug policy outcomes. I think that's critical, I think it's well and truly achievable now, I think the lights have gone on in many people's minds and there's a much, an increasingly good or better knowledge of the reality of drug use in the community than, certainly than there was some little time ago, and that continues to improve. I think pill testing has really brought that to the fore, where of course the audience is almost overwhelmingly, a totally law abiding audience of young men and women who would otherwise never come to the attention of police for anything. And I think that's got the attention. Sadly, it takes those sorts of issues sometimes to get the attention, should, if somebody fits the bill in terms of the behaviour pattern, the wider community may not be quite as concerned if it's somebody that surprises them, in terms of their behaviour pattern or the outcomes that are achieved from it.

I think there are lots of things that can be done, I think there's a huge amount of fault with what we presently have and as a country we, and as states within a country, we are in a position to do something much more constructive than is presently being done. Thank you.

CW: Thank you, Mick. Strong presentation. Commissioner Fredericks, do you have a question for Mick?

CF: Yeah, thank you for your presentation Mick, that was really informative and could see that was really grounded in your years of experience and we're thankful to hear that experience and the information and that you've read well as well. Just a few questions I have, in terms of the pill testing. I just want you to tease some of those thoughts out a bit more around in a practical sense, how would that happen, for example at a festival? How would that take place?

MP: Well, I think the best, the way by which it should take place, most advantageous way and the safest way by which it can take place is the way in which it took place in

Canberra just a very short time ago, where you'll have, where there is a com-, everybody is on board in terms of supporting the process that is being applied, including the local police, who are seen then as friends and supporters of the festival goers, not as enemies or people who are there to apprehend, rather people who are there to support, in regard to just use and possession. That there are doctors in the tent. That it is, that it is clearly signed, and I know that in the Canberra situation there was no signing, so although some 250 I understand, people presented with drugs and that probably reflected, I would think from my own knowledge of festivals and the fact that very few people go on their own, if 250 presented with drugs to have them tested they probably represented some 750 (ui) and they'd be going on behalf of two or three friends with whom they went to the festival. Toss a coin to see who presents the drug is very likely to have been the situation, so it's a pretty strong response. Despite the fact there was no signage, they hadn't reached the stage where they would agree to allow signage to show then where the drug testing tents were, so you had to find your own way if you like, or ask. So despite that though, there was a big presentation. I think everybody, I forget the exact numbers, as I wasn't there, but I think it was something like seven potentially fatal toxic doses were identified. All of those were thrown away as were many other drugs I understand, which were tested and found to be polluted by the doctors. Having doctors present who can give advice, this is a medical examination. A hospital style medical examination and test, where you are spoken to by senior and well experienced medical practitioners including doctors and given advice as to why you should reconsider what you're doing. Advice as to the dangers involved in what you are considering doing. Advice as to the symptoms, if you still continue to take the drugs despite them being tested or if they haven't test what you thought you bought as what you thought you bought and you're determined to still do it. Advice as to what symptoms you will suffer if in fact you have an adverse reaction and what you ought to do about it. Which is why I think probably even though it occurred in Canberra, not in Townsville, we're now seeing 59 presentations at hospital in Townsville on the back of that festival, I think people are, the lights are coming on again in young people. They realise when they start to get adverse reactions and potentially dangerous (ui) even though they had taken the risk in the first place and are much more likely I think now to present to hospital and have it double checked, than would've been a year or so ago. So I think it's a case of a government commitment that allows, that sets the ground rules clearly, that explains instead of allowing it to be at the individual discretion of police officers, which of course will

vary between officer and officer, it's a clear overriding discretionary advice or instruction to police as to the role they should play in these circumstances as happened in Canberra, to my knowledge, and that works very positively, it takes away the fear factor, it takes away the conflict if you like or the division between those young people who are intending to use drugs and the police and medical professionals and others who are going to be there to support them, should something go wrong or to respond to an issue if it occurs. So in a sense you create a single team rather than a divided, a divided audience. And then you have the best possible medical advice provided at the tent. It will become as it has in Europe, it becomes its own leveller. The behaviour patterns are changing in many places now, I understand, from what I'm reading, in Europe. User levels going down, some dealers going broke for being identified as people who are selling corrupted drugs. I mean, it acts as a regulator of quality. It's a second best situation obviously, but it's a big step in the right direction from what we have at the moment, which is no control over the process, no idea of the toxicity or level of drugs you're buying and no way by which you can get them tested. I think using doctors, treating it as a medical intervention, clear advice, clear signage and police clearly as part of the solution, not as part of the problem, takes us a giant step forward to changing behaviour patterns on the ground.

CF: Thank you, Mick.

CW: Mick, you've got a long and strong background in law enforcement. You've got a profile. I'm sure you've advocated a range of these ideas to various bodies and governments over time. Why do you think there isn't an openness to taking a radical change and approach to managing or handling this problem, in Australian society?

MP: Yeah, it's a very good question. I've had some conversations, you're right, I have had a range of conversations, and the comments here privately are very similar to those that I have read from senior politicians in Europe, who basically were saying we all knew what to do, we just didn't know how to get re-elected after doing it. And the there'll be no change on my watch commentary that you'd have heard leaders in both state and federal arenas say in this country in the last few years is a pretty common statement to be made, but when, and I have spoken to a couple of senior politicians privately, I've spoken to them privately, they've said we, I knew we shouldn't be doing what we were doing, but I couldn't find an option, I couldn't find a politically viable option. I think we're a conservative country essentially, in that

sense, albeit changing. I think politically until very recent times, that's why I think the level of support for pill testing is now so important, there's been a fear that any sort of loosening of the drug laws will be seen as going soft on drugs and will cost either side of politics votes they can't afford to lose, so it's all about political safety and not being sure whether or not the public will like the idea. My own view is that I think that's changed quite dramatically, that it's an ea-, that it is quite easy now to engage in discussions and debates if you like or even through a drug summit, to widen the level of knowledge and understanding amongst the community as to what is trying to be achieved so there'd be no change that it would be seen as going soft on drugs.

My own view is I think it's been a bit of a political cop out that people don't want to engage in the debate, best way to avoid the problem is not engage in the debate in the first place, and so the starting point for any suggestion of discussions or summits is to say that we don't change our mind what you're to say, no is the answer.

Clearly, the evidence says they are not the answers and the evidence through Europe and now in, you know, as you'd well know, in many states in the United States and growing, there's a very high level of community, of government awareness and government commitment to change. Cannabis is regulated, the sale and use of cannabis. Decriminalise cannabis.

CF: Do you think that's, do you think...

MP: Sorry?

CF: ...do think, Mick, that's part of the issue around yeah, the decriminalisation of some drugs around the perceptions?

MP: I think the, one of major concerns in Australia certainly is that we can't afford to get on the slippery dip, we never know where it may take us. The, you know, the move towards a pill testing will be a move towards wider decriminalisation which will be then a move towards legalisation. And there's the fear of, you know, will we control it once we start the journey. And I mean, my, I guess my answer to that is well, that's what governments are paid for, to control regulatory change and change in our community, that's why we elect them and that's what they do and it's well within their ability to slow the rate of any movements that occur. I think the move towards decriminalisation will be a very sensible one, to take away the criminality from simple use and possession would be an enormous step forward in terms of changing the psyche in this country and the psyche of young people towards police.

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I mean, police have never needed young support in this country more than they do now. The street policing is more dangerous now than it's ever been in our history. And much more dangerous than in my time. Very few people were carrying knives and almost none were carrying guns when I was a young police officer on the street. Now it is pretty common, not only for them to be carrying them but be quite prepared to use them, to use them against police and even medical practitioners responding to sick people. I mean, it's a different environment. They need every friend in town that they can get and the closer we can make the relationships between young Australians and the police officers who are there essentially to protect them, the police spend a lot more time protecting people than they ever do arresting them, the better we will be. And decriminalisation of drug use, which is just whether we like it or not, is a reality of modern, modern life, would be an enormously positive step forward in that direction, with almost no political risk.

CW: Mick, it's Kim. You know, we've changed our views on water usage, on climate change on, you know, alcohol and a range of things to varying degrees over the years, can we educate our way through this drug issue or is it really going to take the changes you talk about? Is this, is there an educational campaign to inform people of the risks and the consequences of drug use and the sorts of things they're ingesting, will that work or really, are the things you're advocating the only possible solution you see?

MP: I think they're the only positive solutions, the ones that are most likely to make a significant difference. Education campaigns, the experts tell me, I'm not as expert on this as many others that I've been working with in recent times, they, their advice is, and I think it's pretty clear, it's the case, the education campaigns have only been very modestly successful. Very slow, very modestly successful. Perhaps we could do more, I'm sure we could do more to educate. So a lot of education occurring now, your smart about drug campaigns in schools and so on. There's lots of education that occurs, but human behaviour is what it is you know, as young people, we all took risks, young people always take risks, you don't, as I used to say as a young fellow, you don't scrub your own fridge, you always climb the neighbour's fence and steal their apples, you don't bother taking your own off your own, your own tree, there's no fun in that. I mean, this is the nature of human, human existence, so young people will take risks and stretch the boundaries, we need to accept the reality of that as not only illicit drugs, there's licit drugs, we are a drug taking community, western world is a drug taking community. Lots of people take drugs and they take them way beyond their prescriptive requirements or advice and

guidance. I mean, it's the nature of the world in which we live and I think we need to recognise the reality of that, I think education, Kim, can take a significant part, but I think there is little, if any, chance it's going to have the impact that we really need to have in this, if we're going to change behaviour patterns in the way we would want to do, and minimise harms, reduce the harms that are being caused.

CW: Thanks, Mick.

CF: You mention, it's Bronwyn, Kim, you mentioned, you know, the violence on the streets with young people and other people and I'm wanting to hear from you too around do you think some of that link is connected to some of the types of drugs connected to violent crimes? Or escalating violence.

MP: Yes, I do, but I think the biggest drug by far in regard to violence on the streets is alcohol. Of course there are occasions when people, and well documented generally, because the violence can be quite extreme, people who are high on ice and having that impact as a consequence of their use, the violence there and the strength that can be accompanying that violence can be quite extreme and that's obviously a big concern, but the numbers of those people are small, I think there's only about 2% of the Australian population that uses ice in total and only a very small number of those suffer adverse reaction, it's a serious problem, but I think that by far the biggest problem in regard to street violence is alcohol, and you know, in a sense that's, that sort of tells the story, really. You know, it's a legal product, we wouldn't suggest that we ban alcohol, but too, we need to understand that with these sorts of drugs, whichever they are, illegal or illicit, that come with some pretty bad side effects, severe side effects from time to time and if people don't properly control their use of whatever the drug might be, well, the adverse impacts on others might be quite extreme. I think that's got worse. I think the level of violence is not so much associated with increases in, I mean, there's probably more binge drinking now than there might have been 10 years ago, if the anecdotal stories I hear are accurate, but I think it's a combination of things, including the fact that whether we like it or not, sadly, the respect for families, the respect for law and order is not what it was. The freedom amongst young people, the level of knowledge through social media and so on of young people is far higher than what it was as 10 or 15 or 20 years ago, where we could've accepted almost blind obedience or people would simply go along with the instruction, now that is far less likely, people are better educated, they're more informed, they're, they more likely just say their piece, stand

their ground and not just obey instruction. A whole range of reasons why things can get out of hand much more quickly. But so I think it's a combination.

CF: Thank you.

CW: Mick, you made a very compelling point early in your presentation, the enforcement's had, has little impact on the problem. And our police force is certainly, you know, of a similar quality of other western world police forces. There's no, enforcement is definitely not the solution, there's not new technology, greater resourcing, there's not a way to enforce our way through this problem?

MP: No, I don't think so for a moment, I mean, we'll get all those things and we are more and more effective I think over time in interdicting serious and organised drug trafficking, seizing very large quantities of drugs and making very significant arrests, but I guess in a sense, there's Mexico, the United States really, in a sense absolutely categorically demonstrates the answer to that.

CW: Yep.

MP: The profits are so high, the market is so big, it won't matter how much law enforcement dollar you throw at this, it's not going to make a difference, and you know, the level of, and 12,000 I think homicides in 12 months alone in Mexico in 2012 or something, many of whom were just innocent people who refused to support drug traffickers moving through their town or operating in their towns or things of that nature. I mean, the level of violence associated with this because of the profits involved are very, very worrying, or should be very worrying. And the chance of law enforcement curbing it, despite their effectiveness, I know we, you know, we've been quite effective in this country and made some very significant seizures and arrests but at the end of the day, it doesn't make any difference.

CW: No. Mick, do you have a view on the availability of services for recovering drug addicts? Is that something you've considered during your study of this? Do we have enough support services, enough options for extra treatment?

MP: No, I'm not an expert at all, Kim, and I wouldn't pretend to be, but I have had a bit of a look at it in company with people like Alex (ui) and Matt Noffs and others, and of cour-, no, we do not. Nowhere near enough facilities in the first place, and I know I think both sides of the government have shown an interest in improving treatment in this federal election process as I understand it, but certainly, I think there is a need for increased treatment. There's always the argument of course that if you're going to increase the treatment dollar it has to come at the expense of law enforcement

dollar and so that becomes a difficulty for governments, you don't want to be seen to be going weak on policing the law and order, particularly in view of the other sort of things I've been saying which are quite right of course, street violence and street safety is a big issue politically and needs to be. So it's not so much taking money from robbing Peter to pay Paul, but rather finding ways to expand the treatment, the treatment budget has to be increased to become enough to feed the reality of the marketplace. At the moment, particularly outside of big cities, you know, the level of treatment facilities is very, very poor. And I think that's what led to the (ui) in compassion to walk a 400 kilometre walk from Dubbo to Sydney some months ago to identify how far some people had to travel to seek treatment for any sort of drug use or abuse.

CW: Thanks Mick. Commissioner Fredericks, do you have any further questions?

CF: No, well, no, I'm happy to open up to the floor.

CW: Mick, we'll open up to the floor for comments. Are there any comments from any of us in the audience today, based on Mick's presentation?

AUDIENCE: My name's Alison, I was just wondering.

CW: Sorry, Alison, would you mind giving us your full name?

AUDIENCE: Alison (ui).

CW: Thank you.

AUDIENCE: ...(ui) by flooding, the white market flooding the black market with placebo. With placebo drugs, would that indent the control?

MP: I couldn't quite hear that question, it's about the black and white market and the, and controlling the market place, is that the question (ui)?

AUDIENCE: Well, yeah, just disrupting the market, the black market by introducing placebo drugs into the, you know, into the community, rather than, you know, having these black market drugs, so that, you know, if people would, you know, weren't getting what they, they wanted. So there's (ui).

MP: What they believe they were getting.

AUDIENCE: Yeah.

MP: Well, yeah, I mean, again, I'm not an expert obviously and I wouldn't pretend to be in regard to that, but I think we need to be prepared to try all avenues and we don't, we're not, no one's talking here about opening the flood gates to currently illicit drug

use, but rather saying we need to find better ways for which we control and regulate both the supply, and more importantly, it seems to me the quality (ui).

AUDIENCE: I think that the, yeah, take it, I think what needs to happen is to take the power away from these subversive, you know, drug dealers, and that is by disrupting their market.

MP: That's right. Well, you've got to, I think, I mean, we, law enforcement tries to disrupt (ui) but I think we've got to find ways to reduce it, we're not very successful at disrupting it, we lock up 10 and 10 more take their place. We've got to find ways to reduce the market, which it seems to me that the only way to do that over time is to gradually regulate supply of certain drugs and reduce the size of the black market, using placebo as part of that process seems to me would be a very sensible thing to consider. I mean, we'd be lear-, if we were to take the time to look more deeply at what's occurring now in many countries across the world, we'd probably find some pretty good answers to your question, I mean, there are a lot of quite strategically adventurous initiatives occurring now in different pla-, parts of the world, where people have come to exactly the conclusion that we're talking about here, that what we've got simply doesn't work and is in aggravating harms rather than reducing them. We need to find new ways to do business and here are some of the ways by which we might just make a difference. And I think it's going to be a suck it and see situation. I mean, there is no perfect solution to this. We clearly are very unlikely, certainly won't happen in any of our lifetimes that we're going to regulate all the drugs. If we move to regulate drugs and if that was to occur in this country it'll be a very slow process and a very gradual process and obviously so it should be, testing as we go, but we need to be prepared to try new ways to do business if we're going to make a difference and the comment you make should be very much part of that matrix it seems to me.

CW: Thanks Mick. Any other comments from the floor?

AUDIENCE: I just have one more.

CW: Please, go, go ahead.

AUDIENCE: Can I, I was just, I was listening to a podcast by an ex police officer and he was saying that the pill testing, it identifies like one. (ui).

CW: I don't think so. Mick, are you still there?

MP: I am, I am still here.

CW: I'm not, I'm not sure what's ha-

MP: Well, I'm on the phone, I'm not sure how that's happening (ui). Yeah, go ahead, it's alright, I've just realised what it was.

CW: Okay. No problem.

MP: I was too close to my landline.

CW: Ah.

AUDIENCE: Okay. So I was listening to a law enforcement podcast that was saying that pill testing identifies one ingredient for example, but it's actually the whole of the pill.

CW: Would you like to thank Mick at the end of that? Okay.

AUDIENCE: So do you think that they're getting let's say, you know, whatever, festival people, drug people, are getting a true picture of what they're taking when it's the whole of the pill?

MP: Well, I can't categorically answer that, except to repeat what I've heard doctors say who were present, including people like Doctor David Caldicott and so on. It's a hospital level examination of the pill, I mean, it's not a fail-safe mechanism and that's made very clear to the people who present their pills for testing and who have a sample of the pill taken for testing. But it's highly reliable, it's not, it's very likely, it's very unlikely to be misleading albeit it may not pick up every component in the pill, it's in fact some parts of the pill are composed of different ingredients to another part of the pill, and I guess that has to be a possibility but on all the evidence it seems that it's very, very unlikely and it certainly has not proved to be the case in Europe. No, I mean, I think without knowing exactly what the police officer said and understanding where, perhaps where he's coming from, what's missed here is the fact that at the moment we're doing nothing and we've got no control over the toxicity, no idea or knowledge or understanding of what people are taking and they've got no idea of what they're buying, they're just buying what somebody told them they were buying. Anything we can do to improve that safety level has to be a step in the right direction. No one's suggesting this is fail-safe and somebody who's had a pill tested and still decides to use it could still suffer a fatal overdose. You can't guarantee that won't happen. But you can guarantee that it's a lot less likely to happen in an environment where people have the ability to have their pills tested and get good quality evidence as to what it seems, what it does contain, even if that

is not the sum total of what it contains. The last, the Canberra festival that is a classic example of that, where they found they tested seven pills that came contained fatal toxics, toxicants. I mean, you know, potentially fatal overdose pills, which people had bought in good faith. They obviously didn't buy what they believed they were buying, nobody tried to buy what they bought. You know, anything we can do to reduce that level of risk has to be a positive thing, albeit, it may not be a fail, it's not a fail-safe system.

CW: Thank you Mick.

CF: Yep. Just draw it to a close there, this session here. Just a reminder that people can and will be able to view this session from Mick at a later time on the video, once it's uploaded to the web, the QPC site. Mick, I'd just like to thank you, you, for presenting to the public hearing today. That was really informative, I think people got a lot out of your experience and your knowledge gained through the numerous years of working in policing. Not just in the territory, but in numerous places throughout Australia. But also your extensive knowledge of what's happening in other parts of the world, so we thank you for that this morning.

CW: Thank you Mick.

MP: My pleasure, thank you very much.

CW: Bye bye.

CF: Thank you.

MP: Thank you.

CF: If now people can just.

(BREAK IN HEARING)

CF: So welcome everyone, just reminding people that this is a Public Hearing, as part of the Queensland Productivity Commission Inquiry into Imprisonment and Recidivism for Queensland and today we've got a series of presentations. The next one to present is Jenni Pack. So Jenny, can you please come to address participants?

CW: Welcome Jenni.

CF: And welcome. We look forward to your presentation. Please remember for the purpose of the tape to state your name and the capacity that you're here today, thank you.

JP: Yes, I'm Jenni Pack, I don't represent any particular organisation, I have been a Prison Chaplain. I am a volunteer, as a volunteer in Queensland. I am a volunteer with the street chaplains and also very interested in community things that help with the core problem of imprisonment and that is at the family level. I notice that we've lost our backdrop here, which was referring to mother's love. And being Mother's Day on Mon-, on Sunday, and a couple of things that were going through my mind as I reflect on what I submitted last October and then being asked to speak as just me. After that presentation by Mick Palmer, who has so much experience, of that area that he addressed, the only thing that keeps me going now is that oh, I come as a mother and I come as a person who has sat with people in prison, sat with people on the streets and know that the drug and alcohol problem is as a result of either the lack of being acknowledged or feeling any love or perhaps being given a kind of indulgent love by, as we all are, imperfect parents, where they were allowed to get away with anything. I also noted with Mick Palmer's presentation about the, you know, putting warnings about taking drugs, you know, what the effects are and whatever, I mean, years ago, we put the warning on the cigarette packets, but I'm not sure if that's reduced and I know as a mother, telling my children to step back from the edge of a cliff when we went bushwalking really didn't have any effect, so it's about I suppose they're always going to take risks and it's about listening to people.

So just a summary of what I presented, that was what I said, but the problem results, the problems that result in criminal activity are so complex that there are no simple solutions. And I know that the current judicial system attempts to put band aids on the problem and I welcome the opportunity that we have here as stakeholders to make submissions to be put to the government, to try to reduce imprisonment and recidivism. The first government support, I mean, the, there needs to be change and I think that, I'm not here to address the things that other people have addressed, and yet, I have not been able to read the whole 358 pages of the draft, so just bear with me, I'll just present what I've got. There are some existing initiatives which I think government support, or endorsement or promoting of them could have a beneficial outcome in preventing crime, cause that's what I'm starting with, and I did mention in my submission what's been happening here in Townsville last, in the last year. Or well, it's actually been worked on for more than that. But going to where Toowoomba 13 years ago tried to address the core issues which led to breakdown in society and the initiative City Women was started 13 years ago. And it began with the self-esteem program for teenagers and girls, which

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has now been extended into programs being offered to both male and female teenagers in the 30 state schools in Toowoomba. It also includes pregnancy support, network being established, more recently, into a city wide anti-pornography drive which has been joined by the men of Toowoomba. So this initiative being picked up here, we're still struggling to get started, but it's like within anything, it's about a change of attitude, about where it all starts. The move against women being abused, yes, we can acknowledge men are abused too, but either way, you're, you're destroying the roots of a new human being if they are being brought up by, or not being brought up, if they're just tumbling up, in a home where there is, is no cohesion and there are too many social issues. The only thing I would add to the, reviewing the crim-, the just-, the current justice system was again not on the legislation side, cause I'll leave that to the experts, although it has been noted that as a chaplain, you could see that the, this crim-, the justice system is so overworked that prisoners will spend sometimes years on remand and as such, they don't have access to programs and in a lot of cases they have to complete these programs to be eligible for release. Doing the programs sure doesn't ens-, doesn't make it that they're going to be released and do any better, because sometimes these programs don't, are, they don't have any input in it. There's a book I have, I've read, by Rowena Sollivan, Solomon, that I, since I've written my submission, and I tried to see if she is still practising or whatever, but she has lengthy experience in working with prisoners as an agency outside of the corrective system and working alongside of the corrective system. And saying that yes, unless the inmates have some input into what their, what they need, what they think they need, we don't have any idea. The problem then is the, your bureaucracy and the red tape, I think her first experience was meeting with about 20 inmates to design what they felt would help them and by the time it was all processed and rubber stamped, not one of the 20 was still in that facility. So it was starting with, from scratch with people who didn't necessarily want to be there and so there, plenty of things fraught with disaster.

At this point I probably think, because we're talking about reduce, you know, reducing the cost and having an effective justice system, I was privileged to be able to go when I was still a Chaplain to the International Prison Chaplain's conference in 2015 in Sydney, where there were 300 delegates from all over the world. And they acknowledged, you know, their part in the criminal justice system of the world. And mostly prison chaplains are volunteers. I know it does vary from state to state in Australia and I know it does vary in other countries. Often they are remunerated by their religious body, if they are remunerated at all. But the point is they've got their

heart in it and if they just give a few hours of their week and it is well coordinated and they receive enough training, their contribution is invaluable, because they can give one on one time to inmates and particularly the inservice with this conference, we were able to see that just, which I'm suffering from today, is just little old me, but it's one person can make a difference. One of the key note speaker quite early in the piece put up a slide, that famous saying, you know, we all want to change the world, but not many of us want to start with us. And so it was about rethinking what we do and under the, I suppose, the security of having been briefed and had our training and everything through the corrective system and through our agencies, being able to sit with prisoners once they're in there and perhaps then we're trying to work out ways that we can follow them through, because the justice system doesn't really serve them, there's a six month transition where they're supposed to be getting ready before they go out and then for six months after to be supported. But it's by usually, I mean, often prisoners go to court finally and then they get sentenced and it's time served so they get released without any, any sort of assistance at all, stone cold. Have a friend who had to go to court to get released and she'd served 14 years and because of the situation, I mean, Corrective Services did try to find out where she would be released to, but for her own security, it wasn't made very, wasn't revealed particularly much and that may be the cause, the reason that she had absolutely no support at all. Save the volunteers within church bodies. So I think we need to regulate that or the sys-, the government needs to recognise it, I know they do, to a large extent, they do provide funding for prison chaplains in Queensland and work very well, often come and give addresses, different people at the conferences. But I think what I got from the Sydney conference, international, was how it cannot be just like the icing on the cake or the extra thing that we can offer, as a bit of a help. But that if people in chaplaincy or in support like Rowena Solomon who has her own company of counselling and consulting in drug and alcohol abuse is able to work alongside the system and have more input, rather than, you know, you provide this service and we'll give you this many dollars. So being able to make submissions like we are now, I guess. In, at the conference we heard from both very, or three very successful countries as far as providing a criminal justice system. Sweden, we heard from Reverend Doctor Ulrika Fritzen and she was employed by her religious body I presume, but she was also studying and she, the context of, the work that she did in restorative justice program was done in Pollsmoor Prison in Cape Town. So there's this not just, you know, we will, we will sort this ourselves, but looking, and she was actively involved from Sweden to South

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Africa and it was a sort of a reciprocated thing and her interest is to understand the philosophical way that what impact the meeting with victims has to offer the offender. And she's interested in the dynamic between the offender as a human being able to atone for the guilt and harm caused and the point of reference for her work is relational philosophers and lists them off. And so she started a reconciliation group in Sweden based on the restorative justice program that had been founded in Pollsmoor Prison in South Africa. And she found that the reconciliation group, it worked, with cooperation from Department of Corrective Services, and the community, municipality, being this little state part, and the Church of Sweden, and also private rehabilitation centres. So and you know, as well as that, we, that has to be addressed, and I did mention that in my submission, but I, I'm just me, so I don't really know what's current at the moment. Some of them are rehabilitation type and some are residential. The other system was Germany and I saw a movie on that, there's things that are accessible by people who have a little bit more facility to research than I have. The United States has been mentioned already by Mike Palmer and I think that's what we tend to do, we tend to just copy their mistakes rather than thinking that we need to think differently, we need to change the way we look at things. And changing the way we look for things when you've got a big prison and we're hearing they're needing to be extended, and we, so we can't spend any more money on pastoral care. But if we don't, and if we don't get to the roots of it, it'll just keep, keep growing, so one of the suggestions, when I was saying about time, time served, so then you, prisoners get released after they've served, you know, anything from a few months to, sometimes they're not in long enough, because it's, and so I really look forward to a review of, you know, what is the law reforms, what is, you know, perhaps the decriminalisation of drugs, illicit drugs and. But if you get just time served, you haven't been able to address things like your driver's licence may have lapsed. And I'm talking now, not the ones that came in off the streets, I'm talking the ones that could be fruitful, productive members of society. I've sat with women who, who have, you know, been in prison for fraud. Totally oblivious of the fact that they were committing the crime, because of their focus on looking after their family, and that didn't realise they were conning the system. Or if they did, they chose to ignore it. But they can be productive members of society if they aren't released back, I mentioned one lady who I spent some time with, she was, she came to prison here for driving without a licence. And repeatedly, she had, not paying fines, so eventually she lost her licence. And she was just distraught, because she had a disabled son who she didn't feel that she could just put him on a

bus or even a taxi and possessive parenting, whatever you want to call it, she, that was her choice, even though it didn't make sense to drive without a licence. So then of course he had to go into care. Well, once she, and she loses her accommodation once she gets out of prison and it may only be four months, she's lost her job, her home and she would have to really fight to get a child back when she's got no home to take him to, and so it eventually costs the country even more than if there was another way of getting around the problem of she needing to get her son to work. So it's all a matter of, I suppose, getting the one on one. And how, as I've mentioned a couple of times, the coordination of volunteers or just so we can get the manpower for the minimum dollar sign I suppose, and to have them quality, being there because they want to make a difference. Because they've been willing I suppose to, to go through all the training and come at it from a point of view of you know, sitting beside someone rather than where I'm going to fix you, which, you know, is a tendency for all of us, if we see a problem.

CW: Can I ask you a question?

JP: Sure.

CW: Help me understand the difference between say the prison psychologist and chaplain, what, are you able to distinguish the different way that you would work from a prison psychologist?

JP: I just read the book by Rowena Solomon that was published back in 2004 and I found what she was doing, she was going in as a professional psychologist, which obviously I, I wasn't. But she was also going in as like I was, a mature woman who could've been the prisoner's mother or yeah, now even grandmother, and just listening to them. There was one state in the book where she said that she listened to this man's talking about an incident that happened when he was six years old, where his mother had had a miscarriage and he came home from school and she told him that he was to take the foetus out of the toilet and put it in the bin.

CW: So that's obviously had a profound impact on his life and subsequent (ui).

JP: Well, it didn't end there.

CW: Right.

JP: He knew, at six years of age, that you do not put a human being in a bin. So he buried it. And then the dog dug it up. So he got absolutely punished for not doing what he was told. And so this man had a life in prison and a life of self-mutilation.

CW: And some links to that original.

JP: And that's why my submission started with we've got to do something in society. I mean, that poor woman would've been desperate. But it's the living in poverty. One of the things I, I would like to read out...

CW: Please.

JP: ...from the international prison conference. This is a statement that they made, reiterated at the 2015 and they're every five years, so there's another one next year, and I can't remember where it is. What we repeat and turn the emphasis to be on inherent dignity of all prisoners, our particular concern for vulnerable prisoners, our commitment to work with others including non-government organisations, world organisations and faith groups to address poverty and facilitate access to food, clothing, medicines, literacy supplies needed in prison and our adequacy as, of freedom of religion and for respect and resources for prison chaplains from all faith communities in the ministry of love and hope. Now, that's for those in prison. But the base of it is the lack of food, clothing, medicines and literacy supplies that causes them to go in. And you know, we've had politicians trying to address that for years, so I can't solve it, but I do, did see, I do see a growing need for governments to support other agencies to sow the seeds in the community. Some of the prison chaplain agencies, well, all of them try to have care on the inside, pastoral care sitting with people, and then to follow that through, the same as the transitions officers. Now, the transitions officers, like some of them may be psychologists, some may be not. So I've realised I really probably haven't answered your question completely, but yeah, for safety reasons often, you know, the prison chaplains are no longer able to do the follow through care. So agencies try to have people from the outside in the last few months come and visit them. Well, it's the same problem as, you know, if you're on remand and you get released straight from prison, I mean, I've found out three or four days after someone I'd been visiting in prison had gone to court, it took me nearly a week to find out where she was. Fortunately, a solicitor had found her somewhere to stay. But we just need more agencies that can do that, that through care, and this psychologist, Rowena Solomon, I just couldn't believe some of the things that she was able to do. She sat there with this man, telling this story, and then she could see that the sight of blood reminded him of the inflicting of wounds, so he was doing this to himself and he actually said as a grown man, I've got to do it to get the bad out. So we just need more psychologists like that at, you know, before it happens. But how, how, I don't know.

CW: Can we ask you some questions?

JP: Sure, that's probably a good idea.

CW: Commissioner Fredericks?

CF: Jenni, I'm aware that you've been prison, were a prison chaplain from around 2008 to 2015. Some seven years, and you've talked quite at length about what's not happening, what's not working. If you could name say the top three things that are working, what would they be? For people who are in prison and then also then maybe the three things that are working for people when they, they leave.

JP: The one that I was quoted in the draft of saying, I was fairly specific about, and I have mentioned the driver's licences, it's about having some assistance with not being released without a Medicare card or. I mean, they do okay, they do a letter that says, you know, with a picture on it, that you've just come out of prison, but I know people who have been, they thought they were only in for a few months, so, but then time lapsed and then the driver's licence lapsed and whatever. So I think there needs to be some, and this could be done through Corrective Services, it doesn't, in fact, I've run into trouble trying to help people to do it, as a non-custodial person. Yet, to deal with things like that, having, you know, not just, not getting released with a brown bag or a garbage bag with your worldly possessions in it.

I think to be, yeah, one of the things that did, I saw working, was being able to access parts of the prison where you could sit with somebody who was in real, like be, many times I knew there were prisoners who were in the critical surveillance unit, but because of fear, staff wouldn't let you in, I suppose fear for me. But the times that they did it was always very positive. So that's one of the things that I suggested in the submission that if, you know, if we can get a professional enough, I suppose, aura, that we can be trusted. People who are not on the payroll can be trusted to sit beside people and to work out what their needs are.

CW: Gee, that probably leads then onto my next question, how do you get access to your clients or prisoners in there, how does a prisoner access the prison chaplain?

JP: Well, it's varied over the years.

CW: Has it?

JP: And most of it's been a battle on behalf of the State Chaplaincy Board, because, well, I know one of the agents was not allowed to, he was fighting to get back into the common areas, into the actual, I mean, you can't go in a prisoner's cell, but into

the common areas in the prison. And he was battling to get that back. And at the same time up here in Townsville we were being denied access to the, sorry, we were being told we couldn't go to the chapel or the education block, we had to go to the accommodation areas and entered in the. So how do we get it? I don't, it's.

CW: Can any prisoner who wants to interact with a prison chaplain get access? Is it simply a matter of making a request or is it not that simple?

JP: It should be that simple, and it can be that simple.

CW: Okay.

JP: It all depends on the officers and I think that's, that's one thing that I did bring out in the submission I put out, that there are, you know, there are just some who make it difficult for all and then we, and it's.

CW: Are you talking prison officers? Correctional Services officers?

JP: Yes, that, or probation, parole are Corrective Services, but even police officers. And it's just the society's attitude that you know, it's all a matter of what our attitude is, whether imprisonment is as punishment or whether it's for punishment. It depends on the, I suppose the emotional health of the person going into prison, the chaplain, but a lot more on the actual custodial officer about whether they have, they're in a fear that if they lose control, if this chaplain comes in and actually is able to sit with someone and not have confrontation, I felt almost sometimes there was a, I stupidly, a jealousy or something. I don't know.

CW: Yeah, you go in as a, representing, it's a faith based organisation. What other, the people of other faiths or no faiths, how are they serviced or supported?

JP: I don't know.

CW: Okay.

JP: All I know is that I spoke with many, and listened to many women from other faiths or who had no faith. They would see somebody else chatting to me and they might come over and, and that's why I'm saying there needs to be, it needs to be a personal thing. And I, and how you do that in such a strict environment is difficult, but I've seen it happen and I've read about it.

CW: Difficult but not impossible?

JP: I don't think it's impossible.

CW: Okay.

JP: But it's, I guess my faith, I believe that I would just pray that my time in there would be productive, that God would allow whatever opportunities to listen to people who needed to be listened to and that's how the State Chaplaincy Board operates, we are there on the weekdays for pastoral care, not to preach. And there was one lady who had a Buddhist background who was nearing the end of her time in prison here and the officers, some of them were putting pressure on her to respond and take the Australian Government's offer of clemency, so that she could stay in Australia and, cause she was really concerned if she went back home she would be executed, or could be, her family could, there could be many issues. And she would come to the chapel after she'd finished work faithfully every week and the off-, she said the officers say why are you going over there? They're Christians, you're not Christian, you're Buddhist, why don't you get help from the Buddhists? And I said well, as a matter of fact, we've got a DVD here from the Dalai Lama and it's about making choices and would you like to watch it? At that point a couple of other women came into the chapel and she started talking to them and then in the end I said to her well, do you want to watch this, this DVD? And we'd had conversations over the years before that and we'd had word, we knew why she was in there. She couldn't say no to some friends who asked her to bring a TV into Australia, for her aunty. And she was telling me as she went along, I've stopped buying coffee, because I can't say no. Now I've got more money to phone my family. So I showed her the DVD, I said well, do you want to watch it, she said no. See, I can say no.

CW: (ui).

CF: We're going to (ui).

JP: And it's that personal approach.

CW: Thanks, Jenni.

CF: I think we'll leave our questions there and move to the floor. We may have time for one, maybe two ques-, two comments. From people in the audience today.

AUDIENCE: I'd like to make a comment.

CF: Thank you. Please, your name and where you're from.

AUDIENCE: My name's Ed Spriggens, I'm just representing myself but I'm also a Prison Chaplain here in Townsville. And just on the point of our, what we, what we do inside the prison there is that we do have now access to all areas of the prison. There are some restrictions on you can't go into cells and a few other things they had to have, but access is pretty readily available for us, working within the system

and their functions there. One of the things that has changed I think is that all the new recruits that go into the prison now, the actual, the chaplains actually have an opportunity to address the class. So we can actually explain to the officers there why we're there and what we do and.

CW: That's good.

ES: Yeah. And so it makes it a lot easier because, you know, up until recently, the officers would see us going in there, chatting and shaking hands with these people and getting involved with them, whereas when we walk out they go back to their, what they were like previously before we went in, in a lot of cases. And the other thing too is that there isn't a lot of support for prisoners when they are released and that's one of the biggest problems that I see is that the fact that society wants to put people in prison for good reasons, but we admit that the system doesn't work because when they come out they're still classified as criminals and until we sort of address that issue we're not going to go very far with what, turning these, the lives of these people around. And the other thing too is that there are, if you took out a lot of the druggies that are in the prisons there, we wouldn't have any overcrowding in there. And one of the big reasons in Townsville why we have a high prison population is that a lot of people that are in there have a very low vocabulary. So they have about less than 800 words or something like that, so they haven't the capacity to be able to negotiate their way through difficult situations without, you know, it ending up in violence, you know. Yep.

CF: Thank you.

CW: Thank you, that's useful.

JP: And on that, in my submission I did put that if our prisoners do feel like they need to make some complaint or whatever, there's a blue letter system, but often they don't use it because what Ed said, they don't have the literacy levels or they don't trust the system or, or other prisoners will see them putting them in and they'll be, there are just so many issues that we on the outside just don't know about.

CF: Thank you Jenni.

CW: Yeah, thank you Jenni, well done. Good on you.

JP: There was one other thing with the, what I specifically picked out of my submission, about preparing for release. There does need to be, you know, the system is in place with your transitions, but there's a loop, there's the problem with that. But there's also the attitude, once it's on your record, that seems to be a real problem for

causing more recidivism. Many facilities, you have to, and if you've got a long sentence, you have to have graduated for the last six months to a low security. And there are some prisoner, and in that low, low security, I'd like to advocate for, you know, perhaps day release, to go with somebody to get these cards and so on. But Rowena Solomon told us there's many cases which I've, I know about, where prisoners just can't to the low security to be released, they get released sometimes from the detention unit direct, because that's what the courts say, they have to have.

CW: We've had that feedback from others and I think, I think your point's well-made and I think there are opportunities for us all to do better as a society, some of those areas.

JP: The example that Rowena gives was someone who, 20 years prior, had tried to attempted to escape.

CW: Yeah.

JP: It wasn't even a, you know, a re-offence or anything.

CF: Thank you Jenni. Thank you Jenni, for your years of experience being shared here today with the audience and Commissioner Wood and myself. And thank you once again for your submission as well that you sent into the inquiry, so we'll leave it there, we are going to have a short break and then we'll reconvene at 11:15. So please be aware, tea, coffee and drinks are at the back and so morning tea sustenance, thank you.

CW: Thank you.

(BREAK IN HEARING)

CF: We're going to reconvene now, it's quarter past, which is our set time. Just to remind people that we are in a Public Hearing for the Queensland Productivity Commission. I'm Commissioner Bronwyn Fredericks and Commissioner Kim Wood, presiding over today's hearing. The Inquiry is looking at imprisonment and recidivism. We, the presentations take the form of people speak for 15, 20 minutes, then Commissioner Wood and myself will ask some questions and then we'll defer to the floor. I do remind people that from the floor when you go to speak to please state who you are and where you're from. If you're here as a community member, just say community member, if you're here as an organisation, say you're from an organisation, or what's stakeholder group you represent. Please remember, if you're talking from the floor, it's not about questions, it's about comments only. And the session will be videoed.

So next presentation we have is from Mr Wayne Parker from the Yinda Youth Program.

AUDIENCE: And Uncle Russell Butler.

CF: Sorry?

AUDIENCE: And Uncle Russell Butler.

CF: Uncle Russell Butler. Thank you (ui).

CW: Terrific.

CF: If you come up to the front, both of you.

CW: Good to see you again, Wayne. Looking forward to the presentation, from both of you.

CF: So once you sit down and settle, I'll get both of you to state your names and where you're from, for the purpose of the video tape, thank you.

RB: Okay, my name is Russell Butler and I'm an Elder from the Townsville community and I'm part of the Yinda program, I'm the Elder there, Cultural Advisor.

CF: Thank you.

WP: And I'm Wayne Parker, Yinda Cultural Mentor person there at Yinda. We work closely with the young people in the community and their families and their youth justice and also the high risk youth court as well.

CF: Thank you. So if you're happy to take your presentation now.

WP: Okay. Yes, our program started a couple of years ago, well, taking small steps at the moment with our program. We've, now, like I said, we deal with, a lot with high risk youth court and that and with their families and youth crime, especially, excuse me, especially with the young indigenous people, around this community and surrounding areas. We deal a lot with young people from remote areas as well, like Doomadgee, Burketown, Normanton, you know, even far as Rockhampton, Cairns, places like that too as well, Mount Isa. Yeah, young people and their families, I suppose a lot of them are disengaged because you know, we're living in, most of our people are living in poverty and the things like that, they're disadvantaged, but, and then you got some people saying well, that's their choice and that, you know, but sometimes it's not their choice, you know. They been, you know, given some of the tools they've been given to, you know, everyday life stuff, it's not, not the same as, well, you know, as a mainstream person would get I suppose, but you know, and

you know, the thing that we, we support these young people I suppose and their parents is trying to get their parents, well, it's a full vicious cycle of the, cycle of life, (ui) on that, with that cycle of life stuff, but you know, people might think that you know, where it started back from where, you know, Stuart, Major Smith come out and done bit of work for the Queensland Government and he done a big diagram up, a circle of life where the young person start from two year old, but it actually start from the mother's womb, you know. And it started probably 50 years before then or 100 years before then, where our people were put in that situation where drug and alcohol abuse and you know, it's gotten worse then over the years, I suppose, and yeah, with the ice epidemic and all the other stuff and as well put into the system, you know. Look, I'm not going to sit here and make excuses up for our young people and that and for their parents and that, it's been, it has been last, for the last 80 odd years, last 100 years that I know of anyways, but my elders where I come from, Mount Isa region, and Cloncurry and those areas as well and then speaking to elders from down here as well, you know, the way that they suffered with their upbringing too is that as well and you know, I think that you know, we all really need to come together in, as a community, for one, it, whether it's black and white or whatever it is, you know, and to deal with the situation with the ice epidemic, it's destroying our people mainly, because our prison system is up to 78% just alone in Townsville area and you know, I got a young person that's in, in Stuart prison at the moment, and you know, and there's still things in and out of prison all the time and you know, I think that, you know, government really needs to open their eyes up and you know, deal with this stuff from the grass root level and start listening to elders like Uncle Rusty Butler, Uncle Alfred Smallwood, you know, people like that, you know. And they're strong people in this community and that, that really, really, really need to be recognised for what they do and say in this community and I think that that's going to be great big help to what we're facing now today and today society with our young people, you know, doing armed robbery, and we got a 14 year old running around doing armed robberies, 13 year old doing armed robberies and you know, violent robberies and all that sort of stuff, you know, so you know, and it's all got to do with drug and alcohol stuff, so you know. And the feed is they live all this sort of stuff in community, most people in community who those people are, but they're too frightened to speak out and too ashamed to speak out because they may be related to that person and you know, put shame to a side, I think that we all, we needed to come together and start naming and shaming these people that are feeding our young people with these drugs and that, you know, and well, you want

to stay (ui) come straight out and say it. I think that, you know, if you're man enough to stand up and say it, that it's this person here, that person there, it's Joe over there, Peter here, whatever, I think you should stand up and say it. And look, at the end of the day, I think that that's, this is the only way that we're going to beat the drug and alcohol, the drug, specially the drugs epidemic in this place here, in Townsville alone, you know, I think that. I listened to a link up there before we had early on with Michael and you know, it sort of beats me a bit, you know, we're comparing our self to, you know, like United States, you know, other, other places and that. But I really think that we need to go from grass root level here in community and find out who, you know, everyone come together, I think that will squeeze the trouble makers out of the picture completely and you know, and get them locked up and the things like that, you know, and like I said, naming and shaming people, I think that really needs to start happening, and you know, and look, everywhere we go, I've been up to Mount Isa a few times, I'm in, I was born and raised there, and that community is, it's a, it's about, if it's not worse than Townsville it's close to it, and you know, we got eight year olds, 10 year olds walking around drunk and stoned and you know, people from the missionary moved in the community, got an idea what's going on, on there, and they can't adapt to what's, you know, their law and their cultural law and that's their stuff, they're spiritually (ui) and that, they see that run around that community, yeah, they're afraid, there's that many different people from different missionaries there, they all fight and argue amongst them self, drug and alcohol is the main issue there, and there's one suburb there particularly, it's called The Bronx, it's pioneer suburb, and you know, and that's like Townsville being labelled, you know, they say Garbutt's the worst place in Townsville and then they say Upper Ross is the worst place in Townsville and they say oh, Wulguru that's real bad that place, you know, don't come out there, don't move out there, don't live out there, you know, but I think, like I keep saying, we all come together as community, black, white, don't matter what colour you are, I think we all need to come together and attack this issue and but the main core of this problem is now is like I say, that going back to the 78% of indigenous people incarcerated sitting right now in Cleveland, in the big house out there, I think that elders like, like I said, Uncle Rusty and Uncle Alfred Smallwood, that they're the type of people that we really need to approach to help us deal with these problems, these issues that we got in community, because everyone seem to be pointing the finger at indigenous people, saying oh, it's this, it's a black problem, it's a black issue, but it's not, it, in today society it affects everybody, you know. And whatever a little

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black boy does up the street, does wrong, or a little white boy does up the street wrong, it affects everybody in this room, it affects everybody in this community. Whether you, and don't matter what job you do in society, you know, it affects everybody, in one way or another it does. And you know, until everyone accepts that and deals with it and come together and to deal with it together, I think that's the only way they're going to beat this stuff and but going back to Yinda stuff, I'll get Uncle Russell to touch base on the circle of life, our, Stuart Major Smith touched on with Palaszczuk government and you know, this cycle of life, it began for us many, many years ago today, you know, it's not just over the last couple of years where they come out and done a investigation on what's right and wrong in this community and what will work and what won't work, you know, so I'll give you to a person that really knows what's going on here. That's Russell Butler.

RB: Thank you Wayne. Yes, so to talk about that cycle of life, that cycle of life is where you begin your life. And look at the bottom of the circle and then you go through life and you come up and I tell those kids, this is where you are right now, what do you want to be after you reach 15 or 12 or whatever? You've got to have some sort of goal setting. I feel the major thing that's opposite, opposing everything that we do is the modern society that's created with this television and the games that they play. There's some of them are violent games. And I don't even want to look at it, it's horrible. And they look at these things through via their phone, every one of them's got a phone. And I say to them, you've got to learn how to put that down every now and then and just walk away from it, and become a real person. And then you can look at yourself in the mirror and say this is where I am on this cycle, on this circle here. Cause one day I'm going to go to pull all the way around and come down here and that's where you die. Everyone has to die. I said in between though is where you have to fit in, to this society. Now, being an Aboriginal person, I say to them you got to understand, I grew up in the bush, then I was told I had to go to work. So I had to shift from being cultural to go into the modern world and fit into this one. And back in the fifties and sixties we didn't fit. And I said you, you guys can fit in there now, because a lot of people have paved the way for you. But we still get those knockbacks. If you look at the ladder of labour, we're at the bottom rung. When it comes to going into employment. If you go in there and there's three people, European, Thursday Islander and an Aboriginal, the Aboriginal is the last person they will look at. I don't like telling them that, but they have to face reality, that's what we have to face. We have to face that, that's our life is presented to us. So to rise above that takes a man. Or a woman. And you've got to rise above all those

things, that is, that are right in front of you, that are going to set you back. Because if you don't, then you're going to get in this rut and you're going to be ringing your mates up at 9:30 at night saying which suburb are we going to hit tonight. And that's when you see these kids walking around the street. Then it comes down to looking at the parents of these children. Parents aren't responsible, so we've tried to target the parents and show them how they should be dealing with these children. And they are children. By the time I got to 15 if I'd said something out of place or I did something out of place, I was smacked and I guarantee all you old guys in this room know what I'm talking about. And you old ladies too, I must say, you must know how the parents gave you a smack. I mean, it's not about this, I see too many do-gooders today. When you take a child into your house, you don't have to half kill him, but you chastise him, you talk to him and say I'm going to give you a smack because you did this wrong. Next time it'll be two smacks. And I did, I remember, I did something wrong one day and I got a good smack. I mean, switch, a stick came off a tree, broke it, bang, I never did it again. Never ever did it again. And I still think about it today and I try to pass that on to these kids. You can be, you can rise above all that, you don't have to be smacked, you can say no. Say no to drugs, say no to crime, say no to everything. That's there. Try to teach them. And then I take them bush, I try to show them the cultural aspect of living in this world. I was only talking to the high school this morning about climate change and I said to them, to live in town is very, very hard because you've got electricity all around you, you go out in your back yard and you look up in the sky and street light here, street light over there and there's, you can't really see your sky, the sky is. Turn all your lights off and go out there and sit down. And to see that sky is really good, gives you another feel for your back yard in a city. And I try to, when we take these kids bush, I try to show them that sky. Show them the Seven Sisters, show them the Southern Cross, the, and the Orion's Belt. Look at it from an Aboriginal perspective and look at it from a, the European side where, or the Greek side, where they look at Orion's Belt and all those other constellations that are up there. It's not easy to get their attention, because their attention span some of them, because of the paint sniffing and petrol sniffing, the drug taking. It's affected their attention span. So I try to do it really quickly and then I step aside and go away from them for a little bit, let them think about it. Cause if you put too much in their head, they won't listen. So that's what we try to do. But the reality of, of our cultural side is we show them physically what a spear is, they can use a spear, how to use a woomera. What a boomerang is, what its purpose is, where it comes from, how we make it, and they always say

how long does it take to make this? We never had watches. Time has no bearing on anything that we did culturally. So I say you can sit down there and take all day to make a small thing, but it's got to fit with your third eye, to say that it's, it's ready now. And then you can walk away from it. All those things are a part of being an Aboriginal, and accepting the fact of where they are right now, they're living in a, in the fast lane. And some of the worst things that they have is girlfriends. I promise you, girlfriends. And Telstra's doing too good a job with, and Optus, they're doing too good a job with the mobile reception. Cause we take them bush and the phone rings and the girlfriend's saying we're going out tonight. And they're thinking these girls are going out and there's going to be boys out there so they're upset about it all. So we've lost them straight away. So what we're going to, what we try to do is take the phones off them and give them access to the phones later on, you know, at a reasonable time. But that, we try to keep them interested in what we're going out there. But the parents are the worst. We have to get the parents and put them in a place where their children and say would you like somebody else's children to come here and affect you, your way of life at night? Come into your bedroom and steal your keys. Steal your jewellery or steal your money. But we don't get acc-, a real lot of access to these people. We need that access so we can deal with these people. Cause they got to be made accountable. While their children are on the street these people are at home either drinking or in a club playing the poker machines or taking drugs or whatever. Or all three. So that's the fight we have and whenever I get access to a parent I tell them about that cycle of life. Where were you when you were 15? What were you doing? Was you with your parents? Were you hunting with them? When you were on the community, might be Doomadgee, Lockhart River, Kowanyama. What were you doing? And they can reflect back. And they, it's like going to a cane farmer, probably around Tully, you know, when we first went to those people and said to them that creek there beside your farm, it's got all this machinery in it, what was it like years ago, when you was a boy? Oh, it was beautiful, we were catching jungle perch there and barramundi. Can you do that now? Oh, no, not really. Why? We've put all our old machinery in there, dumped it in there. Next thing you know they've pulled all that stuff out and them rivers, those creeks up in Tully are running clean now. Because they were made aware of the problem that was in their back yard. And they created that problem. And now we got clean water coming through those places. Cause they cleaned the area out. It's that simple, it can be not only Aboriginal people, but European people too, simple, the simplest part. The simplest way to look at life, to look at the life all around you.

All the plants, I introduce them to every single plant that's here. And I tell them about how we burn off. When you burn off a good burn, the smoke rises and goes into the, just goes into a whiff and then disappears, but when you see the black smoke rising out of a bush, you're burning off the wrong time. You're burning off all our bush foods, because all the chemicals that are in those leaves are turning the atmosphere black. All that smoke that's rising is black. It's wrong. You should never burn any tree top, cause that's all our bush medicines going up in smoke. So you burn clean, winter time. And that's what we'd done with, we do with the national parks here in Townsville. We tell them, you watch that count down coming, it'll start burning about June, July. Cause we tell them that, you should burn this time of the year. And you won't see jet black smoke rising, cause all the undergrowth gets burnt. It's, it all, it affects everybody in the community. All these things, so we try to teach that to the children too. So they can fit into our society. I belong to a group called Giringun and Giringun is up in Cardwell and it caters for nine tribal groups. Six of them have got sea country, all the way from Rollingstone right through to north Mission Beach. Three of them have got all inland, so that's (ui), (ui) and (ui). All those people out there don't go anywhere near the turtles, but all the people down the front, they, all the kids get access to becoming a sea ranger. So that's what we train them to do. And we tell them what is needed so we're trying to fit these kids in somewhere. Like Di Braven, you know, I don't know whether you remember Jacky Braven, his son Roger killed himself a few years ago and his wife is alive still and they own the Braven property at the mouth of Black River. We got access to there now, because I spoke with Di about coming down there. Cause that big flood brought all the Siam weed down the river, and it's growing on their property, so we're going to get these kids and go out there and pull it out by hand. All that helps the community. Teach them how to help other, the rest of the people in this community. (ui) up on ours and up on tabletop, up on Harvey's Range. He loves us. He wants us to go up there and help him pull lantana. But we don't pull lantana until the ground is totally saturated, so you can pull it out roots and all, and it's all gone and no poison is used. So we got access to all the land that we need to deal with these street kids' problems, but we need community and we need the families to help us, to make it better for them.

AUDIENCE: And your recommendation is to (ui).

WP: Yeah.

RB: Yes. Exactly, (ui).

AUDIENCE: (ui) sorts of things that you'd like to see us (ui).

CW: So that we (ui) more money.

RB: Well, more money, money is going in the wrong place right now.

CW: Is it?

RB: Yes. The money is going to this organisation because it's big and it's a government organisation, but it doesn't know how to deal with a Aboriginal issue. And when I say Aboriginal issue, this is Aboriginal land. Thursday Island is up the other side of Cape York. There you won't find a Thursday Island (ui) on the land here. Anywhere. All the massacres were all Aboriginal. So when we talk about the land, that's how we talk. If we involve the Torres Strait Islands where you got islander kids that come, we have to get a Thursday Island person in with us, an elder, to come and talk to them, because it's not my right to tell them about the cultural aspects of TI.

CW: So government, white Australia's got to listen and got to understand...

RB: Got to listen to us.

CW: ...(ui).

RB: And make sure that you got the, you're talking to the butcher, not the block. So to speak. If you know what I mean.

WP: Like we got things in place now that where we work closely with, we're in partnership with Watson Security, we're in partnership with Community Connect, TARS and the other one we, as well, Skill 360. Now, those job agencies, so they're training organisations there, but they help the parents too as well to, with their numeracy or literacy stuff and to try and get some sort of education to do the job that they want to do, like maybe to, that some of them even haven't got driver's licence, they're 50 year old, you know, some of these parents and grandparents you know, and you know, well, the just basic things they need in life just to move forward, you know, and like get from A to B too as well. But having these parents, some of these, a significant adult, that's a part of these young people's lives, having them involved where often move through that transition stuff back to culture grass roots stuff with our help, supporting those young people and their significant adult or the parents of those young people, and well, that could be either through training, employment, whatever it is, we support those parents as well and you know, young people, to try and get those, get them well, back into education or you know, with the training or

with the employment, you know, with Civil Safety just down the road down here, they, they've been helping us with training down there with the young people, we put about 12, about five young people through a course there early last year. And you know, we actually had those young people, went through the training course, they done a, had to do a bit of stuff out on the mine site. They went through the 13 week program, they completed that program within seven weeks, so you know, and they blew, blown away a lot of the adults who were in that class and you know, so I think that these, some of these kids are a lot smarter than what we think they are, anyways.

CW: You made that comment I think in Mount Isa...

WP: Yes.

CW: ...Wayne, that by say traditional school measures these kids don't necessarily always come up looking good...

WP: No.

CW: ...but they're not silly and they can do lots of things (ui).

WP: No, that's exactly right. Well, just on with the hands on stuff with some of the kids out of Cleveland there for instance, you know, we've spent a bit of time with them, you know, in the classroom and that they were no good. Numeracy literacy stuff it was just, it was thrown away and you know, hands on stuff, they were better at the hands on stuff and they got a lot more value out of that and you know, recognise prior learning stuff, I think that, you know, and plus with the right sort of education, some of these kids have, even some of these kids, I'd say at least 60, 70% of these kids got a IQ out of the grade 3 or 4, you know, and the 15 year old, 16 year old kids you know, we're looking at, and we got some young girls now that are becoming mothers, you know, they're 14. There's one in town the other day that had, she had a first child, she was just turning 15, you know, and you know, we got children having babies, you know, so you know, just the surviving in community, in society, and I think that, you know, and the struggle for some of these young people. And look, it, not all of them are indigenous kids, there's some white kids, mainstream kids in Cleveland now, talking, talking language from kids from Kowanyama, they are learning their language when they, you know, talking lingo in Cleveland there and some of these, you know, being young kids there, they can, they listen to these conversations and they catch on, you know, what it means and that, you know, so I think that really, we need to go back to grass roots stuff with these young people

and you know, have the parents, have the elder, adults involved, because, as I said before, we've heavily involved in the high risk court in Townsville here, they have one magistrate particularly that he's, he, very sympathetic towards some of the young people, and he's very understanding on what we're trying to do and we appreciate that. You know, and that's where I said in my statement when I went out to Mount Isa a few months ago, with you guys there, you know, in Mount Isa, because it's such a small community, what we're doing here is taking you know, we're baby steps at the moment, but you know, we're slowly getting there. Our success rate I suppose is about 75% at the moment, you know, with young people and some of their families. We're not going to fix every young person that comes through our door, but you know, we're going to give it our best shot anyway, you know, and.

CF: Just want to ask a moment.

CW: You're making a difference.

WP: Yeah, make a difference.

CF: Just want to ask, you talked at length about young people, and you too, Uncle Russ, and raised the issue around young people that might be thinking maybe a bit cogni-, having issues with thinking. That's been raised in a number of forums.

RB: Yes.

CF: In a number of our discussions around young people who have cognitive, what we call cognitive impairment, along with foetal alcohol syndrome.

WP: Yes.

CF: And maybe also have been subject to abuse. And this is both indigenous young people, Aboriginal Torres Strait Islander young people, as well as non-Aboriginal...

WP: Yes.

CF: ...young people.

WP: Yes.

CF: So just wanting to know in terms of the work you're doing, is that an, are they issues that you encounter with young people, and what do you find works with some of those young people?

WP: Well, about three months ago, I, about two months ago or three months ago, we were in Cleveland and we, we sat down with about 58 young people and two of

them were, wasn't interested out of it, and we sat down and we broke them up into separate groups and that and we had butcher paper on the ground and that on the floor and went through and asked them what their likes and what, you know, what they want to in life and that sort of stuff. To sort of get to what, around to what makes them tick, you know, really. And then you know, we found around with that, had seen some of the stuff you was talking about, a lot of them yeah, they show that, and we could see that, and that's with black and white kids and you know, we had some young fellows there, and girls too, involved in our program out there, with, from Brisbane, that were involved in the program and from Rockhampton, from Cairns, Kowanyama, you know, few girls from there, you know, and I, you know, we, we identify that, that problem there now with them, especially, and like I said, it all starts back from the mother's womb, you know, that syndrome stuff, and you know, a vicious cycle of life would just, I'm not looking for self-pity with our people, but looking for the respect that we deserve, you know, and too I think that at, in the way, the way of life for us, I think that you know, we really need to be, to make our mark here, rather than walk alone separately down the road, on one side of the road, and I mean, white Australian walk along the other side of the road, we all need to walk, meet in the middle and the attack all these problems in the community together and you know, that's going to be one powerful tool for everybody here whether it's in Townsville, anywhere else, we all need to come together and deal with this issue all together and going back to the young people in Cleveland, they, we writ down some of the things, oh, what do you like George? What do you want to do in life, you know, what makes you, what makes you happy? I'd really like it Sir, if I had my own place, and another person said I'd really like it if I had my own electricity, I had my own fridge, I had my own food, I had my own, you know, car, things like that, you know, and. Well, why do you do the things that you did to get in here? He said well, I had nowhere to go, I had no support, nothing, nothing on the outside, you know, like you know, and my cousin over here or my brother over here, my Uncle or aunty over here have been in and you know, doing the same thing and I wanted, I haven't seen them for a long time and I wanted to do, well, a young person that we, we're actually dealing with right now, he was 12 year old. He was on 68 charges. Or 60 odd charges. And they were all dropped. We got him inactive with the NDIS program. He's still, we're still trying to link him up with that. But the meantime, there were that many red tape rubbish that's happening with Child Safety that stopped that young person moving forward to go and visiting his family back in Cairns. Now, that young person also was a witness of his father killing his mother and his father's

in jail and the only, only living relative that he's got, the head of the family, is his grandfather. He lives in Cairns. And we were trying to get that young person up to Cairns to see the, for the last, oh, you know, six weeks now we had that young person.

RB: At least.

WP: And he started a clean slate and that, we were going to get him involved with the NDIS program and all that sort of stuff through Child Safety and Child Safety just take the time, they were very, very slack about things with getting this young person, there's always barriers, there's always some issue that to taking this young person on. Oh, we'll, we'll drive him up in the car with Uncle Rusty and another worker of, another worker from Child Safety and that, you know, just barriers like that put around to, you know, getting these young people back, connected with grass roots stuff, you know, or back to families, back to, you know, where it all began for this young person and that's what's missing in this young person's life is that he has got no involvement and he, his heart's broken this young person and he's back. And the last three weeks he's been caught on, on footage doing the wrong thing. And you know, it's appalling what the red tape rubbish that's going on now with Youth Justice, Child Safety and people like that, you know.

CF: Thank you.

RB: Can I add to that? It...

CW: Please, please.

RB: ...it's to do with the system, because they've given young white people the right to say no to this child. The reason that boy needs to see his grandfather because he's now head of the family. That whole family group. The grandfather is the head. And that little fellow needs that elder to be there for him. And when they said no, you can't take him up there, I said why? And they said well, he'll do a runner from the motel. That's ridiculous. So I said well, your scenario, different scenario, we take him up to Mission Beach, we stay at Mission Beach, when the, in, when the morning comes around we take him to Cairns, he spends the whole day with his grandfather, then we come back to Mission Beach. He doesn't run away from anywhere. And they said oh, we never thought of that, so their thoughts aren't in the right place. These are people who are not caring about the child that they got. They're dealing with someone they don't really need to deal with, because they're getting paid big money, they're taking up a space that should be an Aboriginal job. And that's the

problem with modern society. We're having all these people who say, all these do-gooders who say oh yeah, I can do this. But they're not doing a very good job and they're getting paid top dollar here. And that's where that money is going to, it's not going to the right place. So we come up with a suggestion to take him somewhere else and sleep there and then take him up to see his grandfather and come back. That gives that boy a base to work off. He's then got, got to ask that grandfather where do I fit into family here? Have I got cousins or have I got all these people. None of those European people in that office there could do anything like that. That only comes from the head of that family. And he can introduce him and that to me is probably one of the greatest things is to find where you come from, your grass roots.

CW: That's a good answer and we've got you on video, that's very useful to hear.

RB: Yeah.

CW: (ui).

CF: Wrap it up now I think.

CW: Yeah. We've just got a couple of minutes left. Is there a comment from the floor? Probably got time for one comment.

AUDIENCE: Yeah, just what Uncle Russell was talking about, with that, and Wayne before (ui) that young fellow. Same thing happened to me about nine years ago. And with the court system up here, European people don't know the culture of Murri people up there. Cause the lady's sitting down with a mic, a bandana around her head, the solicitor comes in swearing about her. She's so ignorant, she won't even talk to me. So I had to pull him up and I'll say you know (ui). Have a look at what's around her head. Then she said to me, my boys are probably 13, my boy's in trouble now cause dad's called him up home, got to go back (ui). I met Child Safety and explained a little about it, used to trust everyone. You know what they said to me? (ui), to out bush with this young man and (ui).

CW: Gee.

AUDIENCE: So this is the sort of thing we're fighting with.

CF: Yeah.

CW: So there's a lack of understanding and empathy with the issues they've got.

AUDIENCE: Very much so.

WP: (ui).

CF: Mr Smallwood, can you just say your full name for the recorder (ui)?

AUDIENCE: Oh, sorry, my name is Alfred Smallwood, I'm Alfred Smallwood (ui).

CF: That's all right.

CW: Thank you. Guys, at the presentation, much appreciated, I hope that some of our recommendation can assist in some way with these issues that you've explained today. You've helped me, a white person understand all about some of the issues that confront you in these communities, thank you for the.

WP: Thank you.

RB: Thank you.

CF: Thank you.

CW: Okay.

(BREAK IN HEARING)

CF: So reconvening for the Public Hearing and Productivity Commission, Queensland Productivity Commission for the inquiry into Imprisonment and Recidivism this afternoon and the present presentation we have next is from David Glasgow. And David is a Commissioner with the Family Responsibilities Commission, also known as the FRC in Townsville. Thanks David, I'll hand it over to you.

DG: Yes. Good morning. Thank you for the opportunity of making a presentation here. I was on leave and unable to attend in Cairns where the Commission operates. The FRC thanks the Productivity Commission for its work and takes note of the important responses and its interim recommendations. The Family Responsibility Commission is a unique organisation. It was established in 2008. It's a statutory entity of the Queensland Government whose purpose is to restore social norms and elder authority in five indigenous communities of Mosman Gorge, Hopevale, Coen, Aurukun and Doomadgee where local commissioner's conference community members who are failing to meet their social responsibilities. There are 26 indigenous commissioners at the present time, all of whom sit alone now and today commissioners in Doomadgee have commenced a three day hearing. In Mosman Gorge they sit today and in Hopevale on Thursday. Each of those commissioners are respected members of the community and generally elders and traditional owners. They are paid the same as a board member, about \$500 a day for their sittings. They have the authority to issue income management orders in respect to a persons income if they fail to carry out their orders or recommendations. But to put

that into perspective there are approximately 2,400 welfare recipients in those five communities and we currently have 128 income management orders. We consider the Commission to be a unique justice strategy because it's community specific and socially orientated. It integrates conferencing, referral for support services and case management. Those referrals are significant because if the referral agencies fail to respond I have authority to report those authorities, those service agencies to their authorities and eventually to publish in quarterly reports their failures. Local commissioners receive notifications that the FRC where community members are convicted of an offence, issued a domestic violence order or a breach of a domestic violence order. If they breach housing requirements or child safety requirements or they fail to send their children to school for more than three, anymore than three days. Accordingly issues surrounding imprisonment and recidivism affects our clients and communities in many profound ways. These issues are not new. The absence support for both offenders and victims on release from prison exist. Lack of meaningful employment available within community. Lack of suitable housing in some occasions. Prison being considered a right of passage rather than a deterrent for young people going to Cleveland or into the prison system. A lack of diversionary options and disconnection from family and the consequential impacts of that, of significance in the five communities are the unintended consequences of blanket application of strong criminal sanctions. As noted in the FRC's earlier submission domestic violence orders and breaches being inflexibly applied without consideration of circumstances in the remote communities results in disproportion incarceration rates. High incidents of convictions relating to drug and alcohol and public nuisance changes also prevent community members from obtaining blue cards and limits employment opportunities. It is significant in relation to domestic violence matters for which I'll refer shortly. Against this breakdown the FRC supports the recommendations outlined in the draft report to reduce the scope of criminal offences and to expand diversionary options including exploring orders to attend mediation. As noted in the FRC submission domestic violence matters which occur between siblings and other family members will be far better dealt with indigenous mediators or in settings such as FRC conferences. These options are either not canvassed by police or not available as a referral in the mechanism of the courts. This incident in Aurukun for instance when the Justice Department funded a mediation service, quite often people involved in a one off situation between siblings or between mother and son and not referred there. And as people do not turn up on those domestic violence applications quite often they'll end up with a five year order.

It's not uncommon for people in Aurukun to have four or five orders, domestic violence orders against them. The FRC strongly supports the recommendations to include victim and focus restitution and restoration. And with restitution we're not talking about money so much, it's about effort, doing some work for somebody who, where responses are limited. The FRC model of local commissions conference and community members who have done the wrong thing provides a forum to hold people accountable for their actions in a cultural appropriate way. As was said recently by the people before us, in an Aboriginal community of Aurukun of 1,300 people or in Coen which is a town of 300 people, everybody knows everybody's business. Privacy rules in juvenile justice are meaningless because everyone knows what's happened and so as a consequence there is a lot of local knowledge and if you have strong local people actually conferencing those everyone can be involved in those circumstances. At the present time the Queensland Government considers the future of the FRC, it seems it is a significant opportunity to evolve and refresh the FRC model to incorporate alternate justice strategies which suits the needs of Aboriginal and indigenous people. The FRC commissioners have been established, have established respected order and authority. They've been there for ten years standing in each community. They are an invaluable resource. Many of them even though they impose income management orders have been elected to local authorities. So that in Aurukun we have four commissioners to four councillors. In Hopevale one of the commissioners is a councillor that, is a member of that council and a number of people stood in Doomadgee who are unsuccessful. One option is for the FRC to take on a restorative justice conferencing role as trialled in Mornington Island and in Aurukun and being used in a more widely in a juvenile justice process. Originally the Commission had authority over juvenile justice but with the election of the Palaszczuk government that was removed on an election promise to moderate some of the legislative requirements of the Newman government. One of the unintended consequences of that was to remove juvenile justice from our authority. However notwithstanding that if we receive a child safety notice we can often bring in young people for conferencing with their parents. The proposal made in the Cape York partnerships PAMA Future to merge the FRC and Community Justice Groups to provide advice to and connect with case management in the court system would also serve to support breaking the circle of imprisonment and recidivism. The local commissioners along with a justice group could contribute to the decision making body in justice reinvestment strategies. Commissioners have a deep knowledge of the diverse and, of the diverse changes within their

communities and the drivers of over-representation in the criminal justice system in each of their communities. Justice reinvestment is recognised as potential, a potentially powerful factor in indigenous community because of its capacity to imbed local and culturally appropriate prevention rehabilitation and diversion. There are a range of options available for use of the FRC to continue to make real change and contribute to improvements in imprisonment and recidivism in indigenous communities. It will be up to the Queensland Government to recognise and embrace these opportunities. If I could move away from the FRC for a moment. I just returned from five weeks overseas to my home in Townsville and the first two papers I read on Monday and Tuesday apart from being dominated by electoral cycle were dominated by the apparent crisis in juvenile crime within this community. I was appointed on ANZAC Day 2008 and then at that time was the Magistrate in charge in Townsville. About 18 years ago and the lady in the back of the court, Linda will remember, a meeting was held at the Garbutt Church of all indigenous members of community in various groups, out of which the justice group of Townsville was formed. It was operated by a young man who has since deceased, Kevin Oneyunu and shortly thereafter we established the first youth Murri Court in Queensland and the Murri Courts. A number of the people in those days who were supportive of the justice group who are now passed on, Alice Dowden, Elsie Kennedy, Eric Darral and there are a number like Linda here today, Coralie Cassidy and Eva Kennedy, I think if they read the papers today would be appalled at what has happened. I just finally wish to say that I always believe that when a young person comes to court for the first occasion it's an indication the whole system has failed. Either the parents, education, child safety, the community itself, police, a whole lot of those things. Once that person returns on a second occasion there is no doubt the system has failed. It's time I think that the whole community took responsibility and there are very generous people within the community who can make voluntary contributions to those things. I have now returned to Townville. I had to take some part in assisting the justice groups in my retirement which will come in the next couple of months. But I think the model of the FRC and the use of indigenous people particularly within communities, whereas I've said most people know exactly what's going on and that authority level particularly with the back up of possible income management, but I've said 128 people in 2,400 is not an overkill. So extending beyond my brief today I am somewhat disappointed when I hear about Townsville.

- CW: Thank you and the FRC is an interesting model and we will have some questions on the FRC model, no doubt about that. Can I just pick up your almost closing comments and in some ways you echoed Wayne Parker who talked a lot about the coming together. When you say you read you know the news here and you're disappointed about where the young people's offending has gone and the need for the community to sort of you know get behind this. What needs to be done in your humble opinion? You've got a unique background, it's probably useful here.
- DG: Well I think first of all the press needs to be more responsible. Youth justice crime in Townsville is not at an epidemic levels, it's actually been decreasing over periods of years. And if you take into account in 2015 when the age was increased to 18 you'd accept there would be some increase. But proportionally it's not, it's not as you read in the papers.
- CW: It's not out of control?
- DG: No I wouldn't have thought so but I haven't lived here for a long time. But Linda and people from the justice group can tell you. What is a real problem is children repeating themselves and then going further and further into more serious crime and that means that the system is failing them.
- CW: What can we do? How can we help?
- DG: Well as in every community that I've been parents are part, primary responsible and they have let the side down as the elders here have said today. So it's to make them a little bit more responsible. We have that stick of income management which does work and it brings people to heel, at least they come and sit. But it's more important I think to have a system where the parents of the children sit together with those authorities to try and work out a solution. Because Child Safety can have a solution but if they go back to an environment which is unfriendly and kids are happier to be aware from it, just go back for a feed, that's not going to solve the problem. So I think (a) there has to be some work with parents. I think, I found the police very, very helpful. Linda was a community police officer when I first started and was very supportive for us for the courts. And having more indigenous community police officers would be a great help I think within the community. Having those courts being more open to elders and to advice. But also one of the issues that needs to be faced is youth justice, case workers have huge overloads. Their case work numbers are about, last time I looked about twice the amount of a Victorian's case worker. Child Safety are similarly that involved. Whilst that is a great cost to do things but if you can bring other people within the system, elders,

volunteers, people from justice groups to be more directly involved. And one of the issues that really face us, a problem in the community is that all penalties in relation to juvenile justice, by the time they are imposed and by the time the kids get back from Cleveland the time limits have gone. And because people visit the communities on a regular basis, even with good intent to have community service and those orders undertaken, unless you have local people to do that and do that immediately a child comes back from detention and have them involved in the community there's a distance of, could be months before people get involved. And then the whole idea of what has this child been punished for when in the meantime there's three or four more offences. It just combines together. That's for those under 18. But the older young people who go straight to Lotus or to your prison here they need to be looked at once they return to the community. And I found that if you, with the system trialled in Aurukun if you looked at the breach of parole and the return to prison and the cost of doing that it's quite phenomenal. If you can break that and get people to spend a little more time working their parole within community that's a great investment.

CF: Yeah that's good advice, thank you David. I want to ask and for you to explore out a bit more around the Murri Courts and the family responsibility commissions and if you think you know they exist well together within the same community context and additionally, or can they exist together in the same context. And in addition to that, do you think that these initiatives which are full on programs now could be rolled out for the broader community? So beyond just Aboriginal and Torres Strait Island communities but the broader community.

DG: When we established the youth Murri Court and Linda will remember this and the Murri Courts, the courts were given no funds.

CF: Yes I remember.

DG: So we did it all within the fund system and we arranged for the justice group members who turned up, they got, I think you got a meal allowance didn't you?

AL: Yeah a meal allowance.

DG: And they donated that back to the justice group. So it was volunteer based and a great commitment from a lot of people. They worked very well. The Murri Court in Townsville was a peculiar case in the sense that you only went to the Murri Court if you were of risk of imprisonment. And that was determined by the lawyers and by the police. And so everyone who appeared there was really knew that they were

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likely to go to jail. So we were looking for solutions at that time which would either suspend that for a period of time or provide an alternative. The funding for the justice group for instance, just to monitor a period of suspended sentences was just not available. So I recall one day with the way Townsville is situated, someone living at the Upper Ross was late for court and turned up at 10 o'clock because he walked. At least he turned up. So when he's on parole or on super, on probation, if he's got to go and report to, in town to probation office and doesn't have the funds then they miss. So there's got to be a more flexible way of doing that particularly with distances. In the communities it doesn't matter so much because you walk around and do that and there's no excuse. But I think there were a lot of things that I would like to have seen done here...

CF: But if there's capacity to expand that model out, so if reflected on what, how it was set up and what has happened. But if there's capacity to extend that beyond that and to look at extending Murri Courts and family responsibility commissions beyond if someone's probably going or perhaps going to jail to a broader scope, do you think that would work?

DG: Yes. One of the things that I have to say is that the success of Queensland Government are quite mean in relation to supporting justice groups, they're totally underfunded. To get \$120,000 which is roughly what they get to pay someone to be a full time coordinator, run a vehicle and pay an office, it's almost impossible. It relies on volunteers all the time. My commission was based when it was set up via the Anna Bligh and Jenny Maclin, was that people would be paid properly. So our commissioners are paid the same as a board member, \$500 a day. So there is no excuse. They don't get paid unless they turn up. So I think it's time that the government took the view that if you're going to use people, you can't rely on the fact that they are on age care, age pensions or whatever else. They'll be some volunteers but there needs to be more money spent within the justice groups themselves to make them more viable. I think Linda as a representative of the justice group here would be able to tell you how tight everything is and if you want to go and visit somebody who has failed to turn up for instance to a parole appointment and they know they're going to be arrested, just to go and visit them at the Upper Ross or Wulguru and spend the time to do that, just to bring them in and report in is very time consuming when you're doing everything else.

- CF: David do you think the models have the capacity, if there was funding if there's capacity to broaden the scope and role that out in the broader community beyond the Aboriginal and Torres Strait Island community?
- DG: I think so. What wasn't covered, when I was doing the Children's Court with Linda for that five year period, what wasn't covered, we could get plenty of people recognised as indigenous but we couldn't get retired Caucasian cooks, school teachers or someone who wanted to volunteer being recognised to look after white kids. Which would, these kids integrate amongst themselves so it's not a division on race. So I was hopeful that we could develop that sort of volunteer basis. If you go out to Cleveland it's just a mass of volunteers. You get people, retired mechanics that are teaching them how to strip a motor. You get the cowboys going out there. You get people volunteering all over the place. So there's a great resource that's not used particularly within that court structure and the Murri Courts and also the Children's Court because they run together basically. I think the community needs to take responsibility because as I said if you read the papers everyone's out there ranting and raving as though you're in some sort of war. And there may be some of that but it's not surely as serious as it appears daily in the paper.
- CF: Thank you.
- DG: I invite you to get Monday's and Tuesday's paper, you'd shake your head.
- CW: David the FRC has been running ten or eleven years. Should it run for another ten or eleven at least? I mean is it, is its role an ongoing entity or is this an intervention whose time perhaps is coming to an end?
- DG: I think the whole principle is something that can continue but it should evolve. If you're going to have a merger of justice groups and those, and mediators together, there could be a really, a saving in resources. And they can operate well within communities such as Doomadgee of 1,300 people or Aurukun which are really self contained communities. Acting outside that area with taking income management is a whole new thing because it needs to have Federal Government intervention. The act was set up uniquely in Australia with the Federal Government giving the Commission authority with amendments to the racial discrimination legislation initially and now it's a special measure. So it's, nowhere has that been done and that authority been given solely to indigenous people.
- CW: Elders in those communities that are involved in the FRC have been tasked with heavy responsibility and I suspect from time to time get some criticism from some in

the community. It's a tough job. Will there be a next generation behind them that are prepared to stand up and take those sorts of roles if this...

DG: One of the deficiencies of it was that when we were appointed we were a three year trial and then subsequently we were extended year by year. I asked successive governments to allow me to bring on new commissioners. But you're finishing at the end of the year was the answer. I think there are plenty of people who can do it, mainly women, the women are the strongest in the community and the men, one of our conditions of employment is you can't have a domestic violence order against you in the last five years. And the way they're handed out in our communities it just precludes many people. And the last time I sat in Doomadgee, visited Aurukun earlier this year there were three people who came before me who had orders against their mothers because there was a fight. Now they had five year orders. We sent those people to the mediations and resolved the issues. But how do you in an Aboriginal community apply to the court to get a domestic violence order removed. There's no lawyers unless they are visiting, the police really object to any reduction of the domestic violence orders. So you can have one off situations which might hold someone for two or five years. It really needs to be looked at in those unique situations where, as I said you can have four or five orders some people.

CW: I'd suggest retirement might be a way off yet, there's more work to do.

DG: Yes.

CF: Alright. That will probably just about conclude...

CW: I think David that was very useful and very helpful and you know more power to you and the commissioners. I mean I think it's a task that it sounds like it needs to continue and there are good people ready to follow on. Does the audience have any comments they'd like to make? Could you identify yourself?

AUDIENCE: Yes, my name is Carl McKenzie, I'm the (ui) Townville Community Justice...

CF: Just wait until we get the microphone Carl, thank you.

CW: Right Carl, you've got a loud voice, we probably got it but it will help...

CF: Just for the purpose of the video.

AUDIENCE: Okay. Thank you, my name is Carl McKenzie, so I'm here at the Townsville Community Justice Group and we have with us Uncle Alfred who's a board member, Aunty Linda on the board and our admin officer. I sit on the Queensland Parole Board, I've done that for about seven years and I also here matters in QCAT, the

MCD, Minor Civil Disputes. In light of the report that came out at the end of last year around the youth justice, Major General Stewart Smith, I think it was, one of the suggestions was Youth Murri Court. And we sat down and had a look at this and we believe we have a slightly better way of doing the Youth Murri Court which is to have two elders hear the matter, two JP elders, with then the other elders in the court and then we have the police, prosecution and also the legal advocate for the, for the offender. The model we were looking at was not taking the high risk youth but taking the entry level youth because that's where we feel we would have the greatest impact. And putting them on parenting programs, back to school programs, a whole range of programs. We have support from the Aboriginal Torres Strait Islander legal service for this model. We also have support from Queensland Legal Aid, the Senior Registrar, the police prosecutors, they were even talking about hearing police cautions as well. But we think it would be very powerful in, to have the Murri Court run by two Murri JP's because we can sit there and say look we know your grandmother Billy and she'd be very disappointed. And we, but the other difference we would have here in Townsville is opposed to the remote communities which I was just listening to. The difficulties are there it's a very homogenised community. Townsville is really a hub. We have the two indigenous groups, Bingal and Wulgurukaba but we also have within here indigenous people like myself. I came up here with the military in 1982. I'm Curri heritage. We have this young lady here who's from Mount Isa. What's your country Aunty?

AUDIENCE: Kaval.

AUDIENCE: Kaval. So we're not as homogenised, so we can hear these matters and not have that problem of cross over that you were talking about. The only real impediment is that to do this they would probably have to extend the boundary of maybe Palm Island community to include the Townsville region on say a two year evaluation or make it an exemption area. But we even have a court ready to go. QCAT has room for us to use that court twice a month. So we've done a study on this and we're presenting to the department hopefully in a few weeks.

CW: So the question is with government now to decide to proceed?

AUDIENCE: Absolutely, it's in the governments hands. We've got a package ready to go and the elders are willing to work in that court over the two year evaluation for nothing. We want, we are so worried about our youth that we're willing to do this for free over the evaluation period to prove ourselves and to prove its worth. So that's something we would really like to put out there.

CW: Interesting model.

CF: Thank you Carl.

AUDIENCE: Yeah.

CW: Yeah thanks Carl.

CF: I'm going to draw this session to a close because we're due for a break now and we'll reconvene around one. I do want to thank you David for your presentation and I know he's been with the commission there for some time and certainly also made statements and supported the work in providing a submission to the last inquiry that the Queensland Productivity Commission undertook, so thank you for that as well. But are you hanging around during the break?

DG: Yes.

CF: Yep. So David will be around. I know people might have had some comments or questions of David so please feel free to chase him up during lunch. Just for people who've come late Commissioner Kim Wood and myself Commissioner Bronwyn Fredericks will also be around during the break to talk with people who have come to talk with us, okay, out of session. Thank you.

CW: Thank you David.

(BREAK IN HEARING)

CF: Good morning people, this is Public Hearing for Queensland Productivity Commission and in presiding is Commissioner Kim Wood and myself Bronwyn Fredericks. Can you hear me?

CW: (ui).

CF: Okay. Just a reminder that when we do move to questions, comments from the floor if people state their name and the organisation. If you're just here as a community member, say I'm here as a community member. The format will be, we'll have a presentation of 15 to 20 minutes and then Commissioner Wood and myself will ask our questions and then we'll move to open it to the floor for any comments. Okay? Can you please both of you state your names and also where you're from? Thank you.

AS: Wolliwolli (?). My name is Alfred Smallwood, I'm known as Uncle Alfred in the Townsville and I'm a traditional owner with the Bindal clan group here and I'm also a, a board member with the Townsville Community Justice Group and both myself

and Uncle Brad Hanaway are Elders in the courts, the Community Justice Group Courts. And I'd, last year I'd just finished doing, I was a soldier for ten years, going into the watch house and with my manage group we deal with a lot of, lot of offenders going through the court system. Thank you.

CW: Thank you.

BH: Okay. My name is Bradley Hanaway. My Origin is from the Burdekin. My grandma was a Juru lady and my grand dad came from Vanuatu from the boats. Been living in Townsville for the last 30 years and involved with men stuff and I teach the principles of red dust healing to our men and women here.

CW: Please proceed gentlemen.

BH: Okay. Look, I'm usually a visual person but I do stuff on the whiteboard and one of my first things about, before I talk to anybody I like to talk to them about my relationship. My relationship stems to five things that I carry with me every day and my relationship is also about respect, honesty, trust and truth. If one of these things is missing out of my relationship with you in this group, in this room here right now I'm telling lies to myself and I'm telling lies to you. So I'd rather not tell youse anything if there was something missing out of that, out of my five things. And listening to Uncle Russell and Wayne, everything that they're doing with Yinda I've done the same thing or I'm still doing the same thing. But the big difference is there is I do it for nothing. Been doing this for many many years, even this men's group. And I think that's where I'm, I'm more concerned now after... In the Murri Court here in Townsville and in the High Risk Court I'd like to find out who the cultural mentors are that are going through high court because as far as I know there's only Yinda. There is big funding out there that's already been allocated to mainstream organisations and I want to know who the cultural mentors are. And what do we perceive as the word culture. I put all this down in dot point. As I said I'm a visual person and you know if we're going to say we're going to do cultural mentoring, what is culture. I can't teach nobody, I can't teach nobody Aboriginal culture because I don't know it, it was never taught to me. It was never taught to me about culture and if you look at our young people today with their culture, if I knew anything about rap or the American gangster stuff I would be able to teach you their culture that they know today, that's all they know. We've got to be serious when we talk about being cultural mentors. I do a lot of cultural things with Uncle Russell who was here this morning. So the two of us work together culturally out in the bush and out in the salt water but I was never taught that stuff. I had to learn it myself

because our parents weren't allowed to teach us as people in this room probably know that. So I'd like to know what the word, when you apply for funding if you're going to say you're going to be culturing mentoring, what's that wording for that culture? Are you going to be teaching these kids how to be gangsters? That's the kind of culture they know or rap music or rap singing. Look at our young people, they know nothing about culture or I'd like to know what it is anyway myself. And it's the, you know the cultural mentors who are they? A lot of the men's group that come, with our men's group look we have between 20 and 30 every Tuesday night that's run voluntary and most of them are all, a lot of them are all ex-prisoners, ex-offenders I should say. And as Mr Glasgow spoke about the newspapers looking at youth crime, that's all we look at too also. Now these men now who are warriors from coming to the men's group all they say is Uncle, we're now fathers again, we're now warriors, we need to help these young people but they're not allowed to because of the blue card. And they're only, and their offences are domestic violence but they've gone through whatever the court system has told them to do. And as I say they're fathers now and they're warriors. They're the yesterday warrior again. So all is there, all is there busting at the seams in order to help these young people but because of the blue card again. And of course we spoke about the juvenile Murri Court. And I have a story about the turtles. If you've got a bay, you've got a bay and everybody in that bay is healthy and you've got two or three turtles outside that bay that are sick you've got to fix up that community first where them, that bay first before you let them sick turtles back in. Because the whole, the whole, the whole bay is going to get affected. This is how I talk about when we're dealing with these families, we've got to get the families fixed first before we can fix these young people. Until the parents start learning respect within themselves, that's that relationship I talk about. If the parents have got no respect within themselves how are these young people going to be knowing anything about respect. You ask any parent in this day and age now, you know which parents I'm talking about, but the, in that age group I meant for the youth that are in trouble now today. You ask them about their culture, what they know about their culture, it will be the same as me and they'll say I don't know it. But then if you ask them if they can teach their kids about rapping or whatever that thing is now, the culture they use today, they'll know all about that. I don't know it, for the simple reason these parents aren't carrying respect within themselves. Until, the lady asked me today what I thought about the 500 young people getting questioned by the police last year in Mount Isa, I said that's, to me that's only showing anger. The kid would only be angry with the police

for doing that. The same as youth justice case workers. Anybody involved in that court I noticed that, and as I talk about crime alcohol and drugs and domestic violence is not racist. I'm not a racist person because anybody is allowed to come to our men's group. I, I tend to, when I talk about white and black here I just say the word white and black straight out because if I say the big words, non-indigenous as you see I nearly went slow then, I nearly stuttered before I've got dentures. So I just say black and white. So what happens here is you look at any black and white worker working with these young people, all it takes is a bit of compassion and love and you'll start getting respect from these young people. And especially up in the court house. I say to them just go and love them up and hug them, we're not allowed to do that, why, (ui) matters of us black people. We don't care who they are up there, young kids they're still our grandchildren. They are still our grandchildren, you show them a bit of compassion and tell them that you care and you'll see the big difference in them. But I can only talk for myself here but this is how I am, and I, and that's the respect I have. And our barriers are still in jail today, the people that, when I say the barriers are still in jail a lot of our people, well no I won't say our people, black and white are in jail for crimes that they either didn't commit or that they've just, it's their way of freedom to get away, to go to jail, to go and get their feed. It's hard to, these are just stories that we hear at the men's group. That that's why they want to go to jail because they've got no job, they don't know how to, how to, they don't know how to be that protector, provider role model within their family. And it's just, it just, it just annoys me when I hear about people saying they're cultural mentors. I've got an art room over there where I am now and there's a transition to success from the Palaszczuk government. They've given \$28.4 million or \$28.7 million over the next four years. Now we're working with these 12 young people weekly and we're doing it for nothing. Yet all these cultural mentors, I'd like to know what they're getting. And what are they teaching. I have Gail Mabo who's the artist and she's a studio, she's a studio lady looking after the art room and of course Uncle Brad here is my right hand man, he's been with me since I started the men's group and doing the Red Dust, Red Dust stuff. But it's really, it's really hard if this community doesn't get together. Like even now, right now we're probably sitting here now talking there's a big meeting on today somewhere. And it's all these organisations that are probably getting funding to help with these youth, they're not here. And yet every Wednesday or Thursday you'll see them up at that court house all with their uniform on or with their thing on their thing here, I work with so and so, so and so. Ask them what they do. I have a thing about just talking straight out to

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people. I just don't like, I just don't like lies. And if people are honest with me I'm honest with them. And that's, and I think that's what just annoys me. Yeah, it's...

CW: Thank you.

AS: So is it important to talk about, your workshop is about transitioning and some positive stuff. Well last night in the men's meeting, we have a lot of men, even the one in the justice group that we look after the courts and many of the men that are there for domestic violence are actually turning things around and going back to their partners. So that's what we're trying to target in the sense of to break down some of the initial laws that separate them when they've got children in between and, because they can't negotiate or talk in between and that divides them. And so many of our men have to run or go and live somewhere else and it just puts a lot of stress on our men while we're trying to address their issues. And some of that is what we've seen over the last, maybe three months or four months, some of the men are actually turning their relationships around and they're actually beginning to get on. And because of, the very thing that Uncle's talking about, he talks about that father's role. So that fathers role, when our men start to focus on bringing back, that's a foundation in a persons life and that man starts to look at bringing back that fathers role. One of those roles is what they're catching on is now, is initiate. Because he's the law maker, he's an initiator, so he has to initiate and bring back that relationship back into an important place where he can negotiate with his children especially, even if he can't mend the relationship with that lady. And most of these men's are actually desiring to do that. And they talked last night and they said, and all they wanted to talk about was all of their relationships. So you know you, before we used to talk about other stuff but today they, last night they were talking about the nitty gritty stuff, how do they deal with whatever in their relationship. And you can see many of the men, like some of the men are coming out of, they're out of prison and they're trying to form that relationship again. And so this one talked about, well he sees now the mistakes that he's made before and now he realises that he's got to take one day at a time in just rebuilding that relationship. It's not just about hanging it on sex, it's about all those other ingredients that are important to a man because he, he's the foundation builder. Okay? And so that's part of some of the turn around that we're seeing in our men. Many that we used to wonder, when was it, two or three months ago, we were thinking is this, are we getting home with these guys. But all of a sudden they're coming out and you're starting to see the changes they're making in their own relationships. Even if they're separated, they're actually trying to negotiate with their women and to rebuild that

family structure again. If anything that's missing in our communities is to rebuild that family. And especially with sometimes some of the things that have happened in Townsville here, we've had so many funerals and suicides and other things with little children being lost and I'm hoping that that awareness of a father figure starts to be implemented on their mind sets so that that becomes the focus, not the issue of fighting the system. Thank you.

CW: Thank you very much. Commissioner Fredericks questions?

AS: Questions?

CF: Thank you Uncle Alfred and Bradley for your presentation. I'm just wondering in terms of the role your group plays and elders play, what would support you to do the work you do? To do that work, keep doing the work and to extend on the work?

BH: Yeah, well just like Uncle saying, some of that, the important thing is that we're not getting enough funding to actually put these in place. Sometimes there's only a couple of us that are out there but we haven't got the money to support one another in terms of producing other men that can take our place or take those roles on because we all need some sense of income to be able to support each other in terms of addressing the issues for our men and our women.

CF: And you spoke about the cultural mentors. How do you think that could be assessed in a better way, Uncle Alfred?

AS: Well first of all by finding out what the word culture means and who wants, who wants, with the young people, what sort of culture do they want or I'll say want the men's group to teach. What's that culture that they want us to teach these young people? You know there's a lot of rappers in our men's group. Do they want us to teach rap music, rap? I, and as Uncle Brad just said with that funding, people are telling me to step down, I'm getting too old now, it's probably why I burnt my finger. You know I can't take anybody out on country with me because no one's going to come out for nothing. And you know because they're going to want to get some kind of funding. Two of us have been doing this for 14 years for nothing, with the men's group. You know I've got stats in my bag there and I showed some people some of my stats and we're in offices over on Church of Christ there and one of the brothers had a look at the, he took the stats away and he come back and he said you know in 2015 you saved the government 18 point something million dollars. I said that's interesting, I said I don't even get a cup of coffee out of these mob. You know, Probation and Parole who, you know and people from the courts.

CW: Uncle Alfred have you applied for funding? Are there (ui) out there?

AS: What I get told all the time is because I'm not a registered body or something.

CW: Okay.

AS: And I've got (ui) bodies, but it seems to just go to the mainstream organisations that are up and running and nothing's working. And we have, as I said we've been, only time I, only reason I started taking stats, you know 14 years we've been running the men's group but since 2012 when Gail Mabo come on board with me, she said Uncle, you've got to start taking, doing stats. So from 2012 we've been, you know getting them to sign in the, sign in. So I've got all the stats there but still... You know and I tell, people say can I have a look at your stats, I say why do you want to have a look at my stats. And I said it's bad enough now I'm getting people not taking any notice of me now but yet you want my stats. Come and tell me honestly why you want my stats, so you can go and get that stats and go and get funding, get out of my sight, I just talk the truth. So and as I just said to you before all these mainstream organisations that get all this funding, not one of them offered us to, any employment. Not one of them, so.

CW: You talk about culture and it sounds like you've gone on your own journey and acquired culture.

AS: Yep.

CW: How have you done that in the absence of you know being taught it by, by parents? How have you acquired you know your cultural knowledge?

AS: Alright. I was, I was, I was a lost warrior myself.

CW: Were you?

AS: Yeah. I had four children, five children, 45, 43, 40 and twins are 37.

CW: Right.

AS: Now I lost my role as a father when the twins were six weeks old. So that's when the alcohol and women over took my life and just the negativity. Everything in my life was positive. But then when I went on the other side of the fence, but it took me many many years to get that respect back within myself. I did not have respect within myself, I did not have respect for the community, I had respect for nobody. And yet now I'm an elder in the courts. I got the 2016 and 17 top 50 most influential person in Townsville, you know I'm in that category and I think to myself, now hang on, people would not have looked at me 20 years ago. I said but I, I found respect

within myself. So that's my culture. I will always tell people when they say what's your culture, there's only one word, respect and if I don't, if I'm not carrying that respect I've got no culture.

CW: So you've been there where some of these young blokes are?

AS: Yeah. And even all the men in the men's group. That's why I can relate to them because I've been there. There was a, look there was a, there was a young man, young, two young brothers. Well they're not young, they were... They come through Murri Court and they hit the drugs pretty heavy and they done something very silly and, Aunty Linda would know who I'm talking about. And this young man come to men's group and he just watched us up at the court house. So he said, he said to me I want to do what you're doing. He's only early 20's and he said but I'm not an elder and I said who said you're not an elder. I said you're only taking being an elder you know by your age. I said you can be an elder here. So he seemed to be doing, so he took a court, he took a course with youth justice or something, working with kids. After that he done that he ended up coming to Murri Court with us as an elder and then from there he went on to be a CCC at the local high school.

CF: Excellent.

AS: And now he's working at the cowboy house. You know this is just a change around that he's, you know with these men and that's, I felt good about that because I was in the same spot as him.

CW: He started making a difference then, that sounds great.

AS: Yeah.

CW: Can I ask about blue cards? It's come up multiple times. It's a real issue the blue card situation.

AS: This domestic violence stuff now. And I have a, look I have a strong belief in if mum and dad are arguing that argument should be between them. It has nothing to do with the children. And with, you know people say to me they can work with you as long as they're with you but I'm not everywhere 24 hours a day. And that's what I'm saying, these brothers where they're up for minor offences, very minor offences and I'm quite sure if, and I know myself anyway, Uncle Brad and myself would not let anybody, any young people be in danger of having anything to do with any of the brothers from men's group if, you know. But until that happens and that's why, that's why these brothers don't really want to help us because they just feel lost

because they've got no blue card or they're frightened they might go back to jail if there's, if they're seen talking to young people.

CF: You've spoken you know about some of the mainstream organisations where things aren't happening, do you, have you seen or from your experience, both of you, have you seen or heard of programs that do work? Maybe not in, could be in this community, could be in another community.

BH: Be honest with you no.

CF: No, yep.

BH: I mean as in men's groups.

CF: Yeah.

BH: I, no I don't.

CF: That's all right.

BH: See domestic violence is a, is at the moment is a big thing because you know there's more, more mothers going to jail or being locked up now. That's what I found when I was doing the watch house.

CW: Why now?

BH: Probably it's long overdue that they're starting to defend themselves. And look we just have a thing in the men's group in how we talk, how we talk in the men's group whatever you do don't come here skiting about men's group, domestic violence. Because you can't talk about, really talk about domestic violence in the men's group because as a room full of black fellows and there's 30 or 40 of youse, the cousin, brother belongs to that lady that you're living with might be sitting there. So that's why we're very careful with the domestic violence, especially with, you know not saying who they are and, but it's, domestic violence is the main problem. Before we used to talk about crime, you know stealing or assaults and that but it's this domestic violence. And with the cultural thing on, when they're getting ordered to go to different places, it don't work, when they're getting ordered to go to Probation and Parole for instance. All is what's happening there is there's anger being caused because you have... Like we were talking with the juveniles, young, you know you have wrong people asking questions about culture. You know like the, all the boys from up at golf and that and you have someone from the city here asking questions about what they do in that community and they know nothing about it, that's what causes the big friction. And that's why these guys, a lot of them that are breaching

all the time because that same thing. I've yet to, yeah, no one's every said, haven't told me that they're, well everyone tells you your program is working but you know it's not. That's how I see it anyway.

CW: Thank you. Any further questions Commissioner Fredericks?

CF: No thanks.

CW: Thank you gentlemen. Let's see if there's any comments from the floor. It sounds like we have a... Could you state your name for the record once the microphone comes over?

AUDIENCE: Ian Pack, I'm an ex-prison chaplain. I've put in one of your submissions for you. I'm particularly interested in the Red Dust healing because I can remember hearing about this Red Dust healing back in, (ui) conference back a good ten years ago. And I was particularly excited when I heard about it because to me it dealt with the issue that I thought was a major issue particularly with men, the right of passage which didn't appear to be and they were dealing with provider protector roles which I thought yes culturally. And with respect, the whole concept of respect is the, underpins all of this stuff. And it was something when I saw yes it's something that specifically needs to happen with indigenous people but it's something that goes past the culture of indigenous people. All men need to understand what that right of passage is and to see how to become responsible people and not come back into jail and stuff like that. So when I'm listening and the excitement I had when I heard it and I'm just wondering how it didn't capture a, the wider concept of its potential in dealing with the problems about people going to jail without that right of passage, the right of responsibility, respect, all of those issues. And then thinking that in months since productivity is prevention. Is there anyway of bringing the concepts specifically within the Red Dust healing back prior to, you know as a preventative thing rather than (ui). But seeing how the concepts within the Red Dust healing program could be expanded, so that's my question.

CW: Just on the Red Dust healing, is it a local program.

BH: Sorry?

CW: It's a Townsville program?

BH: Yeah. Our nephew and another guy in New South Wales produced that program and they put it together and they first trialled it at Cleveland Youth Detention before it sort of started to take, take shape.

CW: That's terrific.

BH: And it's been going for, yeah I think 2008 or something.

CW: Very successfully.

BH: Yeah.

CW: That's good to here.

AUDIENCE: (ui).

CW: Any other questions?

AUDIENCE: (ui) come out, you know the potential (ui).

CW: Interesting, okay well it's on the record now.

CF: We can enquire that. We can chase that up in terms of the department.

CW: Any other comments from the floor?

AS: I guess it's all about the tools you use in the red dust.

CF: That's right.

AS: And that's why we teach it, pretty much use the tools.

CW: Thank you. Comment from the front row.

AUDIENCE: Ed Spriggins just a community member and prison chaplain. Men's groups and women's groups are really great and we really get a lot of feedback from the people I speak to about it. But a couple of the comments that were made by individuals was that it's great to have the men's group and it's great to have the women's group but he said for us to really move forward and get on top of this domestic violence we were talking about at the time we really need a group, a combined group, not just these people talking about this aspect of it and this other group talking about the other aspect of it. We need a group, one group to work on this particular problem, you know. I was just wondering why, you know, is that possible or is there a way forward with something like that?

AS: Yeah there is. It's, when we go back to that word culture again and you see how that's got men's group there? I also, Brad, Uncle Brad and I, we deal with a lot of, lot of

BH: Ladies.

AS: Women also, one on one or, and through the Red Dust. And I get a growl all the time from some of the, some of the ladies that come and see me. They say here,

can't you put WO in front of that and I say no don't be silly, they say why, what you doing for my man is working and I'm worse than him. See and that's why they want me to, they want me to run a woman's group also and I say, culturally I'm not allowed to. But I said if you've got three or four of you there's nothing wrong inviting me. But Uncle Brad and I we do work at Grindal and Dale Parker where there's men and women there. But it would be good if we could have a combined, combined thing.

BH: Yeah and a lot of it, our culture don't see it that way. The men's business is men's business, women's business is women's business. And so that's, that's your breakdown and that's why many times, even we've said in Red Dust, I'll teach you that, we have to help our men first before they can help their women. And that's been our focus too. So they can rebuild their families again.

CW: You talk a lot of sense guys, it's interesting. Any other comments from the floor?

AUDIENCE: Uncle Alfred just back to you. I was just thinking about, when we're talking cross culture, gee I'm just trying to think. Actually I've lost the point there. But I was trying to work out how you could feed back to people like the Commission here, how do we breakdown the barriers. It's culture and things and I touched on that a little bit with red dust healing, is something that, that concept of provider protector things. But, yeah I know what it was about. When people, the motivation for what they're doing there, if it's all about money, I can well understand your, you know horror about you know what's their motivations. And how do we, how would you address somebody like these people? If that's the issue how can somebody like these people, if money's the driving factor that, and it's not appropriate, how would you suggest to these people to try and bring a, people with integrity the right attitudes?

CW: That's a fair comment I think. But we're seeing today, we're seeing a whole lot of integrity (ui).

AUDIENCE: Absolutely and I absolutely respect on that. But you've got a problem, how are you going to address it?

CW: Well that's a, it's a really good question. I'm not sure. I don't have any answers today and I'm not sure about Commissioner Fredericks but it's certainly been well put and I think we've heard loud and clear that it's an issue.

BH: And that's why I was so glad when I knew that there was going to be two commissioners here today because I was going to be firing them questions off you later (ui) anyway. But as I said it's all about that honesty and truth and trust and it's

just that, it's, I know where my passion is. If I'm talking to somebody else... Look I get, I've been called a therapist and an analyst and I don't hold certificates and I tell them, I said listen you white people give me them names, I got that name from the court house. Uncle Alfred men's group got a name from the Magistrate up in the court house. I didn't name myself a men's group. And nobody knew me as Uncle Alfred. Ask any local person, nobody even knew my name was Alfred. My name is Bimbo. That was from a song that Jim Reeves made and my grandfather give me that name. But also, I also have a skin name which is Mondabarringabumma, which means snake skin man. Seeing as a lot of people, you know when you go back to the cultural side of it nobody knew me as Alfred Small, even when I was playing football. I signed the team sheet as Alfred Small but everyone knew me as Bimbo on the field. So, and I guess that's where it's... Look it's a role that you have to play and that's where my passion is and it would have been one of the questions I'd be asking youse, can you give me some idea how I can go about getting funding for the men's group and the art space at, the art space that's been given to Uncle Alfred's men's group and the name of that is Bingawoggathulgary, which means a safe place to come or a safe place to gather.

CW: Good name. We don't have funding answers for you today but you've put the issue fairly on the table and we'll, we will see if we can provide some assistance going forward. Gentleman that's a great place to finish...

BH: Thank you.

CW: ...on that key note of integrity and on the work you've done.

AUDIENCE: Can I ask a question?

CW: Please. Comment.

CF: Comment, you can't ask a question but you can comment.

AUDIENCE: You can't ask a question?

CW: Make a comment and we'll see how we go with it.

AUDIENCE: Yeah. First of all I'll just identify myself. Linda Ginetski. I'm a retired Queensland Police Liaison Officer. Okay and I've been with the police service from 93 until 2016. So I'm pretty well versed in what's been going on because in my job it was pretty stressful. Dealing with the same people that we're talking about. I don't know how many meetings I'd been to over many years. I've also been involved with our local Townsville Community Justice Group of which I'm still a part of and I've

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heard these same things all the time and what Uncle has said, I've been to many meetings where the moment there's funding going to be available, put out, you've got every Tom, Dick and Harry who comes to these meetings. And then in the job that I was in we'd see it go to a mainstream organisation. And then through those times then it would be up to us because we were always called first, PLO's to deal with situations that could have been dealt with in other ways. But because of funding and people are so greedy and I'm going to put it straight, greedy for funding, okay, that they don't offer services like they should be doing. We know culturally that it doesn't fit the bill. The group that we're compared with, our Townsville community group, again we have to prove who we are. Over that because we've got a lot of our people and I've seen it all, they've suicided, they've died, they know how to play the system to go and get a room back in the big house. Okay and all these things that should be offered so that they have a better life. Our people that our in our Community Justice Group which is Uncle Al, Uncle over here, I was going to say Albert. But we have seen him struggle trying to fulfil his passion. Not only him but there's been other people in our organisations that have died because they carry the stress. This is another thing that's unseen. Because when we live in community like we do here it's just not a 9 to 5 job. Because people know where you live or they'll ask you can you help us here. So that's another extra burden. So we need to have adequate funding for whatever's going on. The thing is how do we do it like Uncle says. What is the guarantee that we will get something? All our funding goes through the Department of Justice and we've got very good relationships with people there but somehow or rather it misses out. And it's not a good sign. But I just want to, you know sort of let you know on the overview or review that you've got bunches of people here who are elders long gone up at Murri Court, they've died, gone because of the stress of wanting to help the juveniles. They have sacrificed their own family. We as a Community Justice Group used to give them enough money so that they'd have meals through the day, knowing that they can't have too much because of their pension. So there's always blockages somewhere along. And then for crying out loud we have to prove who we are. If we go and ask for a loan somewhere or a house what nationality are you, we've got to sign an Aboriginal form to say who we are. All these other little things sort of play up in our systems. They come against us and then you see the mainstream can get things just like that and they don't give an account. You see them with cars driving here, driving there. Our group, our Community Justice Group is coming up for a new car shortly. We've got to watch everything that goes on. So I just want to sort of ask how do we go

about making sure that the Community Justice Group, people in this area here get enough funding. You know to, for the way we stand we say, and this is your Federal Government gives a lot of aid overseas yet they can't look after their own people. And we'd like to know, you know well I'd like to know what can you guys do in helping us. I know, I don't know if you have access to the Premier, who knows, I don't know.

CW: We have, we have good access to government. They're asking us for a series of recommendations that can make things better. You put that very powerfully. We've caught you on video, we hear you, we know how difficult it is.

AUDIENCE: I'll probably go to jail next week for speaking out.

CW: No you won't, you've done well as have our two friends here. So thank you. We hope from the input you've given us and others today that we can help you.

AUDIENCE: Yeah thank you very much.

CF: Thank you for the work you do Aunty Linda and thank you Aunty Bimbo, Uncle Bimbo. I know you as that from your sister, Aunty Grace.

AS: Okay.

CF: So now I just worked that out so thank you and thank you to Bradley as well for the work that he's doing.

AS: And look and just before I go, that's one of the reasons I wanted to ask with that cultural mentoring, was all the funding going to mainstream and that's what I wanted to ask. That was a question I wanted to ask or who would have known, who are the cultural mentors up in that court house? All I heard was Yinda today. There was no other cultural mentors here. So was there funding going to these organisations now for cultural mentors?

CF: We don't know that, we can't, we don't know in terms of that but we can possibly, it might be on the documentation we have back at the office.

AS: Because, you know...

CF: (ui) what comes then into the community. It may not identify individuals. It may only identify organisations.

CW: But it's a fair question. It's a fair question to ask I think. I don't mind you asking at all. Look that brings proceedings today to a close. Thank you everybody. This has been a, it's been a privilege to be associated with today's session and thank you

Commissioner Fredericks and I'd like to thank everybody for their contribution. You've helped us enormously in terms of putting together sensible recommendations for government. I know this governments (ui) to get some good input, to make things better and you've helped us today to do that. We only work with the inputs that we hear from people. So thank you very much.

CF: Just to let people know too of the timeframe from now.

CW: Please.

CF: So we have, we wrap up in Townsville later today. We then have another public hearing in Brisbane on Friday. If anything has triggered you while you've been here today and certainly I'll be saying this on Friday as well, there's still a limited amount of time for you now to get any other follow up information or comments to us. We will be then from Friday then starting to really pull the information together for our final report. Our final report will be due to the Deputy Premier, Honourable Jackie Trad on the 1<sup>st</sup> of August. Having said that that seems like a long way but think about the whole of July is probably spent tidying that report up and doing some copy edit. So really our report will be done in June. Okay, so really think about that timeframe if you've got any other material evidence, if you want to present any other material or send that into us. You can make it on the record or as a submission or you can also have it so that it doesn't identify you at all. Okay, alright? And we'll be hanging around for a little bit if anyone wants to talk with us after we close. Okay.

CW: Thank you everybody. (ui) once again.

CF: Thank you.