

JUVENILE DETAINEES — HAKEA PRISON

**6. MR N.W. MORTON to the Minister for Corrective Services:**

Can the minister update the house on the situation at Hakea Prison and Banksia Hill Detention Centre with regard to juvenile detainees?

**Mr J.M. FRANCIS replied:**

Mr Speaker, I start by congratulating you on your elevation to Presiding Officer of this Assembly and wish you all the best for the next four years. I also thank you, member for Forrestfield, for the question and congratulate you on your election as a member of this house.

Naturally I am very concerned about reports that have been in the media over the last month or so about the conditions faced by juveniles in detention in the Western Australian prison system. That is why the very first thing I did as minister was to go out to Banksia Hill and to Hakea to have a look for myself, from day one, exactly what the situation was and exactly the conditions being faced by juveniles who are in —

**Mr P. Papalia:** Why won't you let us go there?

**Mr J.M. FRANCIS:** This is a very serious issue.

**The SPEAKER:** Member for Warnbro!

**Mr J.M. FRANCIS:** The member for Warnbro can ask the next question. This is the member for Forrestfield's question.

I went out there to satisfy myself personally about the conditions and to see exactly what was going on. Having witnessed firsthand the conditions for juvenile detainees at Hakea juvenile detention centre, I can put my hand on my heart and say that I am satisfied that the conditions are both suitable and appropriate.

Several members interjected.

**Mr J.M. FRANCIS:** I do acknowledge that holding juveniles in Hakea is not ideal—I do acknowledge that—but I am confident that the Department of Corrective Services is doing everything it can to expedite the repairs and modifications to Banksia Hill so that their return to that facility can be done as soon and as safely as possible.

However, let me tell the house that on 20 January a significant event took place at Banksia Hill. The damage was enormous. The bill to the taxpayers of Western Australia at the moment is going to be somewhere around \$1.55 million. There was significant damage to a taxpayer-owned facility. The people of Western Australia pay their taxes to repair and modify this facility, and that should not be forgotten. Let me also tell members that the Department of Corrective Services is under no illusion that the government expects, as I said, the repairs and modifications to be done as quickly as possible so that the juveniles can start to migrate back into their facility.

I should also note that I am fully aware of the dangers faced by people who work in the prison system in Western Australia. Their occupation is unlike many other occupations. When they go to work every single day, they know that they are dealing with people who have a record of conviction for serious offences or have been charged with a serious offence.

**Mr P. Papalia** interjected.

**The SPEAKER:** Member for Warnbro!

**Mr J.M. FRANCIS:** But much of the rubbish that has been circulated in the last month needs to be addressed, such as that 10-year-olds are in adult prisons for stealing a can of coke; it is simply not true. I want to take this opportunity to acknowledge and to place on the record some of the facts around this situation.

Firstly, I have seen a list of the charges that juveniles in Western Australia have either faced or been convicted of, and they are serious offences. Juveniles in Western Australia either have faced charges or been convicted of murder, aggravated sexual assault and rape. Those are very, very serious assaults against innocent people. It is worth noting that this government will always put the protection and the safety of innocent people in society first. For all the bleeding hearts who say that they should be let out of jail or let out on bail, it is just not going to happen. We also need to remember that just because a person is under the age of 18, it does not mean that he or she is incapable of being a dangerous threat to society; indeed, being under the age of 18 years does not make a person any less dangerous. Of course, there are issues that judges will consider when they decide to remand someone in custody, regardless of their age, or to sentence them. The first is the seriousness of the offence. The second is the weight of evidence that is stacking up against them.

**The SPEAKER:** Minister, come back to the point, please.

**Mr J.M. FRANCIS:** The third is whether or not that person is a threat to society. To correct some of the mistruths, the point is this: there is zero contact between juveniles and adults in the Western Australian prison

system. For all intents and purposes they might as well be on different planets—there is no interaction whatsoever. The youngest detainee in Hakea Prison is not 10 years old; rather, the youngest detainee in Hakea right now —

*Point of Order*

**Mr J.R. QUIGLEY:** Mr Speaker, I draw your attention to the standing order relating to the sub judice rule and to not debating matters in this chamber that are before the Supreme Court of Western Australia. The minister is a respondent to proceedings in the Supreme Court of Western Australia and is now seeking to address those matters being litigated in the Supreme Court.

**The SPEAKER:** I do not think that is a real and substantial danger to the prejudice of a case before the court. I ask the minister to continue.

*Questions without Notice Resumed*

**Mr J.M. FRANCIS:** There is currently no detainee in Hakea under the age of 14 years. No allegations of juveniles being brutalised or bullied have been substantiated. Let me assure members —

**Mr P. Papalia** interjected.

**The SPEAKER:** Member for Warnbro!

**Mr J.M. FRANCIS:** Let me assure members that all complaints or allegations are taken seriously and treated with respect.

**Mr P. Papalia** interjected.

**The SPEAKER:** Member for Warnbro, you are trying to drown out the minister. I call you to order for the first time.

**Mr J.M. FRANCIS:** Twenty-four hour nursing is provided, as is psychological support and trauma counselling. Education is happening. They get to sit in a classroom and learn. There is nothing wrong with the food they are being fed. I went to Hakea and had lunch with them. There is nothing wrong with the food; indeed, it is better than the food that many people in the military eat and it is better than what I prepare —

*Point of Order*

**Mr M.P. MURRAY:** Mr Speaker, I recently read in the press a quote that you made about cracking down on waffling ministers. When are you going to do that?

**The SPEAKER:** Right now, member! I ask the minister to come to the end.

*Questions without Notice Resumed*

**Mr J.M. FRANCIS:** In closing, juveniles are not locked down for 23 hours a day. They get schooling, meals and exercise. I assure members that I have asked the Department of Corrective Services—the government is firm on this—to do every single thing it can to relocate juveniles back to their facility as soon and as safely as possible.