

JUVENILE JUSTICE — KIMBERLEY

Grievance

MS J. FARRER (Kimberley) [9.39 am]: My grievance this morning is to the Minister for Corrective Services. Today I rise to talk about juvenile justice. The minister recently stated that he is committed to improving youth justice services, including strengthening prevention, early intervention and diversion services, and that stronger engagement with Aboriginal families and communities will be a particular focus of the new Youth Justice Board and the Youth Justice Steering Committee. I would like to inform the minister that last year the Kimberley alternative juvenile justice working group was established. Representatives from over 20 different departments and non-government organisations have been discussing the need for reform in the Kimberley. We are already steering the implementation of a new approach to youth justice to improve the lives of young people in the Kimberley.

In reference to Banksia Hill Detention Centre, I have met with many constituents in my electorate who all want Kimberley juvenile justice issues managed in the Kimberley. We do not want Kimberley kids sent to Perth for detention. The working group has established framework policies to enable this change, with the primary focus on improving the wellbeing of young people in the north. Children in the justice system should be treated as individuals who have suffered early life trauma and are emotionally damaged, and who therefore need care, protection and treatment. In the Kimberley, children with foetal alcohol spectrum disorder, children with disabilities and children with learning difficulties go undiagnosed, and many children and parents are not supported through the hard challenges that these issues can create in life. When a young person first encounters the juvenile justice system, they should be assessed for a variety of disabilities and learning difficulties, including FASD. A health assessment should also be done to investigate any possible hearing, visual or nutritional factors that may be contributing to the child's behaviour, and then the appropriate support services should be provided to the child and the extended family.

It is essential that the government commits to recurrent funding of existing diversionary programs in the Kimberley, such as the Yiriman program. I have been informed that other programs have been approved by the department; however, they have not been funded and therefore the programs have not been implemented. If a young person were remanded to a bush or station site for the completion of programs prior to sentencing, the child could return to court and his successful completion could be reported on. The magistrate would then be in a position to sentence accordingly under the Young Offenders Act. I believe that this would give the magistrate some scope in options. Should the child not successfully complete a program, it would give the magistrate the opportunity to extend the engagement with the child. Studies completed for these styles of program in the Northern Territory show a higher rate of successful completion. In conjunction with the diversionary programs, we should ensure that when detention is necessary, detainees are housed in the Kimberley, not in Perth. The kids being sent to Banksia Hill return home more dysfunctional than when they left. They lose connection to family, country and culture. They lose their identity and they feel helpless.

I would like to see the refurbishment of Broome Regional Prison, which is scheduled for closure at the end of this year, and for it to be utilised for the purpose of keeping kids from the north in the Kimberley. Pre-apprenticeships and portable skill training for young people throughout high school, including the first year of high school, are needed. In 2012, a member of the Aboriginal Affairs Coordinating Committee stated that the Broome alternative education centre was a shining light for boys who were not attending school and getting into trouble with the police. Increased mental health facilities specifically for youth are required in the Kimberley. It was stated by the then State Coroner, Alastair Hope, on 5 April 2013 that a drop in educational attendance was an early indicator in many suicides. Financial resourcing and investment is needed to support the Broome alternative education centre and to have the program implemented at other sites throughout the region. Many Aboriginal children in my electorate do not gain a meaningful education due to the mainstream delivery method used.

The minister has stated that he wants to build bridges. Joint funding agreements should be reached between the various ministers so that these programs can be swiftly implemented. I believe the only joint funding agreement is in Derby, and that funding has just been cut. The funding agreement was between the youth justice service and the Department for Child Protection and Family Support. I want an appropriate balance between custodial services and prevention and community-based options for young offenders.

Mapping and identifying the range of service providers for youth diversion and assessing the effectiveness of services and coordination are also needed in the Kimberley. We need to create specific individualised pathways for at-risk youth to successfully enter adulthood as upstanding, healthy, positive, functioning adults. I feel that the Kimberley alternative juvenile justice working group has the framework to do just that.

Finally, I want the Youth Justice Board and the Youth Justice Steering Committee to visit the Kimberley to understand that we want a new way to help these kids in the Kimberley who are at risk.

MR J.M. FRANCIS (Jandakot — Minister for Corrective Services) [9.45 am]: I start by saying that I think that the very professional, dignified and sensitive way in which the member has raised these issues is an absolute credit to her and the people she represents. I give full credit to her.

I am super excited about what we are doing in the youth justice space. Today the new Youth Justice Board will meet for the first time. As soon as Parliament rises at five o'clock, I will go down and speak to the new members of the Youth Justice Board.

We have to be honest and say that if we keep doing things the same way with diversion and corrections, especially in the youth space, we will keep getting the same results. As a snapshot at the moment, there are about 160 juveniles at Banksia Hill Detention Centre, and about 75 per cent of them are Aboriginal. It strikes me when I go out there—it is clear to someone who does not have a medical background—that a significant number of them have obvious psychological and physical development disorders, largely because, I assume, they are FASD children. As such, every time I see that humorous but well-directed advertisement on television about drinking while pregnant, which is targeted at Aboriginal people, I am encouraged to see more and more awareness of this issue. At the end of the day, we have to look at the root causes. My unprofessional opinion but personal view is that FASD has a large impact on the rate of juvenile crime, especially amongst Aboriginal people.

I will get to the member's key point about the services in her electorate. I have said that there are 167 juveniles in detention at the moment, but that number has come down significantly in the past 12 months. However, the types of offences that they have been charged with or convicted of are fairly significant. That is obviously disturbing. Having said that, if we want to find the cohort of people whose behaviour is most mouldable and correctable, juveniles are obviously the most reformable as opposed to adults who are far more set in their ways. We have to do a lot more in this space. In fact, one of the things that concerned me—I have spoken about this publicly—was that the juveniles in remand at Banksia Hill were not provided with the same level of services as those who were sentenced. They were not provided with the same drug rehabilitation courses and substance abuse courses as those who had been sentenced, but I am pleased to say that that has changed in the past six months. I think it needed to. If someone is remanded for only three months at Banksia Hill, we should take every opportunity we can to correct their behaviour.

A fairly small number of juveniles in the youth justice system are not brought to the city. At the moment, just under 200 juveniles have been remanded or sentenced in Western Australia. Almost 2 000 juveniles across the state of Western Australia are involved in the corrections system somehow. It is roughly an 80–20 rule, with 80 per cent in community corrections diversion programs and 20 per cent behind bars. By comparison, in the adult population, or those aged over 18, it is about 50–50, with 5 100 behind bars and 5 000 in community corrections. Judge Reynolds and the Children's Court, and those involved in diversion programs, are doing a very good job. Custody is very much a last resort.

I want to give members some figures. This will take only a minute, because I want to get back to what the member for Kimberley has been saying about her electorate. I am advised that, over the last four years, there have been 83 occurrences of transferring juveniles from Broome and the Kimberley to Banksia Hill, and those 83 occurrences have involved around 50 individuals. That is a very expensive exercise. We also need to keep in mind that it costs over \$250 000 a year to keep a juvenile in detention. The member for Warnbro has made the point many times in the past, and I think we are in some kind of furious agreement, that that money could be better spent on trying to prevent juveniles from getting to that point in their lives in the future. I have always said that it is akin to a waste of human capital.

A lot is happening in this space. This afternoon, when I speak to the new Youth Justice Board, I will give them a copy of the member's speech, rather than give them the uncorrected *Hansard*. The member has made some very good points. Considering the number of juveniles in detention who come from the member's part of the world, I see no problem whatever with the Youth Justice Board visiting the Kimberley and having a look at the situation firsthand. There are some very distinguished and very educated people on that board, and I am sure they will come up with some creative ways to try to address the issues the member has been talking about. I do not pretend to have all the answers. That is why we have gone out and found experts in the field to advise us on what they think will be the best way forward. I expect they will make mistakes. They may come up with some ideas that do not work. But the bottom line is that I do not want to spend the next 12 months just having a talkfest. I want to see people getting out there and doing something and trying to have a go at making things better.

I will be visiting Broome Regional Prison on Tuesday. I will have a look at that prison and have a conversation with the member about options for the future of that prison, and I will certainly raise those issues with the Youth Justice Board this afternoon.

