

BANKSIA HILL DETENTION CENTRE — ADULT OFFENDERS

333. Ms M.J. DAVIES to the Minister for Corrective Services:

I refer to the introduction of the Young Offenders Amendment Bill 2023.

- (1) Is it true that the minister's department is already empowered to apply to the Children's Court to remove 18 to 20-year-olds from Banksia Hill Detention Centre and shift them to an adult prison?
- (2) Has the minister's government used this power in the last 12 months?

Mr W.J. JOHNSTON replied:

- (1)–(2) The current arrangement, as was detailed in my second reading speech, is that the Crown can apply to the courts. That was in my second reading speech, so if the member had paid attention, she would already know the answer to that. I made it clear in my second reading speech and in commentary about the matter of public interest that was discussed on Tuesday that our view as a government is that it is not a question of discretion; it is inappropriate to have adults housed in the juvenile facility. Yes, that is true and, as I said in my second reading speech, there is an authority for the court in certain circumstances and on certain conditions to move a young person to the adult facility, but that is not the question that we are putting to the Parliament. We are putting a completely separate issue, which is that adults do not belong in the juvenile facility. I understand that there are people in the community who think adults belong in the juvenile justice facility, but I would expect that the Nationals WA agrees with the government: that it is not a matter of discretion and that adults do not belong in the juvenile justice facility.