

Kevin Moran,



Hon Dr. K.D. Hames MB Bs JP MLA,  
Deputy Premier; Minister for Health; Indigenous Affairs,  
28<sup>th</sup> Floor, Governor Stirling Tower,  
197 St George's Terrace,  
Perth 6000

Dear Sir,

**Alcohol Problems- Submission Legal Age be lifted to 21 years**

I am an executive member of Justice First Inc and I write this letter to you on their behalf in all your capacities as Deputy Premier; Minister for Health and Indigenous Affairs, because it is a problem besetting the highest office of your Government due to the immense health and mental problems caused by alcohol to our community, particularly the young and Indigenous populations.

This submission is long so as to give an adequate summarisation to our proposal and I would appreciate your indulgence in considering the information supplied in its totality.

**Justice First outline**

Justice First Inc is a properly constituted pressure group, who is attempting to have the Government legislate in matters of concern to our supporters. These matters were canvassed at six meetings which were curtailed due the early calling of the last election. A number of these meetings were attended by The Attorney General Hon C.C. Porter, Treasurer Hon T.R. Buswell, Hon S.M. O'Brien, executive members and candidates for all the other political parties and some independents, except the Labor Party and Greens.

The expression by the Premier that Harm Minimisation is not to be your Government's approach to drugs is very much appreciated and is also one of the platforms of Justice First arising from the public meetings held. Following the conclusion of this submission is a copy of the motions relating to alcohol passed at these meetings. The procedure followed was that proposals from the previous meetings were placed before subsequent meetings for confirmation or rejection. All were confirmed. It is appreciated some may be deemed impracticable but they were passed and we will at least attempt to have them considered.

The concerns expressed and moved as motions form the foundation of our endeavours and are mainly behavioural problems stemming from alcohol and related drug use. It

is observed that matters of great criminal import, except the deaths and injuries through drunken drivers or assaults, were not situations that were imposing themselves on the many people's minds who attended the meetings. They were generally just ordinary citizens not couched in legalities, but simply knew something is very wrong with our society and moved motions that they believed could correct some of our problems.

Justice First does go beyond these everyday quality of life issues affecting many of our citizens and addresses serious matters in other areas. Nonetheless, these daily fears are impacting upon many and the following submission is one way these fears can be ameliorated.

### **Governments' reluctance to act**

The question of rising the age to 21 years to purchase and drink alcohol in public is not impracticable and perhaps inevitable as the evidence grows to its necessity.

We appreciate any Government's reluctance to embrace such a proposal in fear of rejection. However, we make our case in the practicality of doing so while - ensuring the avoidance of a young voter backlash - an implementation that allows the liquor industry to adjust - an approach that would see the general population in support.

Although it is perceived that politicians are fearful of losing the youth vote; Justice First, on the overwhelming support they found for it, believe overall 21 years as the legal drinking age would increase support for a government willing to place the lives of our children before votes and taxes. It could be observed that a failure to act is the sacrificing of young lives by a Government for money and to hold onto power. Although I believe that generally no such consideration would be in the minds of most of our representatives, but it would become an issue in any such discussion to lift the legal drinking age. It then would become a test of their morality and consciousness.

### **Possibility of litigation**

There is the possibility of huge financial payouts to victims through a Government's inaction who are aware of the medical, social, criminal and accident research that evidences the harm caused by permissive legislation that creates such provable dangers for those under 21 years. There could be serious legal difficulties for a Government not to address the issue on the back of this expert knowledge/advice.

It was observed at one of our meetings that Governments have been held accountable for actions or non-actions that have harmed people. Now that the medical, scientific and road safety research has been long known; any government who fails to act and are complicit in causing the harm through their collection of revenue, licensing laws and seeking favour of votes by retaining or extending the deleterious circumstance, could be open to a class action and potentially billions in payments.

Justice First has no interest in promoting such a situation, but we suggest it may be prudent to examine the possibility. From a moral standpoint such an action would

have justification and from a legal perspective there may be substance in such an action.

It should be considered, even if only to confirm such a claim has no validity and to lay the matter at rest in your tenure. That is not to say a different perspective may arise if aggrieved loved ones of victims seek action.

Although not considered in Justice First's bailiwick it was deemed desirable to raise the issue with you to allow your consideration as we felt not to do so would lack integrity.

### **Governments' failure to protect the most vulnerable to the deleterious effect of alcohol consumption**

The Government's first priority is to protect its citizens from harm and in regard to alcohol it has failed dismally. This failure is particularly so with our young, the most vulnerable to the deleterious effect of alcohol consumption, including a moderate intake. A large intake of alcohol, the current trend amongst a great number of youth, results in escalating horrifying situations for individuals and families.

Alcohol is killing our young and our young are killing their friends and innocents. They brawl and injure each other, even murdering others, they bash people just for the fun of it, they rampage through our streets and public celebrations, they destroy private celebrations as they gate crash parties, and they stone the police and in an intoxicated state don't give a damn.

Those who are in their twenties and thirties (sometimes older) who also indulge in these dangerous and stupid acts are a continuation of the harm done to their juvenile brain's decision making capacity through alcohol consumption. Reference to the research as to this damage is later contained in this submission.

Those who are killed or are the killers leave loved ones distraught at burying their child or innocent victims they killed.

If they are not dead, loved ones visit them in gaol or hospital. Their children's brains and others they have attacked or run over or into by vehicle are often impaired, many becoming crippled and wheel chair bound or even bed ridden for the rest of their lives.

Early introduction to alcohol increases the chance of alcoholism and the subsequent misery of their families and they are an imposition upon the health system.

### **Citizens and families suffer fear and misery**

Much of the general citizenry express fear at the disorderliness in their suburban streets as well as Northbridge. Their lives have been disrupted and drunken disorderliness has even created a terrified life for some and they live in locked homes afraid to go out at night and in some areas during the day. Families of many of our young live in misery as they see their children devastated by the binge drinking culture now the norm for their children.

### **Police Minister Hon R.F. Johnson**

Prior to the election, I together with Wendy Herbert of 21-ALIVE (whose objective is to have youths reach 21 years alive) have spoken to Police Minister Hon R.F. Johnson in regard for the need to lift the legal age to consume alcohol in public and to purchase liquor. The Minister understood the situation and then being in opposition he could do little until he was in Government. He then stated it was a possibility to raise it as a referendum issue. He will be forwarded a copy of this correspondence as the problem relating to alcohol not only besets his portfolio but also other Ministers who will also be forwarded a copy.

### **No safe alcohol level for teens - study**

The report “No safe alcohol level for teens, study finds” in the West Australian page 3 13<sup>th</sup> April 2009 supports our submission, as does other scientific research, societal studies and media reports, on which we have been campaigning for some years and supported by many people. It is interesting that all I have spoken to have supported the proposal, but often with the remark the politicians would never do so. The article follows at the end of this submission.

### **Both secular and religious support**

Although Justice First has no religious base or intent there has been an approach by a member of a large evangelical church with an extensive youth base asking if they could help in any campaign. I am also a member of a very large organisation whose membership is both religious and secular and they are committed to the rising of the drinking age.

### **Unlikely success of other attempts to diminish youths’ dangerous drinking**

The effect of education on a teen’s brain and beyond, up to and including 24 years is minimal evidenced in the poor outcome from the millions of dollars spent on drug education. This non effective education does not relate to children.

The effect of increasing alcohol tax on alco-pops has not seen a decrease in overall alcohol consumption and the ever increasing misbehaviour would indicate the move away from the premixed drink to spirits and high alcohol content beer has precipitated a greater ingesting of alcohol and subsequent misbehaviour.

To increase tax on other alcohol beverages to 60% would curtail consumption, punish all responsible drinkers for the problems besetting the young while ensuring the demise of any Government.

The diminishing of licensing hours may not diminish the violence and overall consumption of alcohol. Possibly take away alcohol before and after closing would likely prevail. It may have been successful in the past, but the culture of binge drinking on youth’s nights out, we believe will not be curtailed; only dispersed. This is a good thing as it may lessen confrontations in Northbridge, but many assaults, killings, disorderly behaviour and dangerous drunken driving occurs well before

midnight or just thereafter in places far removed from Northbridge, be they in hotels, on railway stations, parks or streets of suburbia.

### **Liquor Industry response**

The liquor outlets; be they distillers, brewers, wineries, bottle shops, hotels, taverns, night clubs, licenses granted to events and the casino all would confront and campaign against such a move to frighten the Government into submission.

### **Government action to curtail effect of Liquor Industry response**

The Government if considering such legislation would need a long campaign promoting the benefits of not drinking by youths while explaining the dire circumstances that the present consumption of alcohol has created for our children, the costs to the community in medical, financial, societal and family terms. The possible curtailing of adequate numbers of young people who have adequate intelligence,( having had it destroyed by alcohol), to undertake studies in medicine, engineering and other areas to work in our State. The Government would then make its legislative intent known.

The world wide acceptance of studies to the harm done to youths' brains and the lives saved by lifting the age to 21 years in USA and Australian figures should be featured.

### **Lives save from vehicle accidents in USA since introduction of 21 years from 18 years to consume alcohol**

In 1984 the United States Federal Court required all States, not then doing so, to raise the required age to purchase or possession of alcohol to 21 years. Their Supreme Court upheld the law in 1987 and all states complied.

This then allowed comparisons to be carried out between after 21 years and prior relating to youth traffic accidents statistics, as at 2006-7. Confirmation can be obtained from NHTSA web site and no doubt are higher now.

The USA National Highway Traffic Safety Administration (NHTSA) data indicates that the higher drinking age has since 1975 by reducing the number of fatalities involving underage drinking drivers saved near 23 thousand lives.

If this number is multiplied by the number of parents, children and loved ones that would have suffered through these deaths - the suffering saved has been immense.

If the cost of the police, tow trucks, highway delays, ambulance attendance, hospital staff, doctors and funerals is also multiplied by 23,000 deaths, the cost saving is staggering.

Add to the misery, the suffering of the injured and the maimed for life, the saving in human and financial terms becomes incalculable

How many Australia parents would still have their sons and daughters alive, or not brain damaged, or confined to a wheel-chair; or in bed for life if the age of 21 years had been retained as the legal age to purchase and drink alcohol in public?

It is obvious that savings in alcohol related deleterious matters would save more than the loss of the revenues from 18, 19 and 20 year olds' alcohol consumption.

### **Rebuttal of Arguments to retain the teenage drinking laws**

*If the age is raised it won't stop underage drinking.*

The age of underage drinkers relates directly to the legal drinking age. Now 18 year old supply to 16 – 17 year old and even lower. A 21 year old would supply to a 19 – 20 year old. His decision making is greater and his responsibility is more developed and the rate of underage supply would be far less than now.

*They will just go onto drugs if they can't get booze.*

No drug taking will lessen. Alcohol is usually the first drug used by a young person and it has an effect of lowering inhibitions and the first illicit drug is taken while under its influence, which would have been normally refused except for the susceptibility to suggestion due to the lowered inhibitions.

*Making them wait to 21 to drink is against their civil rights.*

The New Zealand Parliament requested legal advice as to this question. The answer was yes it did infringe on the civil rights of the young drinker, but the public good overrode such rights due the damage being caused by them.

*If they can fight for their country they can drink*

The 18 years was enacted during the Vietnam War mostly on this proposition. Then they died for a reason, be it if the War was supported - or not. Now they die and are injured and kill and injure fellow Australians for no reason. They now die and are injured in far more numbers each year by liquor than they did in the Vietnam War. A total of 500 died in the Vietnam War (Army 478, RAN 8, RAAF 14) 3129 were wounded (Army 3025, RAN 48, RAAF 56)

The young men of the ANZACS or those in the 2<sup>nd</sup> World War and Korean War and other campaigns had no issue with the underage restrictions.

If it was thought the *Armed Services* would like their *young men and women* to be allowed to drink - they could be *allowed an exception*. However with the difficulties the Armed Services have with their young recruits due to drink, I don't think they would seek an exemption.

*The Government receives funding from Liquor Taxes and main political parties receive donations from the liquor industry and will be lobbied by them not to raise the age.*

The money received from those under 21 years divided by alcohol caused deaths by the young, which not have otherwise occurred, equals the value put on each life As a supporter of youths' drinking what monetary value do you place on each of their lives and others lost because of their drinking?

*The Government put down the drinking age to curry favour with the lower age voters and they would not increase the drinking age in case they lost votes.*

This situation can be overcome by incremental increases. That is increase to 19 years be 1 year after an election, thereby the 18 year olds then drinking would be 19 years when it came in. The 20 and 21 years be also in one or two year increments. The next election would see the 18 to 20 year old youths resigned to the situation. With all parties agreeing there would be

no loss of the youth vote on this issue. Loss of votes would come if a Political Party intended to again rise the age to 21 or opposed it indicating they accept the deaths and injuries of our young and others they also kill and maim as acceptable casualties in the gathering of their taxes paid on their liquor.

*They are only a few drinking that are harmed, the rest suffer no problems. Where is the proof that it will do any real good?*

In 1984 the United States Federal Court required all States, not then doing so, to raise the required age to purchase or possession of alcohol to 21 years.

Their Supreme Court upheld the law in 1987 and all states complied.

This then allowed comparisons to be carried out between pre 21 years and prior relating to youth traffic accidents statistics, including those States who had implemented the lower drinking age in 1975.

The USA National Highway Traffic Safety Administration (NHTSA) data indicates that the higher drinking age has since 1975 reduced the number of fatalities involving underage drinking drivers by near 23,000.

Studies of Alcohol and the Teen Brain during a 13 year longitudinal study by the US National Institute of Mental Health and recently an Australian Study by Murdock Children's Research Institute over 10 years indicated no safe level for teenagers and recommended the legal public drinking age be lifted to 21 years.

They found a person's brain does not stop developing until his or her early to mid-20s and adding alcohol to the mix is a recipe for disaster.

*Don't you think that education and penalties will overcome the bad driving and behaviour due to young people drinking alcohol?*

It will only to a small degree, if at all. Education has not diminished illicit drug taking and hooners are still being hooners. This relates to the 13 year longitudinal Medical/ Scientific Study that indicates poor decision making by the young becomes even more so when they drink.

Although strong penalties would assist they will not be applied due to the judiciary not applying them and never will, unless they are mandatory.

*The young have always consumed liquor so why would bringing it back to 21 years would achieve anything?*

It would lessen:

- Deaths through drunken driving
- Access of alcohol by younger youth
- Alcoholism caused by the early introduction to liquor
- Disorderly conduct, assaults and murders caused by alcohol consumption
- Unwanted pregnancies and disease after drunkenness lowered inhibitions for consensual unprotected sex
- Unwanted, unknown sexual activity while in a drunken stupor and the difficulties arising from it.

- The work load in hospital emergency rooms by decreasing the impact drunken, disorderly injured youths attending for treatment
- The work load in hospital emergency rooms by decreasing the road trauma and deaths young drunken drivers cause to themselves, mates and innocent road users
- Free police from the difficulties caused by drinking youths so they can attend to other duties
- Diminish disorderly behaviour
- Diminish the rampant party crashers
- Lessen the likelihood of the loss of dignity, particularly of young females, by indulging in activities that would have been avoided except for the indulgence in alcohol
- Lift the underage drinking age to beyond those now indulging every weekend from the age of 12 and in some communities at 10 years. The age of the underage drinker relates directly to the age of the legal drinking age. Raise the legal age so then the underage age increases

### **Concerns from other places**

The New Zealand Parliament undertook an inquiry by the Equal Opportunity Commissioner as to the claim of discrimination if the drinking age was lifted to 20 years. The Commissioner resolved that the public interest and safety overcame any claims of discrimination.

On 9 April 2008 in South Australia's State Parliament, the Hon Dennis Hood MLC moved a motion to have the Parliament's Social Development Standing Committee conduct an inquiry upon : *"the adequacy and appropriateness of laws and practices relating to the sale and consumption of alcohol and, in particular, with respect to—*

- 1. Whether those laws and practices need to be modified to better deal with criminal and other antisocial behaviour arising from the consumption of alcohol;*
- 2. The health risks of excessive consumption of alcohol including— (a) 'binge drinking'; and (b) foetal alcohol syndrome;*
- 3. The economic cost to South Australia in dealing with the consequences of alcohol abuse; and*
- 4. Any other relevant matters*

Victoria and NSW Governments have discussed lifting the Drinking age to 21 years, A poll by a newspaper in Queensland found over 70% in favour of raising the age as did 90% in New Zealand.

The Christian Democratic Party has adopted it as policy.

There have been many letters now and articles written in State, National and local papers. The debate has been overwhelmingly supportive.

Professor Ian Hickie, executive director of the Brain and Mind Institute at the University of Sydney requested the Prime Minister to rise the legal drinking age to 21 years.

### **Suggestions to lessen Youth Drinking Western Australia**

- Return drunkenness as an offence
- Raise legal age to purchase and consume liquor in public to 21 years
- Return Police Liquor and Gaming Branch to oversee all liquor activities



- Remove civilians from administering licenses to prevent abuse by licensee and the easy corruption of the civil servants who lack level of a disciplined structure of police
- Alcohol related offences be subject to arrest
- Heighten use of the present infringement system
- ID cards specific to age and probationary period left, colour coded for easy viewing by staff and enforcement
- An introductory Probationary period for public alcohol consumption and if offending remove ID Card
- Replace the Harm Minimisation strategy that has failed and reduce harm by appropriate laws.
- Require instruction to the young by teachers, health and social workers to condemn the use of underage drinking and no longer tolerate its use as presently accepted under the current philosophy of Harm Minimisation
- Make it an offence to supply liquor to a minor in their home
- Lift the penalty of supplying liquor to a minor to an effective level
- Ensure minors found consuming alcohol are adequately deterred by punishment and compulsory courses for both child and parents
- Police concentrate upon anti social language and behaviour and make arrests
- Return flying squads concentrating on liquor outlets and youth misbehaviour throughout the Metropolitan area
- Courts reflect seriousness of the problem of anti social behaviour in our public places
- If Courts fail to apply penalties that reflect community concern, the Government increase penalties or enact mandatory minimum penalties
- Lower prices on low alcohols content drinks
- Return Licensing Law to shorter periods
- License premises, particularly Night Clubs be closed down immediately underage drinkers or drug users detected on premises and an application before the Licensing Court to be made to reopen
- Restrict quantity allowed per vehicle on bottle shop drive throughs
- A referendum on specific proposals – 21 years legal Drinking Age – Licensing Hours – drunkenness as an offence

### **Alcohol and the Teen Brain - findings of the 13 year longitudinal study by the US National Institute of Mental Health**

A person's brain does not stop developing until his or her early to mid-20s and adding alcohol to the mix is a recipe for disaster.

The brain goes through dynamic change during adolescence, and alcohol can seriously damage long- and short-term growth processes. Frontal lobe development and the refinement of pathways and connections continue into the mid-20's. Damage from alcohol at this time can be long-term and irreversible. (1) In addition, short-term or moderate drinking can impair learning and memory far more in youth than in adults. Adolescents need only drink half as much as adults to suffer the same negative effects. (2)

Here are some quick facts about alcohol use and the developing brain:

- Alcohol impacts both behavior and brain function differently in adolescents and adults. (3)
- Adolescents are more vulnerable than adults to the effects of alcohol on learning and memory. (4)
- Alcohol affects the sleep cycle, resulting in impaired learning and memory as well as disrupted release of hormones necessary for growth and maturation. (5)
- Alcohol affects all parts of the brain, which affects coordination, emotional control, thinking, decision-making, hand-eye movement, speech, and memory. (6)
- Adolescent drinkers perform worse in school, are more likely to fall behind and have an increased risk of social problems, depression, suicidal thoughts and violence. (7)
- Binge drinking is extremely dangerous for adolescents given that their brain is especially vulnerable to alcohol-related damage. (8)
- People who begin drinking in their early teens are not only at greater risk for **developing** alcoholism sometime in their lives, they are also at greater risk for developing alcoholism more quickly and at younger ages, especially chronic, relapsing alcoholism. (9)

### *The Developing Brain*

From 12 years old to the mid 20s—the years in which America’s youth are the most exposed to alcohol—three critical periods of development take place, each accompanied by a spurt of neural (dendrite) growth (10):

- Level I Abstract Thinking
  - 10-20 years old
  - Development of the ability to relate functions such as the ability to relate addition and subtraction and understand why they are opposites, and the ability to combine dissimilar social interactions and emotions such as combining honesty or dishonesty with kindness to explain the "social lie"
- Level II Abstract Thinking
  - 14-15 years
  - Development of the ability to understand how functions are alike and different such as how addition and division are alike and different, and the ability to combine complex thinking with social interactions and emotions such as combining judgment with directness, kindness and tact at the same time to offer constructive criticism
- Level III Abstract Thinking
  - 18-20 years
  - Development of the ability to hold several issues, events, circumstances, functions, characteristics, etc., in mind at the same time and compare and interrelate them

Anything that interferes with how the brain operates during these developmental periods can change the course of a person's mental, emotional, cognitive, and social development—and alter his or her opportunities for success. (11)

### ***Alcohol on the Brain***

Exposure to substances that inhibit cell growth has some impact on the adult brain, but these same substances can have a devastating effect on the developing brain. (11)

**Random Havoc.** Most drugs are predictable for they have specific receptors in the brain they will use, so the impact on the neural function in specific regions of the brain can be predicted. Alcohol, however, doesn't have a specific receptor in the brain. It selects receptors at random, acting on one receptor in one part of the brain and on a different one in another part of the brain. It is also random in its behavior in different brains, meaning it affects people differently. (13)

Basically, alcohol chooses a receptor, combines with water molecules that form part of the receptors and changes the shape of the receptors so it can enter, virtually at will. That also means it is altering the brains processes "at-will." (13)

**Prankster.** Alcohol plugs into the brain's massive network of switches that activate and deactivate neural functioning and **turns brain cells on or off.** It affects channels in the brain cell membranes that permit calcium and other chemicals to provide energy to electrically fire off messages to other cells. No other drug turns brain cells on and off at the rate alcohol does. (11)

**Interceptor.** Alcohol seeps directly into neurons to prevent the messages that a neuron receives from being translated into instructions inside the cell. (11)

**Trickster.** Alcohol combines with lipids (fat molecules) that form channels in the surfaces of brain cell membranes, temporarily changing their structure and function. (17)

**Thief.** Alcohol reduces the level of serotonin in the brain. Serotonin is known as the brain's peacekeeper, assisting in learning and problem solving and it enables our drive to live in harmony. It is connected to cells in every part of the brain—the only neurotransmitter that is. If not impeded by alcohol (or drugs that act on serotonin receptors), the brain receives gentle, rhythmic pulses of serotonin. One of its most important roles is to act as a brake on impulses for too much or too little can affect cognitive and emotional functioning. (18) This why drinking teens often engage in foolish, irresponsible and dangerous activities.

**The following brief extracts from 2006-7 statements by concerned health professionals and others – indicating a long held concern ignored by our Government then in power**

**Professor Fiona Stanley**

- Booze is wrecking Australian Society - particularly our youth
- It's a lethal product used in excess
- 80% of attendance by Police is booze related
- Huge proportion of hospital admissions is booze related
- 50% of 16 year olds drink hazardously
- 20% of 12 year olds drink

**Australian National Council on Drugs chairman John Herron**

- Australia had to address the culture of drinking which promotes binge drinking as some sort of rite of passage

Sunday Times 11<sup>th</sup> February 2007 page 18

**WA Health Department figures 2005-6**

- 298 under 18 years required urgent medical treatment for injuries from falls, fights or poisoning by alcohol
- Some of those needing urgent medical help were only 10 yrs of age

**Suzy Thomas – Christian drug-rehabilitation service**

- Staff members often found children as young as 13 drunk on the streets at night
- Their sobering up shelter was mostly full each night with children as young as 12 years

**Brian Wooller of Mission Australia**

- The use of alcohol by 18 year olds should be treated with the same seriousness as illicit drug use

Sunday Times 7<sup>th</sup> January 2007 page 15

**Professor Glen Bowes, head of Paediatrics University of Melbourne**

- One of the reasons is because the “Peter Pan” generation spend a longer time lingering in adolescence compared with past generations.
- Teenagers effectively spend longer as children and indulge in irresponsible behaviour.

West Australian 9<sup>th</sup> April 2007 page 3

**Health Minister for Victoria Bronwyn Pike**

In Victoria

- 194 young persons died from alcohol related accidents in 4 years
- 2135 were seriously injured – serious includes brain injury, paraplegia ,
- 11, 455 were hospitalised from binge drinking

Sunday Times Body and Soul supplement 29<sup>th</sup> April 2007 page 8

**Stuart Meade – Hale School Headmaster**

**Andrew Syme – Scotch College principal**

- Both expressed concern about out of control Teenage parties - Booze, sex and drugs was the headline

West Australian 2<sup>nd</sup> December 2006 page 2

**Professor George Patton - National Youth Advisory Council Chairman**

• Misuse of alcohol and illicit drugs among young people was a major concern  
Rosanna Capolingua – Australian Medical Association President

- Binge drinking is a really big problem with our young generation – we are talking about kids down to 12 years

West Australian 31<sup>st</sup> May 2007 page 15

**Associate Professor Wendy Loxley Shenton Park National Drug Research Unit**

- Young people typically drink to get drunk
- It is a major problem because severe intoxication causes a whole range of problems – violence, assault and other severe injuries
- Binge drinking by youngsters is the country's number 1 drug and alcohol problem

**National Drug Strategy Household Survey**

- Found 41.8% of West Australian females over 14 drank weekly.
- The National Average was 35%

**David Mountain – W.A. Australian Medical Association Emergency Medicine Spokesman**

- We're seeing equal numbers of boys and girls who are seriously inebriated, especially on Friday and Saturday nights

Sunday Times Perth Now Sup page 9 24<sup>th</sup> June 2007

**Conclusion**

I believe Justice First has adequately expressed its concerns and indicated why the legal public drinking age should be lifted to 21 years.

We have also provided information relating to Scientific, Medical and Vehicle studies that cannot be ignored.

Further we have provided many suggestions that could be used, although not the answer as the 21 years proposal, they could assist in the interim to lessen the havoc being brought upon our young by the permissive licensing laws now in place.

Finally, if lifting the drinking age is not to be enacted after all that indicates it must for the future health and prevention of many deaths of our young, could Justice First be advised, putting aside the revenue seeking and voting fears, what reason(s) your Government gives for its failure of its first obligation to care and protect its citizens, particularly the vulnerable, in this case our youth.

Yours sincerely,  
Kevin Moran,  
Executive Officer,  
Justice First Inc

# No safe alcohol level for teens, study finds

NICK MILLER  
MELBOURNE

Teenagers who drink even small amounts of alcohol have a significantly higher risk of developing alcohol abuse or risky sexual behaviour as young adults, research has found.

The study casts doubt on new national guidelines that suggest there is a "low risk" of drinking for under-18s.

It supports a move away from the harm minimisation approach and raises questions about the appropriate legal minimum drinking age, experts say.

The team from the Murdoch Childrens Research Institute says the study, which tracked the drinking of 1520 young people over more than a decade from

mid-teens to mid-20s, shows there is no safe or sensible level of drinking for adolescents.

Official Australian guidelines from the National Health and Medical Research Council define a low-risk level of drinking for adults as less than three standard drinks a day.

The researchers found that even drinking at this level, teenagers increased their chances of outcomes, such as alcohol abuse, social or legal problems or alcohol-related high-risk sexual behaviours, 10 years on.

"The issue of when teens start drinking is a very important question," lead researcher epidemiologist Dr Elya Moore said.

"Those who abstained from alcohol in adolescence experienced fewer (bad) alcohol-relat-

ed outcomes than those who drank at the 'recommended' level. We found no evidence of a level that may have been safe — I think that's the most remarkable finding."

The study, published in the Australian and New Zealand Journal of Public Health, found that by young adulthood 27 per cent of men and 13 per cent of women met at least one of the criteria for alcohol abuse and risky sexual behaviour connected with alcohol use.

There was a clear, linear trend — the more boys drank in their teens, the more likely they were to develop alcohol-related problems as a young adult.

For girls the trend was less clear. Dr Moore said this could have been a failure of the research

method, rather than evidence that girls were more able to drink at safe levels without long-term consequences.

Official guidelines state that the safest option is to drink no alcohol below the age of 18. For those aged 15 to 17, they say "the safest option is to delay . . . drinking for as long as possible".

The study found that the chance of developing alcohol disorder in "low-risk" drinkers was closer to that of "risky" drinkers than to that of non-drinkers.

Chairman of the Alcohol Education and Rehabilitation Foundation Scott Wilson said the study suggested that alcohol guidelines should be made clearer: "zero alcohol, full stop" for under-18s.

THE AGE

\* WEST AUSTRALIAN Page 3 13th April 2009

## Open Letter

Kevin Moran,

Chairman,  
Australian Journalists' Association,  
245 Chalmers St,  
Refern  
NSW 2016

**Re: Subverting of the Australian Press****Error! Hyperlink reference not valid.**

The situation on the surface appeared to be far-fetched and I, being inclined towards avoidance of the improbable and un-provable, was not going to write the following.

However, it explained what has been occurring in the media's reporting on drugs and alcohol over a considerable period and having thought-out the threat to my position as a person presenting credible argument, I deemed the situation I describe as probable, the facts of what was intended indisputable; and the consequences observable. It was too serious to let pass and even if it only brought attention to the circumstances, believed or not, it should be stated.

I simply ask those who read this dissertation to examine the information provided and if required view the speech of Mugford and others who promote legalisation of illicit drugs on the internet at - **Error! Hyperlink reference not valid.**

I have only recently viewed this recording of the speakers from Australia (Wodak – Stronach – Mugford) at the International Drug Legalisation Foundation in USA held in 1993.

It provided a revelation on how policies and procedures now in place were promoted and I believe this has led to, not prevented, the catastrophic harm done to our children relating to their use of alcohol and drugs.

The following is not a criticism of Mugford the person, as he no doubt believes in the veracity of his beliefs and actions, but it is a questioning of the *Foundation for Drug Policy* of what I consider its untoward actions that have compromised the integrity of the Australian Media.

It is indeed mainly a criticism of Australian Journalists, including the editors, who were either blind to their manipulation, or even more frightening were complicit in the near complete breach of all standards set in their 'Code of Ethics' in contempt of the Australian people. The Media constantly claims to champion by honest, accurate and fair disclosure in the information they report, but in this case they have failed to do so.

I have been aware of the harm reduction/minimisation promotion by Wodak, Stronach and Mugford, but considered the consequences would in due course see a reaction by politicians and health officials and changes would occur.

This did not happen and an overwhelming percentage of reportage of drug and alcohol issues supported and continues to support and promote the harm reduction philosophy. The reality is drug and alcohol use has increased in the young with the associated social problems, road deaths and trauma and mental and medical health difficulties including deaths.

Counter arguments still fail to receive adequate mention and that those opposing it are seldom contacted in comparison to those espousing harm minimisation and legalisation. I admit I was

at a loss to understand why the media was intent upon promoting the present Drug Culture through the harm minimisation/reduction programs, when it was beyond dispute that the problem was continually worsening and the harm minimisation/reduction thinking had failed.

Then Mugford explained how the Foundation compromised the media so that it did/does not provide equality in reporting of counter arguments relating to harm minimisation/reduction.

The AJA Code of Ethics requiring this equality in reports was compromised when journalists were deliberately targeted by the Foundation through the employment by the Foundation of journalists to subvert the presentation of stories on drugs and alcohol.

The extract that will be quoted (not out of context) from Mugford's speech will explain, I believe, the process of this destruction by the Foundation of journalistic integrity and thereby compromising the integrity of the press, as well as denying the public open debate.

Australians, I suggest, have been shrewdly led to a doctrine that they may well not have supported if they had not been ill served by the media; as it is in the final context that it was media people who failed to safeguard their integrity and not Mugford, the Foundation or anyone else who could be claimed to have acted incorrectly, whose actions were no doubt with honest intent.

These compromised journalists have acted contrary to the AJA Preamble and various sections of their Code of Ethics.

After reference to the Federal Health Minister's support in his address to the Conference, Mugford then indicated his Foundation's disapproval of the Police to talking to school children and citizen groups about drug issues. Mugford acknowledged the Foundation could not prevent police from doing so. The Foundation then embarked upon a campaign to infiltrate and control the police who attended schools and also spoke to community groups so that their message would be imposed upon society by the then most credible source relating to drugs. This credibility has since suffered.

Mugford explained, *"Over a fairly long period of time and a difficult process we developed a training course to the extent that now Victorian Police who go into schools, and this is now built into Police Regulations, can only be those who have undergone that training course and are prepared to use materials that are supplied to them."*

This related to the Victorian Police at the time of the presentation by Mugford, but is near spread Australia wide. Why Mugford said that only officers who were prepared to use materials supplied were permitted to speak to school children and citizens about drugs issues is simply because many police officers, then and now, know the folly of Harm Minimisation/Reduction and refuse to be associated with it.

The undermining by the Foundation of the Police message that drugs are dangerous and not to indulge was straight forward; simply convince the person responsible in the police hierarchy to the Foundation's philosophy and he would instruct the officers in his command that spoke to school children and citizens about drugs issues to now promote harm minimisation/reduction. This senior Police Officer would have had enormous pressure, not only from the Foundation, but from politicians and journalists coached in the Foundation's doctrine. The Commissioner, no doubt tired of an unremitting criticism of police in this area, would have demanded a resolution to the matter.

The agencies dealing with alcohol and drugs were also indoctrinated.

To put Harm Minimisation/Reduction at its simplest and dangerous level – Children are advised they are expected to drink alcohol and use drugs; and this is the way you should do it so to minimise the harm to yourself. Although this is possibly not approval it certainly is the encouragement to use alcohol and illicit drugs and many children do on this encouragement. The provision of needle and syringe exchanges is part of the process.



The process was to be the precursor to actual legalisation, but subsequent events that has seen Australian children introduced to dangerous activities leading to a life long dependence in both alcohol and/or drugs, coupled with a multitude with young deaths, has curtailed this ambition for the moment.

After dealing with the above issues, Mugford then moved onto what the plans were to subvert the media and ensure they changed reporting of these issues to what the Foundation deemed desirable.

Mugford then outlined procedures the Foundation put in place to bring about the subversion of mainstream print, radio and television to ensure the changing of public perceptions to the legislative changes they required of politicians and that there was a lack of reports contrary to the Foundation's views.

Mugford said, *"The Foundation believes if we are really to have any significant impact we have to focus on social and political change; and we know quite clearly that the formation of public opinion and the gathering of information in regard to alcohol and drugs within Victoria is going through three main sources.*

*One is the Police, another one alcohol and drug agencies.*

*But far the overwhelming source of information, which is obviously related to attitudes, is the media.*

*And we have focused as an organisation quite clearly and strategically on the media.*

*We have employed journalists not to churn out press releases – but to get in there as subversives and work with their colleagues in the mainstream press.*

*And that has been done very slowly and very gently – a level of trust – a level of credibility, more importantly the ability to respond, as the press wants instant answers and they want instant responses, so we have 24 hour availability of those journalists.*

*And what we are finding now is that in the last eight months over 50% of mainstream print, radio and television reporting on alcohol and drug issues is now generated by the Foundation or is being filtered through it.*

*It is a wonderful opportunity when the press ring up, as they invariably do with some sensational story asking for comment, for us to ask to talk, sometimes for an hour and try and turn around and get reporting presented in perhaps a different way.*

*Because we know the nature of reporting, and as we have seen in the past, has been sensational reporting, it has been inaccurate, often dangerously inaccurate, and it is always, not always, is focused on those drugs which are illicit and their usage in Australia and the harm caused by them is miniscule compared to legal drugs, so we are having a significant impact there I believe and it is an exciting project.*

*So the thrust of the Foundation is to move, via the media, the public perception towards legislative change in those areas; as we would see desirable.*

*With those comments I hope that provides a very sketchy overview in the context in which we are operating.*

*I would like to introduce Alex Wodak."*

There are two issues that relate directly to the subversive activity by the Foundation: -

Mugford Quote – *"We have employed journalists not to churn out press releases – but to get in there as subversives and work with their colleagues in the mainstream press."*

I interpret this as journalists working for newspapers and/or in electronic media being recruited and employed, not to work as journalists as such, but as stalking horses for the Foundation in their work place.

Mugford Quote “ -- *the ability to respond, as the press wants instant answers and they want instant responses, so we have 24 hour availability of those journalists.*”

I construe these Journalists are employed by the Foundation “*to get in there as subversives*” are available 24 hours a day to ensure their media outlet does not report and interpret honestly, nor with accuracy, fairness and disclosure of all essential facts. They will suppress relevant available facts that are not supportive of the Foundation, or ensure a distorting emphasis. They would ensure their utmost to prevent a fair opportunity for reply.

If there is doubt as to the success of these subversives Mugford boasts after 8 months because of the employment of these infiltrators, “*And what we are finding now is that in the last eight months over 50% of mainstream print, radio and television reporting on alcohol and drug issues is now generated by the Foundation or is being filtered through it.*”

By this boast being made after eight months, there can not be a lack of understanding of the profligate coverage by the media supporting the beliefs of the Foundation and its successes, nor denial of this distortion of our media as the result of the subversives’ campaign.

Sixteen years further on the question arises how many fellow journalists were recruited by these moles planted by the Foundation to be their stalking horses and how many are still active in the media.

Possibly with the culture of group-think in reportage of issues, most reporters remain unquestioning and continue to perpetuate the propaganda required by the Foundation. All will deny any influence.

If the process embarked upon by the Foundation to pervert the veracity of the media is examined it compares admirably with the very best propaganda of political parties and war-time misinformation campaigns.

Who were the original journalists who were employed as subversives in the ranks of the AJA?

I complain: -

- The Journalists identified as being employed by the Foundation in the circumstances outlined, have breached Sections 4, 5 and 7 of the AJA Ethics.
- The Journalists indoctrinated into the Foundation’s philosophies and have reported favourably on them without fairness in providing the counter viewpoint or diminished counter viewpoints because of their beliefs, have breached Ethic- section 4.
- The journalists, who have used the media to promulgate information favourable to one side have in doing so, not only contributed to the multiplying use of drugs and alcohol, but have also breached the Ethics’ Preamble which advises your members that, “They inform citizens and animate democracy.” In this case they denied information and in doing so, do not animate democracy, rather they stifle it.
- Those Editors, be they at the beginning or now, by not ensuring the standards of the AJA Ethics were being upheld, as they are clearly not, are as culpable as those who were the subversives or those journalists they convinced to also become a stalking horse for the Foundation.

The matter canvassed is of a very serious nature and although I appreciate the difficulties associated with the issues outlined, I would request the AJA gives more than a cursory inquiry and make adequate investigation the result of which I would be pleased to be informed.

There may not be sufficient evidence to identify offending journalists, but the intent of the Foundation and its effect upon your industry’s integrity is obvious and must be addressed.

All members should be at least warned about the actions of the Foundation and that they are careful of dealing with that organisation and those who promote their philosophies. That is not to say they should be avoided but only wariness be adopted and fair reporting be returned.

Thanking you,  
In anticipation,

Kevin Moran

[sales1.avonadvocate@ruralpress.com](mailto:sales1.avonadvocate@ruralpress.com)

[\*\*editor@torchpublishing.com.au\*\*](mailto:editor@torchpublishing.com.au)

[newsdesk@bendigoadvertiser.com.au](mailto:newsdesk@bendigoadvertiser.com.au)

[journo@albanyweekender.com.au](mailto:journo@albanyweekender.com.au)

[ararateditorial@ruralpress.com](mailto:ararateditorial@ruralpress.com)

[ajn@jewishnews.net.au](mailto:ajn@jewishnews.net.au)

[info@australiantimes.co.uk](mailto:info@australiantimes.co.uk)

[barossaheald@ruralpress.com](mailto:barossaheald@ruralpress.com)

## Australia Newspapers

- [Adelaide Advertiser](#) (South Australia)
- [The Advertiser](#) (Cessnock, NSW)
- [The Advertiser](#) (Bendigo, Victoria)
- [The Advocate](#) (NW & W Tasmania)
- [The Age](#) (Melbourne, Victoria)
- [Al-Furat](#) (NSW) [In Arabic]
- [Albany & Great Southern Weekender](#) (Western Australia)
- [Alice Springs News](#) (Northern Territory)
- [Alpine News](#) (Bright & Porepunkah, Victoria)
- [Alpine Observer](#) (Victoria)
- [Altona - Laverton Mail](#) (Melbourne, Victoria)
- [The Ararat Advertiser](#) (Victoria)
- [Armidale Express](#) (NSW)
- [The Armidale Independent](#) (Armidale, NSW)
- [Auburn Review](#) (NSW)
- [Augusta Margaret River Mail](#) (SW Western Australia)
- [Australia Daily](#) [In Chinese]
- [The Australian](#) (National)
- [The Australian Financial Review](#) (National)
- [The Australian Jewish News](#) (National)
- [The Australian Times](#)
- [The Avon Valley Advocate](#) (Western Australia)
- [Bankstown-Canturbury Torch](#) (NSW)
- [Barossa & Light Herald](#) (South Australia)
- [Bayside Bulletin](#) (Queensland)
- [Bega District News](#) (Bega, NSW)
- [Berwick Gazette](#) (Berwick, Victoria)
- [Berwick News](#) (Berwick, Victoria)
- [Bharat Times](#) (Melbourne, Victoria - For the Indian Community)
- [Blaze](#) (South Australia)
- [Blue Mountains Gazette](#)
- [Bnews](#) (Melbourne, Victoria)
- [The Border Mail](#) (Albury Wodonga)
- [Brisbane Times](#) (Brisbane, Queensland)
- [Bungendore Mirror](#) (Bungendore, NSW)
- [The Bunyip](#) (Gawler, South Australia)
- [The Byron Shire Echo](#) (Byron Bay, NSW)
- [Camden Haven Courier](#) (Laurieton NSW)
- [Campaspe Valley News](#) (Victoria)
- [Canberra Times](#) (Canberra, ACT)
- [Canowindra News](#) (NSW)

- [The Captains Flat Telegraph](#) (Captains Flat, NSW)
- [Catholic Voice](#) (Canberra, ACT)
- [Central Midland & Coastal Advocate](#) (Moora, Western Australia)
- [Central Murray Informer](#) (Victoria & NSW)
- [Central Online](#) (Spencer Gulf & Broken Hill, NSW)
- [Central Western Daily](#) (Orange, NSW)
- [The Chronicle](#) (Wangaratta, Victoria)
- [The Chronicle](#) (Toowoomba, Queensland)
- [The Chronicle](#) (Wangaratta, Victoria)
- [City News](#) (Canberra, ACT)
- [Clarence Valley Review](#) (NSW)
- [Cobar Age](#) (NSW)
- [Cobar Weekly](#) (Cobar, NSW)
- [Cobram Courier](#) (Victoria)
- [Collie Mail](#) (Western Australia)
- [Coober Pedy News](#) (South Australia)
- [Coober Pedy Regional Times](#) (Regional South Australia & NT)
- [Cooma-Monaro Express](#) (NSW)
- [Cootamundra Herald](#) (NSW)
- [Country News](#) (Victoria)
- [The Courier](#) (Ballarat, Victoria)
- [The Courier](#) (Adelaide Hills, South Australia)
- [The Courier-Mail](#) (Brisbane, Queensland)
- [Cowra Community News](#) (Cowra, NSW)
- [Cowra Guardian](#) (NSW)
- [CQ News](#) (Emerald, Queensland)
- [Cranbourne Independent](#) (Melbourne, Victoria)
- [Cranbourne News](#) (Cranbourne, Victoria)
- [Croatian Herald](#) (National)
- [Crookwell Gazette](#) (NSW)
- [The Cygnet & Channel Classifieds](#) (Southern Tasmania)
- [The Daily Advertiser](#) (Riverina, NSW)
- [Daily Liberal](#) (Dubbo, NSW)
- [Daily Mercury](#) (Mackay, Queensland)
- [The Daily Telegraph](#) (Sydney, NSW)
- [Dandenong Examiner](#) (Melbourne, Victoria)
- [Dandenong Star](#) (Dandenong, Victoria)
- [Deni Pastoral Times](#) (Victoria)
- [District News](#) (Canada Bay, Sydney, NSW)
- [Divesa News](#) [In Sinhalese]
- [Docklands Community News](#) (Melbourne, Victoria)
- [Donny Bridgetown Mail](#) (Western Australia)
- [The Down Under](#) (Finnish Community - In Finnish)
- [Dunoon & District Gazette](#) (NSW)
- [Dunya](#) (National - In Turkish)
- [Eastern Riverina Observer](#) (Henty, NSW)
- [The Epoch Times](#)
- [The Esperance Express](#) (Western Australia)
- [eTUonline](#) (Victoria & Tasmania)
- [The Examiner](#) (Launceston, Tasmania)
- [Eyre Peninsula Tribune](#) (Cleve, South Australia)

- [Farm Weekly](#)
- [Ferntree Gully / Belgrave Mail](#) (Ferntree Gully / Belgrave, Victoria)
- [Fifty-Plus News](#) (Victoria)
- [Footscray, Yarraville, Braybrook Star](#) (Footscray / Yarraville / Braybrook, Victoria)
- [Forbes Advocate](#) (NSW)
- [Frankston & Hastings Independent](#) (Victoria)
- [Geelong Advertiser](#) (Victoria)
- [The Geographe Gazette](#) (South West, Western Australia)
- [Glasshouse Country News](#) (Sunshine Coast, Queensland)
- [Glen Innes Examiner](#) (NSW)
- [Gloucester Advocate](#) (NSW)
- [Goonj](#) (NSW)
- [The Gold Coast Bulletin](#) (Gold Coast, Queensland)
- [The Golden Mile](#) (Kalgoorlie, Western Australia)
- [Goulburn Post](#) (NSW)
- [Great Lakes Advocate](#) (Forster, NSW)
- [Green Left Weekly](#) (Sydney, NSW)
- [Grenfell Record](#) (NSW)
- [The Guardian](#) (Surry Hills, NSW)
- [The Guyra Argus](#) (NSW)
- [Gympie Life](#) (Gympie, Queensland)
- [Halls Creek Herald](#) (The Kimberley Region, Western Australia)
- [Hamshahri Weekly](#) (NSW) [In Arabic]
- [Harden-Murrumburrah Express](#) (NSW)
- [Hastings Gazette](#) (NSW)
- [Hawkesbury Gazette](#) (NSW)
- [Herald Sun](#) (Melbourne, Victoria)
- [Hinterland Grapevine](#) (Sunshine Coast, Hinterland, Queensland)
- [Holbrook, Billabong & Upper Murray Chronicle](#) (NSW)
- [Hume Star](#) (Melbourne, Victoria)
- [The Hunter Advocate](#) (NSW)
- [The Hutt River Guardian](#) (Hutt River Province, Western Australia)
- [Hrvatski Vjesnik / Croatian Herald](#) [Croatian & English available]
- [Illawarra Mercury](#) (Wollongong, NSW)
- [Independent Weekly](#) (Adelaide, South Australia)
- [Inverell Times](#) (NSW)
- [Irish Echo](#) (Sydney)
- [The Islander](#) (Kangaroo Island, South Australia)
- [Keilor, Taylors Lakes, Sydenham Star](#) (Keilor / Taylors Lakes / Sydenham, Victoria)
- [The Kiama Independent](#) (Kiama, New South Wales)
- [The Kimberley Echo](#) (Western Australia)
- [Kyabram Free Press](#) (Victoria)
- [Labor Herald](#) (Canberra, ACT)
- [Lake Times](#) (Shellharbour, New South Wales)
- [The Land](#)
- [Launceston Examiner](#) (Northern Tasmania)
- [Lithgow Mercury](#) (NSW)
- [Local Government Focus](#) (National)
- [Lyndhurst Shire Chronicle](#) (NSW)
- [The Macleay Argus](#) (Kempsey, NSW)
- [Magnetic Times](#) (Magnetic Island, Queensland)

- [The Mail](#) (Mornington & Southern Pemsinular, Victoria)
- [The Maitland Mercury](#) (NSW)
- [Mandurah Mail](#) (Mandurah, Western Australia)
- [The Manly Daily](#) (Sydney / Northern Beaches, NSW)
- [Manning River Times](#) (Taree, NSW)
- [Mansfield Courier](#) (Victoria)
- [Mary Valley Voice](#) (Sunshine Coast, Queensland)
- [Melbourne Community Voice](#) (Victoria & Tasmania)
- [The Mercury](#) (Hobart, Tasmania)
- [Merimbula News Weekly](#) (NSW)
- [Merredin-Wheatbelt Mercury](#) (Western Australia)
- [Messenger Newspapers](#) (Adelaide)
- [Midwest Times](#) (Geraldton, Western)
- [Milton Ulladulla/Sussex Inlet Times](#) (NSW)
- [Money News Asia](#)
- [The Morning Bulletin](#) (Rockhampton, Queensland)
- [Mountain Views Mail](#) (Yarra Valley, Victoria)
- [Mt Buller/Sterling News](#) (Victoria)
- [Mt Hotham/Falls Creek News](#) (Victoria)
- [Mudgee Guardian](#) (NSW)
- [The Murray Pioneer](#) (Renmark, South Australia)
- [The Murray Valley Standard](#) (Murray Bridge, South Australia)
- [Muswellbrook Chronicle](#) (NSW)
- [Myrtleford News](#) (Victoria)
- [Nambour Chronicle & North Coast Advertiser](#) (Queensland, registration required)
- [Narooma News](#) (NSW)
- [Narromine News & Trangie Advocate](#) (NSW)
- [National Indigenous Times](#) (National)
- [Neighbourhood News](#) (Beaudesert Shire, Queensland)
- [Neos Kosmos](#) (In Greek - National)
- [The New Australian](#)
- [The Newcastle Herald](#) (NSW - Subscription Only)
- [News-Mail](#) (Bundaberg, Queensland)
- [The News Weekender](#) (Victoria)
- [NEWSonline](#) (Queensland)
- [Noosa News](#) (Noosa, Queensland)
- [The North East Telegraph](#) (Victoria)
- [Northcote Leader](#) (Victoria)
- [North Queensland Register](#) (Queensland)
- [Northern Argus](#) (Clare, South Australia)
- [Northern Beaches Weekender](#) (NSW)
- [The Northern Daily Leader](#) (Tamworth, NSW)
- [The Northern Rivers Echo](#) (Lismore, NSW)
- [The Northern Star](#) (NSW)
- [Northern Territory News](#)
- [Nova Hrvatska](#) (Australian-Croatian Weekly, Sydney NSW)
- [Nyngan Observer](#) (NSW)
- [OzENews](#)
- [Oberon Review](#) (NSW)
- [Out In Perth News](#) (Perth, Western Australia)
- [Pakenham Gazette](#) (Pakenham, Victoria)

- [Pakenham News](#) (Pakenham, Victoria)
- [Palmwoods District News](#) (Sunshine Coast, Queensland)
- [The Paper](#) (Victoria)
- [Parkes Champion-Post](#) (NSW)
- [Peninsula News](#) (Gosford/Woy Woy/Umina/Hawkesbury, NSW)
- [Pilbara Echo](#) (Pilbara Region)
- [The Plains Producer](#) (South Australia)
- [Port Lincoln Times](#) (South Australia)
- [Port Macquarie News](#) (NSW)
- [The Post](#) (Newcastle, NSW)
- [Post Newspapers](#) (Perth, WA)
- [Q News](#) (Queensland)
- [The Queanbeyan Age](#) (NSW)
- [Queensland Country Life](#) (Queensland)
- [The Queensland Independent](#) (Brisbane, Queensland)
- [Queensland Muslim Times](#) (Brisbane, Queensland)
- [The Queensland Times](#) (Ipswich)
- [Rangers Trader Mail](#) (Yarra Valley, Victoria)
- [The Recorder](#) (Port Pirie, South Australia)
- [Redcliffe City News](#) (Redcliffe peninsula, Queensland)
- [The Ridge News](#) (Lightning Ridge, NSW)
- [Riverine Herald](#) (Echuca, Victoria)
- [Roxburgh Park, Craigieburn Star](#) (Roxburgh Park / Craigieburn, Victoria)
- [Sada-e-Watan Sydney](#) (Sydney, NSW) [In Urdu & English available]
- [The Scone Advocate](#) (NSW)
- [Serendib News](#) (National)
- [Seymour Telegraph](#) (Victoria)
- [Shepparton News](#) (Victoria)
- [The Singleton Argus](#) (NSW)
- [Socialist Worker](#)
- [SOS News](#)
- [South Asia Times](#) (Melbourne, Victoria)
- [South Coast Register](#) (Nowra, NSW)
- [South Morang, Mill Park, Bundoora Star](#) (South Morang / Mill Park / Bundoora, Victoria)
- [Southern Free Times](#) (Border NSW & Queensland)
- [Southern Highland News](#) (Bowral, NSW)
- [Southern Riverina News](#) (Victoria)
- [The Spectator](#) (Hamilton, Victoria)
- [Springvale, Noble Park Star](#) (Springvale / Noble Park, Victoria)
- [St Albans, Deer Park, Caroline Springs Star](#) (Melbourne, NSW)
- [The Star](#) (Newcastle, NSW)
- [The Stawell Times-News](#) (Victoria)
- [Stock & Land](#)
- [Stock Journal](#)
- [Sada-e-Watan](#) (Sydney, NSW) [In Urdu & English available]
- [Summit Sun](#) (Jindabyrne, NSW)
- [Sun City News](#) (Yanchep & Two Rocks, WA)
- [The Sun-Herald](#) (Sydney, NSW)
- [Sunday Mail](#) (Adelaide, South Australia)
- [The Sunday Mail](#) (Brisbane, Queensland)
- [The Sunday Telegraph](#) (NSW)



- [The Sunday Times](#) (Perth, Western Australia)
- [Sunshine, Ardeer, Albion Star](#) (Sunshine / Ardeer / Albion Victoria)
- [The Sunshine Coast Daily](#) (Queensland)
- [The Sunshine Coast News](#) (Queensland)
- [The Surf Coast Times](#) (Victoria)
- [Surry Scene](#) (Surry Hills, Redfern, NSW)
- [Sydney Morning Herald](#) (NSW)
- [Talking Turkey](#) (Northern Rivers, Kyogle, NSW)
- [Tallaganda Times](#) (NSW)
- [Tenterfield Star](#) (NSW)
- [Thomastown, Epping, Lalor Star](#) (Thomastown, Epping, Lalor, Victoria)
- [Thursday Magnet](#) (Eden, NSW)
- [The Times](#) (Victor Harbor, South Australia)
- [TinUcChau](#) [In Vietnamese]
- [The Top End Review](#) (Northern Territory)
- [Townsville Bulletin](#) (Queensland)
- [The Trading Post](#) (National)
- [The Transcontinental](#) (Port Augusta, South Australia)
- [Upper Yarra Mail](#) (Yarra Valley, Victoria)
- [Valley Times](#) (NSW)
- [Viet Times Newspaper](#) (Victoria) [In Vietnamese]
- [The Village Journal](#) (NSW)
- [Village Voice](#) (NSW)
- [WA Business News](#) (Perth, Western Australia)
- [The Wagin Argus](#) (Western Australia)
- [The Warrandyte Diary](#) (Victoria)
- [Warren Advocate](#) (NSW)
- [Warwick Daily News](#) (Queensland)
- [The Warrnambool Standard](#) (Warrnambool, Victoria)
- [The Weekly Times](#) (National)
- [The Weekly Times](#) (Ryde-Gladesville, NSW)
- [Wellington Times](#) (NSW)
- [The Werribee Banner](#) (Werribee, Victoria)
- [Werribee, Hoppers Crossing Star](#) (Werribee / Hoppers Crossing, Victoria)
- [The West Australian](#) (Perth)
- [West Coast Sentinel](#) (Ceduna, South Australia)
- [Westender](#) (Brisbane, Queensland)
- [Western Advocate](#) (Bathurst, NSW)
- [Western Australian Business News](#) (Western Australia)
- [The Western Echo](#) (Brisbane)
- [Whitsunday Times](#) (Queensland)
- [Whittlesea, Wallan, Kilmore Star](#) (Whittlesea / Wallan / Kilmore, Victoria)
- [WhyallaNews](#) (South Australia)
- [Williamstown Advertiser](#) (Melbourne, Victoria)
- [Williamstown, Altona, Laverton Star](#) (Williamstown / Altona / Laverton, Victoria)
- [Wingham Chronicle](#) (NSW)
- [Workers Online](#) (NSW)
- [Yass Tribune](#) (NSW)
- [Yorke Peninsula Country Times](#) (South Australia)
- [The Young Witness](#) (NSW)



# HISTORY OF NORTHBRIDGE CURFEWS

## JANUARY 2002

Perth District Supt Alan McCagh said police plan to get tough on crime in Northbridge would involve rounding up unaccompanied juveniles. They would be detained for four hours before being driven home in buses.

## FEBRUARY 2002

Perth Deputy Lord Mayor Judy McEvoy wants children out of Northbridge after 10.30pm and says she would support fining parents whose children were found unaccompanied in Northbridge late at night. Police said it would use too many resources to be practical.

## JANUARY 1994

Police launch Operation Sweep — removing unaccompanied juveniles from Northbridge and Fremantle — but suspend it a month later after a lawyer suggested it might breach the Child Welfare Act because police were taking juveniles to police stations instead of their homes. Crown Law later advised police probably were not breaching the Act. Police said operation was stopped because the number of officers it needed was draining staff from other areas. Its successor was Assignment Family Values, targeting at-risk youth, which still continues.

## 1905

Aborigines Act restricted access by Aborigines to towns after 6pm. This continued until the 1967 referendum, which declared Aboriginal people Australian citizens and gave them voting rights.

## Fremantle bid to stop Operation Sweep

FREMANTLE City Council wants Operation Sweep, which is aimed at getting juveniles off the streets at night, stopped in

By DEBORAH KENNEDY

Operation Sweep was begun in

"As a long-term police measure, it also runs the risk of alienating and antagonising a group of youth who are not

with a liaison group to work with Fremantle police and public servants involved in juvenile justice to look at ways to deal with

THE WEST AUSTRALIAN MONDAY JUNE 20 1994

## Police street blitz aims to guard family values

LATE on Friday, 14-year-old Jane was picked up by the police for the third night in a row.

Assignment Family Values has been launched to remove from the streets children in

GERALDINE CAPP joined police and welfare workers on Friday and Saturday night

The police stopped 15-year-old Jane to get in. Management that they said it was about a year and a half ago that the boys had agreed to let her in.

# OPERATION SWEEP NORTHBRIDGE 1994

## 1947 CHILD WELFARE ACT

### Section 138B Immediate Care

(1) Where any police officer, or an officer of the Department authorized by the Minister, finds a child —

(a) which he has reason to believe is away from the usual place of residence of that child and is not under the immediate supervision of a parent or responsible person; and

(b) which is in his opinion in physical or moral danger, misbehaving, or truanting from school, he may apprehend the child without warrant and forthwith take the child to its usual place of residence or school.

Kevin MORAN

# HISTORY OF NORTHBRIDGE CURFEWS

## JANUARY 2002

Perth District Supt Alan McCagh said police plan to get tough on crime in Northbridge would involve rounding up unaccompanied juveniles. They would be detained for four hours before being driven home in buses.

## FEBRUARY 2002

Perth Deputy Lord Mayor Judy McEvoy wants children out of Northbridge after 10.30pm and says she would support fining parents whose children were found unaccompanied in Northbridge late at night. Police said it would use too many resources to be practical.

## JANUARY 1994

Police launch Operation Sweep — removing unaccompanied juveniles from Northbridge and Fremantle — but suspend it a month later after a lawyer suggested it might breach the Child Welfare Act because police were taking juveniles to police stations instead of their homes. Crown Law later advised police probably were not breaching the Act. Police said operation was stopped because the number of officers it needed was draining staff from other areas. Its successor was Assignment Family Values, targeting at-risk youth, which still continues.

## 1905

Aborigines Act restricted access by Aborigines to towns after 6pm. This continued until the 1967 referendum, which declared Aboriginal people Australian citizens and gave them voting rights.

## Fremantle bid to stop Operation Sweep

FREMANTLE City Council wants Operation Sweep, which is aimed at getting juveniles off the streets at night, stopped in

By DEBORAH KENNEDY

Operation Sweep was begun in

"As a long-term police operation, it also runs the risk of alienating and antagonising a group of youth who are not

With a liaison group to work with Fremantle police and public servants involved in juvenile justice

## Police street blitz aims to guard family values

LATE on Friday, 14-year-old Jane was picked up by the police for the third night in a row.

She was found in Northbridge, where she and her friend, Karen, also 14, had

Assignment Family Values from being licensed to remove from the streets children in moral or physical danger.

GERALDINE CAMP joined police and welfare workers on Friday and Saturday night to see how it works.

The police stopped 15-year-old Len, he said to get in. Management said that "there's a 24 and above" and center and Len said that the woman had asked to let him in.



## 1947 CHILD WELFARE ACT

### Section 138B Immediate Care

(1) Where any police officer, or an officer of the Department authorized by the Minister, finds a child —

(a) which he has reason to believe is away from from the usual place of residence of that child and is not under the immediate supervision of a parent or responsible person; and

(b) which is in his opinion in physical or moral danger, misbehaving, or truanting from school, he may apprehend the child without warrant and forthwith take the child to its usual place of residence or school.

# **NORTHBRIDGE OPERATION SWEEP FREMANTLE**

**January –February 1994**

**1989**  
EXMOUTH  
SECTION 138B CHILD WELFARE ACT  
PILBARA  
INSTRUCTIONS CHILD WELFARE ACT 138B  
CHILD RIGHTS CAMPAIGN  
CITY STATION  
JUNVENILE AID GROUP  
**NORTHBRIDGE**  
**OPERATION SWEEP**  
FREMANTLE  
CHILD RIGHTS CAMPAIGN  
DEBATE AUSTRALIA WIDE  
DENIGRATION  
CROWN LAW DECREE  
MEDIA  
ABC DECEIT  
**ASSIGNMENT FAMILY VALUES**  
**1994**

**A HISTORICAL BACKGROUND  
and  
IMPLEMENTATION  
of  
OPERATION SWEEP  
in  
NORTHBRIDGE and FREMANTLE  
and  
Associated matters  
1989 - 1994**

Published in the year 2006  
by author  
Kevin James Moran



Contribution to the Department of Premier and Cabinet  
Northbridge History Project

This book is copyright. Apart from any fair dealing for the purpose of private study, research, criticism or review, as permitted under the Copyright Act, no part may be reproduced by any process without written permission.

Enquiries should be made to the author (08) 9 401 6478

Every effort has been made to ensure this work is free from error and or omissions. No responsibility can be accepted by the publisher, author, or any other person involved in the preparation of or for any material in this book that may cause any disagreement with any person.

The views of the author are his own. The Northbridge History Project has accepted this work in good faith and accepts no liability for any error in omission.

Moran K.J. (Kevin James), 1939



**Kevin James Moran** was born in Kalgoorlie in 1939 and educated at Kalgoorlie Central School and the Eastern Goldfields High School.

He left school at thirteen to live in Perth with his mother while his father was treated, at the Returned Soldiers' Repatriation Hospital at Hollywood, for the miners' complaint, (dusted lungs). He returned with his widowed mother to Kalgoorlie in 1954. He worked as a paperboy, store-man, stereo-typist, grocery-boy, milkman, clerk, foundry worker, labourer and underground miner. He was in the last contingent of National Servicemen before it was abandoned in 1958.

He was inducted into the West Australian Police Force in March 1960. He saw service at Central, Narrogin, Katanning, Collie, Collie Police and Citizens' Youth Club (He received a Life Membership for his work with the children and youth of Collie), Inglewood, Geraldton, Mullewa, Morawa, Mount Magnet, Meekatharra, Prosecuting Branch, Perth Coroner's Assistant, Northam, York, Rottnest Island, Fremantle, Court Security, Perth Regional Office, Regional Officer Karratha, Western Suburbs and retired as Superintendent in 1994 when acting Chief Superintendent Perth Region.

After retirement he achieved his ambition, held since he was 10 years of age, to ride alone on a push cycle across Australia from Townsville to Broome, pedaling over 3,700 kilometres.

He has a passion for popular music and after a period of training became a Disc Jockey, appearing at conservative type events such as weddings and club functions.

The discovery of a cancer on his vocal chords curtailed this career and after an operation, which left him without a voice for a period, he decided if he could not speak, he would write. He has since written the following: -

*Sand and Stone – volume 1 Colonists and Convicts*

*Sand and Stone – volume 2 Pastoralists and Prospectors*

The above works received an award for “An Outstanding Contribution to Australian Culture” in 2000 from the Centre of Cultural Studies (Canberra) and a State Award for his “Contribution to Western Australian Arts and Culture” in 2001.

*Sand and Stone – Volume 3 Cattle and Conflict – The Kimberley Story pre-History to Self Government 1890* – soon to be published

*Sand and Stone – Volume 4 - The Pigeon Story* – completed - in early editing

*Sand and Stone Volume 5 – Pearlers and Pirates* (proposed title only) – *The Kimberley Story to Federation* – commenced writing – research near complete

*Sand and Stone - An historical accurate record of a Western Australian Pioneering Family* – Copy held Battye Library

He was a Guest Columnist in the Sunday Times in 1997, writing monthly essays on Social, Law and Order issues before submitting his resignation to work as a Supervisor with refugees in Port Hedland and then at the Perth Airport Detention Centre

*Rottnest Law* the history of Police on Rottnest Island (limited edition). A copy is held by Battye Library.

*Rottnest – Ghosts of Wadjemup* remains a predominantly popular book on the shelves of local libraries.

*Rottnest – The Isle of Restless spirits* awaits after a suitable period for publication as it is a contemporary history of the Island

*The Hidden History of Western Australia* – 16 stories and material for teachers of Western History on a compact disc is now in over 300 schools.

*Kangaroo Feathers – The story of the Camel Corps of the Great War* - draft only – presently on lending shelves of Whitford Library and copy to Mangowine Committee.

He continues to write and is also involved in organisations relating to Western Australian History, family and law and order issues.

Above taken from previous works



# **CONTENTS**

## **INTRODUCTION**

**1**

page 4

**LEADUP TO OPERATION SWEEP  
CHILD RIGHTS ACTIVISTS – ADGENDA – MANIFESTO**

**2**

page 15

**JAG - JUVENILE AID GROUP - ITS RESCUE  
and  
A STRATEGIC PLAN**

**3**

page 21

**SECTION 138B  
ORIGIN OF ITS COLLECTIVE USE  
and  
THE PSYCHOSIS of CHILD RIGHTS ADVOCATES**

**4**

page 24

**FIGHTBACK**

**5**

page 30

**NORTHBRIDGE OPERATION SWEEP**

**6**

page 33

**THE FREMANTLE IMPEDIMENT  
A BETRAYAL OF PARENTS**

**7**

page 36

**ASSIGNMENT FAMILY VALUES  
CHILD RIGHTS ANGST and ANGER**

**8**

**page 40**

**RETALIATION  
CALL FOR A ROYAL COMMISSION INTO YOUTH  
INDUSTRY**

**9**

**page 43**

**INTERNET VITRIOL**

**10**

**page 54**

**DENOUEMENT**

**INDEX**

### Author's note

When I was invited to join the Police Committee to assist in research and document the historical record of Northbridge as recorded by the Police, such record was to include contemporary matters.

I was the Commander of *Operation Sweep* in Northbridge in 1994. The difficulties I encountered from Child Rights Activists and the interest it created throughout Australia, I believe will be of historical interest to later sociologists when researching our society of the late nineteenth century.

At the time, I was exasperated at the Child Rights Campaigners interfering in what I considered an honourable and effective way to assist parents.

Parents were being criticised for lack of control of their children, while at the same time their responsibilities to do so were being undermined by these Child Rights Advocates.

I would from time to time respond to the media in retaliation to these people, but generally I allocated these inquiries to other officers who were involved in the actual front line command.

I had always examined both the law and reasonableness in carrying out my duties and when concluding I was right I proceeded. *Operation Sweep* met these criteria, so the clamor of the Child Rights' people provided only a background noise.

Although aware of the Parliamentary debates, Crown Law examination of my interpretation of Section 138B of the Child Welfare Act and the discussions about *Operation Sweep* throughout Australia, it caused me no stress and was a disinterest to me when off duty.

I have now revisited *Operation Sweep* and associated matters. Although I knew of the strength of the influence *Operation Sweep* had throughout Australia, including in legislation and police practices, I was nevertheless astounded at its extent uncovered during my research in preparing this record.

*Operation Sweep* was no doubt a successful Police activity that had great influence throughout the Nation. It became under vitriolic attack from Child Rights' Campaigners because of its success and damage to their progress.

The following is the important sociological historical record of this significant occurrence.

Kevin Moran

# OPERATION SWEEP

## INTRODUCTION

The following is my personal account of *Operation Sweep*, the origin of the collective use by police of Section 138B of the Child Welfare Act 1947 and the campaign by children rights activists to remove or lessen police involvement with children and youths.

As the account is personal, it is by definition subjective, but to provide the other viewpoint I have included some extracts from the many internet sites that feature *Operation Sweep*. All are critical and often rancorous, but this being a work for the historical record, I have provided the extracts and information as to their origins to give the balance required.

Immediate  
care.  
Inserted by  
No. 73 of  
1976, s. 129  
(as amended  
by No. 10 of  
1977, s. 8.)

**138B.** (1) Where any police officer, or an officer of the Department authorized by the Minister, finds a child—

- (a) which he has reason to believe is away from the usual place of residence of that child and is not under the immediate supervision of a parent or responsible person; and
- (b) which is in his opinion in physical or moral danger, misbehaving, or truanting from school,

he may apprehend the child without warrant and forthwith take the child to its usual place of residence or school.

(2) An officer apprehending a child pursuant to subsection (1) of this section shall make inquiries as to whether or not it may be necessary to make application to a children's court to declare the child to be in need of care and protection.

(3) Where on inquiry no responsible person can be found to take care of the child for the time being the officer may cause the child to be detained at some convenient place until such time as the child can be returned to the care of a parent or responsible person.

(4) The officer apprehending a child under this section may make application to a children's court for an order, and the court may make an order, requiring a parent or person standing in *loco parentis* to the child to pay to the appropriate authority the cost of apprehending and detaining the child, or not more than twenty dollars whichever is the less.

(5) An order for payment made under subsection (4) of this section may be enforced by warrant in like manner to a fine, but it does not for any purpose constitute a conviction for an offence.

*Operation Sweep* embraces more than a successful police operation in Northbridge in January and February 1994. To document the story other matters before and after must be recorded to explain the impact *Operation Sweep* had Australia wide.

The uproar *Operation Sweep* caused is a reflection of the active promotion of children's rights in a society that was beginning to see the rise of youth gangs in Northbridge and a burgeoning Youth Industry.

The first matter to be made clear is that children's welfare has no relationship to Child

Rights.

I had no thoughts whatsoever about children's rights or those who actively promoted them until 1989. In 1989 I issued an instruction to Police Officers in the Pilbara Region to simply provide information and advice as to how to proceed in assisting parents who were becoming distressed at their apparent lack of power to direct their children's upbringing, together with the subsequent difficulties the family and their children suffered as a result.

Many involved in the criticism of *Operation Sweep* place the blame for the *Operation's* existence upon politicians. It must be made clear that I had no relationship with any politician during my police career, except Tom Jones MLA at Collie, who assisted the Collie Police and Citizens Youth Club when I was the Supervisor. I would never consult a politician in regard to how I carried out my duties. If such had ever been imposed upon me I would have ensured loud protest. Politicians and operational police matters do not and should not mix. This is the criteria of the "Separation of Powers."

I and I alone accepted the responsibility for *Operation Sweep* and politics and politicians were not even considered in my decisions. After my initial receiving of the file from the Liquor and Gaming Branch, I carried out my duties and gave orders as I deemed correct. I however, would have immediately obeyed any instruction or discipline my Senior Officers might have given in this matter. To their credit none were given and I continued unhindered and unquestioned, accepting complete responsibility for any difficulties encountered.

Child Rights are damaging social engineering and political in implementation. They are used as a tool by powerful people in academia, media, politics and bureaucracies to strengthen their leadership in Child Rights and their prestige within their spheres of influence.

Many wrote in a florid manner and exposed their irrationality, but others promoted their beliefs in a learned, sober and persuasive manner. These are the power brokers and plausible argument is their tool, but when the reality of what they propose is examined, they too have their irrationality exposed.

There are many examples on the Internet sufficient to evidence the wide influence *Operation Sweep* had throughout Australia, coupled with many examples of the mindset of Child Rights supporters, which in turn led them to their destructive approach to the family and children.

I have inserted a number of extracts from these internet sites in the concluding pages of this work. I had at first considered not including them, but simply to refer the reader to their origins, as by publishing them I give their views an opportunity for the consideration they did not provide me. Neither one question, nor any approach was made to me before the often wild assertions and the blatant lies were not only repeated throughout Australia, but worldwide.

The subsequent observations and opinions are mine and reflect my experiences with Child Rights activists and certain approaches by social workers that I found an anathema. I would later publicly express these strong opinions, receiving extensive support and encouragement, but at the same time receive equally strong, limited but organised, condemnation from the Child Rights lobby. This was expected, as this had been the case since 1989.

It must be said at the outset I have nothing but admiration for social workers who care

for the elderly, the sick, the poor, the traumatized, mental patients, single parents and their children. The social workers who work with dysfunctional families, disaffected and troubled children and youth, with no other purpose than to make things right, receive my high regard.

I have however contempt for those of the Child Rights' brigade, whose activities have a political and philosophical base with a view to their own self interest, without any concern to the damage they are causing to children and their families.

The reading of the opinions by those who support Child Rights and those in particular that attacked me and the police involved in the protection of children from Exmouth to *Operation Sweep* in Northbridge and Fremantle indicate a coterie of well known powerful figures in the media, universities, bureaucracies and societal areas as well as politicians. Most do not venture beyond meetings, seminars, conferences, their offices or ivy covered walls, but have their foot soldiers, the social/youth workers to implement their philosophies.

None of the criticism of *Operation Sweep* in Northbridge was from parents, the general public and suffering businesses. The Fremantle situation was different.

The vilification and attempted demonizing of *Operation Sweep* and myself by Child Rights' supporters was extensive and the number of newspaper reports, ABC Radio and the posting of material on the Internet provides evidence, not only of the extent of the campaign, but also identifies the leading protagonists.

I make available information that gives my views credence, as well as providing an insight into the social infection by the Child Rights' phenomena of the nineteen nineties. Child Rights' activists still campaign, but now quietly and deviously. They are still having success, but I, with others, claim to have slowed their destructive force to a large degree.

Police Department senior officers could not endorse my views, which I generally held in abeyance until my retirement, for to voice them publicly while serving would have been counterproductive. I received neither comment, criticism or even discussion about *Operation Sweep* from my Senior Officers, nor any contact with any politician (as it should be), but more importantly no contact was made by any of those who voiced loud and angry protests, which they, at the best, innocently misinterpreted the facts and at the worst concocted lies. I suspect the second being the case in much of the criticism. I would carry out my duties as I was required and could be hoisted on my own petard. I would receive no internal acknowledgement, regardless of success, as the furor from the Child Rights campaigners deemed this unwise. I accepted that any censure that resulted rested upon me alone.

I was at the forefront in promoting the collective use of 138B of the Child Welfare Act and conversely the difficulties I encountered were not matters I concerned the hierarchy with, as the complaints were in the public arena, rather than directly being made to the Police. My Senior Officer would, after strong representation from the Fremantle business community and local police, imprudently direct the last weekend of *Operation Sweep* to Fremantle with adverse results. I would have strongly recommended against it.

## 1

## **LEADUP TO OPERATION SWEEP CHILD RIGHTS ACTIVISTS – ADGENDA - MANIFESTO**

The following records the lead up to *Operation Sweep* in Northbridge, its aftermath and my conflict with Child Rights activists as they targeted me and the police involved.

The origin of the collective use by police of Section 138B of the Child Welfare Act began in 1989 in the small North West town of Exmouth and extended throughout the Pilbara Region. It was later used by officers attached to the Juvenile Aid Group (JAG) working out of City Station located in Northbridge and during *Operation Sweep* and then *Assignment Family Values* and further police operations.

The success of the concept dramatically impacted upon police operations throughout Australia when dealing with youths found to be in moral or physical danger or misbehaving. It handed back power to parents, by providing them with the knowledge that police would act for them when their children were away from their usual place of residence and not under their immediate care.

Police had simplicity of purpose; protect the child and support the parents, except in cases of parental abuse.

There was no simplicity of purpose by the colloquially termed Children Rights Movement, whose members also consisted of child savers with a profound belief that child rearing is far too important to leave to parents. They believed their edicts must be followed by governments and enforced on parents. They also judged that police should not be involved with youth or children and have successfully lobbied for increasing stringent conditions for police. They have even actively encroached upon front line police duties.

They also deemed their expertise beyond the instruction of Judges in the Children Court and refused to carry them out if they believed the court orders were wrong.

*Under Newspapers extracts:- Copy of social workers' defiance  
of Children's Court edict they did not approve of.*

Complying to the Child Rights edicts, increasingly to be found within Welfare Instruction Manuals, are the numerous social workers who worked without question and with good intent within the doctrine of Children's Rights. Children's Rights should not be confused with Children's Protection.

Children's Rights is the most destructive force facing the Australian family.

It was this force that caused *Operation Sweep* to become a controversial uproar, comprised of front line police officers and administrators, courts, Crown Law Department, parents, politicians, businesses, judiciary, local government, solicitors, social workers, Child Rights' advocates, academics, talk-back radio and other media.

Having a familiarity with the trouble these Children Rights' campaigners caused, I developed an understanding as to their cause and effect. I studied the origin of Child Rights and examined its consequences.

This is a chronicle of the Child Rights activists' campaign to destroy police involvement with children and youth and particularly by their use of *Operation Sweep* in Northbridge to further these aims.

I will, through necessity, explain the Children Rights' Movement and their involvement in *Operation Sweep* and present an outline of their history to give an understanding of the



viciousness and strength of the attacks upon *Operation Sweep*. This information is integral to the narrative of *Operation Sweep* in Northbridge.

In 1994 I was acting Chief Superintendent of the Perth Region.

I received a file from the Liquor and Gaming Branch requesting assistance by my officers in an operation to target night clubs in Northbridge, which were becoming places of concern because of cliental misbehavior.

They had also requested similar assistance from the CIB and Traffic. The Mounted Section would later be requested for help.

After meeting with the Officers from Liquor and Gaming, I agreed. As the largest number of officers participating was from my command, I would control the operation.

The Liquor and Gaming Branch had nominated the task force to be named *Operation Sweep*. The proposal was to sweep night clubs with a large number of officers at one time to detect underage occupants, drugs and offences by the licensees.

I also approved the name of the operation.

At this time the Juvenile Aid Group was working out of City Station in Beaufort Street, Northbridge and concentrating on Northbridge, the adjacent Perth Railway Station and Forrest Place.

JAG had been raised by Senior Inspector Grossman in 1992. JAG was under the command of Sergeant Paul Ellis with two officers and an Aboriginal Liaison Officer. It was proving very effective and they would work with *Operation Sweep*.

The Juvenile Aid Group had developed after Inspector Joel Grossman, who on inspections of City Station in Beaufort St, Northbridge, became concerned at the waste of staff resources manning the cells.

The walls of these cells were constructed of pastel coloured paneling that were easily damaged by often aggressive prisoners. As a result police were by passing the City Station and taking arrests direct to the East Perth Lockup.

This situation was mirrored in the Hay Street Courts, where cells were placed in the centre of the building with access by stairs to the various courtrooms. Serious and dangerous prisoners were placed in a high security section. The cells had paneled doors which the prisoners constantly kicked and damaged. Requests for steel-bar doors were met with refusal with the explanation such doors would not match the building's décor. After much time and expense of new doors requiring to be fitted, they were replaced with traditional cell doors, which were in use prior to my arrival as Officer in Charge of Court Security. The same mindset bureaucratic architects must have also designed city station's cells.

The requirement to man City Station Cells, resulting from the fears generated by the "*Black Deaths in Custody Royal Commission*" was overcome by this bypass to East Perth Lockup, allowing Inspector Grossman to appoint Sergeant Ellis to head the few staff who had previously manned the cells. Sergeant Ellis proved an excellent choice. The Group commenced on Monday 4<sup>th</sup> May 1992 under the direction of Senior Sergeant Coleman 3842 of City Station.

The full complement of the Juvenile Aide Group was:

Sergeant Paul Ellis 5074 – Constable Shipard 8431 – Constable Babich 8705 and Police Aid Woods 136.

My Pilbara experience alerted me to the high possibility of attack upon the Juvenile Aid

Group by the advocates of Child Rights.

Because of the absolute foreign attitude displayed by these youth workers and what I saw as a negative force in our society, I researched their philosophy, origins and how they implement their destructive influences. I had indicated these concerns as part of my addresses to fellow Superintendents at three Regional Officer Conferences, July and December 1989 and June 1990.

*A copy of the JAG file attached*

It is important to appreciate my background to understand my interest in operational matters relating to youth.

I took an interest in youth matters because from early teenage years I was a member, then a leader in the Kalgoorlie Police and Citizens Youth Club. The Club provided both friendship and a discipline required of a young man without a father. The Supervisor was Constable John Lavers, a legend in the town.

I repaid some of my dues in Collie from 1964 to 1970 when I was the Supervisor of the local club. I was awarded a Life Membership for my work with the youth of Collie.

In 1990 at Karratha, I raised the 4<sup>th</sup> unit of the Police Rangers in Western Australia under the command of Senior Constable Gary McCavanagh. It functioned within a disciplined structure. Undisciplined and disruptive members would not be tolerated, resulting in not one member being removed, as all knew the rule was not a bluff. I knew unruly youths and weak organisers had seen off other youth organisations. By the end of the first year only one member had gone and that was because he left the town with his parents on transfer.

I was posted to Perth Regional Office at the end of 1990. The Rangers continued to prosper until the numbers were beyond the volunteers and a long waiting list was held at the police station. The Rangers became the Karratha Army Cadets, being the first cadets to be taken into the Army for many years. The volunteers went with them, given ranks of sergeants and corporals. The Karratha Cadets received high praise by the State Governor in his Foundation Day address.

*Media reports on Rangers are attached under the "Press" cover*

It must be said; the majority of those involved in helping youth are decent people without having a purpose of promoting destructive doctrines. Therein was the first advantage for the zealots; most youth workers simply had such a heavy work load as not to be involved or to critically examine the direction they were being taken, let alone to actively oppose or speak against them.

Youths from time immemorial have always been rebellious, risk takers and sometimes disrespectful to their community. There is however a difference seen in the past four decades than those previous. These latest generations of youth have zealots in the Youth Industry who have manipulated their lives, causing unhappiness to families and concern to Society. This relates to those juveniles who, for whatever reason, come under the guiding hand of one of these Youth Workers. The remaining youth and children are now also presenting some difficulties to parents by claiming Child Rights and causing family tensions.

#### *Origin and philosophy of social engineers in youth work*

Since the mid 1920's some sections in the Social Work Industry have argued that a "specialised agency" was required to take over child rearing.

During the past four decades these social reformers have systematically destroyed parents' rights, elevated children's privileges and attacked and redefined the family.

Discipline has been removed from the schools, punishment from the Courts and power from the parents.

There are those Youth Industry Workers who believe they should be the primary care givers and protectors of Youth. Their philosophy is based on the doctrine, *"only they, by education, have the capacity to decide on questions involving children and youth."* They have successfully put their rationale into practice at the expense of parents, the judiciary's coherence in sentencing and teachers' discipline of students. The only area they do not fully control, is the Police.

#### *Police targeted*

Police, who stand between Child Rights and youth/social workers' complete control, have seen them under furtive, then open attack for a number of years by these radicals employed in the juvenile field. As youth have taken advantage of their rights, aided and abetted by Child Rights' advocates in the Youth Industry, parents in their efforts to control them have been disparaged, leaving the Police the last bastion against youth excesses.

The great objective of complete control has so far been thwarted by Police. Police present a threat to their philosophical base, as officers are involved first hand and are aware of the damage caused to our young by their dogma of 'Children's Rights'.

The failure of their covert attacks to make Police subservient to their ideals caused much frustration and their assault upon police changed in tactics and became very public in the nineteen nineties.

The forces sympathetic to Child Rights, or simply anti authority, were briefed and made ready for the pending crusade against Police.

#### *Commissioner for Children*

A survey in Western Australia was commenced in April, which was to conclude on Friday 1<sup>st</sup> May 1992. The survey was to be returned to Ms Susan Hoare, Executive Officer, Children's Advisory Council, Mary Holman Centre, 32 St Georges Terrace, Perth.

*"This survey seeks your views on the proposal contained in the Children's Advisory Council's discussion paper on 'Protecting Children's Interests in Western Australia'. The Council is interested to consult widely and this is one way in which you can give us your option."*

It should be noted that it is, *"you can give us your option"*, not your opinion; only the structure, the title and who should oversee it. The Children's Advisory Council rightfully considered it a foregone conclusion, although it would take another 14 years (2006) to see the appointment of *Commissioner for Children* in Western Australia. This length of time gives an insight into the tenacity and dedication to their cause. The appointment will not satisfy the Child Rights campaigners, and they will push, lobby and attempt in anyway to promote their viewpoint. The Commissioner for Children will act as their agent for this purpose.

The police still involving themselves in child and youth affairs are the only foil against them. However, the continuing campaign by Child Rights supporters will focus on the police removal from involvement with children and youths; or under their complete direction through decrees by the Commissioner of Children and implemented by the

Government. Police would then be subjected to enforced instruction by Community Welfare Department.

*Copy of the Survey form attached*

I submitted a four page report together with what I considered appropriate documents supporting an argument against a Commissioner for Children. I received no acknowledgement, although the 14 years delay indicates some success for those who campaigned against the pending diminishing of parental rights by a Commissioner for Children under the tutelage of Child Rights campaigners. The very position of Commissioner for Children would deem a person holding such authority, highly likely to be a Child Rights activist.

*Australian Youth Foundation*

The “*Australian Youth Foundation*”, the leaders in the matter of Child Rights, with an alleged grant of 16.4 million dollars, being one of public grants from monies left over from the Bicentennial Celebration, in 1994 commenced their anti-police campaign and an inquiry was to be held with a set agenda for a report to give the required outcome.

The resultant report by the *Australian Youth Foundation* was a complete frontal assault and received the full treatment from the media. The media made no inquiry into the credibility of the report's intent. They accepted without question the findings and recommendations, demanding Police defend themselves against sweeping statements and claims. The popular media soon ceased to give it prominence, but there are those so inclined who will continue to write articles or broadcast views that chip away at Police involvement with youth.

*Newspaper extracts of report attached*

*Lack of police action to defend their position*

The Politicians were not lobbied by police and made aware of any strong disagreement to the report. The result was Police were removed to some further degree and made more ineffectual in their dealing with youth. Operational Police now find frustration in the lack of sanctions against young offenders and unreasonable protocols against police.


The Police will not fight to retain their involvement with youth. It is the Police culture to accept the decrees of society and simply conform. So if their involvement with youth continues to diminish, they will not only accept it, but many will be pleased to be well rid of it, as their dealings with youth are now not only time consuming, but the justice system makes their work ineffectual and a waste of time. The approach to juvenile justice even promotes a lawlessness which the Children's Court and social worker advocates purport to prevent.

Ironically the defence police have mustered against these Child Rights activists was caused by the Activists themselves. Their sponsorship of Child Rights saw a dramatic rise in misbehaviour by youths and community concerns; to which the police responded with such actions as *Operation Sweep* and were supported. Child Rights became under question and it needed to attack and destroy before their campaign, generally then proceeding in a satisfactory manner, was set back.

*Lack of success by Child Rights' advocates*

Even after several decades of action the Child Rights' advocates, although having some success in moderating police involvement with youth, have far from fully succeeded. Police lifted their profile in regard to illegal and disruptive youth activities, such as celebrations after final exams, drug use, and riotous behaviour after gate crashing parties, illegal drag racing and burn outs in suburban streets. The Child Rights advocates were

losing their influence as the general public loudly supported police efforts to curtail youth excesses.



## YOUNG PEOPLE AND THE POLICE

The Australian Youth Foundation has allocated funding for a project to develop, publish and lobby for implementation of national model legislation to set standards for police powers in relation to young people. The first stage of the project will involve the preparation of a report which develops these standards to regulate the relationships between police officers and young people in all areas of contact, including:

- Stopping and searching
- Arrest
- Questioning
- Restrictions on arrest
- Fingerprinting
- Taking of body samples
- Photographs
- Access to family or independent adult during an interview

Expressions of interest are invited from individuals and organisations to conduct stage one of the project which will involve research, consultation with interested parties and preparation of a report. The report will contain draft legislation with various options which will set acceptable minimum standards for the rights of young people in relation to police.

It is anticipated that the time required for research, consultation and the preparation of draft legislation and the report will be up to nine months for an individual working alone. It is essential that the successful applicant has appropriate legal skills.

In view of the urgency of the project, proposals which involve two researchers working over a shorter time frame will be well regarded.

For further information and a more detailed description of the project, contact:

The Executive Director  
Australian Youth Foundation  
Third Floor  
134 William Street  
East Sydney, NSW 2919  
Phone: (02) 357 2344; Fax: (02) 358 5635

Expressions of interest should be lodged with the Foundation Secretariat by 6th May 1994.

*Weekend Newspapers 16-17<sup>th</sup> April 1994*

To regain lost ground, Child Rights campaigners in social and health bureaucracies have infiltrated the operational duties of police officers, under the pretence of cooperation, advising police on their best way to treat misbehaving youth.

They are involved in police duties in Northbridge Operations, at youth gatherings such as Rottfest and other end of school celebrations, where they provide chill out areas for drugged youth, provision of needles to shoot up and condoms to those still below the age of consent.

An example of early Health Department interference was when they demanded police return to their station in Northbridge by another route, as they caused concern to drug

addicts seeking drug injecting paraphernalia from their Needle Exchange Van parked outside the Perth Railway Station. The railway platforms and Forrest Place, through which the officers walked to access the Perth Railway Station and then the Northbridge Cultural Complex, needed police attention due to bad behaviour and nefarious activities and to protect innocent pedestrians on the concourse or railway station.

As Acting Chief Superintendent Perth, I then issued an instruction that all constables and supervising sergeants were now to access the city area and return through the railway station.

The police role with youth has been diminished through subterfuge, but police have become aware the social worker soft attitude doctrine, most visibly manifested in the Children's Court, promotes derision for the law and our society loses and the offenders win. Police are privately contemptuous of the stupidity of a system that sees society's good manners weakened and children, that society has failed through a Child Rights motivated judiciary, turn into adults and then into parents without the necessary background of discipline and with a bad attitude.

Our cities are being despoiled, now youth gangs flourish, young criminals and drugs abound.

Police must regain some semblance of their previous strong position, rather than being reduced to a moribund force in regard to youth, by removing themselves from the other departments whose ideology is diametrically opposed to what police are supposed to be.

#### *Child Rights successes*

*Child Rights* should not be confused with *Child Protection*. The rights are often diametrically opposed to the protection of children.

A Conference on Children's Rights was held in London in 1971. This conference concentrated upon the implementation of Children's Rights within the education systems. This was obviously the most productive area to focus upon, as the children are there to be programmed and their teachers can be subjected to indoctrination in the training colleges. Evidence as to the success of this approach can be observed in the many parents being advised by their children that their teacher told them they could not smack them. It was not until the outcry from parents resulted in political pressure causing instructions that this advice should cease. However, the pressure on parents not to smack their children continues and many teachers subscribe to the philosophy of Child Rights which must be reiterated is not Child Protection.

The conference, in April 1971, published a draft charter of Children's Rights.

In 1981 a manifesto of Children's Rights were outlined in C.A. Wringe's, "Children's Rights – A Philosophical Study". A campaign in Australia and the Western World was already in train to achieve the aims of these Children's Rights.

It was the campaigners and those implementing these proposals, now reaching far beyond schools, who would aim their efforts to matters relating to children, including those in Northbridge, where police directed efforts to children and youth's welfare and safety through the Juvenile Aid Group and *Operation Sweep*.

Many of those who gravitated to youth work after graduation in social welfare were highly motivated decent young people, but because of their troubled background, were willing unthinking recruits to Child Rights and had an automatic belief in any young person's claims.

The mid nineteen eighties to late nineteen nineties (mid 1980's – late 1990's) was a time when children making a complaint against parents disappeared under the umbrella of social workers, who secreted them in selected accommodation and tutored them in claiming the *Youth Homeless Allowance*. The advice to make complaint was provided by street-wise, already successful youths in obtaining this largesse, advising disenchanted youths of family discipline, that Street (Outreach) Youth Workers were ready, available and enthusiastic to receive complaints. The parents were often not told of their whereabouts and the reason why their child had not returned.

These children were paid a government allowance and given the freedom adolescences crave, but are generally nurtured to this responsibility of independence by caring parents. The outcry was so great the Commonwealth Government eventually carried out an investigation by a Parliamentary Committee. The result was restricted access to the payment, although still available.

One of the organisations involved in these protests was the “*Runaway Teenagers Parents Actions Committee*” (RATPAC). I attended with the founder, Geraldine Rust and Jim Richardson, President of C.A.L.L. in presenting a submission to the Commonwealth Parliamentary Committee at Parliament House Perth in 1995. It was Geraldine Rust and others' efforts that caused this inquiry into the *Youth Homeless Allowance*.

Newspaper extracts –Matters relating to this inquiry

To obtain this sanctuary, freedom and finance it was soon learnt by adolescents unhappy with their family, which their normal state is often, that an allegation of sexual abuse in the family would obtain them immediately these objectives. Neither parents nor police were advised and no investigations resulted.

It was also a time when children having been taken into custody were to be bailed on their own recognizance and their parents were not required to attend. These years of the nineteen nineties were a pinnacle in the campaign for Children's Rights. Some semblance of commonsense has returned, but generally those espousing such liberties for children still remain in the bureaucracies, both government and private, and are working quietly to implement their beliefs. The Commissioner for Children is a recent enormous success for them.

I provide a brief outline of these Rights contained in the manifesto with my observations. Not all is bad, but that which is good has often been turned into appalling objectives within the manifesto.

1. *A child should have the same rights as an adult*, but be provided with special protection provisions. Same rights mean voting, sex, driving, income etc.
2. *The right not to attend school*, claimed as illegal imprisonment, has been partially achieved in the soft approach to truancy by educationalists.
3. *The right to educational democracy*. That is children vote on what they are to be taught and when. This has been achieved to a large degree as students now decide largely what subjects they want to learn in high school.
4. *The right to organise democratically* which includes the right to organise political rallies on school premises during breaks or after school and to strike. The problems associated with the intrusion of active politics and political parties into a primary or high school are beyond a schools capacity to maintain stability
5. *The right of appeal, representation and redress*. This has been achieved to a considerable degree relating to matters before the Family and Children Courts, which is a positive outcome, but the intervention of youth workers in family disputes using the

objectives of this proposed right has not yet fully succeeded. The further fear is that the solicitors appointed to represent the child in court will see opportunity in expanding this source of income into disputes, with claims for damages against parents, outside the Family Court. The families will be additionally fractured and reconciliation irreparable.

The manifesto wants the child to be able to make complaints or bring grievances against parents, teachers and any others he believes have infringed his rights. The power of teachers and others caring for children would be abolished and an all embracing concept of societal parental power be made law. This would give automatic power to Child Rights advocates to pursue those not conforming to their expectations in providing children with the liberties demanded.

The appointment of a Commissioner for Children in all States is a success for the Child Rights advocates. The power of parents and the police will be considerably diminished in due course as those with appropriate views and agendas are appointed.

6. *The right to freedom of personal appearance.* School uniforms, being a denial of freedom of personal appearance, has seen many removed, although recent attempts have been made to return to consistent dress. Appearance also relates to cleanliness and discipline. It also approves of tattoos and body piercing by children. This right would no doubt bring the power of appeal, representation and redress into effect against parents and schools.

6. *Freedom of expression* now prevails as many teachers no longer censor indecent and obscene language and the Courts provide no support and decree its acceptability. Obscenities spoken loud with intent to offend are now constantly heard in public places. Graffiti was promoted as the right of youths to express themselves in public places. It held some credence, but more as a specific individual privilege provided by authorities, rather than an overall right.

7. *The abolition of corporal punishment* has been achieved. Parents, having had the frighteners put on them to even to smack their naughty child, have seen discipline falter at home and in the community.

8. *The right to be protected from religious education* is failing as parents seeking structure and discipline are abandoning Government Schools for Private Schools where religion is part of the curriculum. Even non believers send their children to religious based schools simply because they set a high standard of discipline.

9. *Free access to unrestrained knowledge* from six years of age has had some success in magazines and books for children, but film and TV are still subjected to softening programming codes, while the internet and music lyrics are a burgeoning success in this area, but an escalating problem for parents.

10. *The right to sexual activity* from puberty, including within the family, if not yet officially condoned, is now a matter not taken seriously by child welfare authorities, who also encourage the free supply of condoms to children.

The most worry aspect is the proposition that children from the age of ten should be considered capable to give consent to sexual intercourse and that incest should be abolished as an offence. All this proposed under the hand of Government. This is difficult to believe but I evidence same; -

The *Model Criminal Code Officers Committee of the Standing Committee of the Attorney Generals* provided a discussion paper in November 1996. "*Chapter 5 - Sexual Offences Against the Person.*" Copies of the Discussion Paper no longer can be obtained but a copy is held in the WA Attorney General's Library. It was for public discussion but not widely advertised or known. It contains recommendations: -

- That a child of 10 years is capable of giving consent to sexual intercourse.



- Incest be permitted and no longer an offence.
- Sexual Intercourse by some persons now prohibited, due to their positions of influence over Mentally Impaired, now be permitted to have sex with them.
- School Teachers now be permitted to have sexual intercourse with their students at the same age provided for by the rest of the community.

*Copy attached of sexual proposals outlined*

I, together with two others from the Family Council, called upon the West Australian representative to this committee and strongly voiced our concerns. We were met by her cordially, but with some incredulity that we saw much wrong with the recommendations, as they were only suggestions.

Other lobbying was carried out in all other States and these submissions were not carried forward. The subsequent report on the discussion paper simply put aside the complaints as a misunderstanding of the recommendations by those concerned represented by many different people in all States throughout Australia. This misunderstanding is not likely.

It is apparent however, these kinds of proposals are *Child Rights*' influenced and would have been "toe in the water" type testing. Having been flagged once before by the WA Social/Medical Inquiry, it can be certain they will be again, being within a few years or in several decades. There seems more than a touch of pedophilia in the origins of such suggestions.

The questions arise as to who raised the suggestions and why did the committee deem it necessary to put in these recommendations if they knew then they would be rejected? Is there a projected purpose?

11. *The right to vote* by children is still being pursued, with regular calls for the voting age to be lowered to 16 years.

12. *Children's right to choose their own guardians* has been accomplished through the right to receive shelter, support and an income from the Government by runaway children, even if no longer given carte-blanche.

13. *The right to use drugs* is seen in the diminished penalties, promotion of drug shooting rooms, needle exchange, decriminalization of cannabis and tolerance of alcohol by children at certain events, if not providing the right, grants the approval. The campaigns by harm minimization advocates who espouse the use of drugs for pleasure and demand government programs to educate users to be able to do so safely.

The New South Wales Liberties Council president Cameron Murphy observed in response to the concerns of parents that their child may be using drugs and could be able to test the child to find out, "It's none of the parents business."

*Under Newspapers -Sunday Times page 20 – 28<sup>th</sup> May 2006*

14. *The right to privacy* is exemplified when children can have an abortion and the parents are not to be informed, or simply not being able to search your child's room for drugs or his bag and locker at school. It is not yet fully implemented, but enough compliance indicates a growing success.

15. *The right of freedom of worship* appears innocuous, but when it is realised that this includes cults and even witchcraft, the danger is obvious.

16. *The right to receive an income* was achieved at great harm to both families and their children. The outcry resulted in a Commonwealth Parliamentary Committee appointed to investigate the "Homeless Allowance."

The allowance then continued, but more judiciously, but far too late for the destruction of thousands of families and individual lives it caused.

*Reference: Children's rights – A philosophical study – CA Wringe – University of Keele - Routledge & Kegan Paul Ltd, London 1981. Copy attached*

The Queensland University of Technology hosted an International Children's Rights Conference on 3rd to 5th April 97, where papers and resolutions supported the push for greater Child Rights. (Sunday Times 23.3.97)

The appointment of *Commissioners' for Children* in all States and the Commonwealth, apart from removal of police from dealing with youth, was one of the main objectives coming out of the Conference. This full objective was reached in early 2006, 10 years after the Conference, as now Commissioners' for Children have been appointed in all States and the Commonwealth. These appointments are the result of the long and persistent campaign by Australian Child Rights' activists. It is planned, as people compliant to their viewpoint are appointed, that their further aims will be implemented.

Children's Rights have diminished the rights of parents and the community in the nurturing of children to become responsible adults. The Police suffer the confrontational consequences seen at many large events and gate crashed parties.

The Police were depicted as ogres in the mid nineties when the Child Rights bandwagon was at its most virulent. They demanded removal of police from all dealings with children. This had the support of the legal profession in that it helped them in defending child offenders in court and by the child/youth Social Workers in that it indicated police were not appropriate people to deal with children, but they (social workers) were, being qualified. There has been more than a degree of success.

These Child Rights may be beyond belief, but many books relating to this subject on library shelves will confirm the situation. They originate mainly from university orientated people and because of their education they can provide an apparent logical argument to even the most deplorable proposition.

## 2

**JAG - JUVENILE AID GROUP - ITS RESCUE  
and  
A STRATEGIC PLAN**

Child Rights advocates with their agenda would attack the Juvenile Aid Group if it was not protected.

I developed a Strategic Plan from my Pilbara experience by using phrases of Child Rights advocates and remarks from Judge Jackson, President of the Children's Court. This plan provided the foundation for the Operational Orders for the Juvenile Aid Group. I was still working as a Superintendent in the Commissioned Officers Support Group, Perth Regional Office.

The file was forwarded to Chief Superintendent Bruce Brennan who forwarded it to Detective Inspector R.C. (Bob) Kucera, Youth, Family and Ethnic Affairs Unit for comment.

Inspector Kucera saw my proposal as within his area of command and was protective of his patch. He saw no need to create another unit. I saw no value in his comparison between his Unit's and the approach in what I proposed, although similar in intent.

I believed any direct involvement with the Youth, Family and Ethnic Affairs Unit and that the JAG officers were then to be *"trained and guided in terms of consistent policies from the centralized base,"* (meaning the Youth, Family and Ethnic Affairs Unit) JAG would lose its effect in bureaucratic processes. I saw no advantage, only extra paper work.

Inspector Kucera's remarks could not be dismissed summarily as he was generally fully supportive, but within his bailiwick. He had returned the file to Chief Superintendent Brennan, who forwarded it to me with the instruction to liaise with Inspector Kucera. I was then stationed at Cottesloe Divisional Office overseeing seven Western Suburban Stations.

I attended Inspector Kucera's office from 11am to 12mid day on Wednesday 8<sup>th</sup> April 1992, with reluctance to accept his offer, but with a plan to ask from him; men, training and equipment. I could use his unit to educate the community, particularly parents on their rights. My requests could not be supplied by him.

I would, as he suggested, arrange a link with the Department of Community Service "Killara" unit. This unit provided emergency accommodation and worked after hours, unlike the other social and youth workers who saw their duties as a 9am – 5pm job with weekends off. Killara staff would prove a valuable help to the Juvenile Aid Group and later with *Operation Sweep*.

I noted on the file *"Hasn't the staff for community education. States same as Central shift. (Staff shortages) Suggest we use Killara. Go alone. Will support."*

The demands confronting JAG were far greater than Inspector Kucera's unit could cope with and therefore he could not commit to the implementation of the objectives of the Juvenile Aid Group. He conceded. The notations of *"Go alone"* and *"Will support"* were exactly what I had been seeking. He would support localized action but without involvement.

JAG continued to carry out its task under *Section 138B of the Child Welfare Act* in the exact same way as the Pilbara program. However, now Child Rights activists found it

difficult to criticize. Their own language was contained in the Juvenile Aid Group's objectives and operational orders and they were quoted in promoting the unit. Although the police carried out tasks exactly the same as previously criticised by the Child Rights groups and individuals, it now became near impossible for them to do so, as they were confronted with their own declarations turned back on them on how police should and had historically always approached juveniles.

JAG was now protected to a degree from outside forces, but would confront problems from within.

The problems were simply man power and some officers saw better value in using the JAG officers in other areas under staffing stress. I was required to go into bat for the unit to prevent its demise.

In March 1993, I received advice that the Juvenile Aid Group had been disbanded. I was working as Supervisor of the Western Suburban Stations when I received the advice that Superintendent Geoff Hoare, as overseer of Central and City Stations, had issued the order. There was no ill intent only pressure from insufficient staff. Superintendent Hoare saw JAG as a source of men to add to the traditional formalised beat structure, which required to be manned and thereby lessening the staffing stress.

I immediately put in train action to have the group reinstated and after obtaining the appropriate community support and operational statistics, I submitted a report on 12<sup>th</sup> March 1992 to save the unit. It needed not only community support but evidence as to its effectiveness.

To provide this data I examined the "efficiency and effectiveness" of the Group, making comparisons with City Station as a whole.

Further, advice was sought from Shift Sergeants as to the value or otherwise of the Group. Its importance within the community was canvassed.

I also presented a report; over my submission relating to JAG's activities, for consideration by the Perth Regional Officer, Superintendent Reg Drifill, with the suggestion that other Metropolitan areas would find the concept's structure had proven to be effective and efficient. I stated any action should be under the control of Regional Officers. This was to prevent the difficulty I had in the first instance with the claim it was the province of the Youth, Family and Ethnic Affairs Unit.

The following are extracts from the Submission: -

#### *JUVENILE AID GROUP*

*The following is a detailed submission as to how and reasons why this Juvenile Aid Group must be retained whilst remaining in the parameters set by you.*

#### *PARAMETERS*

*The requirement - "not to require additional resources" - the group can continue to function with the 4 personnel presently forming the group. No further equipment is needed to allow the group to continue to function.*

*However, the value of improved resources and manpower is not lessened by this ability to continue to function within the present resource.*

*If the group is disbanded City Station will actually lose staff wherein the Aboriginal Police Aide will return to his normal duties which is under the Community Services portfolio. The Sergeant will return to supervisory duties, of which there are already adequate number, and the two Constables to the beat.*

*There are three shifts and the impact of 2 officers over three shifts seven days a week is negligible.*

*The requirement of - “retaining the maximum number of beat personnel” - depends upon the retention of the Juvenile Aid Group and not upon it being disbanded.*

*To disband and place the objectives of the unit upon beat officers will lower the numbers of beat Constables performing beat duties.*

*The level of activity relating to juveniles, even if performed at a much lower level will see the constant deployment of officers from their beat to undertake statutory responsibilities required by the Child Welfare Act.*

*The maintenance of a maximum number of tasking vehicles is a matter of efficient staff deployment by Central Station with City Station having no input into this matter.*

*The ability to maintain the capacity to undertake all additional tasks is enhanced by the success of the Juvenile Aid Group to eliminate a large amount of juvenile offenders and offending in the City, thus lowering the workload of other staff.*

*The above observations relating to the Juvenile Aid Group and its positive relationship within City Station’s structure needs accompanying data for confirmation.*

*The value on an individual scale was also a consideration, as such examination places human worth upon statistical data, which is the ultimate reason for the Group’s existence.*

#### *EFFICIENCY*

*The efficiency of the Juvenile Aid Group has its proof in the following figures for juvenile contacts for the period May 4 to June 28, 1992.*

##### *J.A.G. CITY STATION*

<i>Truants</i>	<i>209</i>	<i>Nil</i>
<i>Arrests</i>	<i>45</i>	<i>20</i>
<i>Charges</i>	<i>71</i>	<i>95</i>
<i>C. (S.P.) P.</i>	<i>1</i>	<i>3</i>
<i>Cautions</i>	<i>34</i>	<i>8</i>
<i>Summons</i>	<i>16</i>	<i>19</i>
<i>Section 138B</i>	<i>53</i>	<i>9</i>
<i>Warrants</i>	<i>13</i>	<i>9</i>
	<i>442</i>	<i>163</i>

*Report by Senior Sergeant COLEMAN 3824 dated June 29, 1992*

*The Juvenile Aid Group has 1 Sergeant/Aide, 2 Constables. City Station’s strength being 16 Sergeants, 58 Constables of which 14 Sergeants and 56 Constables work shift, being a total of 70.*

*4 officers having 442 contact units gives a ratio of 110.5 for each officer.*

*70 officers have 163 contact units gives a ratio of 2.32 for each officer.*

*The Juvenile Aid Group has over the 8 weeks being reviewed, a contact unit of 101.88 over and above juvenile contacts by City Station staff.*

*However, City Station staff have involvement with adult offenders and a further 443 contact/units can be added to the 163 juvenile units giving a total of 606.*

*70 officers having 606 contact units give a ratio of 8.65 for each officer.*

*The J.A.G. even with adult contacts being added to City Station contacts maintain a ratio advantage of 110.5 units per officer to 8.65 per City officer.*

*The efficiency of the Juvenile Aid Group over that of traditional policing procedures undertaken by the staff at City Station is overwhelming in relation to juveniles.*

*This low comparative rate by City Station reflects their multitude of duties and not a lack of endeavour towards juveniles.*

*The efficiency outlined is an irresistible reason for support for the reforming of the Juvenile Aid Group.*

#### **EFFECTIVENESS**

*The effectiveness can be gauged under the period being reviewed by measuring the impact upon the general tenor of the City, business and organisations effected.*

*The first group who can provide such observation are the Shift Sergeants at City. It is apparent all Sergeants at City support the Juvenile Aid Group and would seek its continuance. I submit the following observations extracted from reports received from Sergeants at City Station:*

##### *Senior Sergeant THOY 4044*

*"The unit has been a success .... it should remain in its current form .... The unit is aptly designed to efficiently target truants and juveniles in need of care and attention."*

##### *Senior Sergeant GATES 4049*

*"They got good results and a good rapport with people they dealt with .... there is a need for the J.A.G. team as presently structured. It is working well, why interfere with it? Leave it alone."*

##### *Sergeant JOHNSON 4106*

*"The group appears to be successful in its operation and allows beat Constables to operate in other substantial police duties."*

##### *Sergeant HILLE 4911*

*- has been a major plus for policing within the City Police district .... a significant proportion of the persons it removes are in the City to perform anti-social acts."*

##### *Sergeant ULASEWYCH 5062*

*- there had been a marked reduction in the number of 'problem' juveniles in the City, Northbridge and Central Railway Station .... the reduction in problem juveniles could be attributed to his group .... J.A.G. is a good effective section that has been operating at City Station, but to fragment it would be a loss to this Station."*

*Business premises and individuals have been very supportive of the Juvenile Aid Group and I provide the following extracts from correspondence received relating to this matter:*

##### *AHERNS (Mr John AHERN)*

*"We have been pleased with the progress made in controlling the behaviour of the number of unaccompanied juveniles .... has had a significant impact in dealing with this social problem .... The importance of this initiative should not be understated ...."*

##### *ORBIT AMUSEMENTS*

*"It has greatly reduced the incidences of vandalism and graffiti both within and immediately outside the centre .... patrons appreciating the improvement"*

##### *MYER PERTH CITY (N H GARDINER)*

*"Street kid types .... target expensive merchandise .... intimidate staff and stealing the formation of the "Juvenile At Risk" Police Group has been a marked decline in this type of activity local retailers and society have benefited in several ways*

*were the unit to be disbanded or amalgamated into the beat system .... its overall effectiveness would be diluted and the situation .... again become a serious problem."*

##### *CULUNGA CATHOLIC ABORIGINAL SCHOOL (Sister Bernadette DOYLE, Principal)*

*"I know for a fact the effectiveness of juvenile truancy patrol. I urge your department to reinstate this squad. Children who have been out of the school system for some months have been replaced due to the squad being in town .... truancy has been effectively reduced and it will be a great cost to the community increase again if this squad is closed down."*

CITIPLACE ADVISORY COMMITTEE

representatives: -Large retailers-small retailers-Hay Street retailers-Murray Street retailers -B.O.M.A. Arcade Management-Tourism & Hospitality Industry- Chamber of Commerce-Confederation of W A Industry

*"Convey our appreciation and congratulations on the extremely valuable work being carried out by the Juvenile Aid Group - unanimous in their praise - key role - a substantial decrease in the extent of vandalism, anti social behaviour and juvenile crime generally in the central City area - members look forward to its continued presence."*

JONES LANG WOOTTON –

*"the operation of the unit has been highly successful."*

BENE HOW, Forrest Chase –

*"... has decreased the undesirable element."*

FUN AND GAMES, Northbridge –

*"Noticeable decline in street kids, in juveniles during school hours, youngsters not afraid of officers, youngsters get to know officers ..."*

OOH LA LA, Forrest Chase –

*"We as retailers definitely want this unit to stay in operation as we have had very few incidents since the Juvenile Aid Group commenced - allowing our customers to shop securely and comfortably."*

SPORTSGIRL, Forrest Chase –

*"... break in ... shoplifting very abusive ... in the time the Juvenile Aid Group has been in operation we have had no occurrences of these group gatherings- great disservice if this unit was discontinued."*

Laurence R LOCKYEAR JP, Member of Children's Court –

*"I speak for all Justices of Peace when I state that the formation of J.A.G. - a positive step - in the difficult area of the so-called street kids - I find it incredible that the policemen of such a worthwhile group are to be absorbed back into general duties - J.A.G. working most effectively in areas of crime control and welfare ..."*

KILLARA - *"...referred young people for truancy enabling supportive contact with the young person's family and schools - young people have developed positive relationships with officers from J.A.G. - positive preventative focus in dealing with juveniles."*

*Other papers relating the objectives of the group action taken, publicity and truancy actions by City Station accompanies this report.*

As can be adduced from the above report, most of the Juvenile Aid Group's work related to Northbridge and its long-established connection to the Railway Station through to Forrest Place.

Superintendent Driffill recommended Sergeant Ellis and I give a presentation to Metropolitan Regional Officer in the May meeting 1993. He forwarded the file to Commander (General Operations Metropolitan) E.R. (John) Crawford who supported the presentation, but in the same memo on 23rd March when forwarding the report to Assistant Commissioner Len Thickbroom, indicated he could not support the concept due to staff shortages.

Three days later the file was returned with authority to give a 30 minute presentation at the Regional Officers meeting of 6th April 1993.

JAG file attached

The presentation was given and Regional Officers supported the use of 138B, although not under the structured approach of JAG, the powers of 138B was utilised at higher and

continuing degree in the suburbs. I had given a similar instruction to the Western Suburban Stations while supervising that area.

*Western Suburban Order is attached*

The Juvenile Aid Group was given a reprieve. However it again came under attack due to staff shortages, but this time the press became aware. This time I approached Commander Bruce Brennan and requested he reprieve the unit and placate the press and thereby the business community. He agreed to help and JAG was once again saved.



## 3

**SECTION 138B  
ORIGIN OF ITS COLLECTIVE USE  
and  
THE PSYCHOSIS of CHILD RIGHTS ADVOCATES**

Understanding the origins of the Operational Orders should now be held, having been provided and a full explanation given as to the need for the structure of the language used.

It would be these converted Operational Orders that would be used in *Operation Sweep*, with the members of Juvenile Aid Group used in providing advice and support for the members.

Section 138B was first inserted 1977 in the Child Welfare Act with subsequent amendments. The powers contained in it have been used by individual members since the formation of the Police Force over 100 years before the enactment of the Child Welfare Act in 1947.

The following provides the process of how a power held by individual Police Officers for over 100 years and then formalised as 138B in the Child Welfare Act and utilized on occasions by individual officers was converted as the principal tool by a collective of officers in operations involving the welfare of children and youths.

The historical use by an individual police officer of Section 138B in the small North West town of Exmouth in 1989, by Police Sergeant John Yates, provided the catalyst for the collective use by officers in Sections such as Juvenile Aid Group and by members of *Operation Sweep* and future similar operations.

Sergeant Yates had become concerned at the number of children wandering the town at late hours and the subsequent vandalism. He used Section 138B of the Child Welfare Act, commencing on the 15<sup>th</sup> March 1989, which allowed Police who believed a child was in moral or physical danger to return the child to his/her parents. The parents were supportive and often did not even know their child was absent from the house. Juvenile crime in Exmouth decreased 75%, to such an extent as to become near non existent.

Being the Officer in Charge of the Pilbara such a reduction in offences impressed me greatly and after examining the situation I deemed it suitable for implementation throughout the Pilbara. It would however function at anytime day or night, or as I often explained the use of Section 138B depended upon time, place and circumstance. To illustrate, I exampled a juvenile female about 13 years during the day at the beach in a car with several youths watching surfers, drinking cool drink and listening to music as compared with a drunken young female in a state of undress in very close embrace with one of the youths, similarly undressed, with the other youths present. It may be in the same place at the same time, but the circumstance was much different. The first required no action; the other was of sufficient concern for police interest.

On 21<sup>st</sup> August 1989, I issued an instruction to all members in the Pilbara. Wording of this Instruction follows: -

*CHILD WELFARE ACT 138B  
ROUTINE ORDERS 3-2.23*

*“Police often use this power to take children into care and place them into the control of a responsible person.*

*There has been recent publicity in regard to the town of Exmouth where offences were being committed by children at night when wandering about without any set purpose.*

*First Class Sergeant YATES, the Officer in Charge of the Police Station, believed that children wandering about at night without purpose was placing them in both physical and moral danger and that there was evidence of their misbehaviour (i.e. Offence Reports).*

*Depending upon the day of the week and activities occurring in the town, it was decided that children wandering at large without purpose in the night should be taken home to protect their welfare.*

*The program commenced on the 15th March 1989, and the period to the end of July is sufficient to give an indication of its success or otherwise.*

*There has been a dramatic decrease in both the numbers of children placed before the court (including Panel) and Offence Reports that could be attributed to child offenders.*

*The decrease on both matters is 75% approximately.*

*Exmouth is a relatively small town (3000 population), and although the number of offences overall is not large, with this program the town now enjoys a virtual non existence problem of child/youth offenders.*

*All Officers in Charge in the Karratha Region are to bring the "Police Powers of Care of Children" into a high profile in their communities, and seek the general approval of the parents for this help we are giving them in these increasingly difficult times for parents.*

*All Officers in Charge are to direct their staff to adopt a higher profile in this regard and are instructed to bring a sympathetic approach to parents who find their children in Police care.*

*Such an approach will be tempered by circumstances, and relates to the average parent who may be having difficulty in coping with a fractious child.*

*Those parents who may come within the ambit of Section 31A are a different situation.*

*This is not a special patrol or extra duty, but is simply a duty undertaken during normal patrols, except a closer observation and monitoring of children is required.*

*Although the situation relates mainly to the night patrol, the circumstances of a child needing to be taken into care (i.e. Truancy, daytime break and enter) can be any time of the day.*

*Please contact First Class Sergeant John YATES at Exmouth on 099 491 444 for any information or queries you may have in regard to the program and its success rate."*

*Copy of original Instruction issued is attached*

I had opened a massive can of worms and a national debate.

*Press Reports attached*

There were at this time, from my perspective, government funded radical organisations, all anti-police and authority. An example of their convoluted thinking is contained in the following example.

The West Australian ran a weekly series of youth worker orientated articles using either interviews or articles written by members of the Youth Affairs Council or interviews of youth workers. This particular group provides evidence as to the radical views then working in the community.

Their ability to promote tension between youth and the police and the capacity to extrapolate a reasonable proposition to become a vicious attack upon the young is remarkably exemplified in the article by Clair Bradshaw, editor of Youth Affairs Council's News Bulletins, published in the West Australian page 86, Wednesday 5<sup>th</sup> December 1989.

The Government's Crime Prevention Unit issued a 17 page booklet entitled "Working

together to Beat Crime” and the Department for Community Services issued a 17 page booklet entitled “Social Issues – Kids and Crime” resulted in the following paragraph in this article by Clair Bradshaw relating to the two booklets:-

*“There has been this problem that kids cause the problems. In some ways this has been greatly fed by the State Government with the ‘Beat Crime’ package and then ‘Kids and Crime. You put the two together and you come up with “Beat the Kids”.*

*Copies of two these Youth Affairs Council’s articles from West Australian dated 29<sup>th</sup> November and 6th December 1989 and copies of the front covers, Battye Library references and the Introduction of these booklets*

All the articles written, under the banner of EXTRA in the West Australian contains the same theme and indicates the thought processes of the front line Child Rights advocates, who could be described as decent but naïve radicals, never the less destructive. Their older manipulators, being far more devious, work through politicians, Universities, Government Organisations (particularly Child and Family Departments), arrange conferences, raise inquiries, issue decrees and provide seemingly reasonable arguments for implementations of their objectives. Then if the facts don’t fit – lie. Their work continues.

## 4 FIGHTBACK

The local MLA member for Exmouth praised the program by Sergeant Yates and he mistakenly called it a curfew. He gave the critics their battle cry. This Police concern for juveniles at risk brought the wrath of the '*Child Rights Movement*' upon them.

It simply was not a curfew, but the entrepreneur youth workers found in the '*Pilbara Curfew*' claim, an emotional promotional opportunity. The Australian media took hold and no attempt to set the record straight was successful, as the word "*curfew*" evoked a sure way to be read, viewed or listened too.

Although wrong, the use of curfew proved to be valuable tool for police in raising the issue of juvenile crime and its relationship to Child Rights. It backfired against Child Rights' advocates and became counterproductive to their campaign.

Calls came from the media in all states and territories and talk back radio Australia wide discussed the program. The support police received was overwhelming and the hopeless feelings citizens expressed about the abuse of society and parents by youths under the pretext of Child Rights became a repeated theme.

An example was the Mayor of a large South Australian town, at a loss to tackle that town's juvenile problem, rang me and asked for advice on the implementation of the "*Curfew*". I explained it was not a curfew. I strongly recommended she avoid its use and call it a Youth Protection Program or something similar, for if she did not, the outcry that would ride on the word "*curfew*" would see her plans drowned in organised protest. The word was used, the outrage occurred, political personalities and the South Australian Government became involved. The plan was never implemented.

The impost of calls upon my time was so great, Senior Sergeant Terry Sims, then acting as my Assistant Inspector was allocated the answering of these inquiries from the media throughout Australia, including Tasmania and responded to the subject on various radio stations throughout the country. He developed an expertise on the issues surrounding the matter and made for excellent public relations.

The local media, particularly the radio and press sought out information and received much advice from those opposed to police involvement with youth. Conflict is the life blood of journalism and the media generally and so the issue raged.

Parents were at a loss as to their rights against those claimed for their children. A single mother, working in Karratha, approached me about her 13 year old daughter who was staying out all night. She feared for her welfare and no doubt sexual health.

When asking her daughter to remain at home the child advised her mother that if she attempted to prevent her from leaving she would report her to a local youth worker. This worker had told her daughter she had the right to do as she pleased. If she was prevented from doing so she would find her accommodation in a shelter.

I advised the mother that she had the right to use reasonable force to protect her daughter from harm. I told her how she could do so. As the North West dwellings are secured by attached strong security windows and doors for cyclone protection, all was required was securing the doors to the outside and her daughter would be protected from her late night forays. I gave her a copy the then Section 257 of the Criminal Code, which she was to show to her daughter. This simple plan gave the opportunity to break the nexus between the daughter and youth worker and the relationship improved.

I considered if this woman was not aware, perhaps all parents should be told. I issued

the following press release to the local media. *“Recently, parents have expressed their concern to me and requested advice as to their rights in regard to discipline of their children.*

*Section 257 of the Criminal Codes makes it lawful for a parent to correct a child using as much force as is reasonable under the circumstances.*

*A disobedient child, who is in jeopardy by his/her actions, fails to heed verbal parental correction and receives physical correction which removes him/her from jeopardy (provided the force used is reasonable under the circumstances) will be lawful under Section 257.*

*There has been misinformation provided to children in regard to the lack of rights of parents and with our expectations of parents to fulfill their responsibilities, they must be supported and their task not made harder by misinformation given to their children.*

*There is no condoning of child abuse and if a parent has been beyond reasonable in his correction of a child, then he can be subject to the legal consequences of his actions, thereby providing protection to the child.*

*Full reporting of Section 257 would be appreciated. Section 257 for your information is as follows:*

***DOMESTIC DISCIPLINE CODE, S. 257***

*257 “It is lawful for a parent or a person in the place of a parent, or for a schoolmaster or master, to use, by way of correction, towards a child, pupil, or apprentice, under his care, such force as is reasonable under the circumstances.”*

The Press Release became news not only on local radio, but was carried country wide throughout the State by Television Station GWN.

*The Press Release and one of the transcripts of an interview with ABC Karratha is attached.*

Section 257 Criminal Code was later to be amended to conform to Child Rights’ lobbyist demands that originated from and were supported from within the Community Welfare Department

The Youth Care program continued and at the end of the year Juvenile Crime had fallen over 30% in all Pilbara towns.

The furor was such that local youth worker Sheryl Hazel, coordinator of Youth Accommodation in Karratha distributed pamphlets to advise local youth of their rights if spoken to by police. Karratha was visited by a solicitor from the Youth Legal Aid Service to speak to youths and community workers on how to avoid abuse of children by the police. With the local Youth Workers they planned to also distribute pamphlets at the local shopping centre.

There were at this time, from my perspective, government funded radical organisations, all anti-police and authority. An example of their convoluted thinking was contained in their extrapolation of the example canvassed above, when the Government in concern about crime in general and children committing offences issued two pamphlets, *“Beat Crime”* and *“Kids and Crime”*. Both placed together were claimed by the Child Rights activists to mean *“Beat the Kids”*.

The many examples of the uproar and hysteria caused by the simple attempt to address an issue in a practical manner to assist parents and protect children, are attached under the cover of newspaper cuttings.

Having been under attack by the Child Rights advocates and knowing very little about them, I had then commenced a study of their philosophies and aims. I was perturbed at what I discovered. At the Karratha Regional O.I.C.’s conference on 6<sup>th</sup> April 1990 I

addressed my officers on what I had discovered and the difficulties I had encountered.

The following is the transcript: -

*There are those in our community who are "child right advocates".*

*They sounded rational and were promoting sensible ideals.*

*The idea has been taken over by entrepreneurial self serving individuals.*

*The Government finding that, as youth issues were raised, their organisations who would normally undertake this work, were stretched beyond their capacity and encouraged outside professionals to undertake these tasks.*

*Children and youth affairs are now the fastest growing industry in Australia - it beats the legal profession, who are not slow in grasping onto anything that will sustain their lifestyles, have also as a result embraced this high potential growth industry.*

*The child/youth rights industry advocates perusing their goals of complete control, to the exclusion of others, with the zeal of the original women liberationists.*

*The difference is; the women were of honest and justifiable intent. I have my doubts about "Child Rights advocacy", although no doubt, there are some persons/organisations simply trying to help.*

*Child Right advocates claim a child should not have to remain at home where he is physically, mentally or emotionally abused.*

*Thus, a child who is upset because of a discipline placed upon him by his parents, is being emotionally/mentally abused, does not have to stay with his parents and can leave home.*

*A child has the right to shelter.*

*Funding is needed to provide the shelters for children who have left home.*

*Continuing funding requires a constant flow of youth into these shelters, preferably in increasing numbers -*

*This is exactly what happened and continues to happen.*

*I recently saw an advertisement which read something like this:*

*Thinking of leaving home- its hell on the streets*

*Stay off the streets - See us - Jesus People*

*(The Principal of Jesus people was later charged with the misappropriation of funds)*

*Competition for the funded dollar is intense, so we have the unhealthy situation of advertising to promote new street kids to justify the continuing existence of these charitable ventures.*

*The family has been placed under attack.*

*The Child Right advocates, the professionals have demoralised and alienated parents from their children.*

*I have watched this continuing trend of diminishing power of the parent, the encouragement of children to pursue their desires without fear of discipline or punishment. It has now reached a dangerous stupidity.*

*We all have had our own experiences with children and the system.*

*We are all aware of the "Divorce the Parents" case.*

*The fact of the divorce was not the frightening thing. What was "frightening" was a system that allowed, encouraged and finally accepted the right for a child to divorce his parents, basically on grounds of incompatibility.*

*The Child Righters won, but in victory, they lost, as the outcry by the general public put back their cause to a large degree.*

*March 1989 - Exmouth:*

*The local Sergeant, John YATES, became concerned at the high numbers of children wandering at large at night. He took action under the "Police Powers of Care of Children" under Section 138B of the Child Welfare Act.*

*Juvenile Crime decreased by 75%.*

*The information became public.*

*The Child Right groups attacked Police as destroyers of civil liberties and abusers of children.*

*There was much discussion with the end result that parents/citizens concerned with the increasing lawlessness and lack of apparent need for children to answer for their activities, saw it as something positive and supported the concept; including the very pleased population of Exmouth.*

*August 1989:*

*I issued instructions to all Officers in my command to:*

*"Bring the "Police Powers of Care of Children" into a high profile in their communities, and seek the general approval of the parents for this help we are giving them in these increasingly difficult times for parents.*

*All Officers in Charge are to direct their staff to adopt a higher profile in this regard and are instructed to bring a sympathetic approach to parents who find their children in Police care.*

*Such an approach will be tempered by circumstances, and relates to the average parent who may be having difficulty in coping with a fractious child".*

*A simple, reasonable instruction, bring attention to what Police duties to children has always been.*

*The Child Righters saw the possibility of the diminishing of their position and attacked.*

*My Office received calls from throughout Australia by concerned persons as they saw for the first time in many years a sensible, kind and effective answer to an increasingly difficult juvenile problem.*

*I am pleased to report that Queensland has changed its Child Welfare legislation to allow Police similar powers in their state.*

*The Northern Territory is considering same.*

*The rest of the States are aware and debate continues.*

*The debate unfortunately is dominated by those whose future professional strength depends upon the destruction of Police involvement in Children matters.*

*Police and children to them, are like the rapist and the victim, Hitler and the Jews.*

*Strong comparisons I admit, but I quote from public reactions in recent months in local and metropolitan newspapers. (Quotes)*

*How could such a simple decent proposal with no malice create such strong negative response from child righters?*

*Simple answer - their position is under threat.*

*Another forum for Child Righters was the Childrens Court, a long time source of frustration, anger and absolute bewilderment to Police Officers who knew the Court's naivety to put the kindest interpretation on it, was the cause for many children continuing and increasing involvement in crime and deep unhappiness of the parents caused by the impotence of the Court's actions to correct or punish their child's behaviour.*

*The public eventually would no longer buy what the Children's Court was trying to sell them, so it became bankrupt and closed its doors. A new Childrens Court opened with much pre publicity in regard to stronger penalties, punishment and the placement of responsibility upon offenders.*

*It was our turn to be naive.*

*The new Court opened under the management of Judge Hal JACKSON.*

*It might have been new management, but it was the old firm, just under a new name, as often is the case in matters of bankruptcy.*

*The only difference now is the goods being peddled are even more flawed than the original.*

*I have no doubt the Judge is a kind, well intentioned, and learned man. That does not make him right.*

*There appears to be a distinct lack of reality coupled with a dangerous level of idealism.*

*Surely the fact that the enormous experience of failure of the previous system is obvious, should lead him not down that same path.*

*All that anyone was hoping from the new Children's Court was for a sense of responsibility for their actions be put upon the children coupled with some action to make them not want to offend again, rather than the present apologetic approach which leaves them with no punishment, but with higher status with their peers.*

*Nobody wants ball and chain, imprisonment, floggings and unpayable fines.*

*What everyone wants is "not just a slap on the wrist in the Children's Court anymore"*

*Our newspapers, state and local, have these continuous cries for help from our citizens. They should not be ignored.*

*Parents get quite a hammering in regard to child misbehaviour. The truth is parents have had their role usurped by the experts and professionals. As their policies have not only been failures, but have increased the juvenile problem, explanation was required.*

*They cannot admit their travesty of social engineering, so the parents who are without spokesmen, are vulnerable and appear the logical scapegoat. They are pointed out as the cause for children misbehaviour*

*This of course, further strengthens the child righters to take over more and more control of children; as parents are obviously not the people who should be allowed this responsibility.*

*Parents will become biological factories only answerable to the "Organisation" in regard to the level of care they provide to their children. They will be the providers and the child righters, the controllers.*

*Futuristic - yes, but not that far in the future.*

*I believe the child righters push towards complete sexual freedom for children, had its origins in the late 1970's to the early 1980's when there was much publicity of pedophiles, who espoused these values.*

*That is not to say I believe the advocates of this Child Rights to sex are pedophiles, but simply, they have taken on this philosophy.*

*To find out who would be advocating or encouraging this life style, you only need to look at the media, music, Aids Council's free condoms and needles, no questions of age, family planning, a WA. social/medical inquiry questioning and recently suggesting the lowering of the age of consent.*

*The argument here is that the bodies are self owned and no person has any right to prevent them doing what they wish with it.*

*The argument of the pedophiles that it is a genuine and valid expression of affection, which should not be denied as it is psychologically damaging, is also argued by those who wish children to have the right to indulge in sex.*

*The Commissioner has recently given instructions in regard to the use of the Section 138B powers and warned against its abuse.*



*I have had feedback that some Officers have pulled back from this activity in fear of being unfairly brought to account, but mostly in an expression of disappointment of what they believe was an erosion of their position.*

*The fact is, if this withdrawal takes place, it is a win for the child righters and a severe blow against the parents and children in our community.*

*I am sure the Commissioner's message is "This activity is too valuable to allow an opportunity for those against us to be given any reason to complain and endeavour to lessen our powers".*

*I have not received one complaint in regard to how my men have carried out their duties in this regard. For the future of parents and children, the family, we must continue.*

*I have not pretended to have presented a balanced argument. It was not meant to be.*

*Child Righters have more than a capacity to present their own arguments.*

*My purpose was to present a rationale to matters often worried about, and discussed by Police Officers and use it as a springboard to serious discussions.*

*Let's now commence the discussion.*

*Copy of presentation attached*

It was also a time when children having been taken into custody for an offence were to be bailed immediately on their own recognizance; their parents or guardian not being required. I overcame this situation by issuing an addition to the "Apprehension of Children Misbehaving, Truanting or in Moral or Physical Danger" instruction that Children were to be bailed as required, however if an officer believed because the child had bailed himself and was therefore again not under adequate care or control and was obviously likely to misbehave or was in moral or physical danger he should take the child into care and follow the requirement of Section 138B Child Welfare Act.

## 5

**NORTHBRIDGE OPERATION SWEEP**

I returned to Perth Regional Office in December 1990.

Up to this time the Federal Government had refused to be a signatory to the *United Nations' Child Rights Treaty* due to its implications for Australian Law and practices relating to children and its unbalanced approach.

Concerns were expressed that the UN Child Rights would undermine parental responsibilities. This was countered by the Child Rights advocates stating the parents were given this power in this UN Charter.

When examined there was indeed such a power, but it related to the responsibility of parents to ensure their children's rights were enforced as instructed under the Charter.

The Child Rights advocates in the *Human Rights and Equal Opportunity Commission* and the *Australian Council of Social Services* with their capacity to lobby at the highest levels of government convinced the government firstly to fund a nationwide review into the matter and make recommendations. Australia became a signatory.

Allegations that Australian Governments, both State and Federal, were not meeting its obligations to children under the United Nations Charter was the springboard needed to pursue the appointment of Commissioners of Children.

Civil Liberty Groups were outraged and criticised the move. The local Civil Liberty Group's views were reported in the *West Australia* 26<sup>th</sup> December 1990.

After a period at Perth Regional Office, I was sent to oversee the Western Suburbs, comprising seven police stations. After my stint at the Western Suburbs Office I returned as Acting Chief Superintendent Perth Region in 1993.

Work now began for *Operation Sweep*. The Liquor and Gaming Branch had done the ground work in obtaining cooperation from other sections such as CIB, Mounted and Traffic Branches.

Operational Orders were developed. Chief Inspector Joel Grossman was made Operational Commander and Inspector Williams was made Field Commander.

I attended City Station and addressed the men (all in plain clothes) on the first Friday night of the operation in mid January 1994. I explained on this first Friday night we required intelligence of the problems observed and where.

At the debriefing it was indicated that the problems were more on the streets and caused mostly by youths, rather than in the night clubs. Police found mixed with the disorderly, dishonest, drug users and pushers were the innocents abroad from the suburbs, all being drawn into a dangerous culture of booze, drugs, sex and aggression. Some were as young as ten years.

The Operation named "*Sweep*" changed direction from Night Clubs to the streets. The mistake was it didn't change name.

Although the focus was changed from night clubs to the streets, the night clubs remained on the agenda.

This name was used in an unfortunate context by Child Rights Advocates, in that police intended to abuse their power and sweep youths off the street just like dirt.

This change of focus brought that part of Operational Orders taken from the Juvenile Aid Group into sharp focus and the procedures outlined were strictly adhered too.

If I had thought the rabid behaviour and deceit perpetrated against police in the Pilbara

was extreme, I would later be confronted with the true lunatic fringe after the Fremantle visit on the last two nights of *Operation Sweep*.

The local press, Television and radio reported “*Operation Sweep*” and letters to the press were in profusion. Again calls came from Australia wide and even a request for details from a lecturer in social work so that students at Sydney TAFE could be provided with the information on the subject.

The support police received was again overwhelming and contrary to what was being said by Child Rights Activists, not one complaint was received from a parent during the Northbridge *Operation Sweep*. I attended to the request for information relating to questions in Parliament or complaints from Child Rights’ people. Chief Inspector Grossman and Inspector Williams attended to the inquiries from the media.

The strongest claim was that the police were using Section 138B illegally and a stop must be put to police unlawful behaviour.

Kilarra worked with *Operation Sweep* and their assistance was very valuable.

On Monday mornings representatives of all involved would attend at a de-briefing at Perth Regional Office. As the Kilarra staff was part of the Community Welfare, a senior officer from that Department also attended.

The Departmental representative’s views, I found did not exactly give credence to reality, not an uncommon attitude of social workers who seemed to need an ingrained belief in the goodness of people in their care or likely involvement, although the opposite is often the reality.

I have since become somewhat chastened by bringing the involvement of social workers directly into a police operation, as I believe this may have been the precursor to the high participation by these people in police affairs that involve youths. Their approach is often diametrically opposed to police, but never the less social workers’ views prevail. They should have been given the task of looking after the children needing care, which is their job and not been involved in determining any matter operational, which is the police area.

Police provided intelligence about a youth night club in Roe Street, where they had found evidence of drug use. The youths attending were less than 18 years, many well under. The Community Welfare Department Officer defended the venue as it was the only place juveniles could go after midnight, as well, the man running the organisation John Kizon was willing to help youth when others weren’t. His manager was later charged with “sell and supply”. The Perth City Council was afterwards not to approve of its use as a youth night club.

The concerns about *Operation Sweep* reached the highest level of the Police Department and on 2<sup>nd</sup> March 1994, under the hand of Commissioner Brian Bull, advice was sought from the Crown Law Department. The file originated in the Legal Services Unit.

Robert Cock, Crown Counsel, reported on 29<sup>th</sup> March 1994, in a 4 page summary, containing Case Law references, stating in the convoluted manner as the law often aspires, that the manner in which *Operation Sweep* was using Section 138B was legal.

Police Minister Bob Weise made a public statement declaring *Operation Sweep* was not illegal.

James McDougall, Coordinator, Youth Legal Service had also been corresponding with John Crawford Acting Assistant Commissioner (General and Traffic Operations) and he

had written seeking clarification to some matters. In reply by the Assistant Commissioner Crawford, a concluding paragraph read, *“Police have always had the primary responsibility towards the care of young people and the provisions of 138B recognised same and our duty in this regard will not be neglected in the future.”*

*Copies of these(3) correspondences are attached.*

Sweep's success was dramatic, with crime dropping 30% in the city and hundreds of children who would have found themselves in trouble with the law, drugs or sexually, were returned to parents. All parents were grateful for Police support of them. The involvement of JAG officers ensured the correct procedures were put in place to circumvent those who saw police involvement with children and youth as unfavourable and more importantly impinging upon their expertise.

## 6

## THE FREMANTLE IMPEDIMENT A BETRAYAL OF PARENTS

The Operation was to last a month, but as the problem was so great it was extended for a further two weeks, after the various units from where the members had been seconded agreed, even though they were hard pressed for staff. On the last weekend, unknown to me, Commander John Crawford at the request of the local police, under pressure from hard pressed Fremantle business people, sent the unit to Fremantle where a similar problem was in existence.

At the final debrief on Monday morning at the end of February 1994, I expressed my alarm about this action in Fremantle. This city had attracted many "New Age Naive", who rally to any warm fuzzy feeling cause. Child Rights is such a cause.

The situation had become dire in Fremantle with serious misbehaviour of youths. Police from *Operation Sweep* who had been indoctrinated into the collective use of 138B were teamed with Police Officers from Fremantle.

The Fremantle Police Officers had suffered the indignity of penalties against juvenile offenders of such small consequence that as a result youths' misbehaviour in Fremantle was rampant and law and order became questionable. The consequence was a multitude of youths gathered in the Fremantle streets at weekends to take part in the disorderly conduct, fights, damage, excessive drinking and drug use without fear, as police numbers were too small to cope and any punishment unlikely.

*Operation Sweep* was considered by the officers at the debriefing an outstanding success. I on the other hand, on previous experience with both Child Rights and as a Shift Sergeant at Fremantle, was uneasy and predicted complaints would be received.

Although expecting an outcry, I did not predict the level of protest to come even though *Operation Sweep* had concluded.

There was in Fremantle Child Rights Activists, and there were many in the community with a type of collective mind set that could be rallied for support against the police. These people holding a philosophy of child rights before that of parents, organised and cajoled the local authorities, accused businesses of attempting to use the police for their own profits and police were simply sweeping the children from Fremantle streets like dirt. In doing so they impeded police, betrayed parents and placed children at risk of a criminal record and drug use when a simple intervention of police would have prevented it.

Rallies and public meetings were held, the Fremantle City Council debated and under protesters' pressure condemned police, night marches were organised for children to reclaim the streets, the claims of a 'Curfew' again were alleged, questions were asked in Parliament, the Crown Law Department was instructed to report the lawfulness of Police actions, talk back radio became filled with *Operation Sweep*, newspapers devoted column after column on the issue, letters to the editor were in profusion, the churches pontificated, the media Australia wide in all its forms haunted me and my officers and Child Rights advocates demanded the operation cease after it had actually officially concluded. They claimed a victory of stopping *Operation Sweep* and these 'child savers' knowing it was a lie persisted in telling it, as it suited their campaign.

JAG continued to operate after *Operation Sweep* and breakfast meetings were arranged on a monthly basis attended by the many people who had assisted or could benefit from their activities. There were school representative Community Welfare, businesses, local

government and various section of the Police Force.

*Copy of a JAG breakfast participants list attached*

The Aboriginal Legal Service sent two officers to one of the meetings. They stated police had no right to pick up Aboriginal children and that only Aboriginal people should be involved with their children. This was a political catch cry that would lead to the *Stolen Generation Report* and the subsequent deterioration of young Aboriginal lives as Community Welfare Officers adopted a hands off approach even though the children suffered.

The situations at the Lockridge Camp (2005) and Halls Creek (2006) exemplify this trepidation to interfere by authorities frightened to act, be it legal, departmental or political. This fear was particularly held by individual social workers who avoided taking steps then considered inappropriate. This fear caused avoidance of duty and a subsequent increase in demoralized and angry young Aborigines, particularly in the Metropolitan Area, who are often seen in Crime Stopper newspaper reports and photos. The problem of sexual abuse by Aboriginal men of toddlers, children and youths (both male and female) and difficulties are being experienced by the authorities in dealing with the situation because of the fear of the same recriminations. It will still be a problem long after the conclusion of this report.

I explained the purpose of JAG and that JAG officers were only interested in children at risk. Further, there were more than sufficient children and youth at risk not to target any particular children. Aboriginal children who were found at risk were treated the same as all others.

The question that needed to be answered by the Aboriginal Legal Service and Community was, "Are Aboriginal children at risk considered by the ALS of less importance in needing help than the others being assisted?" The silence provided the reply.

The Aboriginal Legal Services' policy of aggrievement took every opening to claim racism, regardless of how spurious. History does provide an understanding of their approach, although, I believe, sometimes not in the best interests of their people.

The ALS did some years later succeed to a degree in the raising of the Noongyar Patrol to deal with young Aborigines. I was not supportive of this and the continuation and rising problems with young Aborigines in Northbridge in particular, indicated lack of success in this regard. The letter I wrote during the "Curfew" imposed by the Gallop Government in 2003, made when the Government at their wits end to deal with the ever increasing problems with juveniles in Northbridge. Police basically stated they would not and could not impose a curfew, but would continue to use Section 138B to lessen the problem.

*General Curfew newspaper references and a copy of letter to West Australian*

I was asked to speak on Radio National breakfast about *Operation Sweep*. I reluctantly agreed to do so, due to the anti police stance taken by the ABC. I was still annoyed that, the ABC in particular, when mentioning *Operation Sweep*, even though it had been denied constantly, falsely boasted of the people and parent power protests, which had shut down the operation.

I advised the producer who contacted me in the first instance that this should not form the introduction as it seemed to now be the standard prologue prior to ABC discussion, report or presentation. *Operation Sweep* had shut down through return of staff to various

Sections that had provided the officers and it had been shut down well prior to the campaign in Fremantle due to lack of staff, not protests. I was promised that this falsehood would not be made in the introduction.

I rose early and was ready at 6am for the ABC Sydney. The call came and I again stated to the Producer, that such an introduction was not true and should not be made. I had no problem in answering questions relating to the claim, but to use it in an introduction as a fact was simply not acceptable. It was a lie and would mislead their audience Australia wide and cast me and the Operation in a bad light without even one question asked. I was again assured this was not going to occur.

A national woman celebrity in broadcasting commenced the program stating she would introduce me; I was the Officer in Charge of *Operation Sweep* that had to be closed down because of widespread public complaint and demonstrations.

Upon being introduced I advised her that her introduction was wrong and based on a lie; lack of manpower had closed down the Operation. Her staff had informed me she had been advised of this and she knew it was a lie... --- the producer now was on the phone stating the line was bad and they would ring back. They never did and it was not expected nor wanted.

There was not one complaint received from a parent in the Pilbara, or during *Operation Sweep* in Northbridge or in any action taken by the Juvenile Aid Group. Complaints only came from Child Rights advocates, youth workers, civil rights lobbyists, youth and Aboriginal Legal Services and ABC commentators.

Parents were unhappy, not at police, but at their children after they confirmed the actions taken by the police were well justified and did provide the expectation parents had that police would care for their child's welfare, if required, when away from their family home.

The sad fact was there were large numbers of children taking advantage of the unlawful and disorderly behaviour they had known they could get away with as there were no repercussions until *Operation Sweep*.

The matter continued to provoke reports even well after "*Operation-Sweep*" concluded. It was far too good propaganda to let rest by supporters of Child Rights or for the media to refer back to when any similar issue arose.

## 7

### ASSIGNMENT FAMILY VALUES CHILD RIGHTS ANGST and ANGER

I was to retire on 9<sup>th</sup> June 1994, but before I left I decided to mount a similar Operation to *Operation Sweep*.

There were several reasons to this decision by me. *Operation Sweep* had been resounding success; the public had supported it and a continuation would consolidate the gains achieved by *Operation Sweep* in regard to youth behaviour that placed them at risk.

It would also indicate to the Child Rights' campaigners that regardless of how loud they protested, how important their leaders, they were not supported by the general citizenry and were impotent in preventing lawful, sincere and caring police operations. I was also, after all the attacks that had commenced in 1989, in a combative frame of mind.

I sought advice as to an appropriate name as I wanted to avoid the problems the word *Sweep* had caused. Names were suggested in profusion until Chief Inspector Grossman told me that Senior Constable Ferguson had suggested *Operation Family Values*. I liked the name as it would make such a title difficult to exploit as they had *Sweep* and another suggested instead of *Operation* substitute *Assignment*.

The media were advised and as a result of the news value of *Operation Sweep*, the proposed Operation, "*Assignment Family Values*" even with such an innocuous name was happily reported by the media that is except a peeved Richard Utting, sometimes solicitor, then morning presenter on the ABC Radio 720 and later Mayor of Fremantle.

The Child Rights brigade became infuriated over the name and exasperated at their inability to claim the term *Family Values* indicated police hatred against children and youths as had the word *Sweep* provided to them. Family values and Sweep were exactly the same, but to indicate some success, the Child Rights protagonists claimed Family Values had been tempered after their efforts.

Richard Utting asked if he could interview me. I agreed to be interviewed by him. The following is my account of this interview, although it does indicate an unedifying querulous attitude I had adopted. However, I was simply reflecting the attitude of Utting.

On the morning of the interview, whilst driving to work, I heard him talking to Ted Bull, breakfast presenter on the radio. Utting instructed Bull that information he had presented was wrong and he should ensure he got his facts right before broadcasting them.

Utting then advised Bull he was to interview Inspector Moran in regard to new Police Operation targeting children in Northbridge. I had had dealings with Richard Utting when I was a prosecutor. He knew my current rank He had flagged his intent to get me off side in his interview and then take advantage such a situation brings.

On arrival at the studio I informed his assistant that Utting had got my rank wrong and that I was Acting Chief Superintendent, confirmed Superintendent and not Inspector. He should, in correctness, use the proper rank. She went into the studio and returned to the waiting room and told me he had been informed.

In the waiting room was a mother of a child that had been picked up and returned to her under *Operation Sweep*. She was not happy with the police involvement with her son and was in the studio for an interview before me. She was an ambush set.



I explained to her how *Operation Sweep* originated, how it worked and the purpose behind it. That Community Welfare Officers were assisting police and what was occurring in Northbridge in regard to youth violence, drugs, prostitution, vehicle theft, general stealing and disorderliness.

The woman was taken into the studio and as I listened, no matter how much prompting Utting gave her, she extolled the virtues of *Operation Sweep* and was pleased the police had cared for her son. The ambush had not worked.

I now attended the studio where I was introduced by Utting as Inspector Moran and he asked me the first question.

I advised him, prior to any answer, he was aware of my rank, he should provide me this courtesy and follow the advice he had given to Ted Bull that morning, that is get his facts right before broadcasting them.

Although my approach was confrontational, its purpose was to turn Utting's intent back onto him and it worked.

Utting's approach replicated Child Rights' representations with the main thrust of the interview related to the use of reasonable force as permitted under the Criminal Code by parents. This term 'reasonable force' was set aside by Utting, who inferred that it gave parents the right to be violent and bash their children.

I pointed out, he as a solicitor knew that this was not correct and he should not mislead his listeners to further his own viewpoint.

The interview was rancorous on both sides and my prickly approach was far from praiseworthy, nevertheless Utting's plans to expose the dastardliness of the police in their dealings with youth had failed.

The next day, 26<sup>th</sup> May 1994 at 8.34am, Roger Nicholls, Minister for the Family was interviewed by Richard Utting on air. The tone of the interview soon came to light in that Utting claimed the Minister's Department should have been involved and that the police had taken over, or were attempting to take over his department's job, that is the profession of social – youth workers. The final question was, "*Do you believe that it is appropriate for parents to use physical violence as a punishment for kids?*" The answer from Roger Nicholls was basically yes and no, an appropriately political answer. The word violence was substituted for the term 'reasonable force'. Reasonable force need not be a smack on the hand or bottom; it can be, as shown in the Karratha example, in other ways.

Following immediately after this interview at 8.40am, was lawyer and Child Rights campaigner Moria Rayner, who had been the chairperson of the WA Law Reform Commission and was then Director of the Australian Institute of Family Studies. The areas in which Moria Rayner worked provide one indication on the intrusion of Child Rights advocates into powerful positions carrying great influence in the matter of Child Rights.

The same approach was made by Richard Utting as in his interview with me in regard to the powers of parents under the Criminal Code to discipline children indicating it authorised violence. This was answered in a convoluted manner by Rayner, obviously attempting to state the legal position in regard to reasonable force while giving succor to Richard Utting. The powers of police under Section 138B were touched upon and claims made that I was usurping the state welfare authorities. Moria Rayner obviously was having difficulty approving police actions, but somewhat confined by legal interpretations.

I obtained a copy of the Roger Nicholls and Moria Rayner interviews at the time, but even though I contacted the ABC, WA Media Monitors and Government Media Office I have been unable to obtain a copy of my interview, as there are no such records from 1994.

*Copy of the Roger Nicholls and Moria Rayner interviews by Richard Utting attached*

Moria Rayner was from 1986-1990 the Commissioner/Chairman of the Western Australian Law Reform Commission and from 1990-1994 Commissioner for Equal Opportunity, Victoria and when she was interviewed about “Operation Sweep” by Richard Utting. Utting introduced her as a former WA barrister and a former Chairperson of the WA Reform Commission and as the Director of the Australian Institute of Family Studies. He made no mention of her Equal Opportunity credentials

Following the ABC doctrine, Richard Utting having campaigned against *Operation Sweep* would later receive an award by the ABC, sponsored by the Western Australia Equal Opportunity Commission Award, for best radio report, together with Liz Byrski, Colin Cambell-Fraser and Larry Taya.

I believe that Moria Rayner, except for the inopportune charge against her of “*Perverting the Course of Justice*” when a Commissioner on Anti Crime and Corruption Commission, would have been Western Australia’s first Commissioner for Children. I have no doubt Police involvement with children and youth would have seen direction from this Office.

Rayner has a number of entries on the Internet giving indication of wide networking with powerful friends and organisations. The following was found on the internet with no reference to when and who inserted it and follows in total, “*Moiria Rayner – Resume - Moiria Rayner presently Acting Commissioner for Equal Opportunity in Western Australia - has a national reputation as a lawyer and in social policy development. She has an LL.B (Hons) and an M.A. (Public Policy). She was first admitted to the Bar in 1972 (WA) and has current practising status in WA, NSW, Victoria and the High Court. From 1986-1990 she was Commissioner/Chairman of the Western Australian Law Reform Commission and from 1990-1994 Commissioner for Equal Opportunity, Victoria. From 1994 to 2000 she was a consultant, initially for the national law firm Dunhill Madden Butler (now Deacons) where she established the firm’s Discrimination Law Practice and then on her own account providing advice and representation, conduct of investigations and dispute resolution for employers and corporate clients.*

*She left in 2000 to establish the Office of Children’s Rights Commissioner for London, where she has been very successful in modeling effective children’s participation in management of the Office itself and in government decision-making as well as drafting the first Children’s Strategy for the Greater London Authority.*

*Moiria has also held a number of contemporaneous part-time appointments including Chair, Council of the Financial Services Complaints Resolution Scheme; Commissioner, Human Rights and Equal Opportunity Commission; and a columnist for The Age. She has been appointed an Adjunct Professor at a number of Universities and is a Senior Fellow in the Law School (Melbourne) and a Visiting Scholar at Murdoch’s School of Social Inquiry. Moiria has held a number of positions in community organizations including Chair of the National Children’s and Youth Law Centre, Director of the National Federation of Australian Women and member of the Board of Governors of the Australian Council of Social Service.*

*She has written a number of successful books, including The Women’s Power Handbook, with Joan Kirner (first woman Premier of Victoria); Resilient Children and Young*

*People, with Meg Montague; Rooting Democracy: Growing the Society We Want, with Jenny Lee and she is completing The A-Z of Children's Rights for Amnesty UK. Her next book is Joan Kirner's biography."*

Operational Orders were prepared, the task force assembled and on the Friday after my retirement *Assignment Family Values* commenced.

## 8

**RETALIATION****CALL FOR A ROYAL COMMISSION INTO YOUTH INDUSTRY**

My concerns were expressed in my submission for a “*Royal Commission into the Youth Industry*” which I released on the 11<sup>th</sup> June 1994. It caused wide interest, including an invitation to appear on a panel, expenses paid, about Juvenile Crime at Channel 9 Sydney. I declined as I had planned a lone bicycle ride from Townsville to Broome in early July 1994 as a cleansing of my psyche after 34 years of policing.

The submission was featured in magazines, including an academic discussion publication.

*Copy attached of original submission and magazines featured*

Upon my return I was approached by a considerable number of organisations to join them. I selected two.

The first was the Family Council of Western Australia which consists of many different organisations, both secular and religious. I still remain an active member on the Executive Committee.

The other was CALL, an acronym for Community Action Legislation Lobby. This organisation was concerned with crime and the need for appropriate legislation to deal with it. After several years during which many matters we were concerned with had been dealt with, the organisation was disbanded after the appropriate procedures were carried out, as it was an incorporated organisation. The money held was distributed to charities and the books audited.

The *Young Offenders Act 1994* came under CALL’s scrutiny and a submission was made by me on their behalf. Part of this Act related to *Section 138B*. The Child Rights anti police members ensconced in the Community Welfare Department was able to convince Government to remove police, or a least dramatically diminish their powers relating to children at risk. The following extract from the CALL submission explains: - *YOUNG OFFENDERS ACT 1994*

*The Community Action Legislation Lobby Executive has considered the above mentioned Act and makes the following observations.*

*We acknowledge the sincere purpose of the Act and express the Executives appreciation for same.*

*We also recognise that the Act is basically a good Act that does address many of the issues concerning the public and young offenders, whilst at the same time offering fairness and opportunity for rehabilitation to the young offender.*

*Having made these observations we also have concerns relating to the Act. It does appear to allow for the opportunity of a similar type of approach by the Court which upset the populous in the first instant and contains the influence of advocates for the child to a greater extent than we may have expected in the legislation, although we acknowledge the need for their input.*

*An indication of this influence is contained in the amendments to the Child Welfare Act section 138B which provides Police Officers as well as Departmental Officers to take children at risk into immediate care.*

*There are those in the youth industry who believe involvement by police in youth areas should not occur, particularly if it impinges upon their field of endeavour or power. There is further belief that a child should not be subject to the type of sanctions that can*

*be applied under this section.*

*The "Acts Amendment (Ministry of Justice) Act 1993" amended 138B and eliminated all reference to Police Officers and changed the definition, so that a child was required to be misbehaving or truanting to be subject to the attention of an authorised officer.*

*The taking of a child into care when at risk was eliminated. This effectively denied the child to protection and the right for parents to expect that society would provide protection for their children when venturing out from their family circle.*

*Part 11 Young Offenders Act Section 217 repealed section 138B. Inquiries with your office indicated that this repeal provision removed the first amendment mentioned and the 138B reverted back to its original form.*

*C.A.L.L requests confirmation in writing that no amendments are proposed to 138B of the Child Welfare Act.*

*We express our highest concern that a near successful attempt was made to remove Police from "care of children". Police have undertaken this role since their inception and the combined wisdom accumulated since John Peel places Police at the forefront in regard to children's welfare.*

*We believe the Justice Ministry should be the portfolio under which provisions of 138B are administered, as this Ministry is involved with police in carrying out many of the Young offenders Act requirements and the provisions of 138B should rightfully be transferred to that Act.*

*The Department of Community Development officers are often philosophically and diametrically opposed to Police procedures, which because of their Department's "ownership" of the Child Welfare Act causes unnecessary tension and conflict.*

*The provisions contained in 138B will continue to be under threat whilst under the auspices of some who seek its removal.*

The President of CALL Jim Richardson lodged the papers of CALL with Battye Library, as it may be of interest to researchers of Law and Order in Western Australia.

I can not recall if we received a reply, but our Police continue to function as previously and as yet the Child Rights activists have not fully removed them from dealings with children and youths.

There will be future attempts. It will not be an open attempt and no warning will be given. It can only be hoped that future members of the Police or an organisation such as CALL and the Family Council may become aware and attempt to prevent implementation of such legislation.

After my retirement, remarks by various youth workers throughout Australia indicated I was considered the number one enemy by the Child Rights Movement in Australia and the success of *Operation Sweep* still infuriated them.

The problem with children continued and in August 1995 the Premier Richard Court stated he thought there was a place for some form of corporal punishment. The remark caused uproar. I was contacted, as a representative of the Community Action Legislation Lobby, for an opinion which I gave, "*Caning should be available to teachers if approved by a majority of parents at a school. We don't think caning will solve the ills of the world but it will certainly fix a school that is badly behaved.*"

The report in the West Australian 3<sup>rd</sup> August 1995 is an example of differing views, including those which have a strong connection to Child Rights.

*Copy attached under press cuttings*

An example of how far *Operation Sweep* had penetrated into the psyche of youth

workers was in 1998, the Victorian Government in its concern about youth suicide, developed teams, which included police officers, to speak directly to youths in places where drugs were used.

The Child Rights' advocates instead of providing full support moaned the teams could act in the same manner as *Operation Sweep* and repeated the same destructive and malevolent lies as before. This was after three years and it obviously was still hurting their cause.

*Operation Sweep* and the subsequent “*Assignment Family Values*” throughout Australia and internationally became the subject of many papers and presentations at seminars and conferences.

## 9

**INTERNET VITRIOL**

Many sites relating to *Operation Sweep* and myself can be found on the Internet; none are flattering and most are vitriolic. They do however reflect the thinking of Child Rights advocates who would cast so much spleen upon a well intentioned campaign that assisted children in harm's way and their parents. This was in a period where parents' lack of responsibility towards their children was being claimed, while the powers to meet these responsibilities were being diminished. This diminishing of parents' power was not of legislation, but through Child Rights' campaigns that made parents fearful of their role and children even threatening to report them to teachers if they breached their rights.

To provide a balanced viewpoint, I have taken as mentioned previously, extracts from sometimes lengthy dissertations on the Internet relating to Operation Sweep and they follow. They provide an example of the disposition of the Child Rights advocates, and according to the viewpoint of readers, providing a deserved beating of me and *Operation Sweep* or the ranting of the educated whose University Degree(s) are accompanied with a degree of stupidity. Much of what is said by them I contend is very wrong and as such can not be left to stand unchallenged.

The first extract is from a keynote address given by Dr Howard Sercombe BA (Hons) BD PhD to Local Government Association of Queensland Conference, Mackay on 13<sup>th</sup> July 2000, six years after the conclusion of Operation Sweep, which indicates the strong influence it had throughout Australia.

Sercombe fed off of Operation Sweep for some time, addressing various conferences Australia wide and also at an international conference in Rome in his paper pretentiously labeled, "*How language and discourse shape the policing of young people in public space - presented to the Youth in the Plural City Conference Rome May 24-28 1999.*"

The address in Rome is more expansive than the Queensland version, but the Queensland adaptation embraces the general tenor of his opinions and will suffice. The lengthier Rome version can be viewed on the Internet.

Sercombe uses the word *Curfew* throughout his addresses for effect and any examination of the Operation would reveal only those at risk as defined by Section 138B of the Child Welfare Act were taken into care by the Police. The great majority of Youths were not even spoken to by Police as their behaviour or locale gave no concern. This indicated there was no curfew.

Further examination of the JAG's activities would reveal that much activity took place during daytime. It was not a *Curfew* but those opposing the *Operations* in the Pilbara, Northbridge and Fremantle and at later times, found the word emotive and used it for effect.

Section 138B makes no mention of detaining lost children, but Sercombe refers to this as fact in his address. This indicates either a lack of knowledge of his subject or perhaps he simply discards the intent of the Section and uses lost children to elicit unfounded sympathy and anger. The actual wording being when a Police Officer, "(1) Finds a child – (a) which he believes is away from his usual place of residence and not under immediate supervision of a parent or responsible person; and (b) which in his position is in physical or moral danger, misbehaving, or truanting from school, - he may apprehend the child without warrant and forthwith take the child to his usual place of residence or school. --- (3) When on inquiry no responsible person can be found to take care of the child for the time being may cause the child to be detained in some convenient place until such time as the child can be returned to the care of a parent or responsible person."

To state such sensible and well founded requirements placed upon police officers that Section 138B's use was simply for lost children, thereby creating the emotive approach sought.

Sercombe claims the reason for the (non-existent) *Curfew* was because of concern from the Northbridge Business Association about the threatening presence of young people and the rumour that there was a gang problem in Northbridge. Although the reasons he mentions provides validity for a police operation to assist with these concerns, it had nothing to do with the origin of *Operation Sweep*.

The Liquor and Gaming Branch had concerns about how the Night Clubs were conducting their licenses and having insufficient men to strongly police the problem, sought help from other Branches, including from the Perth Operational area. I agreed to assist. The Operation did, after the first night of Intelligence gathering, change focus to the Streets.

The claim that the *Operation* was named *Sweep* as its intent was to sweep the streets clean of youths is at the best supposition and at the worst a blatant lie to add to the emotion used as the base for the anti-Sweep campaign. The Operation's focus was changed; the big mistake I made was I did not change the name.

Paradoxically Sercombe in his condemnation provides support of *Operation Sweep* when he complains the Operation detected disorderly behaviour and drug use by youths, thereby providing evidence as to the need to care for children, as *Operation Sweep* was intended, that is in circumstances where children/youth are found in physical or moral danger or misbehaving. An extract from Sercombe address follows: -

#### ***Opting for inclusion***

*Young people, Local Government, and the management of public space*  
*Keynote address presented to Local Government Association of Queensland Conference,*  
*Mackay*  
*July 13 2000*

***Dr Howard Sercombe BA(Hons)BD PhD***

*Edith Cowan University*

*The other story was about an initiative by the Western Australian Police in 1994 called **Operation Sweep**. **Operation Sweep** imposed an effective youth curfew in the entertainment and restaurant districts of Perth and Fremantle.*

*The **operation** used a section of the Child Welfare Act 1947 (Section 138B) which allows police to detain lost children and return them to their parents. The impetus for the curfew was jointly an expression of concern from the Northbridge Business Association about the threatening presence of young people (The West Australian, 25/5/94) and the rumour that there was a gang problem in Northbridge. These gangs, according to police, were ethnic in character, were involved in drugs, and carried knives (The West Australian, 20/1/94). While the ethnicity of the gangs was not identified, an audience would understand them to be Asian, especially Vietnamese (see Quek 1997). Territorial war between these gangs was thought to be about to explode'.*

*The curfew was established in a high profile launch on January 2 1994, and codenamed **Operation Sweep**. The intention was to "sweep Perth streets clean" (The Sunday Times 30/1/94). Twenty police officers were involved, mostly from the inner-city based Juvenile Aid Group (JAG), liquor and gaming and railway police. The exercise also involved staff from Killara Youth Support Services, a Government-run juvenile justice early intervention facility, to look after welfare aspects and to handle things if parents could not be contacted. Once young people were picked up, they were taken back to the police*



station and their parents phoned to collect them. If parents could not be found, or were not on the phone, they were referred to Killara. In fourteen nights of **operation** through January and February, more than three hundred young people were detained. Several were charged with offences ranging from possession of drugs to disorderly conduct. Paradoxically, these convictions would not have been procured without the use of a law designed to protect lost children.

Media comment at this stage was generally supportive, taking the police rationale for the **operation** pretty much on trust, and seeing the minor weapons (knives, one imitation handgun) and drug possessions as sufficient justification for the **operation**. Police worked closely with newspapers, allowing journalists to accompany them on the street. As one suburban newspaper, with rather charming innocence, put it, "The News Chronicle joins **Operation Sweep**" (The News Chronicle 2/3/94:1). The paper reported a 36% drop in reported crime for January compared with the year before, attributed to the **Operation**, and quoted police as saying that the exercise had had a positive response from parents. However, the parents actually interviewed were angry. Their sons and daughters were legitimately in the city, with their full knowledge, and they resented being called in often from outlying suburbs to retrieve their offspring from police premises when no offence had been committed (The News Chronicle 2/3/94:5).

In February, **Operation Sweep** moved to Fremantle (The West Australian 1/3/94). The **operation** was more intensive, netting 127 young people over three days in its first week. However, Fremantle was to prove a different theatre to Northbridge. Northbridge is part of the Perth Central Business District to which people commute, and Fremantle is a residential town, a community, occupied by people who are parents of the young people being detained. As a port city, Fremantle was always more tolerant of difference. The youth sector in Fremantle took a stronger advocacy stance, particularly since the bashing of a local lad by police was captured on police video in May 1992.

This different constituency proved a less receptive ground for **Operation Sweep**. Already, some momentum of opposition had been gathering around the civil rights question, and the prerogatives of parents to make decisions on where their children should be allowed to be. The report of the Fremantle **operation** in The West Australian (1/3/94) drew an immediate response in a Letter to the Editor from veteran civil rights campaigner Brian Tennant. Questions were being raised about whether **Operation Sweep** satisfied the requirements of 138B, as young people were being taken to police stations, not home as the Act required. The Youth Legal Service entered a request to the Equal Opportunities Commission to see if the practice was discriminatory. On 17 March 1994, The West Australian reported that the Police Department was reviewing **Operation Sweep** in the light of questions about its legality.

Protests around the Fremantle **operation** began mounting. Led by City of Fremantle Director of Community Services Ken Posner, a community meeting was organised which angrily condemned the initiative, affirming young people's right to be in public space. Perth MLA Diana Warnock joined in, arguing that the government should be providing proper alternatives for young people (The Guardian Express 29/3/94: 6). Anglicare made a public announcement of condemnation. The Youth Legal Service launched an **Operation Sweep** complaints hotline. On April 27, the Fremantle City Council formally requested the Government not to continue with **Operation Sweep**. (The West Australian 28/4/94:15).

In Northbridge, however, police, Perth business spokespeople and the City of Perth continued to support the initiative. Citysafe, a committee sponsored by all three of these groups, publicly congratulated police involved in **Operation Sweep** on Crime Free Day,

an initiative designed to focus attention and protest about crime. Police Minister Bob Weise, another strong supporter, declared on April 28 that **Operation Sweep** had been cleared by Crown Law and was free to resume operations. But a week later, police announced that the initiative was being discontinued, citing the drain on police resources as the reason. Acting Chief **Superintendent Kevin Moran** (in retirement, a populist right-wing media commentator and columnist) in delivering the announcement, left open the way for similar ventures in the future. (*The West Australian* 7/5/94:28). The Minister affirmed that “**Operation Sweep** has been one of the most successful operations police have run while I’ve been Minister” (*The West Australian* 7/5/94:28).

A rebirth was not long in coming. Under the leadership of Acting Chief **Superintendent Moran**, the programme was relaunched with some modifications under a new title, Assignment Family Values. Ideologically, this Mark 2 version aimed to support, restore or possibly demand the authority of parents over their sons and daughters. Parents who were judged by police to have abrogated their responsibilities would be charged, according to the announcement. They would be educated by police both in person and via the publication of information pamphlets on their rights to physically punish their children under Section 257 of the Criminal Code. **Moran** “launched a stinging attack on what he called ‘a campaign of misinformation’ which had given parents the perception that they could not discipline their children”. (*The West Australian* 26/5/94:9). Young people detained under Assignment Family Values would be held in a church hall, rather than a police station, and church, business, youth and community representatives would be invited to be present. (*The West Australian* 26/5/94:9). Practically, Assignment Family Values aimed to focus more on actual lawlessness, whether adult or juvenile, that put all passers-by, whether adult or juvenile, at risk. Police would still be on the lookout for moral danger, and be ready and willing to use 138B to deal with it, but the emphasis would be on lawbreaking.

The following are some extracts taken from a paper on the Internet by Stephen Hall. Halls remarks are in italics, mine are not italic and in brackets: -

**West Side Saga:  
Juvenile Justice in Western Australia  
by Stephen Hall**

*Earlier this year new legislative terms of bail came into force under which alleged offenders can no longer be released on their own recognisance, the rationale being that this would 'stop the revolving door syndrome'. There has, however, been a great deal of concern with its being mandatory[3] and a fear within the bureaucracy that it may not be able to accommodate all those refused bail, especially in the metropolitan area. This has led to suggestions that Longmore Remand will be used as an overflow facility for the new Rangeview facility at Murdoch. The antiquated and inadequate Longmore was due to close on the completion of Rangeview. (Hall is talking about children, who after committing an offence serious enough to be arrested will now have to be bailed to a responsible person for their own welfare. This is the situation which caused me to issue the order to the Pilbara Police to take juveniles into care after bail if they were in danger of re-offending or in moral or physical danger.)*

*Police have initiated a de-facto curfew called 'Operation Sweep'; this was a deliberate campaign to clear the streets of inner city Perth and Fremantle of young people who were supposedly in moral danger. Police have initiated a de-facto curfew called 'Operation Sweep'; this was a deliberate campaign to clear the streets of inner city Perth and Fremantle of young people who were supposedly in moral danger. It was up to the*

*experience and discretion of the individual officer to make a judgement as to what constituted moral danger and apply s138B of the Child Welfare Act 1947 (WA) which allows them to apprehend the child and 'forthwith take the child to its usual place of residence'.<sup>9</sup> (Again the term 'curfew' is brought into play as an emotive tool with the false allegation it was a deliberate campaign to clear the streets of young people.)*

*Children seen out on the street after dark were picked up (some as early as eight o'clock) (this is correct as time had no bearing on the use of Section 138B – It was, time, place and circumstance) and detained until their parents came to collect them. No questions were asked, (false – Police asked the questions and came to decision. The parents asked questions of both Police and their children) and no charges required. (Charges of minor matters could have been laid in many circumstances, but police discretion was to the welfare of the child and the support of parents. It was up to individual officers. The lack of charges indicates success.) Many children had parental permission to be out at night and many parents criticised the move; (Parents did criticize, but it is noteworthy that no disparity between Fremantle and Northbridge is made. To do so would have required the acknowledgement of overwhelming support by parents during the Northbridge Operation.) however, the business community applauded the operation. Concern was also expressed that many children were told that they were in moral danger because they were hanging around with Aboriginal youth. (Again opportunity is taken to allege racist considerations when none existed, only the welfare of the child.)*

*Operation Sweep was suspended after a great deal of community criticism, (Not true. The public criticism was from Fremantle and only after Operation-Sweep had concluded some considerable time previous) and in particular when a prominent QC indicated that the police were acting unlawfully by not taking children forthwith to their usual place of residence but instead getting parents to pick them up. (Police were acting lawfully as was later confirmed. Being a prominent QC does not make for infallibility, as I often found out during my police prosecution years.) After a public meeting the Fremantle City Council asked the Police to discontinue the operation in Fremantle.<sup>[7]</sup> It has now been re-instigated in the Perth inner city area with a new name, 'Family Values', and with a police spokesperson making the outlandish claim that "It is the Police's contribution to the year of the family".<sup>[8]</sup> (I meant the name to create indignation from Child Rights" advocates and put them on the back foot. It proved successful.)*

*The stated rationale and objectives for Operation Sweep have been in a rather fluid state,<sup>[9]</sup> so it is somewhat curious that the Police Minister can claim it is successful. The Ministerial Advisory Committee on Police Youth Relations has not been convened since the election of the coalition Government almost 18 months ago; nor has consideration of the Report from the Police/Youth Relations Taskforce<sup>[10]</sup> - a taskforce established by the previous Minister - been a high priority. Of more influence on the Government, it would seem, are the parting shots of a recently retired police superintendent, (the officer who, incidentally, authorised Operation Sweep) who claimed:*

*The youth industry in Australia is out of control and its impact upon the social fabric of this State and Australia has been profoundly evil.<sup>[11]</sup> (I had no advice or evidence that my remarks were successful to any degree apart from the outbursts from the Child Rights campaigners, providing a degree of satisfaction for me.)*

Following is an extract from the Australian Journal of Human Rights posted on the Internet

### **Young People and Policing in Australia: the Relevance of the UN Convention on the Rights of the Child**

### Harry Blagg[1] and Meredith Wilkie[2]

The essay commences with comparisons with ethnic cleansing and the pursuit of racial purity. The observation is then made *The cleansing metaphor and other imagery of young people being refuse to be swept away, surfaces in a number of policing initiatives.*[37]  
 [37] *In the case of Operation Sweep in Western Australia, the police used s.138B of the Child Welfare Act 1947 as a policing power and detained young people on the street considered to be without adult control or "at risk". In one weekend 118 young people were reported to have been detained in Fremantle alone.*

The following is an extract of an article on the Internet by Elena Jefferys and she has managed to bring *Operation Sweep* into the question of censorship with all the falsities about *Operation Sweep* touted by her fellow travelers.

#### CENSORSHIP

Stefo Nantsou Elena Jefferys Terry O'Gorman AM

*Elena Jefferys*

#### CEO, Gibber Magazine

*I don't know if people know it but it's illegal to be under 21 and on the streets of Northbridge or Fremantle in Perth, Western Australia after 9.30 at night unless you're with someone who is your guardian, ie your parent or someone who is your legal guardian. The police can take you in overnight just because you don't have your legal guardian with you after 9.30 at night any night of the week.*

*This was repromulgated. This has been a law since about the turn of the century. It was repromulgated by the Court government as Operation Sweep. This is what this is, Put the Brooms Away, some young kids protesting and then it changed its name to Operation Family Values which is go out with your family or stay home, so it's pretty full-on and Richard Court is really full-on. Not many people know about this stuff. If you're a street kid in Perth you're basically in the lock-up or something like that so when this all happened kids were being pushed as in 1995, sorry, it was in 1994, Operation Sweep was repromulgated and kids were pushed out of the cities back into the suburbs.*

The following Internet extract is from the Fremantle Community Legal & Advocacy Centre and provides understanding of the thought processes of those I have labeled Child Rights advocates.

Title : **Human Rights and Social Justice:**

A frontline perspective from a Community Legal Centre

Author : Teresa Ellis

Organisation : **Fremantle Community Legal & Advocacy Centre**

*Domestic violence is not called a war crime in the war against women. It is barely even considered a criminal offence. Eviction from Homeswest properties is not called ethnic cleansing. Removing young people from the streets is not called harassment it is called cleaning up our streets or "Operation Sweep".*

The Greens representative Hon Giz Watson (North Metropolitan) in her remarks before Parliament (her speech is lengthy but can be viewed on the Internet) indicates the influence of *Operation Sweep* was then still strong after eleven years and also the push for a Commissioner of Children continued. The next year (2006) the Commissioner was appointed. The Greens are known for their Child Rights viewpoint.

#### **Parental Support and Responsibility Bill 2005: Second Reading Speech**

Extract from the [Parliament of Western Australia Web Site](#)

Hansard, 20 October 2005



*HON GIZ WATSON (North Metropolitan) [12.08 pm]: The Greens (WA) will not support the Parental Support and Responsibility Bill.*

*In respect of Parental Responsibility Orders forming apart of a broad policy framework, the opportunity is taken to express our concern that the current State Government Northbridge Strategy - Young People in Northbridge Policy - is a misused interpretation of the prevailing legislation of this time - the Child Welfare Act 1947. Our premise is that the provisions of the Child Welfare Act are being utilized to round up children under the guise of cracking down on crime rather than being used to protect vulnerable children, which is the intention of the Act. For your information we have included as an attachment our position paper on Youth Curfews.*

*It is worth commenting that it is our expectation and hope that the other legislation that we will deal with shortly in this house, which deals with the establishment of a commissioner for children and young people, will also play a part in ensuring there is an improvement in the status of children and young people and an understanding of their rights and needs in Western Australia.*



AUSTRALIAN CRIME  
PREVENTION COUNCIL

#### RAPPORTEUR'S REPORT

Professor Richard W Harding

Director

Crime Research Centre, UWA

*Dr Harry Blagg expressed concern that police-led situational crime prevention would tend to reflect powerful interests rather than those of genuine grass roots communities affected by such projects. Consultations tended to be narrow – with government groups such as Housing Departments, local business association leaders, other parts of the Police Force – and these groups were then portrayed as constituting "the community". He illustrated his concerns with some striking cases. Police-led crime prevention in his view tended to show a lack of a democratic basis and an inadequate concern for true social equity. He referred to the recent practice in the Perth metropolitan area known as **Operation Sweep**, whereby juveniles had been rounded up and taken or sent home even though they were not committing any offence; this had been done in part by the Police's invoking powers under the Child Welfare Act. This operation was continuing, but in Fremantle the real community, working through the local authority, eventually vetoed what the consulted community (ie, the Traders' Association) had previously told the Police as to what the community wanted.*

Harry Blagg and Richard Harding belong to a coterie of academics in Western Australia who claim knowledge of all things relating to law and order. They often offer a viewpoint and always with advice as to the way to police. The advice often relates to a philosophy steeped in Child Rights and political correctness. Their advice and opinions appear often to have an impracticability related to lack of practical experience and a naïve outlook.

*Operation Sweep* also made it into a report by the Commissioner of the Aboriginal and Torres Strait Islander Social Justice Commission.

**Aboriginal and Torres Strait Islander Social Justice  
Commissioner, Third Report 1995  
1 July 1994 to 30 June 1995**

*Provisions such as these are grafted onto a juvenile justice system in WA which is already founded on a primary philosophy of punishing a child for misbehaviour. And, the logic runs, if that doesn't work, increase the punishment. A quarter of Aboriginal juveniles locked up in Western Australia were convicted of their first offence between 7 and 10 years of age.<sup>36</sup> (This observation is wrong or based on statistics from a period since past by many years. Children between 7 and 10 years of age are deemed incapable of knowing what they do is wrong and therefore are not charge and thereby no convictions result. How could the Commissioner allow such falsity in his report unless he knew it was a lie to give effect, or had a staff member written it and he didn't peruse it fully before signing off, or he was ignorant of the law?)*

*Police tactics reflect the same insight.<sup>37</sup> 'Operation Sweep' relied on s.138B of the Child Welfare*

*Act 1947 (WA) which allows police to apprehend a child and "forthwith take the child to their place of residence". While directed at children in 'moral danger' the name of the operation aptly identifies that the section is being used as an instrument to clean the streets. Often, instead of complying with the statutory mandate to immediately take kids home, (The Commissioner is selective in his knowledge of the law) they have illegally been put in paddy wagons (Northbridge is close to City Station and being beat Constables most children taken into their care were walked to the Station. And if they were taken by a police van that is not illegal.) and taken to the police station for their parents to collect.<sup>38</sup> It is not unusual for such apprehensions to precipitate reactive behaviour leading to charges, and so the first entry into the criminal justice system. From welfare to crime, by the predictable means of police tactics which are well documented to produce precisely that result. And in whose welfare? (The interesting matter about this claim is that police in the 1960's to avoid appearances before the Court brought children, with their parents, before a Sergeant or Commissioned Officer in a structured manner. It was very successful until it was taken and formalised in law by the Community Welfare Department. In June 1997 this was part of one of my columns in the Sunday Times.*

*Attached under Newspapers*

*Aboriginal and Torres Strait Islander children are disproportionately the subjects of police surveillance and public order offences because of their use of public space and their perceived propensity to commit crime.<sup>39</sup> This is just one aspect of the self-fulfilling prophecy of prejudice and law and order policies generating crime which, in turn, give the mandate for stricter policies. (The racist tag is very easily used without justification, but it evokes the necessary sympathy and outrage from the committed)*

*The juvenile justice system rather than serving as a safety net and source of genuine education, care and correction becomes like a fishing line hooked with police crack-downs and punitive sentencing policies.*

The influence of Operation Sweep extended to other Australian States

**NSW bills target young people**

**By Rebecca Collerson**

*SYDNEY -- A new bill, and proposed changes to others, as part of the NSW Liberal government's law and order campaign have been diluted following pressure from the public. However, police powers regarding young people and graffiti will still increase.*

*The Children (Parental Responsibility) Bill gives police the power to remove children who have broken no laws, using “reasonable force” if necessary, from public places if they believe “the action will reduce the likelihood of a crime being committed”.*

*This is quite similar to a program launched in Western Australia earlier this year, Operation Sweep, which was called off after outrage from parents and the public. (Again the lies, which like many lies becomes an accepted fact if repeated often enough.)*

The following Internet extract is self explanatory and refers to matters already canvassed except *Operation Sweep*, conducted in the world’s most isolated city, was deemed of such importance as to contain a number of entries on an international organisation’s site.

### **The Young People and Public Space Bibliography**

Updated and annotated by Phil Crane and Cassie Skelly

**School of Humanities and Human Services**

**Queensland University of Technology**

Carseldine

Brisbane, **Australia**

For

Yspace: **The International Youth and Public Space Network**

[www.yspace.net](http://www.yspace.net)

*Last Updated November 2001*

**Boyle, S. (1994)** ‘Whose identity crisis?’, *Polemic* v.5 no.1, pp.5-9.

In 1994, the **Western** Australian police force launched **Operation Sweep**, a campaign to enforce a de facto curfew on young people found on the streets at night. This article argues that **Operation Sweep** is perhaps the most intrusive of a whole series of controls aimed at the youth of **Western Australia**.

**Sercombe, H. (1997)** ‘Clearing the streets:

Youth curfews and social order’, *Just Policy*, n.10, pp.14-19. While the debate around the introduction of legislation for youth curfews continues in several states, curfews have been unofficially in place off and on in selected locations for some time. This article outlines the situation in **Western Australia** in particular and makes comparisons with youth curfews in the United States, highlighting the use of curfews as a central element in law and order policy campaigns.

**Davies, G. (1998)** ‘In it or out of it- is the culture coping? A view from the west’ [conference paper], *YOUTH98: Public Spaces, Public Voices*, Melbourne: University of Melbourne.

Examines “sweep” operations aimed at removing young people from public spaces in **Western Australia**. Also examines ways of promoting cultural literacy and pragmatic reality to achieve a ‘win-win’ situation.

**Sercombe, H. (1998)** ‘Child, devil, victim: **Operation Sweep** and the shifting iconography of street youth’ [conference paper], *YOUTH98: Public Spaces, Public Voices*, Melbourne: University of Melbourne.

Discusses the policing of young people in **Western Australia**. Explores the use of a selective curfew, and the violation of civil rights the curfew brings about.

**Turner, A. (1998)** ‘A council that supports young people? I’d like to see that!’ [conference paper], *YOUTH 98: Public Spaces, Public Voices*, Melbourne, University of Melbourne.

Outlines the history of **Operation Sweep** and its impact on young people accessing public space. Also explores a strategy used by the Fremantle Council to support young people’s access to public space.

### **PUBLIC SPACE AND YOUTH CRIME PREVENTION: INSTITUTIONS & STRATEGIES**

**Rob White**

*Paper presented at*

*Australian Institute of Criminology Conference*

*Juvenile Crime and Juvenile Justice:  
Toward 2000 and Beyond  
Adelaide 26 & 27 June 1997*

*Coercive Approaches to Crime Prevention*

*A broad survey of youth crime prevention strategies here and overseas indicates that in many places the favoured approach is to use coercion or the threat of unpleasant sanctions as the principal way to 'keep young people in line'. -----*

*The concept of zero tolerance, for example, has been used to describe police strategies where anti- social behaviour which falls short of criminality is dealt with severely by authorities in an effort to 'clean up the streets' (see Slapper, 1996; Wilson & Kelling, 1982). Campaigns such as 'Operation Sweep' in Western Australia in 1994 which involved a massive effort to pick up teenagers off the streets of Perth and Fremantle is an example of a similar type of approach in the Australian setting. (Cunneen & White, 1995).*

*'The Green Left Weekly – Voice of Dissent' complained of a debate on the death penalty and on the second paragraph managed to relate it in some way to "Operation-Sweep."*

***Court seeks return of death penalty***

*By Stephen Robson*

*PERTH -- The Western Australian Liberal government of Richard Court is pushing a "law and order" campaign that prominently includes a call for the return of the death penalty.*

*Already put into practice is Operation Sweep, in which police arrest young people in Fremantle and Northbridge they consider in "moral danger".*

*Operation Sweep was considered of such interest that it was included at some length in a very long paper published by Commonwealth Attorney Generals Department. The paper made observations relating to Operation Sweep similar to Child Rights advocates. (Remembering it was this Department that had overseen the State Attorney Generals' Committee recommendation relating to the age of consent for sexual intercourse at 10 years and that incest and sexual relations with students by teachers should be legal) However the language was tempered and far more moderate than Child Rights' writings. The following is a very brief excerpt and commences after a description of Operation Sweep and claims of public protests, whilst failing to identify Fremantle as the only source. It would then go back at least 10 years to the origin of the use of Section 138B at Exmouth by Sergeant John Yeats.*

*It was entitled: -*

***Commonwealth Attorney Generals Department***

***"Hanging out: Negotiating Young Peoples' Use of Open Space – The Law and Order Context."***

*Partly as a consequence of this opposition, the campaign was briefly stopped — to be replaced by a similar program, now titled Assignment Family Values. The focus was now more on actual unlawful behaviour. This was followed in July 1994 by Operation Safe City. In 1997, Operation Zero Tolerance was launched in Perth, with the aim of cracking down on petty offences on the assumption that controlling such offences would have a positive flow on effect to more serious ones.*

*The media and police language used to describe and support Operation Sweep was to change over time, as resistance to the operation became more trenchant. In the end, little real evidence of a gang problem was found, and the justification for the street level intervention shifted from 'crime' to 'welfare'. According to Sercombe (1998b), while local*



*community action in Fremantle has led to the adoption of an approach which attempts to make young people feel welcome in public spaces, the same cannot be said of inner city Perth and Northbridge. Policing in the latter areas still largely relies upon a coercive approach to perceived conflicts and problems, with use of Section 138B an important part of this process.*

*Arguably some police operational campaigns (as in Western Australia) and special legislation (as in New South Wales) do constitute de facto youth curfews. However, the latter tend to have an element of selectivity built into them, in the sense of being based on defined criteria (according to which certain categories of young people are deemed to be 'at risk'), and thus intervention is not supposed to be universal in application.*

*Nevertheless, the idea of curfews has continued to strike a popular chord among state politicians and local city councillors. In places such as Exmouth in Western Australia and Port Augusta in South Australia, attempts have periodically been made to impose curfews.*

## **CURTAILING YOUTH: A CRITIQUE OF COERCIVE CRIME PREVENTION**

by

**Robert White**

University of Melbourne

### ***A Critique of Coercive Crime Prevention — 123***

*Street policing effectively sees juvenile crime prevention as a matter of deterrence. Proactive strategies are designed to exclude the young from certain types of activities and from certain parts of the public domain. Such strategies take several different forms (Cunneen and White, 1995). For example, in the Australian jurisdiction of New South Wales, legislation was introduced in 1994 allowing the police even greater scope to remove young people from the streets beyond a certain time. Simultaneously, the police in Western Australia — in this case, drawing on existing welfare legislation as the legal basis*

*upon which to act — were engaged in a campaign called Operation Sweep' that was intended to forcibly remove young people from the streets of Perth and Fremantle.*

*While the legislative basis for action varies from state to state, the general trend around Australia has been for police services to be granted extensive new powers vis-a-vis young people. These range from the casual use of name-checks (e.g., requesting names and addresses), and "move-on" powers (e.g., the right to clear designated areas) to an enhanced ability to obtain the fingerprints and bodily samples of alleged offenders.*

*I believe the above examples from the Internet are sufficient to evidence the wide influence Operation Sweep had throughout Australia, coupled with many examples of the Child Rights mindset I complained about, which in turn led them to the destructive approach to the family and children.*

*I considered not providing these extracts, but simply refer the reader to their origins, as by publishing them I give their views an opportunity for consideration, which they did not provide me. Neither one question nor any approach was made to me before the frequently wild assertions and the blatant lies were not only repeated throughout Australia, but worldwide. I have done so, providing the opportunity to offer my viewpoint, limited to short observations, directly against theirs.*

*There is an obvious alliance between many of the above and all feed off each others viewpoints. Many appear to have no need for the truth in espousing their position and the*

overriding requirement is to be an echo of each other. They hold to group thought and by doing so frighten other academics with their wrath to prevent the expressing of opposite opinions from them.

## 10

**DENOUEMENT**

No doubt my viewpoint will not be acceptable to some, but support for *Operation Sweep* was far outside the isolated experiences of academics, the mindset of Child Rights advocates and their fellow travelers in Bureaucracies. The support came from the general public, grateful parents and caring people in such strength that the evidence is beyond dispute.

In the following years/decades those who study the social history of the 1990's and refer to *Operation Sweep* may find some foresight in my distaste for Children Rights and those who promoted them. They may give some recognition to the value of *Operation Sweep* – or will see *Operation Sweep* and the values and opinions I have expressed anachronistic and mistaken with child rights then to the fore.

I was invited to write a series of articles in the Sunday Times relating to social issues.

*Those that relate to Child Rights and Social Workers are attached under press cuttings*

*Assignment Family Values* had been very successful and followed by other Operations. Eight years later Premier Geoff Gallop in his concern for the continuing problem with youth in Northbridge uttered the word “Curfew”. He had done so after seeing distressing figures of young people at risk being taken into care by police in Northbridge. The banner headlines across two pages in the West Australian on 16<sup>th</sup> April 2003 read, “*Child curfew bid branded an offensive political stunt.*” Further in the paper it was the subject of the editorial under the headline, “*Curfew plan lacks substance.*”

The following furor provided the evidence that the Child Rights’ activists and fellow travelers had not gone away.

I again was requested for my views and they were reported in the West Australian on 22<sup>nd</sup> April 2003.

*Copy attached under press cuttings*

I have been advised that the original orders are still the foundation for *Northbridge Operations* and others involving children and youths.

The latest success by the Child Rights campaigners in the appointment of a Commissioner for Children is not their last. They have far to go and the Commissioner is now a potent force to implement their objectives. But if the incumbent can not be convinced, they will lobby for a more compliant candidate to be appointed in the future.

I have presented a biased view in this paper, for which I offer no apology.

Child Right advocates and their supporters have a loud voice and mine being the loudest, (sometimes the only one), in opposition to their agenda, had in some way raised above their clamour and diminished their influence. However, they continue to campaign and the appointment of the Commissioner for Children in all States indicate their continuing success.

Other voices, such as parents and concerned citizens, although not deliberately stifled, have in this day of the academic, expert or bureaucratic chief, been ignored by government, investigative committees and the media as persons lacking a viewpoint of any importance and unworthy of report, respect or action.

The police approach to the welfare of children was positive and manifested in a practical manner by following the criteria, set by Section 138B Child Welfare Act. Police threaten the progress and power base of Child Rights activists and were attacked by them for doing so. Child Rights campaigners will continue to seek further legislative power

using the Commissioner of Children to do so.

The matter of Child Rights is not in itself an issue the media considers worthy of keeping a watching brief. Their failure will see the unquestioning and continuing erosion of parental rights and the diminishing of police powers. The media's neglect is also founded on many of their staff's inclination towards the philosophy of Child Rights in the mistaken concept it is about child protection.

Parental concerns will continue not to be heard and their commonsense ignored, as the newest theory to combat youth problems will make it worse and Child Rights will prevail.

Traditional values and parental rights are loathed by Child Rights' advocates and their actions will in due course leave parents with responsibilities and no powers to carry them out. It is near this situation now.

Kevin Moran

# INDEX

# POLICE

Assignment Family Values - 4

Assistant Commissioner (General and Traffic Operations) *"Police have always had the primary responsibility towards the care of young people and the provisions of 138B recognised same and our duty in this regard will not be neglected in the future."* - 31 - 32

Assistant Commissioner Len Thickbroom - 19

Australian Youth Foundation report was a full frontal assault on Police - 8

Chief Inspector Joel Grossman - 5 - 31- 36

Chief Inspector Joel Grossman Operational Commander *Operation Sweep*- 30

Chief Superintendent Bruce Brennan - 15

Child Rights advocates lose influence as the general public loudly supported police efforts to curtail youth excesses - 9

Child Rights campaigners in social and health bureaucracies have infiltrated the operational duties of police officers - 9

Child Welfare Act collective use by police Section 138B - origin was in 1989 in Exmouth - 4

Child Welfare Act collective use by police Section 138B Pilbara Region - 4

Child Welfare Act Section 138B use by the Juvenile Aid Group (JAG) - 4

Children Rights Movement's belief that police should not be involved with youth or children - 4

CIB - 5 - 30

City Station by passed for East Perth Lockup- 5

City Station in Beaufort St, Northbridge - 5

City Station Northbridge - 4

Collective use of 138B of the Child Welfare Act - 3

Collie Police and Citizens Youth Club from 1967 to 1972 - 2- 6

Commander (General Operations Metropolitan) E.R. (John) Crawford - 19

Commander Bruce Brennan - 20

Commander John Crawford sent *Operation Sweep* to Fremantle - 33

Commissioned Officers Support Group, Perth Regional Office - 15

Commissioner Brian Bull on 2<sup>nd</sup> March 1994 sought advice from the Crown Law Department - 31

Commissioner of Children decrees - Police likely be subjected to enforced instruction by Community Welfare Department? - 7 - 8

Commissioner of Police Brian Bull instructions in use of the Section 138B - 28

Constable Babich 8705 member of JAG - 5

Constable John Lavers - 6

Constable Shipard 8431 member of JAG - 5

Cottesloe Divisional Office - 15

Court Security - 5

Detective Inspector R.C. (Bob) Kucera, Youth, Family and Ethnic Affairs Unit - 15

East Perth Lockup- 5

Fremantle business community - Fremantle Police - 3

Fremantle Police - 4

Hay Street Courts cells - 5

Inspector Williams Field Commander *Operation Sweep*- 30 - 31

JAG - Child Rights activists found it difficult to criticize - 15

JAG Aboriginal Liaison Officer - 5

JAG carry out its task under Section 138B of the Child Welfare Act in the exact same way as the Pilbara program - 15

JAG commenced on Monday 4<sup>th</sup> May 1992 - 5

JAG headed by Sergeant Ellis - 5

JAG Juvenile Aid Group - 15

JAG Juvenile Aid Group in March 1993 disbanded - 15

JAG Juvenile Aid Group JAG - extracts from report submitted 12<sup>th</sup> March 1992 to save the unit - 15

JAG Juvenile Aid Group's work related mostly to Northbridge and its long-established connection to the Railway Station through to Forrest Place - 19

JAG Juvenile Aid Group reprieved - 20

JAG Juvenile Aid Group working out of City Station and concentrating on Northbridge, the adjacent Perth Railway Station and Forrest Place - 5

JAG raised by Senior Inspector Grossman in 1992 - 5

JAG Staff - Sergeant Paul Ellis 5074 - Constable Shipard 8431 - Constable Babich 8705 and Police Aid Woods 136 - 5

JAG was under the command of Sergeant Paul Ellis - 5

JAG would confront problems from within - 15

Juvenile Aid Group (JAG) use of Child Welfare Act Section 138B - 4

Juvenile Aid Group JAG report submitted 12<sup>th</sup> March 1992 to save the unit – 15

Kalgoorlie Police and Citizens Youth Club - 6

Karratha Regional O.I.C.'s conference on 6<sup>th</sup> April 1990 - 25

Liquor and Gaming Branch - 2 - 5- 30

Liquor and Gaming Branch had nominated the task force to be named *Operation Sweep*- 5

Liquor and Gaming Branch requesting assistance to target night clubs in Northbridge - 5

Mounted Section - 5- 30

Northbridge Operations – 9

*Operation Sweep* a successful police operation in Northbridge in January and February 1994 - 1

*Operation Sweep* nominated name by Liquor and Gaming Branch - 5

Perth Region - 5

Perth Region 1993 - 30

Perth Regional Office - 31

Perth Regional Office 1990 - 6

Perth Regional Officer, Superintendent Reg Driffill – 15

Pilbara instructions 21<sup>st</sup> August 1989 - 21

Pilbara Press release - 25

Pilbara Youth Care program saw Juvenile Crime fall over 30% - 25

Police Aid Woods 136 member of JAG - 5

Police are the only area Youth Industry Workers do not fully control - 7

Police Department senior officers - 3

Police in the Pilbara -rabid behaviour and deceit perpetrated against them - 30

Police lack of action to defend their position - 8

Police made more ineffectual in their dealing with youth - 8

Police must remove themselves from the other departments whose ideology is diametrically opposed to what police are supposed to be - 10

Police Officers in the Pilbara Region - 2

Police Powers of Care of Children - 22

Police Rangers 4<sup>th</sup> unit Karratha 1990 - 6

Police Rangers 4<sup>th</sup> unit Karratha became the Karratha Army Cadets - 6

Police removal from dealing with youth one of the main objectives coming out of International Children's Rights Conference on 3rd to 5th April 97 - 14

Police simplicity of purpose; protect the child and support the parents, except in cases of parental abuse - 4

Police under attack by Child Rights' advocates in the Youth Industry - 7

Regional Officer Conferences, July and December 1989 and June 1990 - 6

Regional Officers – 15

Regional Officers meeting of 6th April 1993 – 19

Senior Constable Gary McCavanagh - 6

Senior Inspector Grossman raised JAG in 1992 - 5

Senior Sergeant COLEMAN 3824 – 15

Senior Sergeant Coleman 3842 of City Station - 5

Senior Sergeant GATES 4049 – 15

Senior Sergeant Terry Sims, acting Inspector - 24

Senior Sergeant THOY 4044 – 15

Separation of Powers - 2

Sergeant HILLE 4911 – 15

Sergeant John Yates in 1989 at Exmouth provided the catalyst for the collective use by officers of Section 138B - 21

Sergeant John Yates use of Section 138B commencing 15<sup>th</sup> March 1989 decreased Juvenile crime in Exmouth 75% - 21

Sergeant JOHNSON 4106 – 15

Sergeant Paul Ellis – 19

Sergeant Paul Ellis 5074 OIC JAG - 5

Sergeant ULASEWYCH 5062 – 15

Sergeant Yates - 24

Superintendent Driffill – 19

Superintendent Geoff Hoare – 15

Traffic - 5

Traffic Branch - 30

Western Suburban Stations - 20

Western Suburbs - 30

Youth, Family and Ethnic Affairs Unit – 15

# GENERAL

ABC anti police stance taken – 34 - 35

ABC Radio - 3

Aboriginal Legal Service representatives remained silent on question “*Are Aboriginal children at risk considered by the ALS of less importance in needing help as the others being assisted?*” - 34

Aboriginal Legal Service state police had no right to pick up Aboriginal children - 34

Aboriginal Legal Services policy of aggrievement - 34

Aboriginal men sexual abuse of toddlers, children and youths (both male and female) - 34

Age of consent- suggested lowering to 10 years by WA. Social/Medical inquiry - 28

AHERNS (Mr John AHERN) - 18

Aids Council - 28

*Assignment Family Values* - 4

*Assignment Family Values* changed from *Operation Family Values* - 36

*Assignment Family Values* commenced. - 39

Assistant Commissioner (General and Traffic Operations) “*Police have always had the primary responsibility towards the care of young people and the provisions of 138B recognised same and our duty in this regard will not be neglected in the future.*” – 31 - 32

Attacks by Child Rights activists against police commenced in 1989 - 36

Australian Council of Social Services - 30

Australian Youth Foundation report was a full frontal assault on Police - 8

Australian Youth Foundation, the leaders in the matter of Child Rights - 8

Babich Constable 8705 member of JAG - 6

BENE HOW, Forrest Chase -19

Bicentennial Celebration - 8

Black Deaths in Custody Royal Commission - 5

Booklets - Beat Crime and Kids and Crime = “Beat the Kids” – 22 - 23

Bradshaw Clair, editor of Youth Affairs Council’s News Bulletins, published in the West Australian page 86, Wednesday 5<sup>th</sup> December 1989 – 22 - 23

Brennan Bruce Chief Superintendent – 15

Brennan Bruce Commander - 20

Bull Brian Commissioner of Police instructions in use of the Section 138B – 28 - 29

Bull Brian Commissioner on 2<sup>nd</sup> March 1994 sought advice from the Crown Law Department - 31

Bull Ted, breakfast presenter ABC - 36

Burgeoning Youth Industry - 1

Byrski Liz - 38

C.A.L.L - Richardson Jim, President - 11

CALL - Community Action Legislation Lobby - 40

Cambell-Fraser Colin - 38

Channel 9 Sydney - 40

Child Protection should not be confused with Child Rights - 10

Child Rights a coterie of well known powerful figures in the media, universities, bureaucracies and societal areas as well as politicians - 3

Child Rights Activists - 33

Child Rights activists found it difficult to criticize JAG – 15 - 16

Child Rights activists’ use of *Operation Sweep* in Northbridge to further their aims - 4

Child Rights advocates lose influence as the general public loudly supported police efforts to curtail youth excesses - 9

Child Rights anti police members ensconced in the Community Welfare Department was able to convince Government to remove police, or at least dramatically diminish their powers relating to children at risk - 40

Child Rights are a career tool for powerful people in academia, media, politics and bureaucracies - 2

Child Rights are damaging social engineering and political in implementation - 2

Child Rights brigade infuriated over the name *Family Values* - 36

Child Rights campaigners in social and health bureaucracies have infiltrated the operational duties of police officers – 9

Child Rights edicts found within Welfare Instruction Manuals - 4

Child Rights front line advocates - 23

Child Rights has no relationship to Children’s welfare - 2

Child Rights Movement in Australia- the success



- of Operation Sweep still infuriates them - 41
- Child Rights older manipulators - 23
- Child Rights saw a dramatic rise in misbehaviour by youths - 8
- Child Rights should not be confused with Child Protection - 10
- Child Rights successes - 10
- Child Rights supporters' mindset - 2
- Child Rights' activists still campaign, but now quietly and deviously - 3
- Child Rights' brigade activities have a political and philosophical base - 3
- Child Rights' phenomena of the nineteen nineties - 3
- Child Rights' vilification campaign of *Operation Sweep* - 3
- Child Welfare Act 138B collective use - 3
- Child Welfare Act 1947 Section 138B - 1
- Child Welfare Act collective use by police Section 138B - origin was in 1989 in Exmouth - 4
- Child Welfare Act collective use by police Section 138B Pilbara Region - 4
- Child Welfare Act Section 138B use by the Juvenile Aid Group (JAG) - 4
- Child Welfare Act Section 138B use illegally by police? - 31
- Child Welfare Act Section 138B powers used by Police Force over 100 years before the enactment of the Child Welfare Act in 1947 - 21
- Child Welfare Act Section 138B was first inserted 1977 with subsequent amendments - 21
- Child Welfare Act -Section 138B was utilised at higher and continuing degree in the suburbs - 19 - 20
- Child Welfare Act Section 138B will see future attempts for its repeal - 41
- Children Court Judges defied by social workers - 4
- Children making a complaint in mid 1980'S to 1990's against parents disappeared under the umbrella of social workers - 11
- Children Rights Movement's belief that child rearing is far too important to leave to parents - 4
- Children Rights Movement's belief that police should not be involved with youth or children - 4
- Children's Advisory Council - 7
- Children's Court forum for Child Rights - 27
- Children's Court new opening under the management of Judge Hal JACKSON - 28
- Children's rights - A philosophical study - CA Wringe - University of Keele - Routledge & Kegan Paul Ltd, London 1981 - 11 - 12 -13 - 14
- Children's Rights Conference London 1971 - 10
- Children's Rights Conference London published a draft charter of Children's Rights in April 1971 - 10
- Children's Rights implementation within the education systems - 10
- Children's Rights manifesto - 11 - 12 -13 - 14
- Children's Rights manifesto outlined in C.A. Wringe's, "Children's Rights - A Philosophical Study" 1981 - 10
- Children's Rights should not be confused with Children's Protection - 4
- Children's welfare has no relationship to Child Rights - 2
- CIB - 5 - 30
- CITIPLACE ADVISORY COMMITTEE - representatives: -Large retailers-small retailers-Hay Street retailers-Murray Street retailers - B.O.M.A. Arcade Management-Tourism & Hospitality Industry- Chamber of Commerce-Confederation of W A Industry -19
- City Station bypassed for East Perth Lockup - 5
- City Station in Beaufort St, Northbridge - 4- 5
- Civil Liberties Council New South Wales president Cameron Murphy - 13
- Civil Liberty Group's views on UN Child Rights West Australia 26<sup>th</sup> December 1990 - 30
- Civil Liberty Groups - 30
- Cock Robert, Crown Counsel - 31
- COLEMAN Senior Sergeant 3824 - 17
- Coleman Senior Sergeant 3842 of City Station - 6
- Collective use of 138B of the Child Welfare Act - 3
- Collie Police and Citizens Youth Club - 2
- Collie Police and Citizens Youth Club from 1967 to 1972 - 6
- Commissioned Officers Support Group, Perth Regional Office - 15
- Commissioner for Children - 7- 11
- Commissioner for Children (2006) in Western Australia - 7
- Commissioner for Children survey commenced in April concluded on Friday 1<sup>st</sup> May 1992 - 7
- Commissioner of Children decrees - Police likely

to be subjected to enforced instruction by Community Welfare Department? – 7 - 8

Commissioners' for Children - 30

Commissioners' for Children in all States and the Commonwealth - 14

Commonwealth Government Parliamentary Committee investigation into Youth Homeless Allowance - 11

Commonwealth Parliamentary Committee at Parliament House Perth in 1995 - 11

Community Action Legislation Lobby - CALL - 40

Community Action Legislation Lobby's opinion on corporal punishment - 41

Community Welfare Department Officer - 31

Community Welfare Department representative's views - 31

Complaints came from Child Rights advocates, youth workers, civil rights lobbyists, youth and Aboriginal Legal Services and ABC commentators - 35

Cottesloe Divisional Office – 15

Court Richard Premier -August 1995 thought there was a place for some form of corporal punishment causing uproar - 41

Court Security - 5

Crawford E.R. (John) Commander (General Operations Metropolitan) – 19

Crawford John Commander sent *Operation Sweep* to Fremantle - 33

Crime Prevention Unit “Working together to Beat Crime” – 22 - 23

Criminal Code Section 257 - 24

Crown Law Department - 33

Crown Law Department on 29<sup>th</sup> March 1994 states the manner in which *Operation Sweep* was using Section 138B was legal - 31

CULUNGA CATHOLIC ABORIGINAL SCHOOL (Sister Bernadette DOYLE, Principal) - 18

Curfew - Child Rights Movement battle cry - 24

Department for Community Services “Social Issues – Kids and Crime” – 22 - 23

Department of Community Service “Killara” unit – 15

Discipline - 7

Dougall James Mc, Coordinator, Youth Legal Service - 31

Driffill Reg Superintendent Perth Regional Officer - 16– 19

Drug addicts needles from their Needle Exchange Van Perth Railway Station - 10

East Perth Lockup – 5 - 6

Ellis Paul Sergeant 5074 OIC JAG – 6 – 19

Exmouth - 3 - 21

Exmouth where offences were being committed by children at night when wandering about without any set purpose - 21

EXTRA in the West Australian - 23

Family Council of Western Australia - 40

Federal Government - 30

Ferguson Senior Constable - 36

Forrest Place - 10

Fremantle - Curfew claims - 33

Fremantle – Media reporting - 33

Fremantle - questions in Parliament - 33

Fremantle – Youths' serious misbehaviour had become dire - 33

Fremantle attracted many "New Age Naive" - 33

Fremantle business community - Fremantle Police - 3

Fremantle Child Rights advocates claimed a victory of stopping Operation Sweep and even though a lie, they persisted as it suited their campaign - 33

Fremantle children march to reclaim the streets - 33

Fremantle City Council - 33

Fremantle criticism - 3

Fremantle *Operation Sweep* - 3

Fremantle *Operation Sweep* - prediction that complaints would be received - 33

Fremantle Police Officers - 33

Fremantle Public meetings - 33

Fremantle type of collective mind set - 33

FUN AND GAMES, Northbridge -19

GATES Senior Sergeant 4049 - 18

Government funded anti-police radical organisations - 22

Grossman Joel Chief Inspector - 6 - 31 - 36

Grossman Joel Chief Inspector Operational Commander *Operation Sweep* - 30

Grossman Senior Inspector raised JAG in 1992 - 5

GWN Television Station - 25

Halls Creek (2006) - 34

Hay Street Courts cells - 5

Hazel Sheryl, coordinator of Youth

- Accommodation in Karratha - 25
- Health Department interference – 9 - 10
- HILLE Sergeant 4911 - 18
- Hoare Geoff Superintendent - 16
- Hoare Susan, Executive Officer, Children's Advisory Council, Mary Holman Centre, 32 St Georges Terrace, Perth - 7
- Human Rights and Equal Opportunity Commission - 30
- Inspector Kucera – 15
- Instruction relating to taking into care children who bail themselves – 28 - 29
- Internet - 3
- Internet provides evidence of wide influence *Operation Sweep* - 2
- Jackson Judge, President of the Children's Court – 15 - 28
- JAG - Child Rights activists found it difficult to criticize – 15 - 16
- JAG Aboriginal Liaison Officer - 5
- JAG breakfast meetings - 33
- JAG carries out its task under Section 138B of the Child Welfare Act in the exact same way as the Pilbara program – 15
- JAG commenced on Monday 4<sup>th</sup> May 1992 - 6
- JAG Juvenile Aid Group – 15 - 30
- JAG Juvenile Aid Group in March 1993 disbanded - 16
- JAG Juvenile Aid Group JAG – extracts from report submitted 12<sup>th</sup> March 1992 to save the unit – 16 – 17 – 18 – 19
- JAG Juvenile Aid Group reprieved - 20
- JAG Juvenile Aid Group working out of City Station and concentrating on Northbridge, the adjacent Perth Railway Station and Forrest Place - 5
- JAG Juvenile Aid Group's work related mostly to Northbridge and its long-established connection to the Railway Station through to Forrest Place – 19
- JAG officers ensured the correct procedures were put in place - 33
- JAG raised by Senior Inspector Grossman in 1992 - 5
- JAG Staff - Sergeant Paul Ellis 5074 – Constable Shipard 8431 – Constable Babich 8705 and Police Aid Woods 136 - 6
- JAG was under the command of Sergeant Paul Ellis - 5
- JAG would confront problems from within - 16
- Jesus People - 26
- JOHNSON Sergeant 4106 - 18
- JONES LANG WOOTTON -19
- Jones Tom MLA at Collie - 2
- Juvenile Aid Group (JAG) use of Child Welfare Act Section 138B - 4
- Juvenile Aid Group actions - not one complaint received from a parent - 35
- Juvenile Aid Group JAG - 10– 15- 21
- Juvenile Aid Group JAG report submitted 12<sup>th</sup> March 1992 to save the unit - 16
- Juvenile justice promotes a lawlessness which the Children's Court and social worker advocates purport to prevent - 8
- Kalgoorlie Police and Citizens Youth Club - 6
- Karratha Regional O.I.C.'s conference on 6<sup>th</sup> April 1990 - 25
- Kilarra part of the Community Welfare - 31
- Kilarra worked with *Operation Sweep* - 31
- Killara unit Department of Community Service – 15– 19
- Kizon John - 31
- Kucera R.C. (Bob) Detective Inspector, Youth, Family and Ethnic Affairs Unit – 15
- Lavers John Constable - 6
- Liquor and Gaming Branch – 2 - 5 - 30
- Liquor and Gaming Branch had nominated the task force to be named *Operation Sweep* - 5
- Liquor and Gaming Branch requesting assistance to target night clubs in Northbridge - 5
- Lockridge Camp (2005) - 34
- LOCKYEAR Laurence R JP, Member of Children's Court – 19
- Mayor of Port Pirie - 24
- McCavanagh Gary Senior Constable - 6
- Media all states and territories - 24
- Media Australia wide reported *Operation Sweep* - 31
- MLA member for Exmouth mistakenly called it a curfew -24
- Mounted Section - 5- 30
- Murphy Cameron president New South Wales Civil Liberties Council - 13
- MYER PERTH CITY (N H GARDINER) - 18
- New South Wales Liberties Civil Council president Cameron Murphy - 13
- Nicholls Roger, Minister for the Family 26<sup>th</sup> May 1994 at 8.34am interviewed by Richard Utting –

37 -38

Noongyar Patrol - 34

Noongyar Patrol lack of success - 34

Northbridge - 3

Northbridge a dangerous culture of booze, drugs, sex and aggression - 30

Northbridge a mix of the disorderly, dishonest, drug users and pushers and innocents abroad from the suburbs - 30

Northbridge Cultural Complex - 10

Northbridge *Operation Sweep* no criticism from parents, the general public and suffering businesses - 3

Northbridge Operations – 9

Northbridge Youth gangs - 1

Northern Territory - 27

OOH LA LA, Forrest Chase – 19

*Operation Family Values* - 36

*Operation Family Values* changed to *Assignment Family Values* - 36

Operation named "*Sweep*" changed direction from Night Clubs to the streets - 30

*Operation Sweep* - The mistake was it didn't change name - 30

*Operation Sweep* a successful police operation in Northbridge in January and February 1994 - 1

*Operation Sweep* and the subsequent *Assignment Family Values* became the subject of many papers and presentations at seminars and conferences – 42

*Operation Sweep* Australia wide Media reporting and letters to the press - 31

*Operation Sweep* became a controversial uproar - 4

*Operation Sweep* Child Rights place the blame for existence upon politicians - 2

*Operation Sweep* concerns reached the highest level of the Police Department - 31

*Operation Sweep* confronted with the true lunatic fringe Fremantle - 31

*Operation Sweep* first night mid January 1994 - 30

*Operation Sweep* had impact Australia wide - 1

*Operation Sweep* in Northbridge not one complaint received from a parent - 35

*Operation Sweep* lies repeated by Radio National in introduction - 34 - 35

*Operation Sweep* nominated name by Liquor and Gaming Branch - 5

*Operation Sweep*- support police received was overwhelming - 31

Operational Orders converted and used in *Operation Sweep*- 21

*Operation-Sweep's* success still infuriates the Child Rights Movement in Australia - 41

ORBIT AMUSEMENTS - 18

Parents - Juvenile Aid Group actions - not one complaint received from a parent - 35

Parents - *Operation Sweep* in Northbridge not one complaint received from a parent - 31 - 35

Parents - Pilbara not one complaint received from a parent - 35

Parents were at a loss as to their rights against those claimed for their children - 24

Parliament questions - 31

Perth City Council - 31

Perth Railway Station - 10

Perth Region - 5

Perth Region 1993 - 30

Perth Regional Office - 6 - 30 - 31

Pilbara instructions 21<sup>st</sup> August 1989 - 21

Pilbara not one complaint received from a parent - 35

Pilbara Press release - 25

Pilbara Youth Care program saw Juvenile Crime fall over 30% - 25

Police – attacks by Child Rights activists against police commenced in 1989 - 36

Police are the only area Youth Industry Workers do not fully control - 7

Police Department senior officers - 3

Police lack of action to defend their position - 8

Police Legal Services Unit - 31

Police made more ineffectual in their dealing with youth - 8

Police Minister Bob Weise - 31

Police must remove themselves from the other departments whose ideology is diametrically opposed to what police are supposed to be - 10

Police Officers Fremantle - 33

Police Officers in the Pilbara Region - 2

Police Powers of Care of Children under Section 138B of the Child Welfare Act - 22 - 27

Police Rangers 4<sup>th</sup> unit Karratha 1990 - 6

Police Rangers 4<sup>th</sup> unit Karratha became the Karratha Army Cadets - 6

Police removal from dealing with youth one of the main objectives coming out of International

Children's Rights Conference on 3rd to 5th April 97 - 14

Police simplicity of purpose; protect the child and support the parents, except in cases of parental abuse - 4

Police under attack by Child Rights' advocates in the Youth Industry - 7

Port Pirie Mayor - 24

Premier Richard Court August 1995 thought there was a place for some form of corporal punishment causing uproar - 41

Press release Pilbara - 25

Queensland Child Welfare legislation - 27

Queensland University of Technology - 14

Rabid behaviour and deceit perpetrated against police in the Pilbara - 30

Radio National - 34

Radio National in introduction repeats lie about *Operation Sweep* – 34 - 35

RATPAC - Geraldine Rust founder of Runaway Teenagers Parents Actions Committee - 11

RATPAC - Runaway Teenagers Parents Actions Committee - 11

Rayner Moira – Resume' – 38 -39

Rayner Moria – 37 -38

Rayner Moria could have been Western Australia's first Commissioner for Children - 38

Rayner Moria, charged "Perverting the Course of Justice" - 38

Rayner Moria, lawyer, Child Rights campaigner interviewed by Richard Utting at 8.40am 26<sup>th</sup> May 1994 – 37 -38

Regional Officer Conferences, July and December 1989 and June 1990 - 6

Regional Officers - 16

Regional Officers meeting of 6th April 1993 – 19

Richardson Jim, President of C.A.L.L - 11

Roe Street Youth night club - 31

Rottneest youth gatherings – 9

Royal Commission into the Youth Industry call for - released on the 11<sup>th</sup> June 1994 - 40

Royal Commission into the Youth Industry call was reported in media and magazines, including an academic discussion publication - 40

Runaway Teenagers Parents Actions Committee (RATPAC) - 11

Rust Geraldine founder of Runaway Teenagers Parents Actions Committee" (RATPAC) - 11

Section 138B depended upon time, place and

circumstance - 21

Senior Constable Ferguson - 36

Separation of Powers - 2

Sergeant First Class YATES - 22

Sergeant, John YATES - 27

Shipard Constable 8431 member of JAG - 6

Sims Terry Senior Sergeant, acting Inspector - 24

Social reformers have systematically destroyed parents' rights, elevated children's privileges and attacked and redefined the family - 7

Social Work Industry since the mid 1920's have argued that a "specialised agency" was required to take over child rearing - 6

Social workers receive high regard - 3.

South Australian Government - 24

SPORTSGIRL, Forrest Chase – 19

Stolen Generation Report - 34

Strategic Plan from Pilbara experience by using phrases of Child Rights advocates and Judge Jackson, President of the Children's Court - 15

Sydney TAFE - 31

Taya Larry - 38

Television Station GWN - 25

Model Criminal Code Officers Committee of the Standing Committee of the Attorney Generals provided a discussion paper in November 1996. "Chapter 5 - Sexual Offences Against the Person." - 13

Age of Consent – Recommendation to lower to 10 years in Model Criminal Code Officers Committee of the Standing Committee of the Attorney Generals discussion paper in November 1996. "Chapter 5 - Sexual Offences Against the Person." - 13

The Young Offenders Act 1994 - 40

Thickbroom Len Assistant Commissioner – 19

THOY Senior Sergeant 4044 - 18

Traffic - 5

Traffic Branch - 30

ULASEWYCH Sergeant 5062 - 18

United Nations' Child Rights Treaty - 30

Utting Richard interview at 8.40am 26<sup>th</sup> May 1994 of Moria Rayner, lawyer, Child Rights campaigner – 37 -38

Utting Richard interview of a mother saw no matter how much prompting he gave her, she extolled the virtues of *Operation Sweep* and was pleased the police had cared for her son - 37

Utting Richard interview of Roger Nicholls, Minister for the Family 26<sup>th</sup> May 1994 at 8.34am

– 37 -38

Utting Richard interview was rancorous on both sides - 37

Utting Richard interviews - 36

Utting Richard reports on Operation Sweep receive an award from ABC, sponsored by the Western Australia Equal Opportunity Commission Award, for best radio report, together with Liz Byrski, Colin Cambell-Fraser and Larry Taya - 38

Utting Richard, sometimes solicitor, then morning presenter on the ABC Radio 720 and later Mayor of Fremantle - 36

Victorian Government 1998 – on youth suicide and drugs concerns developed teams, which Child Rights' advocates claimed could act in the same manner as *Operation Sweep* - 42

WA. Social/Medical inquiry suggested lowering of the age of consent - 28

Age of consent - WA Social/Medical inquiry suggested lowering - 28

Weise Bob Police Minister - 31

West Australian 3<sup>rd</sup> August 1995 is an example of differing views, including Child Rights - 41

West Australian Newspaper - 22

Western Suburbs - 30

Williams Inspector Field Commander *Operation Sweep* - 30 - 31

Woods Police Aid 136 member of JAG - 6

YATES John First Class Sergeant - 22 - 24 - 27

Yates John Police Sergeant in 1989 at Exmouth provided the catalyst for the collective use by officers of Section 138B - 21

Yates John Sergeant use of Section 138B commencing 15<sup>th</sup> March 1989 decreased Juvenile crime in Exmouth 75% - 21

Young Offenders Act - Child Rights -anti police members ensconced in the Community Welfare Department was able to convince Government to remove police, or a least dramatically diminish their powers relating to children at risk, but it was then returned to original wording – 40 - 41

Young Offenders Act Part 11 Section 217 repealed section 138B but on advice 138B reverted back to its original form - 41

Youth Affairs Council - 22

Youth Affairs Council's News Bulletins, published in the West Australian page 86, Wednesday 5<sup>th</sup> December - 22

Youth celebrations end of school – 9

Youth gangs flourish, young criminals and drugs

abound - 10

Youth gangs in Northbridge - 1

Youth Homeless Allowance - 11

Youth Industry burgeoning - 1

Youth Industry Workers only area they do not fully control are the Police - 7

Youth Legal Aid Service - 25

Youth night club in Roe Street - 31

Youth Street (Outreach) Workers - 11

Youth, Family and Ethnic Affairs Unit – 15 - 16

Youths' serious misbehaviour had become dire in Fremantle - 33

**Internet sites**  
**Extracts Relating to**  
***Operation Sweep***  
***Contained***  
***pages 43 to 54***

(1)

Opting for inclusion  
*Young people, Local Government, and the management of public space*  
*Keynote address presented to Local Government Association of Queensland*  
*Conference, Mackay*  
*July 13 2000*  
**Dr Howard Sercombe BA(Hons)BD PhD**  
*Edith Cowan University*

(2)

**West Side Saga:**  
**Juvenile Justice in Western Australia**  
**by Stephen Hall**

(3)

Australian Journal of Human Rights  
 Young People and Policing in Australia: the Relevance of the UN Convention on the  
 Rights of the Child  
**Harry Blaggand Meredith Wilkie**

(4)

**CENSORSHIP**

Stefo Nantsou Elena Jeffreys Terry O'Gorman AM  
**Elena Jefferys**  
**CEO, Gibber Magazine**

(5)

Fremantle Community Legal & Advocacy Centre  
 Title : **Human Rights and Social Justice:**  
*A frontline perspective from a Community Legal Centre*  
 Author : Teresa Ellis  
 Organisation : **Fremantle Community Legal & Advocacy Centre**

(6)

**Parental Support and Responsibility Bill 2005: Second Reading Speech**  
 Extract from the [Parliament of Western Australia Web Site](#)  
 Hansard, 20 October 2005  
 HON GIZ WATSON (North Metropolitan

(7)

**Australian Crime Prevention Council**

Rapporteur's Report  
 Professor Richard W Harding  
 Director  
 Crime Research Centre. UWA

**(8)**

**Aboriginal and Torres Strait Islander Social Justice  
 Commissioner, Third Report 1995**  
 1 July 1994 to 30 June 1995

**(9)**

***NSW bills target young people***  
***By Rebecca Collerson***

**(10)**

**The Young People and Public Space Bibliography**  
 Updated and annotated by Phil Crane and Cassie Skelly  
**School of Humanities and Human Services**  
**Queensland University of Technology**  
 Carseldine  
 Brisbane, **Australia**  
 For  
 Yspace: **The International Youth and Public Space Network**  
[www.yspace.net](http://www.yspace.net)  
*Last Updated November 2001*

**(11)**

***PUBLIC SPACE AND YOUTH CRIME PREVENTION:  
 INSTITUTIONS & STRATEGIES***  
**Rob White**  
*Paper presented at*  
***Australian Institute of Criminology Conference***  
*Juvenile Crime and Juvenile Justice:  
 Toward 2000 and Beyond*  
*Adelaide 26 & 27 June 1997*

**(12)**

**'The Green Left Weekly – Voice of Dissent'**  
***Court seeks return of death penalty***  
*By Stephen Robson*

**(13)**

**Commonwealth Attorney Generals Department**  
***"Hanging out: Negotiating Young Peoples' Use of Open Space – The Law and  
 Order Context."***

**(14)**

**CURTAILING YOUTH: A CRITIQUE OF  
 COERCIVE CRIME PREVENTION**  
 by



**Robert White**  
University of Melbourne  
***A Critique of Coercive Crime Prevention — 123***

## **Queries, Questions and Answers to the proposition that the legal public drinking age be again raised to 21 years**

***Q If the age is raised it won't stop underage drinking.***

**A** The age of underage drinkers relates directly to the legal drinking age. Now 18 year old supply to 16 – 17 year old and even lower. A 21 year old would supply to a 19 – 20 year old. His decision making is greater and his responsibility is more developed and the rate of underage supply would be far less than now.

\*

***Q They will just go onto drugs if they can't get booze.***

**A** No drug taking will lessen. Alcohol is usually the first drug used by a young person and it has an effect of lowering inhibitions and the first illicit drug is taken while under its influence, which would have been normally refused except for the susceptibility to suggestion due to the lowered inhibitions.

\*

***Q Making them wait to 21 to drink is against their civil rights.***

**A** The New Zealand Parliament requested legal advice as to this question. The answer was yes it did infringe on the civil rights of the young drinker, but the public good overrode such rights due the damage being caused by them.

\*

***Q If they can fight for their country they can drink***

**A** The 18 years was enacted during the Vietnam War mostly on this proposition. Then they died for a reason, be it if the War was supported - or not. Now they die and are injured and kill and injure fellow Australians for no reason. They now die and are injured in far more numbers each year by liquor than they did in the Vietnam War. A total of 500 died in the Vietnam War (Army 478, RAN 8, RAAF 14) 3129 were wounded (Army 3025, RAN 48, RAAF 56)

The real reason was the votes 18 years old now had 1970 and the drinking issue was seen as a means to garner their votes.

The young men of the ANZACS or those in the 2<sup>nd</sup> World War and Korean War and other campaigns had no issue with the underage restrictions.

If it was thought the *Armed Services* would like their *young men and women* to be allowed to drink - they could be *allowed an exception*. However with the difficulties the Armed Services have with their young recruits due to drink, I don't think they would seek an exemption.

\*

***Q The Government receives funding from Liquor Taxes and main political parties receive donations from the liquor industry and will be lobbied by them not to raise the age.***

A The money received divided by alcohol caused deaths by the young, which would not have otherwise occurred, equals the value put on each life As a supporter of youths' drinking what monetary value do you place on each of their lives and others lost because of their drinking?

\*

**Q The Government put down the drinking age to curry favour with the lower age voters and they would not increase the drinking age in case they lost votes.**

A This situation can be overcome by incremental increases. That is increase to 19 years be 1 year after an election, thereby the 18 year olds then drinking would be 19 years when it came in. The 20 and 21 years be also in one or two year increments. The next election would see the 18 to 20 year old youths resigned to the situation. With all parties agreeing there would be no loss of the youth vote on this issue. Loss of votes would come if a Political Party intended to again raise the age to 21.

The mothers, fathers and older generation are heartily sick and concerned about the destruction of our youth by alcohol and they would increase votes to the party with the courage to raise the age.

\*

**Q They are only a few drinking, the rest do no harm. Where is the proof that it will do any real good?**

A In 1984 the United States Federal Court required all States, not then doing so, to raise the required age to purchase or possession of alcohol to 21 years.

Their Supreme Court upheld the law in 1987 and all states complied.

This then allowed comparisons to be carried out between pre 21 years and prior relating to youth traffic accidents statistics, including those States who had implemented the lower drinking age in 1975.

The USA National Highway Traffic Safety Administration (NHTSA) data indicates that the higher drinking age has since 1975 by reducing the number of fatalities involving underage drinking drivers

Saved 22, 798+ lives. After 1987 it is over 16,000.

*Alcohol and the Teen Brain – Summary of the findings of the 13 year longitudinal study by the US National Institute of Mental Health.*

A person's brain does not stop developing until his or her early to mid-20s and adding alcohol to the mix is a recipe for disaster.

The brain goes through dynamic change during adolescence, and alcohol can seriously damage long- and short-term growth processes. Frontal lobe development and the refinement of pathways and connections continue into the mid-20's.

Damage from alcohol at this time can be long-term and irreversible.

In addition, short-term or moderate drinking can impair learning and memory far more in youth than in adults. Adolescents need only drink half as much as adults to suffer the same negative effects.

Here are some facts about alcohol use and the developing brain from the study:

- Alcohol impacts both behavior and brain function differently in adolescents and adults.
- Adolescents are more vulnerable than adults to the effects of alcohol on learning and memory.
- Alcohol affects the sleep cycle, resulting in impaired learning and memory as well as disrupted release of hormones necessary for growth and maturation.

- Alcohol affects all parts of the brain, which affects coordination, emotional control, thinking, decision-making, hand-eye movement, speech, and memory.
- Adolescent drinkers perform worse in school, are more likely to fall behind and have an increased risk of social problems, depression, suicidal thoughts and violence.
- Binge drinking is extremely dangerous for adolescents given that their brain is especially vulnerable to alcohol-related damage,
- People who begin drinking in their early teens are not only at greater risk for developing alcoholism sometime in their lives, they are also at greater risk for developing alcoholism more quickly and at younger ages, especially chronic, relapsing alcoholism. Further proof is shown in the response to 21-ALIVE organisation by WA Office of Road Safety *the impact on road safety would be positive.*

\*

***Q Don't you think that education will overcome the bad driving and behaviour.***

A It will only to a small degree. Education has not diminished illicit drug taking and hoons are still being hoons. This relates to the 13 year longitudinal Medical/ Scientific Study that indicates poor decision making by the young becomes even more so when they drink. Although strong penalties may assist they will not be applied due to the judiciary not applying them and never will, unless mandatory.

The lifting of the drinking age will largely assist:

- To lessen deaths through drunken driving
- To lessen access to alcohol by younger youth
- To lessen alcoholism caused by the early introduction to liquor
- To lessen disorderly conduct, assaults and murders caused by alcohol consumption
- To lessen unwanted pregnancies and disease after drunkenness lowered inhibitions for consensual unprotected sex
- To lessen unwanted, unknown sexual activity while in a drunken stupor and the difficulties arising from it.
- To lessen the work load in hospital emergency rooms by decreasing the impact drunken, disorderly injured youths attending for treatment
- To lessen the work load in hospital emergency rooms by decreasing the road trauma and deaths young drunken drivers cause to themselves, mates and innocent road users
- To free Police from the difficulties caused by drinking youths so they can attend to other duties
- To diminish disorderly behaviour
- To diminish the rampant party crashers
- To lessen the likelihood of the loss of dignity, particularly of young females, by indulging in activities that would have been avoided except for the indulgence in alcohol

To lift the underage drinking age to beyond those now indulging every weekend from the age of 12 and in some communities at 10 years. The age of the underage drinker relates directly to the age of the legal drinking age. Raise the legal age so then the underage age increases

#### Suggested ideas to lessen Youth Drinking Western Australia

1. Return drunkenness as an offence Raise legal age to purchase and consume liquor in public to 21 years

2. Return Liquor and Gaming Branch to oversee all liquor activities
3. Remove civilians from administering licenses to prevent abuse by licensee and the easy corruption of the civil servants who lack level of a disciplined structure of police
4. Alcohol related offences be subject to arrest and limit use of the present infringement system
5. ID cards specific to age and probationary period left, colour coded for easy viewing by staff and enforcement
6. An introductory Probationary period for public alcohol consumption, that commence with light ale and increasing alcohol content until 21 years. Age = probation level = easy detection and charging. Probation recommences.
7. Replace the Harm Minimisation strategy that has failed and reduce harm by appropriate laws.
8. Require instruction to the young by teachers, health and social workers to condemn the use of underage drinking and no longer tolerate its use as presently accepted under the current philosophy
9. Make it an offence to supply liquor to a minor in their home
10. Lift the penalty of supplying liquor to a minor to an effective level
11. Ensure minors found consuming alcohol are adequately deterred by punishment and compulsory courses for both child and parents
12. Police concentrate upon anti social language and behaviour and make arrests
13. Return flying squads concentrating on liquor outlets and youth misbehaviour
14. Courts reflect seriousness of the problem of anti social behaviour in our public places
15. If Courts fail to apply penalties that reflect community concern, the Government increase penalties or enact mandatory minimum penalties
16. Lower prices on low alcohols content drinks
17. Rise prices dramatically on high alcohol beverages and spirits
18. Return Licensing Law to shorter periods
19. License premises, particularly Night Clubs be closed down immediately underage drinkers or drug users detected on premises and an application before the Licensing Court to be made to reopen
20. Restrict quantity allowed per vehicle on bottle shop drive throughs
21. A referendum on specific proposals – 21 years legal Drinking Age – Licensing Hours – drunkenness as an offence

**The following are brief extracts of statements by concerned health professionals and others in 2007. There are numerous statements since but no action.**

Professor Fiona Stanley

- Booze is wrecking Australian Society - particularly our youth
- It's a lethal product used in excess
- 80% of attendance by Police is booze related
- Huge proportion of hospital admissions is booze related
- 50% of 16 year olds drink hazardously
- 20% of 12 year olds drink

Australian National Council on Drugs chairman John Herron (x Howard Gov Minister)

- Australia had to address the culture of drinking which promotes binge drinking as some sort of rite of passage

Sunday Times 11<sup>th</sup> February 2007 page 18

WA Health Department figures 2005-6

- 298 under 18 years required urgent medical treatment for injuries from falls, fights or poisoning by alcohol
- Some of those needing urgent medical help were only 10 yrs of age

Suzy Thomas – Christian drug-rehabilitation service

- Staff members often found children as young as 13 drunk on the streets at night
- Their sobering up shelter was mostly full each night with children as young as 12 years

Brian Wooller of Mission Australia

- The use of alcohol by 18 year olds should be treated with the same seriousness as illicit drug use

Sunday Times 7<sup>th</sup> January 2007 page 15

Professor Glen Bowes, head of Paediatrics University of Melbourne

- One of the reasons is because the “Peter Pan” generation spend a longer time lingering in adolescence compared with past generations.
- Teenagers effectively spend longer as children and indulge in irresponsible behaviour.

West Australian 9<sup>th</sup> April 2007 page 3

Health Minister for Victoria Bronwyn Pike

In Victoria

- 194 young persons died from alcohol related accidents in 4 years
- 2135 were seriously injured – serious includes brain injury, paraplegia ,
- 11, 455 were hospitalised from binge drinking

Sunday Times Body and Soul supplement 29<sup>th</sup> April 2007 page 8

Stuart Meade – Hale School Headmaster

Andrew Syme – Scotch College principal

- Both expressed concern about out of control Teenage parties - Booze, sex and drugs was the headline

West Australian 2<sup>nd</sup> December 2006 page 2

Professor George Patton - National Youth Advisory Council Chairman

- Misuse of alcohol and illicit drugs among young people was a major concern

Rosanna Capolingua – Australian Medical Association President

- Binge drinking is a really big problem with our young generation – we are talking about kids down to 12 years

West Australian 31<sup>st</sup> May 2007 page 15

Associate Professor Wendy Loxley Shenton Park National Drug Research Unit

- Young people typically drink to get drunk
- It is a major problem because severe intoxication causes a whole range of problems – violence, assault and other severe injuries
- Binge drinking by youngsters is the country's number 1 drug and alcohol problem

National Drug Strategy Household Survey

- Found 41.8% of West Australian females over 14 drank weekly.
- The National Average was 35%
- 

David Mountain – W.A. Australian Medical Association Emergency Medicine Spokesman

- We're seeing equal numbers of boys and girls who are seriously inebriated, especially on Friday and Saturday nights

Sunday Times Perth Now Sup page 9 24<sup>th</sup> June 2007

I was invited to provide a presentation at Drug Abstinence Summit 9am Saturday 7<sup>th</sup> July 2007 Currie Hall – University of Western Australia after they became aware of my endeavours through a small organisation named 21-ALIVE to raise the age to 21 years for public consumption and purchase of alcohol.

I accepted the invitation and required to make a presentation of 30-40 minutes.

Some of the matters I addressed at the conference follows:

.

The plan is simply to assist our young Australians to reach 21 years without alcohol caused death or injury – thus the name 21-ALIVE.

There is only one objective

Return the legal public drinking and purchase of liquor age to 21 years

Aims:

- To lessen deaths through drunken driving
- To lessen access to alcohol
- To lessen alcoholism caused by the early introduction to liquor
- To lessen disorderly conduct and assaults caused by alcohol consumption
- To lessen unwanted pregnancies and disease after drunkenness lowered inhibitions for consensual unprotected sex
- To lessen unwanted, unknown sexual activity while in a drunken stupor and the difficulties arising from it.
- To lessen the work load in hospital emergency rooms by decreasing the impact drunken, disorderly injured youths attending for treatment
- To lessen the work load in hospital emergency rooms by decreasing the road trauma and deaths young drunken drivers cause to themselves, mates and innocent road users
- To free Police from the difficulties caused by drinking youths so they can attend to other duties
- To diminish disorderly behaviour, particularly the rampant party crashers
- To lessen the likelihood of the loss of dignity, particularly of young females, by indulging in activities that would have been avoided except for the indulgence in alcohol
- To lift the underage drinking age to beyond those now indulging every weekend from the age of 12 and sometimes in some communities at 10 years.

The age of the underage drinker relates directly to the age of the legal drinking age.

Raise the legal age so then the underage age increases.

It is in the end a political matter and politicians must be convinced to pass the legislation.

It is a brave policy which will have its vocal critics, but a majority of supporters.

If those in Government who express concerns are genuine about doing something for our drug using and addicted youth, they would adopt this very effective way,

not only to eliminate alcohol caused deaths and injuries,

but also to close a gateway to the use of illicit substances.

We will provide them the evidence of deaths and the numbers that could be saved; we will seek their support.



But they will refuse support, with the usual civil liberties and citizen's rights related arguments for their stance.

Such a stance indicates the acceptability of young peoples' deaths for their right to drink or for the protection of the liquor industry who contribute to their coffers or for the votes they may lose from the 18, 19 and 20 year olds.

- I know there are also politicians and their cohorts who believe that the deaths of our young are the price a society must pay for their freedom of life style
- These people - be they simply libertines
- or if their objections are based on loss of political income,
- or fear of losing votes
- or the return of favours and donations given by the entertainment-liquor industry
- or a genuine philosophy -
- I question their morality
- I acknowledge their stupidity
- They are the enemies of our young Australians and their families
- They are in our Parliaments throughout the Nation
- They are the power broker experts representing self serving industries
- They are the profiteers
- They are the holders of crooked philosophies, both in academia and the general society

There is a war to be fought on many fronts

Already our cause has attracted support

There has been letters to the press and support from Drug Free Australia

I appreciate in your position you cannot change legislation

but just, just maybe you can help change the thoughts of politicians

That of course if the politicians have any thoughts on this issue at all

For regardless of the publicity and the various serious concerns about how alcohol is destroying our children, they have done nothing except to lift taxes, causing the youth to purchase raw liquor, mainly bourbon whiskey to mix with soft drink, thereby creating cheaper and more dangerous concoctions than alco-pops.

The media report often on the deleterious alcohol induced situations killing our young.

The media must be applauded for this

Perhaps they may eventually campaign to help us save the lives of our booze befuddled youth.

If you can assist in bringing about the change we advocate, - you would gift the Australian Nation and countless families with the lives of many of our children

There can be no greater achievement than to save the lives of our children and prevent the sorrow of families

I hold the deepest hope for success for the

Families who have been devastated by the alcohol caused death of their child,

or of a loved one by alcohol induced violence,  
 or the driving or actions of a drunken youth and all those who will be similarly effected today  
 and tomorrow and on all future days.

I know the reality of my proposal and what is entailed

It will not be a matter of early success.

It will require a campaign, maybe lasting years or even a decade or more

However those at the end of the campaign will likely not be those of the beginning

Unless we are successful far earlier than expected

I am a realist and I have no illusion that we are not, by lifting the age of the legal drinking age  
 to 21, going to eliminate the problem.

What it will do is cut underage drinking down dramatically and see an equal dramatic rise in  
 the age of the underage drinker

In 1984 the United States Federal Court required all States, not then doing so, to raise the  
 required age to purchase or possession of alcohol to 21 years.

Their Supreme Court upheld the law in 1987 and all states complied.

This then allowed comparisons to be carried out between pre 21 years and prior relating to  
 youth traffic accidents statistics.

The USA National Highway Traffic Safety Administration (NHTSA) data indicates that the  
 higher drinking age has since 1975

by reducing the number of fatalities involving underage drinking drivers

Saved

22, 798 lives

If this number is multiplied by the number of parents, children and loved ones that would  
 have suffered through these deaths - the suffering saved has been immense.

If the cost of the police, tow trucks, highway delays, ambulance attendance, hospital staff,  
 doctors and funerals is also multiplied by 22,798 deaths, the cost saving is staggering.

Add to the misery,

the suffering of the injured

and the maimed for life

the saving in human and financial terms

becomes incalculable

How many Australia parents would still have their

- sons and daughters alive
- or not brain damaged
- or confined to a wheel chair
- or bed for life

if the age of 21 years had been retained as the legal age to purchase and drink alcohol in  
 public.

It was in 1970 when our Government amended the drinking age from 18 years to 21 years.

The foundation lay in the conscription of 18 year olds to fight in Vietnam.

The demand was

if they could die for their country they should be entitled to drink and vote.

Then they died for a reason,

be it if the War was supported - or not

Now they die for no reason

They die and are injured in far more numbers each year than they did in the Vietnam War

A total of 500 died in the Vietnam War - Army 478, RAN 8, RAAF 14

3129 were wounded - Army 3025, RAN 48, RAAF 56

The young men of the ANZACS or those in the 2<sup>nd</sup> World War had no issue with the underage restrictions

However if it was thought the Armed Services would like their young men and women to be allowed to drink - they could be allowed an exception.

However with the difficulties the Armed Services have with their young recruits due to drink, I don't think they would seek an exemption

I would suggest the AFL would be more than pleased

Professor Glen Bowes mentioned the Peter Pan syndrome of our youth.

This lack of maturity has been a topic I have canvassed in some of my writings for some time.

Youth now remain at school until 17 years.

When I was young I left school at 13 years

The legal age was 14 years but I left from Kalgoorlie to Perth with my mother to be near my father who was dying from silicosis.

After his death we returned to Kalgoorlie - which was and still is a hard drinking town.

However, if you drank, you behaved, especially if you were under 21

I worked amongst men. You grew up or else.

Now many continue on to University and their growing up is further retarded

Costs of rental or house purchase now see many cosseted at home and responsibilities are still few

Parents have been disenfranchised of their rights through the rights of the child and the early majority

A youth in trouble sees a bevy of social workers providing sympathy

Responsibility for youths' actions is not something the courts, health or social workers strongly subscribe too

It is others or society's fault that they booze,

use drugs,

steal,

and assault and kill others by vehicle

or kill in a rage or just for fun

Perhaps it is

If we had retained the 21 years drinking age

- many of our children would be alive,
- or not crippled for life,

- or not serving terms of imprisonment,
- or not giving birth to neglected, often brutalized and retarded or deformed babies.

The problem we have now would still exist, but at a much lower level

Those who can assist and are now aware

or who will be when we inform them of the effect of the present drinking age has upon our young

must use their power to implement the return of the drinking age to 21 years

Then after having this information,

those who then continue to support the lower age of drinking

for political purposes,

financial gain

or simply for their self serving promotion of civil, human or legal rights of these young people

are the scourge of our society

I hold them in contempt

To further compound these environment issues of school, University, home and work that I believe have created immature 20 year olds that are going on 15 -

A 13 year longitudinal study by the US National Institute of Mental Health on the adolescent and youth brains

found that the prefrontal cortex does not become fully functional until 21 to 24 years.

Until fully developed the immature brain of a young person lacks the capability of understanding the consequences of decisions.

Now when these immature brains of the young are subjected to alcohol

their inhibitions are lowered,

correct decision making is further decreased

and susceptibility to suggestion is heightened.

This is possibly an explanation, in some cases, why many young men in their twenties commit stupid and aggressive acts.

Alcohol has inhibited their brains growth and capacity to make sensible decisions.

The information in regard to the lives saved, the immature brain and associated matters is provided at the end of this paper.

Thus a youth under the influence of alcohol will try an illicit drug

when in his sober state he/she would not.

Thus Alcohol is a primary gateway to the use of illicit drugs.

The reason why many Night Club patrons use drugs

is because that is where they consume large quantities of alcohol

and the dealers find a ready and compliant market.

This also provides the reason health authorities complain of the poly use of drugs when dealing with alcohol-drug overdose

If any here thought that reintroducing 21 as the legal drinking age was a bit over the top, it could not be done,

or it should not be done,  
or what reason could there be,  
I hope I have changed your mind,  
or at least sown a seed for thought.

We will never return to no liquor outlets open on a Sunday, the tranquillity of the day, the Sunday roast and family gatherings, but perhaps we can save the lives of many of our young people.

Kevin Moran

**Alcohol and the Teen Brain – the findings of the 13 year longitudinal study by the US  
National Institute of Mental Health**  
(For full details go to Internet (Google it))

A person's brain does not stop developing until his or her early to mid-20s and adding alcohol to the mix is a recipe for disaster.

The brain goes through dynamic change during adolescence, and alcohol can seriously damage long- and short-term growth processes. Frontal lobe development and the refinement of pathways and connections continue into the mid-20's. Damage from alcohol at this time can be long-term and irreversible. (1) In addition, short-term or moderate drinking can impair learning and memory far more in youth than in adults. Adolescents need only drink half as much as adults to suffer the same negative effects. (2)

Here are some quick facts about alcohol use and the developing brain:

- Alcohol impacts both behavior and brain function differently in adolescents and adults. (3)
- Adolescents are more vulnerable than adults to the effects of alcohol on learning and memory. (4)
- Alcohol affects the sleep cycle, resulting in impaired learning and memory as well as disrupted release of hormones necessary for growth and maturation. (5)
- Alcohol affects all parts of the brain, which affects coordination, emotional control, thinking, decision-making, hand-eye movement, speech, and memory. (6)
- Adolescent drinkers perform worse in school, are more likely to fall behind and have an increased risk of social problems, depression, suicidal thoughts and violence. (7)
- Binge drinking is extremely dangerous for adolescents given that their brain is especially vulnerable to alcohol-related damage. (8)
- People who begin drinking in their early teens are not only at greater risk for developing alcoholism sometime in their lives, they are also at greater risk for developing alcoholism more quickly and at younger ages, especially chronic, relapsing alcoholism. (9)

***The Developing Brain***

From 12 years old to the mid 20s—the years in which America's youth are the most exposed to alcohol—three critical periods of development take place, each accompanied by a spurt of neural (dendrite) growth (10):

- Level I Abstract Thinking
  - 10-20 years old
  - Development of the ability to relate functions such as the ability to relate addition and subtraction and understand why they are opposites, and the ability to combine dissimilar social interactions and emotions such as combining honesty or dishonesty with kindness to explain the "social lie"
- Level II Abstract Thinking
  - 14-15 years
  - Development of the ability to understand how functions are alike and different such as how addition and division are alike and different, and the ability to combine complex thinking with social interactions and emotions such as combining judgment with directness, kindness and tact at the same time to offer constructive criticism

- Level III Abstract Thinking
  - 18-20 years
  - Development of the ability to hold several issues, events, circumstances, functions, characteristics, etc., in mind at the same time and compare and interrelate them

Anything that interferes with how the brain operates during these developmental periods can change the course of a person's mental, emotional, cognitive, and social development—and alter his or her opportunities for success. (11)

### ***Alcohol on the Brain***

Exposure to substances that inhibit cell growth has some impact on the adult brain, but these same substances can have a devastating effect on the developing brain. (11)

**Random Havoc.** Most drugs are predictable for they have specific receptors in the brain they will use, so the impact on the neural function in specific regions of the brain can be predicted. Alcohol, however, doesn't have a specific receptor in the brain. It selects receptors at random, acting on one receptor in one part of the brain and on a different one in another part of the brain. It is also random in its behavior in different brains, meaning it affects people differently. (13)

Basically, alcohol chooses a receptor, combines with water molecules that form part of the receptors and changes the shape of the receptors so it can enter, virtually at will. That also means it is altering the brains processes "at-will." (13)

**Prankster.** Alcohol plugs into the brain's massive network of switches that activate and deactivate neural functioning and **turns brain cells on or off**. It affects channels in the brain cell membranes that permit calcium and other chemicals to provide energy to electrically fire off messages to other cells. No other drug turns brain cells on and off at the rate alcohol does. (11)

**Interceptor.** Alcohol seeps directly into neurons to prevent the messages that a neuron receives from being translated into instructions inside the cell. (11)

**Trickster.** Alcohol combines with lipids (fat molecules) that form channels in the surfaces of brain cell membranes, temporarily changing their structure and function. (17)

**Thief.** Alcohol reduces the level of serotonin in the brain. Serotonin is known as the brain's peacekeeper, assisting in learning and problem solving and it enables our drive to live in harmony. It is connected to cells in every part of the brain—the only neurotransmitter that is. If not impeded by alcohol (or drugs that act on serotonin receptors), the brain receives gentle, rhythmic pulses of serotonin. One of its most important roles is to act as a brake on impulses for too much or too little can affect cognitive and emotional functioning. (18) This why drinking teens often engage in foolish, irresponsible and dangerous activities.

**All motions were passed without dissent  
with much discussion before votes were cast**

**1 Re-open the Detention Centre in the North West for use by the WA Prison Service and prisoners have no option in the matter.**

Explanation: The Detention Centre when it was opened for Juvenile Offenders it was considered an excellent project until such time that the Government indicated young criminals would only go if they gave the authorities permission to send them. This created anger in the Community and this motion was passed without dissent but with much anger at Governments that act on social workers advice with the wishes of juvenile offenders placed before the safety of the community.

**2 Increase the severity of the sentence required from the Courts for those convicted of driving under the influence of drugs or alcohol, driving recklessly or dangerously causing death.**

This is based on the inadequate sentences that the Courts give and our Public Prosecutions and Government condones as there are very few appeals. Two years under the truth in sentencing provisions saw these killers by motor vehicle able to walk out from gaol after two years. Two years hardly equates for the many years of life lost by the person who was dead because of the offender. Nor does it reflect the suffering of the deceased's loved ones.

**3 Provide long term trauma counselling and emotional and financial assistance for victims of serious crime.**

The system has neglected the victims. Pretence has been made to assist victims, but upon the trial's conclusion they are a forgotten people. The prisoners will receive parole – counselling – financial assistance – medical treatment all in the name of returning him to society. The victim who has been so traumatised as not to be able to function normally within society is provided no support and if sought after the trial is considered as the flotsam and jetsam of the legal system and advised to simply get over it.

**4 Empower the WA Police to use sniffer dogs as granted to the NSW Police Force.**

This has proved to be very effective. It is not only a detection of drugs but is a prevention of drug use. A youth/student/others not as yet in the drug culture may avoid it if he believed he would be detected.

**5 Hold a referendum in conjunction with the Daylight Saving, on the return of the Legal Drinking Age to 21 Years.**

The majority of these Motions have at their heart alcohol use by youths, deaths accidental and by assaults and stupidity. Youth binge drinking is far beyond what it has ever been.

If this motion was adopted it would: -

- Lessen the work load in hospital emergency rooms by decreasing the road trauma and deaths young drunken drivers cause to themselves, mates and innocent road users
- Lessen deaths through drunken driving
- Lessen access to alcohol
- Lessen alcoholism caused by the early introduction to liquor
- Lessen disorderly conduct and assaults caused by alcohol consumption
- Lessen unwanted pregnancies and disease after drunkenness lowered inhibitions for consensual unprotected sex
- Lessen unwanted, unknown sexual activity while in a drunken stupor and the difficulties arising from it.
- Lessen the work load in hospital emergency rooms by decreasing the impact drunken, disorderly injured youths attending for treatment
- Free Police from the difficulties caused by drinking youths so they can attend to other duties
- Diminish disorderly behaviour, particularly the rampant party crashers



- Lessen the likelihood of the loss of dignity, particularly of young females, by indulging in activities that would have been avoided except for the indulgence in alcohol
- Lift the underage drinking age to beyond those now indulging every weekend from the age of 12 and sometimes in some communities at 10 years.
- The age of the underage drinker relates directly to the age of the legal drinking age. Raise the legal age so then the underage age increases.

This motion is based upon medical, scientific research and statistical studies. All the following is verifiable through the internet sites: -

- USA National Highway Traffic Safety Administration (NHTSA) data indicates that the higher drinking age (21 years) has since 1975 by reducing the number of fatalities involving underage drinking drivers Saved 22, 798 lives

Alcohol and the Teen Brain – Summary of the findings of the 13 year longitudinal study by the US National Institute of Mental Health. Scientific and Health Authorities throughout the world have accepted the findings.

A person's brain does not stop developing until his or her early to mid-20s and adding alcohol to the mix is a recipe for disaster.

The brain goes through dynamic change during adolescence, and alcohol can seriously damage long- and short-term growth processes. Frontal lobe development and the refinement of pathways and connections continue into the mid-20's.

Damage from alcohol at this time can be long-term and irreversible.

In addition, short-term or moderate drinking can impair learning and memory far more in youth than in adults. Adolescents need only drink half as much as adults to suffer the same negative effects.

Here are some quick facts about alcohol use and the developing brain:

- I. Alcohol impacts both behaviour and brain function differently in adolescents and adults.
- II. Adolescents are more vulnerable than adults to the effects of alcohol on learning and memory.
- III. Alcohol affects the sleep cycle, resulting in impaired learning and memory as well as disrupted release of hormones necessary for growth and maturation.
- IV. Alcohol affects all parts of the brain, which affects coordination, emotional control, thinking, decision-making, hand-eye movement, speech, and memory.
- V. Adolescent drinkers perform worse in school, are more likely to fall behind and have an increased risk of social problems, depression, suicidal thoughts and violence.
- VI. Binge drinking is extremely dangerous for adolescents given that their brain is especially vulnerable to alcohol-related damage,
- VII. People who begin drinking in their early teens are not only at greater risk for developing alcoholism sometime in their lives, they are also at greater risk for developing alcoholism more quickly and at younger ages, especially chronic, relapsing alcoholism.

Number IV explains much of what we see now. That is alcohol's effect on the "Decision Making" of youths, which is the cause for the assaults, drunk, dangerous and reckless driving and the disorderly behaviour. Also, importantly alcohol has been shown as the gateway drug, in that it lowers inhibitions and while an offer of a drug would be refused if sober, it may and often is first accepted when under the influence of alcohol.

Any Political Party seeking election ignores the evidence on which this Motion is made and then also declines to give the people of this State the right to have a say in saving the lives of our young and the many others they kill and maim due to alcohol, it can be observed that dollars and votes are considered more important to them than the lives of our children and loved ones. Each death in alcohol caused circumstances involving youths can be then after be attributed to this refusal.

**6 Those convicted of Driving to the Public Danger have their vehicles confiscated and sold after the second offence.**

This was originally to crush the vehicle, but with loud voices of protest, without any dissent, the motion was changed at the second of these public meetings to “confiscated and sold” with the intent the money gained be given to charity.

**7 Immediately rescind the “Truth in Sentencing” Laws.**

All persons without exception at the meetings demanded the “Truth in Sentencing” Laws be rescinded and nothing was to replace them. The Judges set the penalty and not be subjected to any requirement and prohibited to reduce a sentence.

They all expressed concerns that the practice would be retained in legislation with tinkering to indicate compliance to the public wishes, but in actual fact adhering to the wishes of the legal profession. It happened before. The public complained about sentences not being what was given and the Truth in Sentencing laws came into effect, but it only legislated what was already happening and nothing changed in relation to the inadequate length of sentences.

Those at the meetings all believed the Government will again try to dupe us again.

**8 Provide for an Annual Performance Review for Judicial Officers and Judges by a panel consisting of a Legal Academic, Representatives of Victims, Police, DPP and Defence Lawyers Association.**

Members of the Judiciary act without restraint apparently in keeping with their social agenda and do not reflect the wishes of the people. They need to be brought to account.

**9 Provide a Minimum sentence of 12 months gaol for those convicted of physical assault on Police, Medical Staff, Ambulance Officers and Train Guards.**

If we do not protect those who protect and serve us, we cannot expect them to be able to protect us or attend to our difficulties.

**10 Provide Government Funded Compulsory Residential Rehabilitation facilities for those addicted to drugs and alcohol.**

Drug addicts who become registered addicts through appearance at courts and medical facilities must be assisted. They cannot be in the community where pressures are on them to continue their use and their activities to obtain the wherewithal to purchase drugs, they deal and introduce others to the scene. They are both sick and dangerous to our society. They must be helped to rehabilitate in a closed facility. All other ways have failed.

**11 Immediately rescind the “Harm Minimization” policy on the use of drugs and develop a policy of “Zero Tolerance to Drug Use”**

This stupidity has been practiced on our young for near thirty years. That is they are told – We know you are going to use drugs. They can be dangerous but as you are going to use them here is the way you do it safely.

It has not worked and no credible argument can be presented to indicate it has. It must be rescinded and a no tolerance to drug use be adopted.

**12 To return the right to Parents to discipline their Children with a listing of Parental Rights be enacted by Parliament to provide the power to carry out their responsibilities now denied them through children’s rights.**

All the explanation needed is for many parents to think of their children, particularly in the early teenage years and to find the teenage rebellion is now not only based on hormones, but upon a society that deems the child has rights that cuts across parental responsibilities.

Not all parents are faced with this but many many are.

**13 Re-instate Drunkenness as a chargeable offence.**

Drunkenness was previously an offence that provided protection of the offender from himself and the protection of other members of society from his drunken stupidities or dangerous activities. The remove of drunkenness as an offence indicated to be drunk was OK because the Government allows – thereby encourages it.

We now have binge drinking, drunken driving, assaults, murders and inappropriate behaviour at a level never before experienced in our history.

**14 Prohibit those less than 21 years from purchasing take away liquor from bottle shops and restrict Take Away alcohol sales to 2 bottles for those less than 21 years of age from hotel or club bars.**

This reflects a proposal in the United Kingdom where they are suffering from binge drinking drunken youths; as is Australia.

It is a compromise between lifting the drinking age to 21 years but attempting to restrict access to alcohol at a level that is now destroying many of our youth, including those under the age of 18 years.

It would allow money to flow to political parties and Government at a still high level and at the same time protect the entertainment industry/Nite-Clubs from financial difficulties without restricting those under 21 years from enjoying a night out and being able to drink alcohol from the bar.

Liquor Stores the main beneficiaries from Youths' purchasing liquor are mainly owned by large grocery chains.

If it failed to decrease the excessive drinking of our young; the age of 21 years would result.

**15 Give Local Governments the exclusive rights to allocate areas where Brothels may operate in their Local Government areas and define areas where brothels may not be situated.**

The present Government has indicated they will not restrict the location of brothels and they could, if Council approved, be next door to a family home in a suburban street.

**16 Provide severe penalties for those who sell drugs and use drugs in prisons.**

There appears a condoning of drug use in prison through the demand to supply needles for illicit drug use by prisoners.

The prisoner illicit drug user receives little punishment and the dealers are seldom detected. It appears to be an acceptable situation as it keeps the prisoners docile. It is not acceptable.

Further prisoners charged for drug use after receiving a sentence; the sentence is made concurrent. In other words not one further single day is added. Concurrent must be removed and cumulative sentences passed.

**17 Immediately provide Tented accommodation similar to that provided by Sheriff Joe Arpaio of Maricopa County Arizona in the USA.**

The claims the State has no prison accommodation for the numbers requiring imprisonment, thus the tricky Truth in Sentencing to keep the prison population down.

There appeared no difficulty in providing cheap adequate and healthy environments for our Prisoners of War in POW Camps in Australia. The five star accommodations should be reduced to at least the standard of accommodation many Western Australian families are suffering in caravan parks due to the housing cost and rental rates.

**18 Introduce Alcohol and Drug Instruction in all Primary schools.**

There is no such specific education in regard to Primary Schools as to the dangers of drugs and that there is no way to use them safely. It is an imperative for the future health of our young.

**20 Retain the charge of Wilful Murder.**

A high ranking Detective (retired) who attended indicated he had charge many with wilful murder and that no difficulty had been found in proving the cases. He believed it was wrong to place the

deliberate planned killing of another within the generic charge of Murder. Such an offence required its own charge.

It appears it was made to diminish sentencing options and to give deference to lawyers who defend these people.

**21 Provide for Corporal Punishment for Physical Assault on the Elderly and children, including Paedophilia.**

This received no debate but was accompanied by loud approval and was passed without dissent.