

**EDUCATION AND HEALTH
STANDING COMMITTEE**

**INQUIRY INTO THE ADEQUACY AND APPROPRIATENESS OF
PREVENTION AND TREATMENT SERVICES FOR ALCOHOL AND
ILLCIT DRUG PROBLEMS IN WESTERN AUSTRALIA**

**TRANSCRIPT OF EVIDENCE
TAKEN AT KUNUNURRA
MONDAY, 2 AUGUST 2010**

SESSION FIVE

Members

**Dr J.M. Woollard (Chairman)
Mr P. Abetz (Deputy Chairman)
Ms L.L. Baker
Mr P.B. Watson
Mr I.C. Blayney**

Hearing commenced at 1.03 pm

MOYLE, MR SCOTT ROBERT

Police Sergeant, Western Australia Police, examined:

SEARS, MR GRAHAM DAVID

Senior Sergeant, Western Australia Police, examined:

The CHAIRMAN: On behalf of the Education and Health Standing Committee, I would like to thank you for your interest and for your appearance before us today. I would like to acknowledge and pay respect to the traditional owners past, present and future of the land upon which we are meeting.

The purpose of this hearing is to assist the committee in gathering evidence for its inquiry into the adequacy and appropriateness of prevention and treatment services for alcohol and illicit drug problems in Western Australia. At this stage I would like to introduce myself, Janet Woollard, and Mr Ian Blayney. On my left, is Dr David Worth, our principal research officer and Keith Jackman from Hansard. This committee is a committee of the Legislative Assembly and this hearing is a formal procedure of Parliament. It is a public hearing and Hansard will be making a transcript of the proceedings for the public record. If you refer to any document or documents during your evidence, it would assist Hansard if you could provide the full title for the record. Before we proceed to your submission and the questions we have for you today, I need to ask you a series of questions. Have you completed the "Details of Witness" form?

The Witnesses: Yes.

The CHAIRMAN: Do you understand the notes at the bottom of the form about giving evidence to a parliamentary committee?

The Witnesses: Yes.

The CHAIRMAN: Did you receive and read the information for witnesses briefing sheet provided with the "Details of Witness" form today?

The Witnesses: Yes.

The CHAIRMAN: Do you have any questions in relation to being a witness at today's hearing?

The Witnesses: No.

The CHAIRMAN: Starting with Senior Sergeant Sears, would you please state your full name and the capacity in which you appear before the committee today.

Mr Sears: My full name is Graham David Sears and I am the officer in charge of the Kununurra Police Station. My rank is senior sergeant.

The CHAIRMAN: Thank you.

Mr Moyle: I am Scott Robert Moyle. My rank is sergeant with the Western Australia Police at Kununurra Police Station.

The CHAIRMAN: Are you both happy to be called by your first names, Graham and Scott?

The Witnesses: Yes.

The CHAIRMAN: We are quite happy to be called by first names, as well.

As you may know, we started this inquiry about a year ago. We have held hearings in other regional areas and in the metropolitan area, but this week we have been focusing on the Kimberley. Some very unique problems and issues have been addressed while we have had these hearings in the Kimberley. We are hoping that you can, today, help paint the picture for us about those problems—the problems before a child is born and during the early childhood years, and the problems for children at school and for people when they leave school. The committee is looking at the main drugs causing the problems—be it alcohol, cannabis or other drugs—and the social costs to the community. Today, we have already heard about some of the economic costs to the town and to the council, but what is the cost to you, as a police department? Graham, as the person in charge of the police station in Kununurra, what can be done and where are the gaps? What is successful and what has been successful and where are the gaps? The committee wants to determine how we prevent and treat those people who have drug and alcohol problems.

Ian and I would both like to thank you for the tour you gave us last night; it was very informative and certainly helped us. It was lovely to have an overall look at the town and where the communities are. We really appreciated that; thank you.

Mr Sears: My pleasure, madam.

I do not know the format for this type of hearing, but I believe that you have been given a copy of my submission, read out previously by Mr Cave. He provided you with a copy of that submission, which goes a little bit into the background of Kununurra. If I may, I will read from my submission.

Kununurra has a population of about 7 775. That is probably understated by about 20 per cent, according to the Australian Bureau of Statistics. One point in my submission is incorrect: about 29 per cent of the population in Kununurra are Aboriginal or Indigenous. I have quoted the Kimberley-wide figure in my submission.

Of those 7 775 people, 3 310 are under the age of 18, and 62 per cent of those are Aboriginal, and 1 910 juveniles are in the zero to nine years age group.

Mr I.C. BLAYNEY: Are those juveniles Aboriginal or is that figure for all juveniles?

Mr Sears: The 3 310 figure is for all juveniles and 62 per cent of those are Aboriginal.

Mr I.C. BLAYNEY: So the 1 910 is the 62 per cent of 3 310?

Mr Sears: No; there are 1 910 juveniles in total in the zero-to-nine age group.

Mr I.C. BLAYNEY: So that is all juveniles.

Mr Sears: Yes.

The CHAIRMAN: One of the problems that we have heard about is schooling; we can actually use those figures when we ask for the attendance rates at the school.

Mr Sears: Yes; I presume so.

The CHAIRMAN: There will be a school here and a school at Wyndham. It will just be the two.

Mr Sears: There is Kununurra high school and St Joseph's school in Kununurra. But those figures are direct from the ABS.

There has been 4.8 per cent growth in Kununurra each year for the past two years. There has been a large input of moneys to Kununurra—something along the lines of \$414 million for the Ord River stage 2 expansion, and for infrastructure upgrades at the high school, the local TAFE, the airport, the hospital and so on. A lot of money has been spent up here and with that, we get the extra people in town. We have a 200-person work camp that is part of the construction phase of the Ord River stage 2 expansion.

The CHAIRMAN: And what has the expansion in the police force been?

Mr Sears: Nil.

The CHAIRMAN: Nil: are you going to elaborate on that further in terms of what the police resources need to be in an area like this?

Mr Sears: We have 28 staff in Kununurra—three detectives, one prosecutor, a forensic officer, a customer service officer and the rest are general duties police officers. We man the police station 24 hours a day, seven days a week on rotating shifts—days, nights and afternoons—with a 24-hour lockup/prison. I say prison, because we get to hold people here for a certain period of time once they have been sentenced until we can get them transferred to Broome Regional Prison. There might be times when we hold prisoners for three or four days before they are flown out to Broome and picked up by G4S.

The CHAIRMAN: With the growing population and the problems here with alcohol, how many extra police would like to see?

Mr Sears: I would like to see another eight officers. The lockup has one of the biggest impacts on us, because we have to man that 24 hours a day because of our duty of care to the prisoners. Generally, we have a skeleton crew of three people on shift—a supervisor and two officers. The two officers are responsible for tasks and the supervisor is responsible for the management of all the prisoners in the lockup, taking telephone calls after hours, making radio calls to the van on the road to let them know what jobs are out there to do —

The CHAIRMAN: How many people can be in the lockup? How often is the lockup used?

Mr Sears: We have prisoners every day of the week. We have had up to 18 prisoners in at one time. The average is probably four to five prisoners.

Mr Moyle: It is four to five. With the clearances by air to Broome prison now, it is working a little better than when we were transporting prisoners by road—the turnaround is a little bit better. But having said that, we also have children—juveniles—in custody as well, who have to be managed. Obviously, they have to be segregated from the other prisoners and that puts an impost on us. Having to conduct a juvenile escort means a —

The CHAIRMAN: Is there no juvenile detention centre in Kununurra?

Mr Sears: No.

The CHAIRMAN: How many juvenile detention centres are there in the Kimberley?

Mr Sears: None.

The CHAIRMAN: There are no juvenile detention centres in the Kimberley!

Mr Sears: No; all juvenile prisoners are incarcerated in Rangeview in Perth. One of my officers has to escort juveniles to Perth and the cost involved with that comes out of my operational policing budget. By way of example, Christmas two years ago, I escorted a juvenile to Perth on Christmas Day. Because there were two prisoners to go to Perth, I had to send two officers because we can only do one prisoner to one officer and it cost me nearly \$5 000 out of my operational budget—by the time we had paid for airfares down, accommodation and return airfares, travelling allowances and so on—to get two prisoners to Rangeview. And they were released and back in Kununurra in about five days. So there is a huge expense just in escorting prisoners to Perth. I believe that that is going to change, because they are looking to build a facility in Broome.

The CHAIRMAN: A juvenile detention centre?

Mr Sears: Yes; that will alleviate that problem. And I believe the government is looking at G4S taking over the contract for juvenile escorts. However, at present, that stays with the police. It does impact on us greatly, because I lose the officer who goes down on escort for a minimum of two days because we cannot get down and back in one day—and that is if they go direct and return the next day. Sometimes, we have had to fly an officer to Darwin and then get a connecting flight

from Darwin to Kununurra because there were no seats available on the flights from Perth to Kununurra.

Mr Moyle: The real cost to the station as well is that the person rostered on is no longer available and we have to recall someone from their weekly leave, or whatever, and there are fatigue issues. It is pretty full on.

Mr I.C. BLAYNEY: Are they handed over at the airport or do you take them to Rangeview?

Mr Sears: We hand them over to a crew from the East Perth lockup or the Perth watch-house. Staff custodial officers come out from the watch-house to meet the escorting officer at the airport and we do a handover at the airport.

[1.15 pm]

Mr I.C. BLAYNEY: How do they travel with the juvenile?

Mr Sears: Generally, we did have a bit of a problem where one of the juveniles was being processed through the security screening at Kununurra Airport and he had handcuffs on because he was a flight risk. Somebody complained to us, and the arrangements we have made at Kununurra is that we take them into the security office where they are screened separately. We do all this prior to the normal public being screened so that there is no embarrassment to the child. If the case is that we are walking through public areas, we will generally put a jumper or a shirt over the handcuffs so that they can seem that they are not in handcuffs. We try to minimise that impact but the biggest concern is, obviously, that they are a flight risk and preventing them from escape.

Mr Moyle: We have procedures in place where they are first on the aircraft and last off and all that sort of thing so, like Graham says, we try to minimise exposure as much as possible.

Mr Sears: So that is the police station staff. Two of the biggest issues in Kununurra for policing are domestic violence and juvenile crime. Both of those are directly linked, in my opinion, to alcohol misuse or abuse. That is quite prevalent in Kununurra. Some of the statistical data I can give you for the end of the financial year to 30 June 2009–10 for the Kununurra police station is that total reported offences were up 20.9 per cent, from 1 017 to 1 230 offences reported. Domestic assaults were up 18.1 per cent, non-domestic assaults were up 20 per cent, burglaries were up 31.8 per cent, and theft was up 54 per cent.

The CHAIRMAN: Thank you. I will accept that by way of supplementary information.

Mr Sears: Generally, the property-type offences—that is, burglaries, graffiti and damage—are predominantly conducted by juveniles. The biggest concern there is that we have a lot of children roaming the streets at night-time; there is very much a night culture in Kununurra. We are trying to combat that. The big issue we have is getting somebody to take responsibility for the children. The issue comes in for police in the fact that if we detain a juvenile for roaming the streets or whatever or committing an offence, getting a responsible adult to take responsibility for the kids after hours is a huge problem for us.

The CHAIRMAN: What about the Department for Child Protection?

Mr Sears: We do not have any after-hours callout numbers for DCP; we contact Crisis Care and then if they think there is sufficient need to call the after-hours contact number for DCP, they will do so. We have had a few issues in the past where we have made contact with Crisis Care. They suggested on one occasion that we just drive a baby down to the hospital to get it seen to, and on another that the police officers actually mix a formula for the baby and feed the baby. They are some of the issues; that is the feedback we are getting from Crisis Care. I have raised a few of those issues with the senior people at Crisis Care about receiving those sorts of responses from them and with the head of DCP.

The CHAIRMAN: It does seem like a fairly strange response that you are getting from them.

Mr Sears: We have been criticised in the media in the past, and through the courts, for detaining juveniles over weekends and the like. The sad reality is that sometimes it is the best option for the kids for their own care and protection. We have a duty of care, obviously, to ensure that they are put into a safe environment; we cannot release them into an environment where there is drinking, violence, gambling and so on going on, and that happens on a regular basis in Kununurra.

The CHAIRMAN: We actually have DCP coming this afternoon and we will ask them why there is not a shelter up here for children that you find walking the streets—children and others.

Mr Sears: I actually asked Minister Robyn McSweeney previously, when she was doing a tour up here, that we get some sort of bail facility or after-hours facility where we can put juveniles rather than have them sitting in a cell at the police station —

The CHAIRMAN: At the lockup.

Mr Sears: But, as I say, at the moment there are no facilities and it is the best of a bad situation. I would rather be criticised for keeping juveniles in the lockup or at the police station than releasing them to an environment where they are going to come to harm. That is my pure reason behind it and if I get criticised for doing that, I am prepared to cop that on the chin, rather than put them into an environment where they are going to come to harm.

The CHAIRMAN: It is not just harm, I have heard that some very young children are physically and sexually abused and also that the police might find them intoxicated on the streets. What can you tell us about the ages, the physical abuse, the sexual abuse, and the intoxication of children in this area?

Mr Sears: The last sexual abuse of children that I am aware of happened in December last —

Mr Moyle: Christmas Eve.

Mr Sears: Yes. Two young children were taken out of their home environment and taken into the bush and sexually assaulted by a young boy.

The CHAIRMAN: Can you remember their ages?

Mr Sears: I think one was five and the other one was four. The perpetrator, the offender, in this instance was a 12-year-old boy. He has been charged and put before the courts, obviously, and dealt with.

Mr Moyle: I correct that: it was not Christmas Eve, I do not recall the actual day it was.

Mr Sears: It was in December 2009. That was probably the most recent horrific thing that has happened as far as young child sex abuse. We have run operations in the past where young girls as young as 12 are intoxicated and have been picked off the streets three nights in a row. That same young girl, 12 years old, was raped by three boys because she was so drunk that she passed out. Unfortunately, while she was passed out, the three boys helped themselves. So that is the sort of offences that are occurring in Kununurra and that is the sort of risk and harm that is coming to some of the younger kids in Kununurra.

Mr Moyle: Unless those events are happening between 9.00 am and 3.30 pm or four o'clock Monday to Friday, there is nothing outside those hours that can really assist unless we ring Crisis Care. In my personal experience, it is like there is a gate-keeping mentality with respect to that sort of information when we are trying to seek assistance.

Mr Sears: So with that in mind, Kununurra very much has a night culture; the kids roam the street at night to get away from the home environment, which is unsafe for them, in their opinion. They like to gather with their own peers and roam the streets at night. They can be out there anything up to three or four o'clock in the morning. We have had up to 60-odd kids roaming the streets at night. We went out last night on a cold and wet night and we saw two groups of kids, one group of boys and one group of girls, and that is on an unusually quiet night. The kids are out and about very

much at night-time and because they are out until all hours of the night, they are not attending school the next day. There are problems associated with getting the kids to go into school, the attendance rates, and, obviously, that impacts on their numeracy and literacy skills and then flows on to their ability to be competitive in the work environment later on.

The CHAIRMAN: So the curfew that we have in Northbridge in Perth, do you think a similar type of curfew would be appropriate in this type of area?

Mr Sears: Anything would be an improvement, but it would be a case of policing that curfew. We do not have the resources. The kids actually bait the police officers; they will play games with the police, they will see the van driving around and they will whistle at the police and yell out to them with the hope that the police will chase them around the streets at night. It is a bit of a game for the kids.

The CHAIRMAN: So rather than having a curfew it is probably best just left with you. If there was a shelter here, when you saw the children you would be able to pick them up and take them there.

Mr Moyle: I think it would be better that instead of an actual curfew as such because a curfew, obviously, would encourage and impose on the children to remain in that environment that they are escaping, if somehow—and we have tried through the chamber of commerce to get some curfew with respect to children in shops during the day—there were some cut-off time for going to the roadhouse because invariably the excuse that we get from the kids while they are out and about is that they are going to get a feed from the shop. Obviously, if they have cash we do not want to impede them getting a meal, but that meal then turns into a large group hanging around together and obviously what flows on from that. If we were somehow able to get the shop owners together to manage a strict rule where they would not serve children through the day, it might encourage them to go to school; it might break that nocturnal behaviour. Consequently, if we are stopping children at night, we are not going to get that excuse thrown up that they are going to the shop to get a meal or get a feed. If there was a cut-off time for eight o'clock and it is now half past two in the morning, a line is drawn in the sand.

The CHAIRMAN: What restrictions do you think would be best for your area?

Mr Sears: What we have proposed through the section 64 application that is with the Director of Liquor Licensing at present is: that we reduce the hours that alcohol is available; no hotels or licensed areas are open before 12 noon; the sale of takeaway alcohol between 12.00 and 5.00 pm is of reduced alcohol content—that is, low-strength alcohol; full-strength alcohol is available for sale only between 5.00 and 8.00 pm; no alcohol sales on a Sunday; and volumetric restrictions in that they can purchase only one carton of beer at a time, one bottle of wine, one bottle of spirits and I think it is a dozen ready-to-drinks. That is the restriction we seek to put in place. We have tried those in Kununurra on a voluntary basis when we have had major football events or a large funeral where we have had intelligence given to us that there may be some cause for concern. We have had the licensees do that on a voluntary basis and every time we have done that, we have seen a reduction in our tasking level and a reduction in crime. So the strategy at the moment for liquor restrictions is to get that section 64 application up before the Director of Liquor Licensing and get it approved.

The CHAIRMAN: We actually heard this morning from one of the Aboriginal groups that they were asking for restrictions a year ago, so sections of the community have been looking forward. It was MG Corp that has been —

Mr Sears: Yes, the Miriwung–Gajerrong people —

The CHAIRMAN: — asking for restrictions for a while.

Mr Sears: We have been working closely with quite a few groups—the MG Corp, the Ord Valley Aboriginal Health Service, people from the hospital and the like—because, obviously, the impact and the flow-on of the alcohol abuse is that there is a lot of presentations at the hospital that flow on

from domestic violence, people falling over and cutting their heads open and so on. We have reduced the amount of alcohol availability. Data in the past has shown that presentations at the hospital go down, and crime and tasking go down for police. By way of an example I can give you, we had a cyclone alert for Cyclone Billy and once we go to code blue, I think it is —

Mr Moyle: Yellow alert.

[1.30 pm]

Mr Sears: Yellow alert, sorry. We put liquor restrictions in place and closed all the hotels, and my tasking night shift did one job for the whole night shift. The next night, when the alert was lifted, they did 30 jobs. That shows you the impact it can have just by shutting the hotels for one night. But we are hoping that the liquor restrictions will also give all the other government agencies the opportunity to go in and deal with the people that they need to see during the day when they are sober, rather than turning up there at 10 o'clock at night to help them out and do some sort of parenting support, only to find that they are roaring drunk and cannot be dealt with.

Mr Moyle: It breaks that cycle of drinking. The guys on the track are going to domestic incidents at four, five, six o'clock in the morning, and people are sitting there, drinking.

The CHAIRMAN: Still drinking?

Mr Moyle: Still drinking full-strength alcohol. Come 10 o'clock, they walk uptown and wait for the hotel or the licensed premises to open and the cycle continues.

The CHAIRMAN: Do you regularly see people waiting at 10 o'clock to purchase alcohol?

Mr I.C. BLAYNEY: How many do you see waiting there for the door to open?

Mr Moyle: It is hard to quantify the numbers; it depends on what community is in town, what money availability there is, and which licensed premises is opening at that time. That cycle continues. As Graham mentioned, breaking that cycle provides the opportunity for health workers to get in there and deal with these issues, but while that cycle is still going it is hard.

Mr Sears: It is not only the influx of government welfare payments that is going to a lot of these people; they also get royalty payments from mines here in WA. Also, because the Miriwung-Gajerrong people encompass a large portion of the east Kimberley, they also encompass a large portion of the Northern Territory as well, so they get royalty payments from mining companies over in the Northern Territory too. It depends on when some of those payments are made as to what happens around town. There might be a week when we find out, unfortunately too late, that \$20 000 to \$40 000 has come into town in lieu of royalty payments, and all of a sudden there is a huge drink-up. Everybody who is associated with the family that got the royalty payments is having a wowsie of a time.

Mr Moyle: Through our alcohol accord, having health workers on board and people in the community, the feedback comes back to us fairly quickly that there is an issue, a feuding problem or an influx of money for alcohol, whatever the case may be, and we then make a risk assessment on that. An example that flowed onto the example that Graham gave about the yellow alert was the time of the government stimulus payments, before Christmas of that year.

Mr Sears: For a two-week period.

Mr I.C. BLAYNEY: Was that the \$900?

Mr Sears: Yes, but some —

Mr Moyle: That was the first payment.

Mr Sears: Some up here, in particular circumstances, were getting thousands of dollars. We initiated a type of restriction with the licensed premises in town, and the reduction was amazing.

You could feel the town exhale in a sigh of relief, and it flowed on to that yellow alert, and it was fantastic.

The CHAIRMAN: I know that the Wunan Foundation was saying that it was looking at financial management of some of the things they are doing that Noel Pearson is implementing. You were talking about royalties and Centrelink payments. Maybe they need to be looked at, because with the technology we have today, rather than it being a lump sum all at once it could, in some instances, be daily or weekly payments.

Mr Sears: I know that Centrelink does have a quarantine payment scheme, but that was on a voluntary basis. I believe that DCP now has the power to order that quarantining under particular circumstances. As far as royalty payments go, there is no quarantining; the money is paid out and received.

Mr I.C. BLAYNEY: With the different containers that alcohol comes in, does beer come in both glass and cans?

Mr Sears: Glass and cans, yes. Generally, Victoria Bitter is the beer of choice. It is colloquially known as “green can time” here at 12 o’clock. They cannot buy full strength before 12 o’clock, but when 12 o’clock comes around, it is known as green can time. As late as last week, myself and one of the other sergeants went down to the long grass area on Lily Creek and confiscated three cartons at 10 past 12; there was a group drinking in a public open space, some 10 minutes after the pubs had opened.

The CHAIRMAN: Is that because of the Liquor Control Act—there is something between purchasing and drinking?

Mr Sears: We have done enforcement as far as close proximity to hotels. The enforcement in that instance was purely for the fact that they were committing the offence of consuming alcohol in a public space; it was park drinking. They had committed an offence, so we confiscated the alcohol from them. We have enforced the strategy of enforcement through close proximity drinking to try and clear up some of the public open spaces Kununurra, particularly down Messmate Way and Whitegum Park, where we actually hold the licensees to account. If they serve somebody alcohol to take away to drink, then they are obliged to make sure that they do not drink it within proximity of their licensed premises. We have not actually enforced that legislation by way of a liquor infringement or prosecution to licensed premises; it has been done through consultation with the licensed premises through our accord.

Mr I.C. BLAYNEY: I think you were saying that you could get wine in plastic bottles?

Mr Sears: Yes, I believe you can purchase wine bottles now that are plastic, called eco-friendly wine. I think the bottle weighs about 30 per cent less. We have seen a trend in Kununurra since the banning of wine in casks of an increase in smashed glass and injuries during assaults from glass and bottles. There has been an increase in glass breakage around town; the shire has been reporting that through its contractors, who clean up every morning. We have seen an increase in injuries caused by broken glass or bottles being thrown at people or used as a weapon to smash somebody over the head, leg, arm, body or wherever.

Mr I.C. BLAYNEY: Spirits, of course, just come in bottles, do they not?

Mr Sears: Spirits come in bottles, but if they can put it in glass, there is no reason why it cannot be put in plastic. One of the options with the section 64 application is if alcohol is available in an alternative container to glass, then it is sold in that container first rather than in a glass bottle. That is one part of our submission.

The CHAIRMAN: Could you tell us about the current accord that you have here?

Mr Sears: Yes, we meet once a month and the big push with our liquor accord is obviously to get some sort of voluntary input from the licensees and the rest of the community as to how the accord

and the community is run as far as the consumption of alcohol. There seems to be two factions in the accord; one representative of the licensees and their needs and desires, which are obviously to make a dollar, and the other from the community perspective, particularly from policing and health aspects, as far as the harm that is being caused in Kununurra. The accord objectivity is harm minimisation—how to stop people from becoming at risk from alcohol consumption or over-consumption of alcohol.

The CHAIRMAN: What was the figure we were given this morning for one hour at the till?

Mr I.C. BLAYNEY: Yes, \$20 000 —

The CHAIRMAN: In one hour, for alcohol sales.

Mr Sears: I have heard for one till at one licensed premises, \$27 000.

The CHAIRMAN: For one hour?

Mr Sears: Yes. That is the sort of volumes of money we are talking about. I believe that each takeaway premises in Kununurra has two tills, so when you start talking about those sorts of volumes, you are talking about a lot of money.

The CHAIRMAN: I can see why there is maybe some opposition.

Mr Sears: Yes.

The CHAIRMAN: It is a lot of money going somewhere.

Mr Sears: Yes. Obviously, with the accord, we try to lessen the impact, particularly if we are going to impose voluntary restrictions. We try to lessen the impact of the licensees. We understand that they need to make a dollar and that it is a business venture for them, but at the end of the day, our key concern is reducing harm to the community. The big problem is, once you get the abuse of alcohol, you have all the other things that flow on from that—violence, injuries, the cost to education and non-attendance at school, low numeracy and literacy skills and low employment prospects. Kununurra probably has more opportunities for Indigenous people to get employment than anywhere else in the state, but it is very difficult to fill those spots because we cannot get people with the skills to do the job and sober enough to comply with their zero tolerance for alcohol and drug use, as far as their work compliance is concerned.

Mr Moyle: Graham and I, our strategy is obviously to target the liquor. We have discussed it and we are of the same mindset that it is very difficult and a waste of resources to be running around, treating all these symptoms, when the underpinning problem is alcohol. If the alcohol issue is treated, all these other issues will then fall into line. It is pointless running around trying to treat the symptoms when the issue is right here in front of us.

The CHAIRMAN: Are we able to keep this photo by way of supplementary information?

Mr Moyle: I do not have a copy of it and I do not have a reference as to who took the photograph. The only information I have is that photograph. You are welcome to it.

The CHAIRMAN: I was just wondering, if we could have the photograph, if you could describe—again, thank you for the drive around last night; we were certainly shocked to see front gardens full of aluminium cans—how often areas in the town would be like this photo?

Mr Sears: On a daily basis. I was speaking to the CEO of the shire the other day. It had cleaned up one area of the long grass the day before, and as soon as the pubs were open, the group was back down there again, ready to start drinking, and then they just discard their cans and throw them all over the place.

The CHAIRMAN: So they bring the cans out from the pub, as well as buying from the —

Mr Sears: No, it is only takeaway sales, but I am aware that the shire has numerous contractors out. First in the morning there is the mobile vacuum cleaner that goes around, up and down Messmate

Way and all the grassed areas, picking up rubbish, empty bottles and whatnot. I have seen myself a contractor with a four-wheel-drive vehicle and a big pump on the back of a trailer, actually vacuuming up the cans in the long grass, where that footpath is that I showed the committee last night.

[1.45 pm]

The CHAIRMAN: One of the other things in looking at the drugs, what is the extent of the problem with ganja? We are particularly interested in this because we know that in some areas it is more prevalent in the Kimberley than in other areas, and we heard this morning in some of the presentations this morning that people said it was equal. It may not be causing as much harm, but a lot of the people who were taking alcohol were actually smoking the ganja as well at home. There is a bill on the table at Parliament that basically will mean that cannabis will go back under the Misuse of Drugs Act, rather than having the Cannabis Control Act, and where under the Cannabis Control Act it is 30 grams or more for a criminal offence, it is going to go down to 10 grams. I guess the reason I am asking you this is because, having been told that many people in your community are smoking cannabis and it costs us over \$100 000 for each person who is in prison for a year, it seems to me like when this change is made, you are going to lose a lot of people from your community. But the only thing is that from our previous hearings we are hearing that prison is often seen as three meals a day and a sports centre, and, you know, it is not seen always as a punishment. So, what effect could this legislation have on an area like Kununurra because it is not seen as a punishment? I think people in the metropolitan area think prison is the worst thing you can do, but it seems up here that it does not appear to all groups to be the worst thing; it seems to be a break away from the family situation sometimes. In which case, we appreciate prevention comes first, but also cannabis is not legal, so what other forms of punishment could be used? Would you like to maybe discuss the cannabis issue and the impact that could have on the community?

Mr Sears: If we could start with the cannabis, then particularly amongst the Indigenous population there is not a lot of ready cash to go around to go and buy cannabis. Generally for them it is cheaper to purchase alcohol. It is more readily available; therefore the use of cannabis—I am not saying it does not exist, they certainly do use cannabis—is not as prevalent as what it might be if this were a mining town where people with very high incomes and a lot of available cash to spend on drugs of recreation, if you may like to call them. I do not like to call them recreation drugs because drugs are drugs at the end of the day. So, cannabis is not as prevalent in that aspect amongst the Indigenous people. I have got no doubt that the white people in this community do use cannabis, and obviously we try to detect that wherever we can, but obviously they are very secretive about how they go about their dealings and whatnot and we are the last people to know usually on the scale of things. So, as far as Indigenous people go and how that will impact on this community, I do not think it will have a great effect. We do not see a lot of powder drugs or the other methamphetamine-type drugs in town. We have seen them on occasion, but they are not prevalent like they would be in a town, say, such as Kalgoorlie that is heavily populated and a lot of disposable income because they are all working on the super pit and making a squillion dollars. In that aspect, with what you mentioned in respect of punishment and the impact of people being incarcerated, I actually escorted a young boy from Kalumburu down to Rangeview detention centre and I asked him on the plane, “How do you feel about being taken out of your country? What impact does that have on you being away from your family?” He said, “Oh, look; most of my family are down in Rangeview anyway. My cousins and brothers are down there and I go down there and I get three good meals a day and I get to play Xbox and PlayStation and there’s a new pool table they’ve just finished and they’ve got a new table tennis table. I’m looking forward to doing that.” He even mentioned down to Friday night was fish and chip night and he was looking forward to that. So that is not a punishment in my eyes for this young person. It is not a consequence for their actions. There need to be consequences as a form of punishment for the offences that they commit. Now, whether that be more in line with the juvenile

justice team approach where there is some sort of community work done, rather than being incarcerated —

The CHAIRMAN: Would that apply to adults as well? I notice in the Broome prison, the tour that I had in Broome prison, which was a while ago and I think it is probably still the case, the same family group tree were actually in a cell. So you went in with your family. Again, we have heard that people do not see it as a punishment, going to the Broome prison.

Mr Sears: Particularly with the Indigenous people because, speaking from the fact that we run the lock-up-prison in Kununurra, we also have to be very mindful of their mindset when they are in our custody; that is, suicidal tendencies and whatnot. So, we tend to put people in family groups, first, because it puts them in a better frame of mind, they are not in the doldrums because of the fact they are incarcerated, they are with people that they can associate with and relate to. And for us, it is a risk management tool to do that—to lessen that risk of suicide or self-harm. So that is probably why you find that in the Broome prison as well.

The CHAIRMAN: But with the other options, would a community work order be seen as more of a punishment for some of these people?

Mr Sears: I think community work orders would, but it has to be strictly enforced so that the community work is actually done.

The CHAIRMAN: But the \$100 000 that is used keeping somebody in prison for a year, that would go a long way towards employing each person, a lot more Corrective Services personnel, would it not?

Mr Sears: Yes, but I know there is a push for expansion with Corrective Services in the Kimberley, but it certainly would be money better spent in my opinion if that money was spent, rather than on incarceration, but put back in the community through some sort of work program.

Mr I.C. BLAYNEY: What is the story? I have noticed a couple of posters around town for the BasicsCard, is it?

Mr Moyle: The BasicsCard.

Mr I.C. BLAYNEY: Do people get put on that or do they ask to go onto it?

Mr Moyle: I do not know a lot about it other than I think there are some families in town that actually approach and ask for that to happen, especially people who are elderly so that they do not get humbugged for their money; and they are able to deal with it that way to stop violence by family members to get the cash off them.

Mr I.C. BLAYNEY: So, it is part of the income management process; is that right?

Mr Moyle: I believe so.

Mr I.C. BLAYNEY: In the Northern Territory, they can impose that on people; is that the case here as well or not?

Mr Sears: No. I think the card system they have in the territory is for alcohol purchase—the TAMS system where they actually provide some form of identification and once you go over your quota for the day, that is it; you cannot buy any more alcohol. It is all linked on a computerised system.

Mr Moyle: With respect to the intervention, I think over there it becomes mandatory when they are being assessed and identified over there. I am not real sure on their model, but my belief or my understanding is that the BasicsCard over here is voluntary. I think it can be imposed in certain circumstances, but I think the majority of people in Kununurra are volunteers to it.

The CHAIRMAN: Graham, there are two things: do you have any Aboriginal staff who are working?

Mr Sears: No. That is the shortest answer to that one.

The CHAIRMAN: Do you work with the Northern Territory police? Are they joint relations?

Mr Sears: Half of my staff are, and the aim is that all of my staff will be, sworn special constables in the Northern Territory and we have reciprocal arrangement with the Northern Territory officers being sworn in as WA Police special constables. So that gives us the power to police across the border, but only under Northern Territory legislation. So, we cannot go across the border, drag young Johnny back who has driven a stolen car across the border; we actually apprehend him in the Northern Territory and then take him to the nearest police station and then process him under Northern Territory law. And then if there is a need, we will go through the extradition process to bring him back to WA if the offences are serious enough.

Mr I.C. BLAYNEY: Where is the nearest territory police station?

Mr Sears: Timber Creek is 232 kilometres.

Mr I.C. BLAYNEY: There is one at Timber Creek.

Mr Sears: Yes, and then after that it is Katherine, which is 500 kilometres from here.

The CHAIRMAN: Another drug issue seems to vary for the communities—I know of some of the desert communities, Aboriginal communities. Like when we went to Balgo, sniffing is still a problem in that community. Is sniffing a problem in any of your areas?

Mr Sears: I am on the east Kimberley substance abuse steering committee, and we do not see a huge problem. The sniffing does tend to be in the more remote communities, such as Balgo and other places. We have had one instance that I am aware of in Kununurra, a young girl was sniffing deodorant and as a result of that, unfortunately, she died. So, my officers resuscitated her about six times and then the ambulance took over. She was flown to Darwin and put on life support and, unfortunately, she fried her brain. So it was tragic circumstances, that, but I think that has had an impact on a lot of the kids here in the local community and a lot of them have actually mentioned to us, “Oh, we don’t do that any more since that girl died.” So, whilst it is a tragic accident, it has had a lesson for others in the community. But that is not to say that sniffing does not occur, but it is not as prevalent as what it is in smaller remote communities where I know they are prone to sniffing petrol and aviation fuel and so on.

The CHAIRMAN: I am going to shortly close this session, but before I close this session I want to give maybe one to two minutes to areas that we have not covered that you want to bring to our attention. As I said before, we will send your transcript to you and you do have an opportunity when you send back the transcript to give us a supplementary submission. But before we do that would you each like a minute or two to have a think and then maybe —

Mr Sears: One of the areas I have not covered, and it is not in my submission and we have not discussed today, is a youth-at-risk initiative we have in here in Kununurra, and that is supported equally by police, DCP, Corrective Services, Education and Health as the legislative bodies for the welfare of children. The aim of the CROC program, the CROC analogy, is the community response for our children. The aim of the CROC program is to deal with kids on an individual basis as a whole-of-government approach very similar to the framework surrounding Strong Families meetings where we just target the one person and we see as government agencies collectively we can do for that particular child and/or family.

I lost my train of thought there. We have had seven kids go through the CROC program since its inception in late January and only two of those children have reoffended since the program has been in place, which in effect is successful as far as I am concerned—the fact that we have stopped five kids who were youth at risk and recidivist offenders; they have actually stopped offending. I have not said we have fixed the problem; we have put other things in place to get other family support. Some of the kids have transferred out to Alice Springs with family groups and are doing well in college there. I know one kid who has just recently moved to Queensland, another one has gone to college down in Perth and we managed to get a location in the youth hostel or the college here for a

young kid who had problems with the home environment and where he was staying and where he was sleeping. So, as I said, that is all the government agencies and the simplistic part of it is it is communication and exchange of information, and it seems to be working.

The CHAIRMAN: We also hope that if they are the ringleaders, it will cut down on some of the other people who might be causing problems.

Mr Sears: It is about breaking that cycle. As I said earlier, there are 3 300 kids in the zero to 18 years age group and nearly 2 000 of those are in the zero to nine age group. So, we have got 2 000 kids who are prospective offenders coming up into that offender profile that we have for Kununurra, which is generally Aboriginal male, eight to 14 years. So, if we can break that cycle and show the other kids as a part of a learning process and an education process that offending is not the be-all and end-all of their life, that they can achieve, they can have prospects for work in the future, maybe we will turn things around.

The CHAIRMAN: Scott?

Mr Moyle: Nothing further from me, thanks.

The CHAIRMAN: In that case, I would like to thank you for your evidence before the committee today. A transcript of this hearing will be forwarded to you for correction of minor errors. Any such corrections must be made and the transcript returned within 28 days from the date of the letter attached to it. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be added by these corrections and the sense of your evidence cannot be altered. However, should you wish to provide additional information or elaborate on particular points, please include a supplementary submission for the committee's consideration when you return your corrected transcript of evidence. Once again, thank you both very much for coming along today.

The Witnesses: Thank you.

Hearing concluded at 2.00 pm