COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS

Reference: Involvement of Indigenous juveniles and young adults in the criminal justice system

WEDNESDAY, 31 MARCH 2010

FITZROY CROSSING

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HOUSE OF REPRESENTATIVES STANDING

COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS

Wednesday, 31 March 2010

Members: Mr Debus *(Chair)*, Mr Laming *(Deputy Chair)*, Mr Andrews, Ms Campbell, Ms Rea, Mr Kelvin Thomson, Mr Trevor, Mr Turnour and Mrs Vale

Members in attendance: Mr Debus and Mrs Vale

Terms of reference for the inquiry:

To inquire into and report on:

High levels of involvement of Indigenous juveniles and young adults in the criminal justice system. With a particular focus on prevention and early intervention, the Committee will identify:

- How the development of social norms and behaviours for Indigenous juveniles and young adults can lead to positive social engagement;
- The impact that alcohol use and other substance abuse has on the level of Indigenous juvenile and young adult involvement in the criminal justice system and how health and justice authorities can work together to address this;
- Any initiatives which would improve the effectiveness of the education system in contributing to reducing the levels of involvement of Indigenous juveniles and young adults with the criminal justice system;
- The effectiveness of arrangements for transitioning from education to work and how the effectiveness of the 'learn or earn' concept can be maximised;
- Best practice examples of programs that support diversion of Indigenous people from juvenile detention centres and crime, and provide support for those returning from such centres;
- The scope for the clearer responsibilities within and between government jurisdictions to achieve better co-ordinated and targeted service provision for Indigenous juveniles and young adults in the justice system;
- The extent to which current preventative programs across government jurisdictions are aligned against common goals to improve the health and emotional well-being of Indigenous adolescents, any gaps or duplication in effort, and recommendations for their modification or enhancement.

WITNESSES

Committee met at 10.30 am

BROOKING, Mr George, Bunaba Elder

CARTER, Ms Emily, Chairperson, Marninwarntikura Fitzroy Women's Resource and Legal Unit

GRAY, Ms Christine, Manager, Family Support Unit, Marninwarntikura Women's Resource Centre

KNIGHT, Mrs Olive, Coordinator, Early Intervention Prevention Program, Marninwarntikura Women's Resource Centre

OSCAR, Ms June, Chief Executive Officer, Marninwarntikura Women's Resource Centre

A welcome to country was then given—

Mrs Knight—On behalf of the traditional owners, I wish to welcome the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs into our presence here in Fitzroy Crossing to hear all of our aims, wishes and aspirations for our youth. I welcome you to this country, to our Bunuba country. Thank you very much.

CHAIR (Mr Debus)—Thank you. The members of the committee—that is, the Hon. Danna Vale and I—are very thankful to the Fitzroy Crossing community for receiving us today, for the conduct of these public hearings. I would like to just explain very briefly about the hearings. We both belong to a sub-committee of the House of Representatives of the Australian Parliament which makes inquiries from time to time into matters that affect Aboriginal and Torres Strait Islander people. This particular inquiry is about the high level of involvement of Indigenous young people in the criminal justice system. We have been in Melbourne and Sydney and in western New South Wales and in Perth, and later we will be in North Queensland and in Arnhem Land, always having meetings of this sort. I would, of course, like to acknowledge the traditional custodians of this land and pay our respects to elders past, present and future.

I should just explain how the hearings work. They are recorded—because it is like you are in parliament. They are recorded by Hansard. Hansard is the organisation that records everything that happens in the parliament in Canberra, and it means that there will be a record of what we say to each other. It will be on the internet, unless you indicate that you would like it not to be. The recording also happens to make sure that the committee—especially the committee members who are not here—have an accurate record of what has been said between us. The meeting is open to the public. Obviously, we treat the proceedings of the meeting very seriously, because we have come with the authority of the parliament and you have been good enough to give us your time and to speak to us honestly about these issues. So thank you again for having us. Often the way we do things is to ask members of a group that is giving evidence to say who they are and make some opening statement, and then we can discuss what has gone on. Who is going to start with an opening statement? Emily, please go ahead.

Ms E Carter—I would like to start by acknowledging that we live, work and meet today on Bunuba land. We thank the Bunuba people for their support and for their welcome to country.

Also, on behalf of the community, we welcome the committee to Fitzroy Crossing and we thank you for your invitation to Marninwarntikura to present on issues affecting our families, in particular our young men and women who have come into contact with the criminal justice system. We wish to raise with the committee our thoughts regarding effective prevention strategies, which we hope will prevent further generations of family members from coming into contact with the criminal justice system.

I would like to tell you a little bit about our organisation. Marninwarntikura was originally formed in 1991 as a women's group. In 1995 the women's shelter was opened and in 2003 the women's resource centre building was opened. We currently have 22 members of staff spread across all of the program areas. Marninwarntikura is a non-profit community organisation directed by a board of directors made up of local women from each of the four language groups: Bunuba, Gooniyandi, Walmajarri and Wangkatjunga. Funding for our programs is received from various state and federal government departments. Current programs aim to support Aboriginal women to assist themselves and their families; to ensure that the community, local organisations and the government are kept aware of the needs of Aboriginal women; to advocate behalf of Aboriginal women; and to assist Aboriginal women to maintain and strengthen their culture.

Alcohol restrictions introduced in Fitzroy Crossing during 2008 were a major step in reducing the impact of alcohol-fuelled violence within families across the Fitzroy Valley. Women and children have increasingly reported a lessening of the violence, and communities have at last had some respite. These restrictions were called for at the Fitzroy Valley Women's Bush Meeting in 2007. Marninwarntikura women's resource centre are the lead agency for this remarkable achievement.

We have well-established programs such as: the Family Violence Prevention legal unit, funded through the Attorney-General's Department; the In-Home Practical Support Program, funded through the Department of Housing; the community workshops; the mobile playgroup, funded through the Department of Employment and Workplace Relations; the Fitzroy Women's Shelter, funded through the Department for Child Protection; the Indigenous Parenting Support Services, funded by the Department of Families, Housing, Community Services and Indigenous Affairs; and growing power, which is a garden project funded through Healthways. All these programs assist and support women with issues of safety and wellbeing for themselves and for their families. The centre has a strong focus on supporting women and children to obtain the best outcome for themselves and their families.

Marninwarntikura employs local Aboriginal women in all its programs, mentoring and supporting them as they grow in ability and confidence. Marninwarntikura places great emphasis on empowering women to grow stronger within themselves while maintaining their language and culture. The centre offers women and their families options and choices while always aiming towards a future of financial independence, human rights and equal opportunity. That gives you an outline of what our organisation is about. I would now like to hand over to June Oscar.

CHAIR—Thank you, Emily, for pressing on in the middle of many disturbances, including some around here. Thank you.

Ms Oscar—I would like to acknowledge one of our elders, George Brooking, who is also the chairperson of Bunuba Inc. I was born here in Fitzroy Crossing and I have lived here most of my

life, apart from when I was sent away to Perth for schooling—like many other Aboriginal children from this area—when I attended university, and when I worked for the Kimberley Land Council in Broome and Derby for a number of years in the nineties. This is my home. This is my traditional country as a Bunuba person. This is where the majority of my family live, and it is for their future and the future of other families who occupy this part of the world that we provide services. We care for their futures and make decisions with them so that everyone can have quality of life and a future here and so that we can grow this community.

Aboriginal and non-Aboriginal people come together in forums such as the Fitzroy Futures Forum, which includes all residents, service providers, private sector businesses and pastoralists. Anyone you can think of who lives in the Fitzroy Valley can come to that forum, be informed and look at matters that impact all that live here. I understand that it is the only forum of its kind in Western Australia, if not nationally. It is something that we have raised with the Coordinator-General and the people who are involved in COAG's Closing the Gap and remote service delivery programs. We have been promoting it as a model for other organisations in this state as well. This is a community that is growing and embracing everyone. It is about building a safe community where everyone can thrive, particularly our children, and where people feel valued, acknowledged and appreciated for what they do and for their contribution to this community.

I am not sure if you are visiting Halls Creek, but it is another community like Fitzroy that has had challenges. As Emily mentioned, alcohol restrictions were one of the highlights for our organisation, as it is for Halls Creek, where women similar to us lobbied for changes to what was, in this community and that community as well, the chronic oversupply of alcohol. We had been witnessing the death rates through suicide and the premature deaths among our old people and it was something that we felt we needed to change so that we could have a future here and continue to build this community and make it a strong and safe community.

Whilst we live in this community and there are many challenges for us, there is also much strength in this community. We are a community that has a vibrant culture. We have our four languages and we celebrate our survival and the survival of our cultures and languages in many ways. We also celebrate that with the rest of the Kimberley, but Fitzroy is a community that has attracted all sorts of people from all walks of life. People who have come and made Fitzroy Crossing and other places in the Fitzroy Valley their home have been embraced into the community and we want to continue to share this place with people who choose to come here. There are newcomers who have just recently made Fitzroy their home, and I think since the restrictions there have been more people wanting to come here, certainly with the housing development that is happening, and we need more of that.

We need more housing support here, not only for our communities because of the huge need to address the appalling housing conditions that have been the case in Fitzroy for a number of years but also probably for many other communities in the country. We are seeing the need to provide housing accommodation for service providers—not just government but community organisations who are working at the coalface, who are dealing with the many complex challenges that exist in this community. That is one thing I would really like to highlight so that we could have the support of this committee in moving along housing for the Fitzroy Valley. I understand there are agreements in place to deliver housing for this part of the world, but a lot of the services that we need in this area depend on our ability to accommodate and house the people that we need to recruit to these areas. There is a real shortage.

One of the key things that we have been advised the committee has a particular interest in is the alcohol restrictions and why we lobbied strongly for them. I mentioned a while ago that this is a community that has suffered too many preventable deaths. Many of those deaths were suicides and, from the coroner's inquiry and the toxicology reports, many of the people that we lost had high levels—lethal amounts—of alcohol in their blood. Whether people live or die in that state was something that this community had to face up to and to make decisions to change, because we could not and we will not continue to see our family members die because of the oversupply of alcohol that was happening here in Fitzroy.

An issue that we were aware of then and that we are acutely aware of now and want to address is the issue of our children being born with foetal alcohol syndrome or spectrum disorder or foetal alcohol effects. It is a huge issue that has not been tackled by this community or by governments in my view and from the advice I have been given. In simple terms, it is children being born with permanent brain based disabilities, which are lifelong and which affect every aspect of human life and development. That is a huge issue for this community, as it is for many other communities in Australia. It is not just an Aboriginal issue, but it is very significant in places like this when the population of Aboriginal people is greater than that of non-Aboriginal people and when children are being born into this world with this severe condition. And FAS is something that we know is 100 per cent preventable.

CHAIR—Nindilingarri is conducting a program to deal with FAS now.

Ms Oscar—That is right.

CHAIR—Is very interesting to us that you have a number of organisations that seem to be created within the community and designed for the community. You designed them; someone did not design them for you. Is that fair to say?

Ms Oscar—That is right.

CHAIR—Do you think that is why they work?

Ms Oscar—Very much so. It takes in local ownership and local control, which is far more successful than something that is introduced and we are expected to make it work. Regional bodies or national bodies and structures being developed and designed, and then being expected to work at a local level, I think needs rethinking and review.

CHAIR—Yes.

Ms Oscar—Whilst Nindilingarri will be talking about the work around foetal alcohol spectrum disorder, I would like to just make mention of some key points that arise for us and that could be reinforced by Nindilingarri. We know that research around the world estimates that 60 per cent of children born with FAS or FASD will be in trouble with the law or go to jail. To date we have not had the ability to access information here in Australia about much of this work, but we have in relation to First Nation communities in Canada, where there has been decades of work around FAS and FASD. We know from the work that has been done in Canada that it is estimated that up to 60 per cent of people incarcerated in jail have been alcohol exposed in utero. So this is something this country needs to be looking at in terms of resources and becoming

better informed about it. We as a community certainly want to become informed about it and to start developing well-informed prevention strategies, and thus we have been working to support the work of Nindilingarri and the partnerships that they have been able to establish with the Westmead Children's Hospital and the George Institute for International Health in Sydney.

CHAIR—So you are saying that the first step in preventing offending behaviour is to deal with underlying health problems.

Ms Oscar—I think every one of us needs to be informed about what issues these individuals are grappling with, then better supports can be established for them.

Mrs VALE—Also, June, from my reading I understand that we really do not know the extent of the problem yet; we do not know how many babies are born with this syndrome. It seems that we really have to understand how many we are dealing with. You are right about prevention. We already have a cohort of young people that have a severe disability that need help. They need the right kind of help and they need help that is coming from the ground up, where the mothers can say what they need. It must be very hard for individual mothers without resources to try to deal with children that are born with this syndrome. That does not include the education system. How do they get educated if they have permanent brain damage?

Ms Oscar—We understand that a different education model needs to be explored and developed to cater for the specific needs of young children living with complex needs. We understand also from the paediatricians who have been working over several decades here in the Kimberley that there are high rates of young people with FAS and FASD in the Fitzroy Valley. Maureen and the other representatives of Nindilingarri will speak on why it is that we have decided to undertake a prevalence study here.

Mrs VALE—June, have you had incidences where young adults with FAS go on to have children of their own?

Ms Oscar—We understand from medical research that if a woman is consuming alcohol while pregnant with a female foetus, that foetus is swimming in alcohol in the womb and contamination of its allocation of eggs occurs. Even if that female does not drink as an adult, the eggs that she is carrying will have been contaminated.

Mrs VALE—So they will have another generation of FAS children?

Ms Oscar—Yes. It is a huge issue for this nation. It affects all of these fronts—legal, health, education.

Mrs VALE—And the criminal justice system.

Ms Oscar—Absolutely. We want to recommend to the committee that research into links between FAS and FASD and rates of juvenile crime and detention is something that we need to look at. We would want the committee to support the assessment of young people who have contact with the criminal justice system to ascertain whether they suffer from FAS or FASD. This is a highly sensitive issue. It needs to be approached respectfully and sensitively, because it

could destroy someone. It is not something that we can treat lightly. We need to consider all of this.

CHAIR—It is kind of like radioactivity, isn't it?

Ms Oscar—Yes. We need collaboration between governments and Aboriginal communities on community based justice for FAS and FASD sufferers as an alternative to imprisonment or detention. We would like the committee to support the recognition of Aboriginal people with nurturing and traditional learning expertise in education, justice, health and early childhood development fields. Answers and solutions cannot be found in Western models. We need to incorporate Aboriginal ways of healing and managing family members.

Mrs VALE—Has your centre come across any programs that you have been able to develop yourselves that have helped families who have children with FAS?

Ms Oscar—At the moment families are developing their own models of care. Those of us who give care to family members affected by FAS do so off our own bat. There is no support program, and there are no criteria for the Disability Services Commission or Centrelink, or any institution, to support caregivers and care recipients who are FAS affected, at this point. Aboriginal people here—

Mrs VALE—Are trying to struggle as best they can on an individual basis.

Ms Oscar—Until a criterion is established we need to support initiatives like the prevalence study, which will give rise to establishing a criterion so that families and individuals can be supported in this country. They cannot officially go to Disability Services or anyone in Centrelink for carers payment support.

Mrs VALE—Is it apparent to families that they do have a young child or a person who has FAS? I suppose there are different levels of brain delay or brain damage, so there might be some who have only a little brain damage and some who would have greater brain damage.

Ms Oscar—That is right.

Mrs VALE—So it might take some years before a family would identify that they have a child who has an impairment at some level?

Ms Oscar—Yes. That is probably the case now but, with the work of Nindilingarri on education and awareness around the effects of alcohol on unborn foetuses, people are becoming aware and informed. It is not just the health sector who has the responsibility of informing people in the community; it is all of us, because it takes all of us to raise a child. So we need the support of the highest office in the land, the parliament, and organisations in between.

Mrs VALE—So this would really be the No. 1 one priority for your organisation, for your centre?

Ms Oscar—Yes, it would be. There are the communication and awareness strategies of FAS and FASD in the broader community and the service delivery agencies that need focus to inform

people. At the outset of the restrictions, Marninwarntikura was able to partner with the Fitzroy Crossing police and the West Australian police force to look at how we manage the restrictions. We have been party to the establishment of the Fitzroy Valley Alcohol and Other Drug Management Group, which has representatives of the licensee—and representatives of the licensee are here today, Mr Rodrigues and Mr Green. We have been working together and looking at how, as a collective, we manage the supply of alcohol to this community and the effect of it on the people who live here.

CHAIR—Apart from FAS, there are still all sorts of other effects of alcohol that lead young people into the justice system.

Ms Oscar—Yes, but this is something that has not been discussed. It has not been considered in the way that it should be—it is the elephant in the room—and we need to look at it and learn from some of the fantastic work that has been done in Canada, in the US and in other parts in the world. There is a need for resources to be developed for the judiciary, for the police and for other groups in our community.

Mrs VALE—With the education too, June.

Ms Oscar—Absolutely.

Mrs VALE—With Down syndrome children early assessment and identification is so important to their eventual progress. I should imagine that this would have very similar urgency.

Ms Oscar—Yes. We are very supportive of working in partnership with the Fitzroy Crossing police, the judiciary, education authorities and other stakeholders to develop the resources and to develop networks with people who have established findings from research. We would like to have the support of this committee for some of the initiatives that we want to pursue here. I would like now to ask Christine Gray to raise with you issues around families and domestic violence since the alcohol restrictions and prior to them. She will talk to you about just what we are doing in that area of our work. Thank you very much.

Ms Gray—I think we all know that, here in Fitzroy, before the restrictions it was a very different town. I probably do not need to tell you about that again. But since the restrictions we have been looking at the numbers of women who come to our shelter. We saw a decline and then we saw an increase. What we have seen over the last year or so is that there has been an increase in numbers. We attributed that to the fact that women are actually leaving the family situation far sooner. They know when alcohol is coming to town. They see the signs. They know what is going to happen next. They come to the shelter. Initially I thought: ‘Oh no! This is not right. The number is going up.’ But women have reported to us that they get out very quickly and they bring their children to the shelter. The time that they stay is a lot shorter. In the old days people would stay a lot longer because the alcohol would stay around a lot longer too.

As for the level of injuries, when I first came to Fitzroy the injuries were horrific. I am not saying that they have disappeared, but they have certainly lessened dramatically. That is borne out by evidence from the hospital and the police too. We have seen that happen over the time that the restrictions have been in place. The whole town is a different town, I believe. It looks different; it feels different. It is a much better place for families.

There is a lot of work to be done. We were talking earlier about being able to offer programs to people. It is not our place to tell people about violence. They live with it every day. We try to do things differently. I would never presume to put a program in place for people here in the same way that I might have done back in Victoria, for instance. We work with an art therapy worker. That is silent counselling, if you like. Women and young people can come and have some time out, use their hands in clay work or painting—and they do. They know what we do there. They have all the posters and the information. We do not talk at them about family violence, but they know who to come to if they want to and need to—and they do. I think that is the difference between our programs here and programs in other big cities, where they are used to asking for what they want. The people here do not say, 'Come and tell us about violence.' They know about violence.

I was thinking earlier that there has been a lot of research coming back to us about the misdiagnosis of FASD. I think over time a lot of kids have been poorly diagnosed as having ADHD. There have been huge numbers of children over time that we have seen. What is happening in other states? How come they have all these kids with ADHD? Maybe that is what we are looking at. I am not a medical person at all, but I think now is the time to look at what FASD is all about.

For our women here, as June said, housing is a huge issue and always has been. If a woman wants to leave the family and does not want to go back but does not want to lose her family and her country, she has no choice but to go back because there are no other options. We cannot just find her an apartment somewhere or another home in Fitzroy or the surrounding communities. She has to get out altogether. We find that women will come back because this is where the heart is; this is where all of their family is. So, unless the situation changes with the violence and the drinking, a woman has no choice but to stay there. That is what happens for children. Children grow up with that example of violence and drinking in their home and then they go on to replicate it—not all of it but some of it. So it is a slow chipping away for all of us to just keep at it, and we do what we can.

CHAIR—Have you had any contact from the National Indigenous Drug and Alcohol Committee?

Ms Oscar—Not directly.

CHAIR—In any event, we should get them in touch with you. It is an arrangement that brings together people from all over the country who are experts on drug issues. There are professors of pharmacology and sociology—all sorts of people. They have been responsible for a lot of the national drug policies that are now in place and which have a good reputation around the world. They have policies around marijuana and cocaine. Whatever else we talk about, we need to make sure that we get them in touch with you. They are really smart people and I cannot believe they will not be very responsive to the issue here. They probably know something of it. We will do that for you.

Ms E Carter—We do get their newsletter, but we have never had any contact with them.

CHAIR—Okay. They have an executive officer whose name Gino Vumbaca. We will get you more detail.

Mrs Knight—Good morning. I am a community elder where I live in the Wangkatjungka community. I was born around there at Bohemia Downs Station. I have lived in the Kimberleys all my life just about. I want to speak on the EIP program that we run out on the communities which is a project of Marninwarntikura. This is in accordance with the 175 act which was more or less a blanket ban that we accepted out in the communities. Most of the communities did not take it, but at Marninwarntikura we wanted to take it on. Domestic violence and alcohol related problems were so rife in our community that we thought, 'Enough is enough and that's it.' A blanket ban was imposed, or a 175 was imposed, on the Wangkatjungka community. We had the support of the people there as well as the chairs of council of the community.

Since then we felt that the restrictions were a key stepping stone towards early intervention for our family groups. I think we have achieved a lot during that time. One of the achievements was an awareness of the real causal factors of alcohol related problems within our community. Some of the discussions at present talk more alcohol being the cause of our trauma and other things. This was the case with our recent trauma a few weeks ago out at one community. These causal factors are recognised as being alcohol related. In the past we used to be sidetracked by other issues—cultural issues and that sort of thing—but people are now more focused and are asking about the causal factors. Our intervention program which is run by Marninwarntikura is to create interconnectedness between families and between children and families. Once there was a huge divide. We now want to close the divide between families. Since the consumption of alcohol, the families have been so divided and there is not the bonding, the interconnectedness and all that happening between the families. It is still like that, because there are a lot of problems with it. We are not going to create this interconnectedness overnight.

A lot of the families are struggling and at present we wish to pursue other examples through the EIPP. I am the community coordinator at present and I was talking with my mentor here about pursuing other examples, such as mentoring projects that are being run in the Northern Territory. The example is an outstation in the Northern Territory called Mount Theo. What we are talking about here is the prevention of further criminal activities by our youths who were being neglected in the past and who have been directly affected by alcohol. These are the criminals that we have at the moment who are under the justice system. We want to pursue a lot of other examples, and Mount Theo is one of them.

Let me just give you a couple of examples of what happened at Mount Theo. I happened to be at a conference where I heard about what was happening with thieves, housebreakers and that sort of thing. One of the first inmates at this program is now a top footballer with Melbourne, I think it is, and another one is an aspiring lawyer. So that is a real mentoring program for you. That is what we want to see—good examples of getting our young people into a position where we mentor them, give them self-esteem, raise their awareness of themselves and give them aspirations for the future. They are more or less leaders within their own communities, and creating this continual leadership will be like a ripple in a stream.

I wish to acknowledge the chair of my council, who is present at the moment. She and her council have made moves to create a proper venue and we wish to open an outstation as a mentoring venue for youth at risk and those already under the justice system. We wish to make ourselves known to those who can refer them to us, such as the police and all of the justice people, and also to create an avenue for partnership with those who are sympathetic towards our cause. We wish to carry on this project, to develop it in huge ways, and we want to change the

education system out there. As you may be aware, I am at this present moment in a fight with the education department out of my community, which does not recognise foetal alcohol spectrum disorder behaviours and the other related issues.

Mrs VALE—Sorry, could you just say that again? Did you say that the education department does not recognise foetal alcohol syndrome amongst the children?

Mrs Knight—The education department does not recognise foetal alcohol spectrum disorder. They have not been educated in it. There has not been a workshop or professional development run for the education department. They are still grappling with the issue and they are calling it something else, whether it is ADHD or other things. They are still bringing in disciplinary measures, to more or less discipline children who are normal. There is no recognition of what the behaviours are all about and why the children are being that way. I am practically embroiled in that at the moment.

Let the Senate be aware that we are hopefully going to change the education department. If this organisation can do it, well and good. We wish to create avenues where our youth are learning, maintaining and creating their own development in projects such as multimedia and the like. We seek a partnership with the rest of our sympathetic organisations such as KALACC and Yiriman and all the other people who would wish to come alongside our struggle to save our youth and to create a very solid future not only for those who are under the justice system but also for those who are incarcerated in prison at present and to keep them from being further incarcerated. These are the generations that we want to save for the future. Thank you.

CHAIR—Olive, Wes Morris saw us in Perth yesterday and he gave us a hard time about the absence of resources under the Closing the Gap program, particularly in the area of justice, rehabilitation and public order. Are you able to be a bit more precise about where you would like to see some more resources from government for the kinds of programs which you are talking about? Have you some ideas about that now?

Mrs Knight—For a beginning, we would like more than anything else more resources for organisations, because these are the organisations that will be involved with our community aspirations and aims. Ideally, what we would like out in the communities are more trainers who will mentor us. I am a trained mediator in conflict resolution but I have only got limited qualifications to do such work. We will need more counsellors and more people who will come in and assist us in all of these things and who can equip us to do our work on the ground. Marninwarntikura has been more or less the instrument in creating this venue—this ideal situation, as it were—to get people out on the ground and create these things for us.

CHAIR—So you could actually begin to elaborate on some programs and you would be able to work out the extra resources that you need—mostly people—to help put the programs into practice?

Mrs Knight—That is right. We would like to do it from the ground because that way it will be our thing. We wish to own it. If we can create things from the ground, draw up plans and programs and get the resources we need on the ground, well and good. In the past, it has been a case of top-down methods; they have been passed down all the time, and we want to break free from the top-down attitudes and methods that people have carried. We want to stop the

paternalistic attitude that people in governments have taken in the past. We now want to begin a journey from the bottom.

CHAIR—We have had some evidence in other places where some Aboriginal groups have indicated their concern about way that governments quite often give money—and this happens at state and federal levels, regardless of exactly who is in government—to big NGOs to go out and implement programs.

Ms E Carter—That is very much the case with Anglicare and all of those sorts of organisations.

CHAIR—It is a very hard issue, because Anglicare is obviously a highly respected and motivated organisation. But in one place where we took evidence the big NGOs were referred to as 'the usual suspects'! I am quite interested in what you think about how to make those relationships. You have already made a good analysis, but I think it is really important for us to understand how you think you can actually be self-determining, on the basis that you have already made these amazing innovations about the use of liquor, and you did that by yourselves—no-one else could do that. I am taking a long while to say: I would really like to hear some more about your own ideas about the value of being able to form institutions for yourself and have people support them, rather than the other way around.

Ms Oscar—We would be happy to make a written submission to the committee identifying some of those initiatives and elaborating further on them.

CHAIR—That would be good. Thank you.

Mrs VALE—One of the things that we did hear about why some of the big NGOs were given the resources was that they had the knowledge to put together the applications to actually get the funding. Maybe there has to be a recommendation, as part of the structure—because when structures go into place they end up in the delivery end, down the road. Maybe it has to be put in that, if any of these big NGOs are applying for it, they have got to have a certain Indigenous component, or Indigenous people at the delivery end—and not just at the delivery end but also at the policy development end.

It is clear to us that there is not sufficient Indigenous input into a lot of the programs at local level. One of the reasons that we wanted to come to speak to all of you is that it was the Indigenous ownership, control and implementation that obviously has made Fitzroy Crossing the wonderful town that we are seeing out there today, and that has come from the women. You had this bush meeting in 2007. What was the catalyst that pushed the women of this community to decide that you were going to do something to change for the better of your community?

Ms Oscar—There were a number of catalysts. There was the number of deaths by suicide. In 12 months, in 2005-06, this community had attended 50 funerals and was stuck in a rut of grief, despair and trauma. The shock and horror made us as a community become so numb to the degree of violence and despair that it was being viewed as normal. We know that was not normal.

So, after much discussion, over many years, by Aboriginal organisations based here in Fitzroy, with the involvement of people in the mental health services, the health sector and the police, Indigenous people gathered together, here in Fitzroy, to look at what this was doing to this community, to members of the four language groups, and to the survival of Indigenous people here. We needed to take an honest look at where we were at as a community. Discussion happened over that time. There were approaches made here locally to various committees and to the licensees, to help to address this situation. It is fair to say that there were some steps taken by the licensees, but things continued to become worse. So it signalled to this community that we needed to make some serious and hard decisions here.

In our bush meeting in 2007, which is an event we have each year where women spend time out bush being hosted by the different language groups—in this case it was Gooniyandi women who were hosted by the Mingalkala community—it was women who said enough is enough. We cannot continue to live like this. We need to make some decisions so that our children and our families can have a future. Alcohol was killing any chance of us having a future.

Mrs VALE—So it was that realisation that was the driver in empowering the women to seek another solution.

Ms Oscar—It was not something that just happened overnight; it was an issue that was being discussed by this community over many years. We are now the owners of the licence here. Nineteen years ago, the decision to become owners of the business was taken so that we could be in a position of control.

Mrs VALE—Have you found support form the menfolk within your community?

Ms Oscar—There was strong support from cultural leaders and senior elders, both men and women, from men in this community and from non-Aboriginal people as well as Aboriginal people.

Mrs VALE—Would you say that other communities can do exactly what has happened here at Fitzroy Crossing?

Ms Oscar—They would need to look at their situation but they can certainly learn from what we have done here. The details of their approach would probably be different. I do not like to say that one size fits all. This community has a long way to go. We have had 42 years of chronic alcohol oversupply here and we would like to be given that chance to rebuild. We are a community that is certainly on the way to rebuilding. We would like the government of Australia to continue to support us and we would like the COAG process and the remote service delivery and Closing the Gap strategies to look at ways of continuing to work with us. We have established good relationships with the Australian government and the Western Australian government, particularly with officers in the Department of Indigenous Affairs, with the policing sector and with other ministers in the Australian government as well. We would like to be given a chance.

Mrs VALE—The model that you established is so respected that it speaks for itself. The women of this community have national respect for their leadership and their courage in doing what they are doing. It is certainly my hope that your model can be looked upon by other

communities and they can find the strength and the leadership that you have found here in this community. The fact that you have got the whole community behind you and working together makes this a very powerful model.

Ms Oscar—In all honesty, whilst we have the support of many, we have critics within the community. People have a different point of view and, as someone who has been in the position that I have along with the board of directors, we have had more than our fair share of critics and we have been vilified to the hilt.

Mrs VALE—June, leadership is a very lonely place.

Ms Oscar—That is right.

Mrs VALE—You would only have to ask Winston Churchill, if he could speak. Also, everybody has critics whenever they do something new. But the men and women, the elders, of this whole community are showing the dividends already. The evidence is just so powerful.

Ms Oscar—Yes. I have one final thing to say: the children are worth fighting for.

Mrs VALE—Yes, absolutely.

CHAIR—Yes.

Ms Oscar—It is as simple as that.

CHAIR—Thank you all. I would rather not end the session, but we must do so to make sure that we speak with everybody. Thank you again for speaking with us. George, we missed you at the beginning but I want to thank you for having us. I do not know whether you would like to say anything to the committee.

Mr Brooking—I would like to say that you are all welcome to country. I thank you all for coming and listening. It is good for us. Thank you.

CHAIR—Thank you very much.

Proceedings suspended from 11.36 am to 11.48 am

CARTER, Ms Emily, Chairperson, Marninwarntikura Fitzroy Women's Resource and Legal Unit

CARTER, Ms Maureen, Chief Executive Officer, Nindilingarri Cultural Health Services

WRAITH, Ms Joanne, Child and Adolescent Mental Health Professional, Western Australia Country Health Service

CHAIR—It is our pleasure to welcome Maureen, Emily and Joanne. I invite you to make an introductory statement.

Ms M Carter—Today I would like to talk about the FASD and early life trauma strategy that Nindilingarri and other organisations are currently working on. I believe the prevalence study that will be happening in the Fitzroy Valley will have a huge impact on the country and how it delivers services to people affected by FASD. I would also like to give you a little background to our service, which is unique and different to the AMS model.

Before I go on, I would like to acknowledge the Bunuba people, whose country we meet on today. I would also like to acknowledge the community members who have come along to this Senate inquiry. A lot of them in the room do work with us. You just had an example of some of the good work that is being done in the Fitzroy Valley by the Aboriginal community and the Aboriginal organisations.

Nindilingarri Cultural Health Services is unique in that we do not deliver clinical services. Instead, at Fitzroy Crossing, Nindilingarri has formed a formal partnership arrangement with WA Country Health Service and Kimberley Population Health Unit. We have developed a holistic model of care whereby Nindilingarri concentrates on health promotion and cultural health; the WA Country Health Service, which is the Fitzroy Crossing Hospital here, delivers services around acute care and A&E; and the Kimberley Population Health Unit at Fitzroy Crossing delivers primary health programs and is very much linked with Nindilingarri in terms of the health promotion programs that we provide.

Even though Nindilingarri does not provide the clinical care, we have formed a partnership committee and Nindilingarri is able to say how clinical services should be delivered in the Fitzroy Valley. We felt at the time that we needed to concentrate on health promotion because, if you look at the high burden of chronic disease in Aboriginal people, you will find that most of the diseases are preventable. We want to concentrate on health promotion in educating our community members about these diseases and how to keep themselves healthy.

I will give you an example. By the time you start to feel the symptoms of renal disease 80 per cent of your kidney function is damaged. Kidney disease is preventable; you can prevent renal disease. Nindilingarri Cultural Health Services provides education around nutrition, exercise and healthy living. I will go into more details about exactly what our organisation provides later, but I wanted to give you an example to show how important health promotion is to clinical services.

In Australia the government is very quick to put money into clinical care because it provides quick data. They can say, 'We have put so much money into this, this and this.' But the overall picture of Aboriginal health has not improved. Aboriginal people still have the highest burden of disease in this country. Therefore, you need a holistic approach to Aboriginal health. I believe the model that we, along with our partners, have developed here in Fitzroy Crossing goes some way there.

Nindilingarri provides services around health promotion. We have a nutritionist who educates the community about healthy foods, visits communities and teaches them to cook healthy meals and also works with some of the remote communities in establishing vegetable gardens. We have health promotion also around sexually transmitted diseases. Again, it is all about educating our people about how to keep themselves healthy and how to access supplies that will prevent them from contracting those diseases.

We try to develop programs that come out of the community. When we were establishing the promotion around sexual health we found that sexually transmitted infection was high in the Fitzroy Valley but that nothing was being done with the men in our community. So we sent two of our male staff members to talk to the men around the hotel, because that is where they are most likely to have unprotected sex. As a result of those conversations we were able to establish the condom trees, an idea which has now been copied by the other Aboriginal health service. That was just one way of recognising the issue. The men were saying they did not have access to condoms, so we came up with the condom tree concept to address that issue. That is just an example. We also give sexual health education in the schools and talk to young people about sexual health and protective behaviours.

Mrs VALE—How does the condom tree work, Maureen? Pardon my ignorance, but this is the first time I have heard of it.

Ms M Carter—It is very simple. There is a PVC pipe which is capped at both ends, with a hole in the centre. You put condoms in the hole and hang it on a tree.

Mrs VALE—And they can help themselves?

Ms M Carter—Yes.

Mrs VALE—That is called access.

Ms M Carter—Yes. It takes away the shame issue. People have the choice of accessing the tree.

We also run a first aid program. When we were established we ran first aid courses throughout the Fitzroy Valley and, in order to reduce infection, we started to give out first aid supplies to families. Since we started that program it has grown. We now supply the whole valley with first aid supplies so that communities are able to dress wounds which, if left alone, would become infected. It is a way of giving back to people the responsibility for their own care. Sometimes the mainstream model takes away the onus for people to be responsible for their own health.

Mrs VALE—Maureen, one of the things that the committee are particularly interested in is your FASD strategy, because we are seeing how this could impact in juvenile justice and in incarceration rates. You seem to be one of the few organisations that is actually addressing FASD.

Ms M Carter—Yes. Normally, in other settings, these people would have to go to the hospital or to the clinics.

Mrs VALE—Do you give training for families in basic first aid?

Ms M Carter—Yes. Because it has been running for several years now it is something that communities do themselves, but there was education around that initially. As of last year we developed our bush medicine program, and included that in our first aid supplies. Nindilingarri's approach is to give people back responsibility for their health, because I think the mainstream service disempowers people because it does it for them. But with our approach we wanted to teach our people that you can still take control of your health; you do not have to rely on doctors and nurses. There are ways of preventing the chronic diseases that exist at the moment.

We also have our spiritual health program. We are the only Aboriginal health service that has a music program. We feel that music is good therapy . In the Fitzroy Valley that has been recognised as being very important to health. So we run a spiritual health program, which is our music program. Through that program we are also able to work with our elders in recording their stories and songs. We have also been able to work with other musicians, like the Black Arm Band. Last year we were able to get them to come over and put on a concert because, again, we believe that music is very important to Aboriginal people's health and healing.

We also run the Alcohol, Drug and Mental Health Centre in the town. It was a sobering-up shelter. June made mention of this in her speech. Back in 2004 Nindilingarri, along with Marra Worra Worra—which is the Aboriginal resource agency—called a meeting because the community wanted to talk about alcohol and drug issues and mental health. Four hundred community people attended that meeting. Out of that meeting people were saying to us that they wanted education and counselling around alcohol, drugs and mental health. Because Nindilingarri did not have extra money for that, what we did was write to the Drug and Alcohol Office asking them to close down the sobering-up shelter because we felt it was not doing anything to address the prevention of alcohol and drugs. It took DAO two years to agree to our request. When they did they were able to give us the funding.

We went to our partners and said that, if they employed an alcohol and drug treatment worker we would pay the salary. So, through our partnership, they were able to employ an alcohol and drug treatment worker, which was a service Fitzroy did not have. Through the partnership we also have a social worker that works with children, adolescents and families around alcohol, drugs and mental health. We were also able to have three Nindilingarri positions so that we could have our own people giving education around alcohol, drugs and mental health. You will notice I have sitting with me Emily, who I am sure will give you some information around the alcohol, drug and mental health education, and Jo Wraith, the social worker that I referred to. She will be able to give you some information around that as well.

We also run a frail aged hostel, an 18-bed aged-care facility. Last year we were able to get a total of 44 out of 44 standards, which is a real achievement. We also run the HACC, Home and Community Care, program. This is about working with elders and their families to keep them at home as much as possible. We have 50 HACC clients that we deliver services to. Nindilingarri has approximately 40 to 50 people and we also work very closely with our partners.

I wanted to talk to you today about the FASD and early life strategy that we have developed here in Fitzroy Crossing, because I believe that this will have a huge impact on government services. I know June has said this, but, when we embarked on the FASD and early life strategy, what was really apparent was that no-one in government really understand FASD or FAS and, therefore, the government services did not provide any support to children and families affected by FAS and FASD.

It was really frightening to think that our government had so little knowledge around this issue, so we formed a partnership with the George Institute for International Health in Sydney and the Children's Hospital at Westmead to help us tackle and address FAS and FASD and early life trauma in Fitzroy. The health services of the Fitzroy Valley believe that this is not only a health issue; it is a community issue. It is not just an Aboriginal issue. We contacted all the Aboriginal organisations in Fitzroy as well as key government agencies such as education, police and justice, and we now have a number of government and non-government organisations, which we call our circle of friends, who have said they will support this strategy.

In the strategy that was developed we did not want to tackle only one area, so our strategy takes into account prevention and social support as well as diagnosis. Through our partnerships, we have been able to get on board, like I said, the George institute and the Westmead hospital and form our group. A number of organisations are on the leadership team. The people on the leadership team come from the different organisations and have each been given a responsibility. Nindilingarri leads in prevention. The Sydney Westmead hospital leads in diagnosis. Liz Elliott is the only professional in Australia in FASD and FAS. The Fitzroy Valley Health Service is also looking at diagnosis. They had to go to Canada to look at their diagnostic formula because one did not exist in Australia—like I said, Australia does not recognise this. Around social support, June talked about the children and families that are living with this. The women's group heads up social support in this strategy.

There are two stages in the strategy. Stage 1 is due to start in April, looking at about 200 seven-year-olds in the Fitzroy Valley. We have funding to do the first stage. We are about to employ two Aboriginal community navigators, who will work with the research team, getting parental consent and looking at the 200 children. There has been a lot of education around the FASD strategy, and I will let Emily talk about that. We are hoping that the first stage will last 10 weeks, starting in April, and we are still looking for funding for the second stage. We are hoping we can get that funding.

The second stage of the strategy will involve Liz Elliott, along with James Fitzpatrick, a paediatrician who has worked in the Kimberley area and is known to a lot of Fitzroy families. They will need a lot of other health professionals, especially allied health professionals, as part of their team, because one thing we acknowledged when we embarked on this strategy was that people on the ground are already busy doing their daily work. We did not want to overload some of the services here. So for the second stage we will be bringing in allied health staff. We will

have social workers as well, so families can receive counselling. We are hoping that the second stage will identify just how prevalent FAS and FASD is in the Fitzroy Valley. It will also provide evidence for the government that they do exist. Once the study has been completed the government will get a copy of the report, along with recommendations and a list of what resources are required to support these children and families.

CHAIR—Can you say what some of those resources might be, though?

Ms M Carter—Jo might be able to help me on that. I talked about schools. We have children who are affected by FAS and FASD. There is really no support for those children in the classrooms. They are deemed as being disruptive and are sometimes sent home. So we need a lot of support in the education department. In Fitzroy we only have one social worker. The population of Fitzroy Valley is about 4,500 and you have one social worker who works with all these people. If you had some of the things that are happening here around issues with FAS and FASD in the city then the government would have stepped in and done something because there would have been an uproar. I think that we as Aboriginal people sometimes do not complain, but it does not mean that we do not have a problem. Did you want to mention something, Jo, about that?

Ms Wraith—Thanks, Maureen; I agree with what you said. Mr Chair, I think you asked what services may be needed when it is discovered how many children and people in the community in the Fitzroy Valley have FASD. There will be many varied resources needed. Some of those will be developmental teams, so you will need allied health staff—such as speech therapists, occupational therapists, child psychologists, paediatricians, social workers—to work with all the behaviours and all the disabilities that FASD brings. Family support workers will also be very important. You will need an increase in child and adolescent mental health services, in allied health services, in developmental health services and you will certainly need an increase in support services in the education system. That is just for the current population of children in this valley; it is not looking at what might also be the adult population with FASD in this valley.

Maureen is correct in saying that I am the only social worker here in the valley. I am employed by mental health services. I work very closely with cultural health services. I have been here for two years now. I am a resident here. I am the first resident mental health service worker here in the valley. There has been no resident mental health worker before. My colleague before me, Phil Moke, had a significant part to play in the alcohol restrictions. But the mental health services have always come from Derby, just visiting Fitzroy Crossing previous to this. There are visiting allied health service workers that come from Derby as well—a small team of allied health service workers come from Derby once a fortnight. The valley has a dearth of services for children, young people and their families when it comes to mental health and developmental issues, which are the prime issues around FASD.

Ms M Carter—We are hoping that the study will be able to highlight all these issues around resources and support in those three categories. I would like to read something to you. June mentioned it. FASD affects the brain. It is permanent brain damage. I want to read something to you that I think is relevant to what we are discussing now. Traditional interventions in juvenile detention facilities are usually based on principles of learning theory that expect individuals to learn from consequences, either natural or imposed, and take responsibility for their actions. This is an expectation that they can understand and process information; understand ideas and

concepts; make links and form associations; interpret, store and remember information; and take what is learnt in one situation and apply it in another. In actual fact, this is exactly what is missing when a person has FASD. I believe that that needs to be taken up by this committee. There needs to be recognition that there are young juveniles who are coming into the justice system who might have FASD. Unfortunately, they are not receiving the proper intervention.

CHAIR—Thank you. Is there anything else that you would like to say about the way in which health problems expose young people to the justice system?

Ms Wraith—If I can speak up and Emily can probably add to it as well. I think health is central to any justice issues that go on in the valley. We need to look at the whole of a person's life and if the health aspect is not taken care of then everything starts to fall apart. Certainly the Nindilingarri Cultural Health Services and the Western Australia Country Health Service are very aware of working in a holistic way. So the issues around early intervention and prevention and education are prime, but also the clinical delivery of services is really important. If people do not have good health care, both physical health care and mental health care, then they cannot function well in their families or in their education systems and they cannot function well in their workplace and things unravel for them. I believe that the work that the Nindilingarri Cultural Health Services is doing around prevention, early intervention and education is absolutely essential for the prevention of justice issues in this valley.

Ms E Carter—I am actually an alcohol and drug worker. My work involves prevention work in the communities, in schools with individuals, groups et cetera. Unfortunately, there is only one of me at the moment, so I have to try to cover the whole valley. The way in which we do that is we do community stuff around FASD. As an Aboriginal person I talk about what is very important to us as Aboriginal people—what makes us as Aboriginal people? Land is important to us, our families are important to us and our songs and ceremonies and stuff are very important to us. We also know that our history is an oral history. So I say to our communities: if our history is an oral history and we are passing it on by word of mouth we will have children who will never be able to retain things through memory because they are damaged from alcohol abuse. That is what makes people sit up and think.

Our culture has been around for over 40,000 years. It is one of the oldest cultures but, through alcohol abuse, it is destroying us. I do a lot of that stuff with the communities. But I also work with the schools as well, including in the high school. I talk to children about FAS, and part of that education stuff is showing them DVDs. I have DVDs and I also have FAS dolls and I explain what a FAS child would look like. Also, using the brain as well—what is a good developed brain and what is a damaged brain through alcohol abuse? I do a lot of that. The education department has a program in their schools called School Drug Education and Road Aware. It is responsible for putting in curriculums so that teachers can teach that in relation to alcohol and drugs. There is not enough of me to get around.

We have been talking to SDERA about looking at putting in some awareness stuff in its curriculum around FAS so that children are, at least, getting some awareness of it—school drug education happens from grade 4 upwards—very early on in life right through to high school. That is long-term preventative stuff through the schools. We need support in that area because there is not enough of me or Jo to go around. I also work very closely with Jo because I am her cultural adviser. She and I work very closely together. Jo's workload has increased, because this

is the first time we have had a child and adolescent mental health worker here in Fitzroy Crossing. As for the preventative stuff, as Jo was saying, we need support to ensure that her position remains here as well as all those other services that she was talking about. So we would like the committee to support those things.

At the moment, and I do not know whether this happens anywhere else, we have been speaking to the alcohol and drug management committee which the licensees sit on. We have been speaking to them about using our FASD cups. The Crossing Inn down here uses our FASD cups. They have the message that drinking alcohol is harmful to the unborn baby and also that it is 100 per cent preventable. So we are doing some of that stuff as well. Whilst the community is becoming more aware of FASD, we still need to do a lot of work around that. We try to do it in a no blame way, so women did not know about FAS and it was not there fault because doctors were not aware or they were not comfortable about asking a woman whether she was pregnant. We are also aiming at men because, after all, they are the fathers of these children. In Nindilingarri sometimes we will use the other men in our organisation to do some men's stuff around FAS. All the staff at Nindilingarri in all the program areas do know about FAS, so that if someone asks them a question they are able to answer it or they can talk to me or whomever else is around. The biggest challenge for us is that, whilst we have FAS here on the ground and we are very much wanting to prevent it in the future, we know that we cannot do it alone; we need these other services to be bolstered or supported. If you have any way of influencing how funding comes in, that will be really good. We also think the education department really has to look at it. SDERA has to look at putting that into their alcohol and drug curriculum.

CHAIR—Thank you. We are, for all the best reasons, running later and later. Perhaps I could ask if you want to make any concluding statement or request before we meet the people from the Yiriman Project. I will ask this anyway. Have you got any kind of a sense of how much FASD is actually affecting juveniles who are getting involved in offending behaviour of one sort or another? Have you got even an impression of that? I know you cannot be precise.

Ms Wraith—I have an impression. I work with young people and their families all the time here in the valley. I have been doing so for two years. I think it is hard to put a figure on it but it is significant. There are significant numbers of young people affected by FAS and FASD. When I combine that with early life trauma, I think more than 50 per cent of the children of this valley are affected by those things in their lives.

CHAIR—What does it make them do that is inclined to bring them to the notice of the police? What kinds of things actually happen?

Ms Wraith—Some of their behaviours are well known. One can list things like impulsivity, not being able to think about consequences—

CHAIR—All teenagers are a bit like that.

Ms Wraith—They are, but there are degrees of it of course.

CHAIR—Yes.

Ms Wraith—All children are a bit like that, but there are degrees of it. When you look at these children and you look at their presentation, you find that they are at one end of the scale. So there is their impulsivity and their cognition and their understanding of consequences of behaviour is very limited. In fact, it needs a lot of work by the community as a whole and by the families and service providers in the community to actually assist these young people—and their families—so that they can be shaped and they can be supported.

You were talking before with the women's resource centre about the discovery of conditions very early on and how that can help considerably; this is the same sort of condition. If it is discovered early then services can be put around the children and the families so that these sorts of things can be prevented in the main. But if we are not aware of it and if we do not have the services to actually support the community and the families, and therefore the children, then it will not happen that way and we will see a continued growth in juvenile justice issues here in this community.

CHAIR—Thank you all very much.

Mrs VALE—Thank you for your evidence. It has been very valuable.

Ms M Carter—Just to conclude, I wanted to ask the committee to support the FASD strategy that I talked about. Secondly, I think it is important that government services integrate cultural ways of working, especially if you are dealing with Aboriginal youth. I would also like this committee to support any diversionary programs that have been developed by Aboriginal communities for our Aboriginal youth. Thank you.

CHAIR—Thank you very much.

[12.38 pm]

COLES, Ms Michelle, Coordinator Women's Programs, Yiriman Project, Kimberley Aboriginal Law and Cultural Centre

GIBSON, Senior Sergeant Ian Edward, Officer in Charge, Western Australia Police

JAMES, Mr Steven, Yiriman Project Officer/Cultural Adviser, Kimberley Aboriginal Law and Cultural Centre

KEENAN, Mr Simon Richard, Men's Project Coordinator, Yiriman Project, Kimberley Aboriginal Law and Cultural Centre

KOGOLO, Ms Annette, Yiriman Cultural Adviser, Kimberley Aboriginal Law and Cultural Centre

LAWFORD, Mr Allan, Yiriman Cultural Adviser, Kimberley Aboriginal Law and Cultural Centre

O'MEARA, Ms Selina, Yiriman Cultural Adviser, Kimberley Aboriginal Law and Cultural Centre

CHAIR—I welcome representatives of the Kimberley Aboriginal Law and Cultural Centre. Who is going to do the presentation? Allan, are you going to do that?

Mr Lawford—Yes. I have got a few different hats on. This is where our young kids need us, so there is a committee that has been formed, spread across a couple of language groups, and it came up with a program called Yiriman. We have got a few slides to show you, and you are free to ask questions. What it is all about is that our kids—and you probably saw a few posters when you walked in here—seem to be running into a lot of trouble. We want to take them out bush and teach them bush stuff, in conjunction with the education department that we have run that through, and I think we need some more partnership on Yiriman. I see this as a need; we need our young people to be out in the bush instead of breaking into shops and stuff like that around town.

Steven James has been employed by Yiriman. We can talk about it. We would like to show some slides showing what we have been doing for the past couple of years with a few of these young offenders. We are not stopping. We are going to go from year to year. Fitzroy Crossing is our town and we just needed to get the kids off the street. A few of the fellas we had are now starting to make their way up into football academies, like Clontarf. A few more are thinking outside the circle of our culture—lawyers and teachers. I never wanted to be a lawyer or a teacher, but these kids are coming out with something. We teach the cultural side, the pastoral industry side, the community side. It is about planning and talking with these kids out on country where there is no attraction from civilisation. We took a few trips out to the desert and they are starting to see that we have a big country and asking why we do not look after our country. They

have gone back visiting old people and their knowledge is taught to these kids. It is to keep that culture inside them, because if you do not have culture you are just nothing.

CHAIR—It is hard when kids watch *Home and Away* on the TV and then, when they turn off the TV, they are still in Fitzroy Crossing. They have to work that out.

Mr Lawford—It is coming.

Mrs VALE—Allan, you have been operating this program since 2001. How many young people have you put through the program? Is it only for young boys? Are there any opportunities for the girls in the community?

Mr Lawford—We have two separate groups. We have girls who run into trouble as well. We leave that to the ladies side.

Mr James—That is how we work—being culturally appropriate. We work separately with males and females, according to our culture.

Mrs VALE—How many young people have you been able to put through your program since 2001?

Ms Coles—The statistics are held by us in the office. We work across four language groups. Allan works specifically with Walmajarri people. The numbers are in the thousands of young people who have participated in trips on country. There are several different parts of how Yiriman functions.

Mrs VALE—Thank you. I would like to know about the young girls too.

Ms O'Meara—I am the chair of Kurungal council. I have also worked with Yiriman, but Olive just spoke recently about the program that she was running out there and I am from that same place. But I have worked with the young women. There was one camp that I did with them. It was a seven-day camp and we talked not only about learning things. I took them from the desert and I took them onto the salt water. We spent a week over there and I showed them the differences in the two cultures and the way of living. They saw other young women there who we got involved to come on that trip with us, from Lombadina, Djarindjin and around that area. So we took a couple of girls from there and put them in with our group. It gave them a chance just to mix with those young women, see their lifestyle and the differences between them and how they can all get on and work the same.

We also talked about why they were getting into trouble and had evenings where they sat around and they talked about that—young women who may or may not have a child at an early age and what the consequences are. We were generally just getting out and having a good time, showing them something different. That is part of what we did, and then we came back and they also had to work on the report that we had to put in. I left a lot of that up to them, so they also had to learn how to work. When we go on these camps, I actually make those girls do all the work—things that they may not necessarily do at home. They may order around their family members, whereas on this camp they were given responsibilities and they had to go by that. So it was a different way of learning for them as well.

Ms Kogolo—I am the KALACC cultural adviser. I work very closely with support people like Michelle and Simon as well as with other elders in the community. With the projects that we do with our young women, we have been out on some field trips, bush trips out on country, and we work very separately most of the time. The men work with the young men and we work with the women. We have women who have that connection to the country where we are visiting, so they work very closely with the young women, and the women share a lot of information and cultural knowledge. They teach them about the land, the language and their culture out on country, and we have seen a lot of young women really getting to understand, because they have not been out on their country. They listen to stories about the importance of how it used to be when their parents lived in the desert or in certain places—special, significant places that need to be protected. They learn about all these different things like bush tucker and bush medicine out on country.

There are other activities that we get the women involved in, trying to get them to record traditional stories. They have a sit-down and respect the elders and collect information, which is really valuable. It should not be lost. They can receive special skills, using modern technology and keeping it all together to make them feel strong within themselves as well as encouraging the peer groups that they hang out with. So we work very closely to try and target some of the young people who would come as leaders in their communities and become role models. There are so many other things that really need to be done, not only out in the desert but also caring for country. So there are other projects. We have been doing some work about the river changes and things like that, getting the young people talking about how they see the changes that have been happening in the river since they were very young. We are working together very closely with the women.

Mrs VALE—Thank you, Annette.

CHAIR—I think the machinery is ready.

Slides were then shown—

Mr Lawford—You can probably see on the chart that we are working on two sides of the culture to let kids know that we can learn from one another. We would like to expand the Yiriman project in a few years time so that it will cover the whole of the Kimberley. I would like to see that in the near future.

Mr James—This slide shows the trip out to Bunuba. There is a girls' trip and there is a boys' trip—separately. That slide is of one of the walks we do. It is a two-week walk.

Mr Lawford—Ten days.

Mr James—Cultural trips out in country.

CHAIR—This is in the mountains?

Mr James—No, it is out in the desert. We have mountains in the dessert as well.

Mr Lawford—We teach them to make artefacts for hunting. We do a 10 kilometre punishment walk a day. These fellas walk about 180 kilometres. They did not even know they had done that. It is 10 kilometres a day. But it is teaching them—

Mr James—They know how to use GPS.

Mr Lawford—Yes, GPS. In the old days we only knew how to pinpoint a country by a big hill; that was about it, but now you can get around with GPS. We stop to tell stories. We can tell stories until the sun goes down. They say that a few of these kids are slow learners, but when you take them out into country they are different fellas. We do a lot of Mangala tours with the boys. We got Ronnie involved in a leadership program. We have undertaken a few leadership programs—the Australian Rules leadership program. We are starting to be with these young ones.

CHAIR—What is that slide of?

Mr Lawford—That is seed collecting.

Ms Kogolo—They are cultural materials to support the men in the community.

Mr Lawford—In this slide we took a few of these kids out along the Canning Stock Route and we dug a few wells out there in the desert that had been filled in by the camels. It is well 51, 41 or 42.

Mrs VALE—You knew there was a well there?

Mr Lawford—We knew the well was there but we wanted to dig it out.

Mrs VALE—Is that a traditional well?

Mr James—It is a traditional home for Warlukurlongu people. We took our kids back there. We had to go there because some of us have not been there and that is where our ancestors are from. It is right there. We needed to know that. We needed to know where we were from. We needed to have our identity, which is where we have come from. Why we are all here in Fitzroy? We have come that far away and now we are here.

Mr Lawford—We have a formal of meeting when we go about. We get stories from old people. We get their direction and we go from there. This slide shows a few of the dances. We took the kids out to the desert. A few of these dances had never been seen in the Kimberleys for over 50 years. Slowly these young kids brought back the dance to an AGM through KALACC. This slide shows them at One Arm Point. It was good to see that they had brought the desert dance back, because it has been hidden for about 50 years. This is why we like to see a partnership with the police and the Yiriman. The kids run amuck straight into our troop and then we take them straight out bush.

Ms Coles—This is a community meeting that was held after the last bush camp. This is at the end, so it has all of the elders who were involved with Yiriman plus all of the mentors, the senior men—and a lot of them are here—and all the young people. They spent a whole day answering

to the old people and listening to them speak about their feelings as senior people for the future of the young people. It was a really strong community activity that was governed by all of the elders and community people to show those young men that they have support and a leadership base and those elders are making decisions with partnership agencies to ensure their support and strength for them.

Mr Keenan—This is also the conclusion of an eight-week camp.

Mr Lawford—We keep them out in the bush for about six weeks. It keeps them out of trouble and then we bring them into court. We would like to see our courts come out to our communities so they can see two sides of the story. The police get painted as bad persons. We would like to work with the police and have them present. We would like to mix it a bit.

CHAIR—You are determined to continue this activity come what may, but what kinds of resources would help? We have to be able to answer Wes when he sends out the next email.

Mr Lawford—More troops on the ground. We have a lot of offenders. We can only spread it so far. Resources would be about setting something up in the desert, as Olive talked about. We have a small community and we could make it a base for anyone who wants to use it for cultural awareness stuff, for white and black. More resources like vehicles—

Ms O'Meara—Ongoing funding. We have too much stop-start funding. It needs to be ongoing. We have to source that funding from different areas. If there was one area that they could just go to to get the majority of their funding, it would make it so much easier. You have these eight-week courses. They go for eight weeks and they stop. In between there is a gap. Things happened and then you have to wait for funding to be approved again and then you can do your next one.

CHAIR—The funding is for salaries for supervising people?

Ms O'Meara—Yes.

CHAIR—And food and fuel—

Ms O'Meara—Vehicles. At the moment we use two vehicles to take the youth out. We have two troop carriers.

Mr James—There are a lot of communities around Fitzroy Valley. We are not a small community. With two troop carriers we are being overloaded. We cannot do it with two. We have a big community and there are communities over there and way over there. We just cannot cut it with two. We have to say no. We cannot afford to take elders who want to come. It is limited.

Ms Kogolo—We would like to see Yiriman work with the valley, with all of the people from other language groups who are interested in taking their children out on their country as well.

Mr James—Right up to Halls Creek they ask for the Yiriman Project, but we cannot do Halls Creek and Derby. We are only just a small vehicle. We cannot take everybody on board.

Ms O'Meara—You have to look at how many permanent staff you have.

CHAIR—These programs are about developing in young people an awareness of the community. They are to strengthen their character and therefore to prevent them from getting involved in the justice system. But there is another kind of program, which I think you have experimented with at least, which is for young people who have been convicted in the court. What are your thoughts about those kinds of programs? I know that the police would much prefer that such a program had a clear basis in the law of Western Australia, but what are your thoughts about those programs? I act on the assumption that there are a lot of kids involved in minor offences who will get straightened out a bit by this kind of program just as much as kids who have not been offending will be strengthened by it.

Mr Lawford—It is just an idea. If we give offenders three strikes and then they are gone, we are teaching them pretty early about what sort of trouble they are going to end up in. Jail is not a good place to be for our young kids. What I was thinking about was, beyond that, trying to work with the police in taking these offenders to a big prison like Casuarina, then they can see the inside story of these crims. That might straighten them out a bit. They need to see it. That would make them come to a state of mind where they would never run into trouble. But we would still have the program out there to try and warn them. We would have that sort of partnership to take these kids. I reckon that would work out really well.

Mr James—What was your question again? It was not clear.

CHAIR—The camps you are showing us are for kids who are not in trouble.

Ms O'Meara—They are in trouble. It is a mix of both.

CHAIR—Some are both.

Mr James—It is like prevention, but it is also for kids who are already in trouble.

CHAIR—That is what I am asking you about. How do the kids who are in trouble get on the program?

Ms O'Meara—Via the courts. Through the court system.

Mr James—They do something silly and then they end up in court. That is when we go to court and represent them. We have Simon and Michelle here. We will be there for the boys. The courts and the magistrates are well aware of the Yiriman Project.

Ms Coles—In our most recent structure we bring people to Yiriman who have been identified in the community and who old people have talked of.

Mr James—We have our own mentors and advisers on every trip that we do. The main teaching that we do is to teach them about respect. The big word is 'respect'. If they do not have respect for themselves and others, that is where everything is just breaking down. We teach them big things like that. We do it out in the bush because we just cannot do it here in town. This is where everything is happening, in town. This is where the crimes are committed. This is the zone

where everything happens. So we take them out bush. We make them clear their heads and we talk to them.

Mrs VALE—If a young person has been on one of your camps, can he go on a second camp with you?

Mr James—Yes. It is about building relationships too with the boys and the girls.

Mrs VALE—Yes, the same thing.

Mr James—That is what happens out in the bush.

Mr Lawford—They are turning the levers themselves. They say, 'Don't do this and that,' so that becomes—

Mrs VALE—They really change from the experience of things.

Mr James—Here in town there are a lot of interruptions.

Mrs VALE—Yes, I understand.

Mr James—It is too much for them, so we take them out bush, then we talk to them out there, when their head is clear. That is the best way we do it.

Ms O'Meara—But the youth that come on the program have been identified by staff or by community or by the courts, so that is how they get into the program. It could be just their elders that come in and say, 'Look, we need you to work with this group of girls or boys or these two,' and then that is what happens. Yiriman take that on, and that is how they work with the youth. They come almost recommended.

Ms Kogolo—That is really getting back to the community, because it gets back to the parents or the grandparents who are caring for these children who are getting themselves into trouble. It is the parents' responsibility to start disciplining or talking to their children about getting themselves into trouble. It is getting back through Yiriman through the family and to the community where they can be disciplined.

Mrs VALE—You really provide a circuit breaker in a way, don't you? You take them out of the problems that we have in the town and take them back—

Mr James—Yes.

CHAIR—People have so-called culture camps all over Australia now, but it seems that yours is much more intense than most—a longer time in the bush, more serious stuff?

Mr James—We are just small; that is the issue. We are just small.

Ms O'Meara—It needs to be ongoing.

Mr James—Yes, we need ongoing funding.

Ms O'Meara—It needs to be better funded, better resourced.

Mr Lawford—The funding that we get is only limited for about three to four months. It just cuts off and then—

Mr James—That is some—

Mr Keenan—We receive funding from agencies, some philanthropic and some government agencies—the justice department, Attorney-General's, FaHCSIA—and they are small pieces of funding, just little bits.

Ms Coles—There are a plethora of different objectives and outcomes. The diversionary stuff that is specifically related to justice is annually about $80,000.

CHAIR—$8,000?

Ms Coles—No, $80,000 for the year.

CHAIR—Is that coming from the state or the federal department?

Mr Keenan—It is coming from the federal department. We have men's and women's programs, so it is split.

CHAIR—It would be really good if someone could give us a very brief account of how you get the funding now and how it would be greatly improved. The amounts of money for improvement are not very large in comparison to plenty of funding that goes on, are they, but you need consistency.

Mr Keenan—Sure.

CHAIR—It would be really good if you could give us a bit more detail—you do not have to write a book, but a bit more detail—about how you would spend the money to keep a program going all the time and look after kids up and down the valley.

Mr Keenan—No problem. We have a business case that was put forward last year to COAG, which was quite comprehensive.

CHAIR—You will send us that?

Mr Keenan—We can send you that. But also we need to give you an idea of the cost of the camp that you were talking about, which had a justice focus. Young men had been referred through the courts; they were working with these guys and also Ronnie Jimbidie out there, one of the bosses. It was an eight-week camp. It was a work camp, a bush-style camp, a cultural camp. We need to give you an idea of the costs of those camps. As you can understand, working in such remote places, things cost a lot more than they do over in the east. The eight-week camp,

which had two groups and a range of supervisors, cost about $50,000. I think also that when you compare that to the cost of incarcerating someone in the state of WA, and that is just—

CHAIR—It costs $100,000 to incarcerate somebody for one year.

Mr Keenan—And that is just the cost of correctional services, let alone the costs to the community, to their families and to the social fabric and the other ongoing costs.

Mrs VALE—So it is great value for the investment.

CHAIR—I do not mean to take up too much time about this, and perhaps some of the police officers know this with some precision. The magistrate has been putting people on a bond and saying they have to go on the camp and report back to him?

Ms Coles—One of the most important factors is that young people need to be compelled to do these programs because, naturally, if they do not have to they are not going to. It was just a support structure to the group of elders who were shaping the project, to have that support from the magistrate. They knew that they needed to participate for that length of time.

Mrs VALE—Do they have to go back for sentencing?

Ms Coles—Yes.

Mrs VALE—Is it like a suspended sentence or is it a bond? How does it work?

Snr Sgt Gibson—It is a remand. They are on bail, and a condition of their bail is that they undertake the program.

Mrs VALE—Then they go back after their program to the magistrate and he gives them a tick in the box or something?

Ms Coles—Yes. It was really good in this case because the magistrate included the elders in the sentencing process, rather than the usual. It was huge burden on the courts and the police that day because it took all day for that group to go through. Each of the elders spoke to the young people in the courts, they and the magistrate supported each other and it was a really interesting and weighty process.

Mrs VALE—A great investment in time, I would have thought.

Ms Coles—Yes.

Mrs VALE—How long does your current funding last on the current program?

Mr Keenan—We yearly have to submit, as I said, to multiple departments.

CHAIR—So it is stop-start?

Mrs VALE—You have enough for a couple of months or to the end of this year?

Mr Keenan—To the end of the financial year.

Mrs VALE—The financial year?

Mr Keenan—That is right; so just a couple of months.

Mrs VALE—Then you have to start all over again.

Mr Keenan—It is the same story, then we wait.

Ms Coles—The other thing that is pertinent to say is that there is no funding apart from the $80,000, which is to support young people through the justice process. There is no funding for any of the bush camps we do. We look for funding on an ad hoc, discrete, moment-by-moment basis. We are waiting to implement one project with a group of young men who have been identified. We have been able to approach COAG and the ROC group that has just been put in place in the valley in the last three months. They have been really supportive and promoted the idea, but there is no outcome to that. We have to have those young people through that program before 1 June, which is when they have to go back to court in sentencing, so we are trying to use our operational funds to make something happen.

The other thing that is really important to say is that these projects pay community people to supervise and monitor, so they engage about three different layers of local people in full-time employment, where they are supporting—

Mrs VALE—In supporting the police and the courts too in what they are doing.

Ms Coles—Yes, to run the camps specifically.

Mrs VALE—Yes, I know, but there is an indirect support.

Ms Coles—It is a partnership, a community partnership.

Mrs VALE—Community building. A good investment for your time and dollar.

CHAIR—Do we need some clearer Western Australian laws about the arrangements that can be made by the courts for young offenders? We do, actually. It would be much easier to administer if there was a formal system and the magistrate was not worrying all the time—if the magistrate knew it was legitimate to use one of these projects. But I should say two things to you: I am aware that the poor folk from Hansard are going to pass out soon if we do not give them a break and that we are running quite late on our timetable so it is a good idea to have a sandwich before we have the roundtable.

I came here in another role about a year ago and I spoke to Allan and Steve and a lot of other fellas in big hats, so I am aware of this program and admire it a lot. We also want to recommend to COAG that these issues get taken up, because at the present time the big program called Closing the Gap has got a lot of money going for health. It may not all be coming to Fitzroy

Crossing yet, but there is a lot of money available. There is money for housing and for a whole lot of things. But, as Wes Morris has no doubt been reminding you, or as you have been reminding him, there is not so much money in the area of justice and crime prevention, and community safety. We are trying to identify the kinds of programs that you want to tell them they should be putting money into. That is why it would be a good thing if, instead of doing lots more work, you could just give us a copy of your business plan from last time.

Mr Keenan—That would be my pleasure.

Mr Lawford—We have got a symptom out there and we need to cure it—that is, our young people.

CHAIR—It has always seemed to me that in all cultures some version of this kind of thing has been common, really. Just in everyday European Australian culture, there are a whole lot of movements and charitable organisations that try to take juveniles and get them focused. That is what you are doing, except it is much more important. In this context you are educating them about your culture.

Mr James—And Yiriman is run by Aboriginal people. It was created by Aboriginal people and it is driven by Aboriginal people.

CHAIR—In other words, you can tell the government how you could use the funds. You do not want to employ an NGO from somewhere else to run the program; you want to run the program. That is the impression I generally get.

Mr James—Yes.

CHAIR—Thank you. It has been fantastic.

Proceedings suspended from 1.17 pm to 1.50 pm

ANDERSON, Miss Kelly, Agreement Manager, Derby ICC, Department of Families, Housing, Community Services and Indigenous Affairs

CARTER, Ms Emily, Chairperson, Marninwarntikura Fitzroy Women's Resource and Legal Unit

CARTER, Ms Maureen, Chief Executive Officer, Nindilingarri Cultural Health Services

DOLBY, Mr Louie, Manager/Mentor, Mount Pierre Aboriginal Corporation and Galeru Aboriginal Corporation, Fitzroy Valley Area

DOLBY, Mrs Marion, Wife/supporter, Mount Pierre Aboriginal Corporation and Galeru Aboriginal Corporation, Fitzroy Valley Area

GIBSON, Senior Sergeant Ian Edward, Officer in Charge, Western Australia Police

GREEN, Mr Patrick, Private capacity

HAND, Ms Marmingee, Teacher/Aboriginal Education Consultant, Fitzroy Valley District High School

ISBISTER, Mr Brad, Manager, Community Development, Shire Derby West Kimberley

JAMES, Mr Steven, Yiriman Project Officer/Cultural Adviser, Kimberley Aboriginal Law and Cultural Centre

JEFFERIES, Mr Paul Graham, Principal, Fitzroy Valley District High School

JIMBIDIE, Mr Ronnie, Kimberley Interpreting Service

KEENAN, Mr Simon Richard, Men's Project Coordinator, Yiriman Project, Kimberley Aboriginal Law and Cultural Centre

LAWFORD, Mr Allan, Yiriman Cultural Adviser, Kimberley Aboriginal Law and Cultural Centre

LUPTON, Sergeant Travis, Local Area Coordinator, Remote Service Delivery Program, Council of Australian Governments

MACLAGAN, Mrs Pauline, Private capacity

OSCAR, Ms June, Chief Executive Officer, Marninwarntikura Women's Resource Centre

RODRIGUES, Mr John, Chief Operations Officer, Leedal Pty Ltd

SAUNDERS, Bishop Christopher, Australian Catholic Bishops Conference

SMALPAGE, Commander Murray John, District Officer, Western Australia Police

CHAIR—Thank you for participating in this roundtable. As you will have gathered, what we on the committee and our staff—and I should acknowledge Susan Cardell, who has organised a great deal of what goes on here, and Ben, who is out the back organising yet something else—have found as we go round the country is that these kinds of roundtables can sometimes be really good. People bounce off each other and we get quite a lot of creativity going. I am not quite sure exactly where to start, but one place might be, given the importance that such a lot of you have put on it, the whole problem of foetal alcohol syndrome. I wonder if Paul Jeffries could talk about what he knows of the effects of it at the school.

Mr Jefferies—Before I do that, I am sure everyone at the table talked about Yiriman, but as the principal of the school I do not believe that you can support Yiriman enough. I should introduce Marmingee Hand. We call her our Aboriginal consultant. She is a local Walmajarri lady, a teacher in our school whom we have seconded to the admin team. Marmingee is my two-way partner. She will let me know when I have done something wrong and when it is important. I need Marmingee's advice as my cultural consultant.

CHAIR—Marmingee is a very interesting name. What is its origin?

Ms Hand—Marmingee is a Nyigina lady. I was born on Nyigina country. It is an Aboriginal name that was given to me as a birth name. I was born in the Jubilee area and that name was given to me by the family members. So Marmingee is the Aboriginal name of somebody.

Mr Jefferies—In terms of Yiriman, I have seen the young men, particularly, return from their Yiriman experience as changed people, without a doubt. It is something that needs to be ongoing and supported. It should not be a magistrate telling these young men to go. It should be a diversionary program that is proactive. That is probably one of the key things that I wanted to mention. But, in terms of FASD and early life trauma, can I share a good news story? Often it is all about bad news.

CHAIR—We could do with one, actually.

Mr Jefferies—When I first came back to Fitzroy Crossing in 2008 to take on the role of principal, we had a young boy who was about six years old with FASD and early life trauma. He was a highly traumatised child. You would see this child exhibiting the signs of someone in post-traumatic stress. He was highly violent. At one stage he pulled a knife on a teacher. He was prone to uncontrollable outbursts of rage which would be taken out on the nearest object, whether it was a person, furniture or whatever. That young boy is now completely changed. Two years later he is actually able to manage himself. When he is in the sort of moment that is triggering post-traumatic stress scenarios he is able to negotiate a quiet withdrawal and he knows when he needs some quiet time. He will often reintegrate into the classroom within an hour of regulating himself.

That young boy is now eight or nine. The reason he is there is that it is a whole-of-child approach for that child. It is not only an interagency approach which involves various agencies within the town, such as education, health and DCP; the school is also funded or resourced in a way that we can support that child with a special-needs education assistant. Essentially, they are

a social trainer. They are there to provide the quiet sort of knowledge and the patience so that they can develop the coping strategies in the child. That is one child out of what could be up to 80 FASD early-life trauma children in the school. I honestly believe that if we are resourced, if we continue with the strong interagency work that takes place in Fitzroy Crossing, we can actually turn around the lives of these young children who are heavily impacted by FASD and early-life trauma.

The only catch for me is that to be able to obtain resources I need to have the child diagnosed with post-traumatic stress, which means there needs to be an incident that has taken place and has been documented—usually it is documented by police charge sheets and things like that—so that we can actually prove that this child does have a high need.

FASD is not recognised—FASD is not recognised as a disability—yet paediatricians estimate that a quarter of my school population, at a minimum, is affected. Some say that when you look at the spectrum for FASD early-life trauma, when you look at the trauma that a lot of these children have coped with, it could be up to 80 per cent.

Mrs VALE—Paul, has an assessment tool been developed to diagnose a child as being affected by FASD?

Mr Jefferies—No.

Mrs VALE—So even that has not happened either?

Mr Jefferies—No, but there is some exciting stuff—

CHAIR—That is what Maureen has been talking about.

Mrs VALE—Yes.

Mr Jefferies—I think it is a testament to June, Emily and Maureen that there is the leadership group that has actually got the FASD ELT task force happening that has developed that relationship with the George Institute. So we are starting on a journey. But what concerns me in terms of juvenile justice is that, if you think you have got a problem now, just wait 12 years, when these young FASD traumatised children are going to be coming through. I know that with the right resources we can actually have an impact on their lives. Marmingee is a living example of what you can do when you have a whole-of-child approach in terms of some of the grandchildren that she supports and looks after. We know we can actually intervene with these young children, but we do not get the resources to do so and it is purely because they are in a grey area in terms of—

Mrs VALE—They are not recognised. Paul, what happens if you as a principal send the information up the pipeline to your superiors that you have got children that are suffering from this particular syndrome? Do they just say it does not exist?

Mr Jefferies—No, no. There would be hardly anyone in the education department that would say that the condition does not exist. What they say is that, in terms of funding it, it needs to be a

prescribed disability—and because it is not a disability, because it is not recognised as a disability, there is no funding for it. It is as simple as that.

Mrs VALE—They do not have a box to put it in. They do not have a category to put it in.

Mr Jefferies—And because it is a spectrum disorder they are really not sure.

Mrs VALE—But it is not the first spectrum disorder around.

Mr Jefferies—No, but most spectrum disorders are further down the track in terms of diagnostic charts that they are able to use to determine just where they fit on that spectrum.

CHAIR—Thank you. There are quite a few people down the back who have not got a label at the moment, but if you want to say anything just put up your hand and we have got a roving microphone. By way of also introducing a new element into the discussion, I know that Commander Smalpage has got some statistics which it may be useful to throw in now.

Cmdr Smalpage—For those who do not know me, I am the Kimberley district superintendent. I have a couple of issues I want to talk about but, first and foremost, you have to recognise this is from a district perspective, this is Kimberley across the board, not just Fitzroy Crossing, because I will say that in many instances you are a model community compared to some other places where we do not have the same levels of interagency cooperation and support. Having said that, the issue of juvenile offending in itself is a highly complex issue for policing; it really tests the mettle of the 165 police officers scattered across the 13 police stations across the Kimberley. I want to make the point too that police provide the only 24-hour seven-day-a-week response to offending issues.

With the greatest respect, particularly for Broome, for example, you do not need to be a police officer or a district superintendent to figure out when you have got an eight-year-old child wandering the streets in the early hours of the morning unsupervised and unattended that they are likely to come into contact with police officers, generically speaking, and as reported elsewhere, for minor crime—for very minor things in the first instance.

It is the view of police that a number of barriers have failed those kids before they ever get to us. Those are barriers I have heard talked about here today in a variety of senses: from education, health, alcohol abuse, poor parental responsibility and role modelling—a number of well-documented items. So police are the interface, if you like, between the offending behaviours and lifestyles of these kids and the criminal justice system. Unfortunately, we often tend to get much of the criticism when the offending lifestyles and behaviours bring them before the court. I know most of the people here have not read the ALS submission to the review panel, and I do not want a harp on it, but I think it is a very simplistic document to target a narrow portion of offending and say, 'If police just didn't charge people all would be good in the world.' We do not share that view. I think it is far more complex than that and, as we said, there are a number of barriers to it.

I will share with you the Kimberley statistics and I will leave a copy of the document here for anyone who is interested in it. The data is as of 28 March, so it is very recent, and it is reported crime data. In terms of how WA police monitor and report, this comes from each of the OICs in

the Kimberley and it is by place, so as you flick through the document you will see Argyle, Fitzroy—all the police stations—and we report on categories of reported crime.

I can tell you that every category of reported crime is down except for burglary, motor vehicle theft and theft. And I can tell this group categorically that the offending profiles of those three categories of crime are Aboriginal youth, predominantly boys, between eight and 14 years of age. So we as Kimberley police have recognised that that is our single biggest focus for the forthcoming 12 months. As I said, we are often criticised for what we do not do, but I would like to share with this group that, as a result of our analysis of our data, we have recently had the Kimberley officer-in-charge conference, where we call together Ian Gibson and all the officers in charge of police stations right across the Kimberley, and we have identified juvenile offending as the No. 1 issue affecting our ability to police.

To give some roundness and balance to our view—bearing in mind that police officers may have a slightly different perspective from other community members—we called upon Dr Sue Gordon AM, chair of the Gordon inquiry and of the intervention in the Northern Territory. She presented to our group and raised a whole raft of cultural and significant issues as she saw them. So she whacked us right between the eyes—very good. We had His Honour, Judge Denis Reynolds, President of the Perth Children's Court, and he also talked to us about his frustrations with the system and juvenile justice. And while I have this group collected here I will say: on some of those issues that he raised, we share his frustration. We also asked the solicitor in charge of the ALSWA's Broome office to come and have a talk to us, because we needed a range of views, otherwise it would have been purely from a police perspective.

We also brought Clontarf and a number of other police officers together, and we discussed, over a period of two days: what can we do, as police, to do something constructive? As I mentioned earlier, the Western Australian police are a fairly action-orientated group. We understand the complexities of government. However, it was my view, and the view of the Kimberley police, that we were going to take action and we were not prepared to wait for a number of proposed strategies to come to the fore. As a result of that, we have developed a Kimberley juvenile offending reduction action plan. It has 14 key strategies, so it is quite complex. But all the officers in charge from across the Kimberley are going to be held accountable for how we manage: what can we do as police officers and parents to address that issue?

Dovetailing into that, I am also a member—and I know there are others here—of the Kimberley Interagency Working Group, which is the regional managers' forum for government across the Kimberley. In representations to that group, I have raised the issue of juvenile offending and that we have to do something now. We have developed a youth at risk working group. That group has met and we are running a community response to our children program—CROP—in Kununurra. I have heard Paul talk about it. It is a multi-agency approach to managing children at risk. So, in the short term, we are hoping we are having a positive impact on children in the Kimberley.

I would just like to share with this group—and I know this is something that Western Australia Police do not market very well—that we have already got an existing three-tiered approach to supporting youth within the Kimberley, just by our presence, and I have heard some of the stuff about programs that are going on now across the breadth and depth of the Kimberley. We have a

police and citizens youth club based in Broome. It is Broome-specific. There are a number of huge success stories about children who have been turned from offending lifestyles by the commitment of those police officers and their colleagues. We have strong men's and women's groups existing across the Kimberley at various police stations—one-on-one interaction with youth and people at risk. We run a number of blue light discos and there are other diversionary programs run by police to engage children. So that is our first tier: engaging youth in community. Plus, there is what we do at work.

There is also a second tier which probably, like every other government organisation here, we have not really captured. And the second tier of what we do to support youth in the communities is what we do in our private lives. I know of police officers across the breadth and depth of the Kimberley who are football coaches and umpires and football players, basketball coaches and netball coaches. They do these things in their own time to engage children—their own children included. Again, this is a second tier through which we believe we are contributing positively.

Lastly—and again I share this because I am sure the teachers here will agree with me—there is a third tier of support we offer, and that is through the wives and children and other family members of police officers in the Kimberley who provide community support in roles such as teachers' aides. Partners of police officers across the Kimberley are nurses, doctors, teachers and teachers' aides, and provide community support in numerous locations.

As a final word—and I know we do not often say it, and some are often overtly critical of us—I believe that, for the relatively small numbers of direct police officers we have in the Kimberley, those officers are actively taking as much of a proportion of the workload as they can because we see the Kimberley's children as the future of the Kimberley. They have to be our focus. My conclusion is that there is much that can be done, but the broader issues are the key. By the time children interact with the police something else has failed, to get them to us in the first place. And that is where, I would suggest to this committee, our investment should be. It is too little too late when they are actually in custody at a police station. I can hand those documents around if anyone is interested in them—I will share those with you—and then I am happy to take any questions. If we successfully engage the children of the Kimberley, we will have the lowest reported crime statistics in decades.

CHAIR—Thank you. It is interesting that most crime categories are going down a lot.

Cmdr Smalpage—I can speak to that with some knowledge. We are attributing it to alcohol restrictions, particularly instances of reported domestic violence and non-domestic assaults. I would like to think it was some marvellous police initiative that we drove personally but it is not; it is a community collective and I am looking at the key supporters on the other side of the table. They have to take the attribution. The areas where we are struggling are, without exception, where a small number of children are committing a disproportionately high number of crimes. Whether they are minor or not is a matter for discussion—

CHAIR—I am aware of instances in my own electorate in New South Wales where the community thinks there is a crime wave and then you find out the crime wave is three 14-year-old boys robbing houses.

Cmdr Smalpage—That is the truth.

CHAIR—I do not want to dominate this conversation. I know that Travis Lupton and Steve and Bishop Saunders have not actually spoken otherwise during the day and perhaps they would like to. I think we would particularly like to know, especially against the background of what the Commander and the principal have just said, the kind of services you reckon you would like. We have got a much better idea than we had when we came here this morning obviously, but I would like you to remind us about what it is that government could do by way of funding and other actions that would help reinforce everything that has been going on.

Mr Dolby—I would like to speak about the justice system throughout the Kimberley. We see that most of our Indigenous people who are in prison for drunken driving are there for long terms. My opinion is that they should be sentenced to their community. I would like to see a change in the court system. Instead of them going to prison, I would like to see them sentenced to their community where they are of more benefit. While they are in prison, we are paying $100,000 a year for them to stay there. This is my own personal feeling and I feel very strongly about it: they should be sentenced to their community or the place they come from where we can get a bit of work out of them. Even with kids we send them down to Perth for stealing cars and whatever. I feel they should be sentenced to their community where we can care for them, tutor them and talk to them man to man and one on one. I think there is more benefit in them being here than being in Perth or in the prison system down there. That is what I feel. I have seen a young man go to jail for six or nine months for drunken driving while child molesters and murderers are still walking free. They take drunken driving very seriously. Why don't they take the murderers and rapists and all of those people seriously? I think the system needs to change here somehow. You might have the power; I do not know.

CHAIR—Thanks. I know that Sergeant Gibson wants to say something but, for what it is worth, we had a lot of evidence yesterday from a number of different people, including the Chief Justice of Western Australia, who were worried about the way in which the current system works regarding punishment for driving offences, particularly for driver licence offences. I think, currently, the Western Australian government has a committee trying to do something about it. It is pretty weird—and it is not just a Western Australia problem; it happens everywhere—to have the same rules here for motor car licences and minor driving offences as exist in Perth. So many of the conditions are so different and the very strict rules about driver disqualification and whatever have some effects in remote places but not in cities. That is true everywhere across Australia. We are aware of that particular issue. I think that Sergeant Gibson wants to say something—and so does the bishop—in response to that passionate intervention.

Snr Sgt Gibson—In relation to what Louie just raised, and I totally agree with what he said, with respect to imprisonment for a drink driving offence there has been a series of drink driving offences that have led up to that imprisonment. Unfortunately, through lack of infrastructure in Fitzroy Crossing these offenders are being fined and the fines are increasing and getting to a stage where they become a warrant. Because we have no court service people who can advise our locals about transitioning those warrants to work and development orders they wind up spending a lot of time in prison. I do not want to see that happen because it has a negative impact upon us as well as we have to then execute the warrants, we have to keep them in custody and then we have to transport them to a facility in Broome. So it is a double whammy for everybody.

You are asking the question: what do you need to alleviate that? We need court support service people, court support officers who can be there to advise the offending people once they have

finished in court. Because, let's face it, half the people appearing before a court have no idea what the magistrate is saying to them, they have no idea what options are available to them in relation to the fines and transferring to work and development orders, so we need those people to support them, who will be there to advise them on how to approach the fine or the penalty. Following on from that, we need people to manage the work and development orders. Fitzroy Crossing does not have that facility, so we are smacked on both sides of the face. We want it, it is available but we cannot provide it because there is nobody to manage it. Again, we need to encourage people, whether it be—

CHAIR—But, if we had a more structured program within the law and culture centre, you would have.

Snr Sgt Gibson—Exactly. This is what I am saying: if we can encourage other organisations—and Marra Worra Worra, for example, is now taking on that responsibility—to take on that responsibility to manage the work and development orders we can channel more of those fine defaulters into those work and development orders, instead of into imprisonment. Earlier the question was asked: what can we do for youth in the town and what is available? Through KALACC they have managed to source funding for a youth coordinator. That sounds all well and good and it is about time that it happened, but a youth coordinator will not be the person walking the streets day and night, or during the afternoon, or going into the community to see what is happening with the youth. Obviously, a role of that youth coordinator will be to then source ongoing funding for youth workers, youth support people and counsellors. It will be 12 months, two years, three years down the track by the time we can source ongoing funding, housing, vehicles and all those sorts of things. If you are asking what resources we need for youth, those are what we need—ongoing funding for youth support workers to be on the street, on the ground, working with these kids. That is what is needed and it can be done through KALACC and through Yiriman. But, obviously, there is a cost involved in providing all these resources. That is what is required and it is required immediately, not in 12 months or two years time.

CHAIR—Thank you for that. We had a thought that we might ask Ronnie what he thought about the problem of people not understanding what happens in court. You are probably the best placed person in this room to talk about that.

Mr Jimbidie—I was waiting for my bit. Interpreting is very important. There is a lack of communication in this world, which everyone here knows. They can talk all day and still not anything is understood. But interpreting is very important. There are 60 languages in just the Kimberley alone.

CHAIR—Sixty?

Mr Jimbidie—Sixty, more or less. I may be corrected.

Ms Oscar—Thirty.

Mr Jimbidie—It must be going backwards. I have been interpreting for a few years now. Interpreting was introduced in 2002 or something to bring more understanding. Interpreting enables us to get the right story. I did one of my first interpreting jobs right here in this little area

where we are now in the coroner's inquiry into deaths in custody. We have problems. You might talk standard English or Kriol or pidgin or whatever, but they all come in different ways. I was in a situation in which two Aboriginal people did not understand each other, and they were both talking Kriol. It is to do with communication and getting the true stories. Steven quoted that old bloke Frank Burn. He lost his parents a long time ago and he was looking for a cave in the Mimbi Caves—I was also working at the Mimbi Caves—and he could not tell me the history of the Mimbi Caves. He was asking everybody, and his old man said, 'That's the one there.' But 'one' means one hundred or more caves in the Devonian reef. So there was a lack of communication in that story. I said, 'How am I going to interpret this one?' I thought that I would go one by one and try to make it work. We found the cave, by the way.

We find it really hard in the court system. Even I as an interpreter find it difficult. You have your lawyer degree languages, you have your politics—whatever; all these things. You are brainstorming. You are sitting in the middle and trying to get the right understanding and the right stories told. It is very hard, especially in the court system.

CHAIR—I was told by a lawyer friend of mine in the Northern Territory that he called a young man as a witness in a case and when the witness got in the box and my friend asked him a question he said, 'I'm guilty.' There was a problem of understanding what was going on. A few people had their hands up, but I feel as though the bishop has been incredibly patient all day.

Mrs Maclagan—I have worked with children and youth for a long time—all my life, literally—and children in trouble. There are two major things which I have 35 years experience of that would make a huge difference here. They are relatively simple. One of them has already been mentioned. The PCYC should never be taken lightly. I was involved with the PCYC for 3½ years in Roebourne. Roebourne has a crime rate—and I have brought this up at meetings here before—that makes this place look it is already heaven. The fences and those sorts of things are important. You can talk all day, but the children being bored is one reason for crime.

There is a set amount of children in our community and they want to do things without adult supervision—and it does not matter if they are rich or poor or what colour they are. We were all kids once. They want to go somewhere and do things without adult supervision. The suggestion is that skate parks and bike parks answer that question. I will get back to PCYC in five seconds. If you put a skate park and a bike park here in this community and in every community you levelled a piece of ground and stuck four truckloads of dirt on it, everybody here who still has a kid inside them will tell you that they will spend days out there with a bike playing in that dirt, riding that dirt and doing whatever they can with that dirt. It would keep them out of trouble. There is no adult supervision, and they do not need adult supervision. If they have an accident, well.

Money-wise we need a proper skate park. If we got our youth who are in trouble involved with the building of the skate park, maybe painting a wall or putting in some plants so that they had some ownership of that area, children could go there at two o'clock in the morning if nobody could supervise them. They can ride their bikes around, and who cares. If there is an accident, that is the way it is with children: we can only protect them so much. We need a skate park and a bike park in this town, and it has to be an area, like with the swimming pool, that does not really belong to anybody. If it were considered in all the separate communities, it would be a

way to occupy children at all hours of the day and night when they do not want to be wherever they have to be of if they have been thrown out of school or whatever excuse it is.

The PCYC has an incredible history which hardly anybody knows, even some of the policemen. I know that one policeman here does, because he has met me before. If you look up its history, it was put together during the Second World War, when the men were overseas and the ladies were working in factories, for children in trouble. There are a lot of false stories about why it was put together and there are false things that people say do and do not happen there. It was originally put together—you can look it up on your computers—for kids in trouble.

The PCYC has levels. If I get this wrong from my last homework, because it has been a while, I am going to get railed at here. It has levels that you qualify for. As far as I know the structure of PCYC, we qualify for every level, which means that Broome has a great PCYC. I believe Carnarvon was doing a good job with PCYC. Towns as big as Fitzroy should at least have a small PCYC. I know from past experience that two adults with the right attitude can handle 130 kids at PCYC for four hours a night, six days a week, because I have had to do it. They are occupied. It costs very little money.

PCYC has everything from certificated things that the kids can do to simple youth groups. There are the blue light discos. They can go off and do canoeing and cliff trawling and courses and qualify for things—like a mini TAFE. PCYC has incredible levels. PCYC run correctly is the one place where the worst kid should not be banned. I had this out once before. Even if they played up really bad at PCYC, the most we used to do is take them outside for some cool-off time and go out and find out what the heck was wrong and then we would put them back in there, because they are there to stop them from going out and smashing up and doing crime and stuff like that.

If we can get PCYC off the ground here, it would make a huge difference to kids. It might sound a little silly, but most of you are mothers and grandmothers and, if nothing else, when you stick your kids in four hours of PCYC, they go home too tired to roam the streets and get into trouble. Things like that come from PCYC. They are my two main things. If you want to talk about money, that is where we want to put it.

CHAIR—Thank you.

Bishop Saunders—What I say will be an anticlimax after that—good on you! There have been some wonderful things said here today. I have read some of the submissions. I think a lot of us are working very hard and trying to be on the same page about things. I am speaking Kimberley-wide now; I would probably be least qualified in this room to speak about Fitzroy Crossing, and I grew up in places like Bidyadanga and Broome, so I have a broadbrush point of view.

It seems to me that the areas that we need to carefully look at are laws and their application, our structures to deal with those who fall foul of the law, and lastly our attitudes individually and as a group, as a society. I think there are areas in which we are failing in all of those regards. We spoke about the matter of driving licences, so I will not go over that again. We have before us in West Australia the reality of mandatory sentencing, which I think is an extraordinarily silly thing to do. If you want to let the courts do their job, I do not think mandatory sentencing helps at all.

There is also the possibility in our laws of bringing in this right for the police to stop and search, and I know a number of the police are actually opposed to that so-called innovation. I think that that, along with mandatory sentencing, is one of the reasons why between 2001 and 2007 the Indigenous juvenile detention rate increased by 27 per cent. We are talking about reducing it. While I am very happy to hear of the police talking about reducing crime here—that is going to be a great help—what are we doing with those who are offending?

A while ago at the Billard summit on youth suicide, one of the attendees at the summit said, 'It's not about service delivery; it's about setting right relationships and it's about healing deep wounds.' I think that is our starting point. Whether we are health people, education people, church people, police people, community services or whatever, if that is our point of departure I think we have a greater chance of success than if we take it from any other point of view.

I think our cultural attitudes are inadequate, and I speak as a churchman but I speak also as a citizen of this country. I do not want Murray, my dear friend, to think that I am anti police—he knows I am pro police. But there are attitudinal problems amongst all those, including the police, who deliver services into the communities. Those attitudinal problems come through and actually increase the aggression that comes from some of the youth towards our structures, towards institutions, towards those people in authority. Those attitudes turn the life of crime, for instance, into something heroic. Common parlance amongst young people is that if you can make the police 'pull'—if you run away at night and make them chase you—there is something great in that.

Where is all that coming from? Interestingly enough, I had two priests in Broome, one black and white. The black guy was pulled up four times and had his licence checked; for the white guy, none. If you are a European, you would say that is coincidence. If you are a Chinaman, you would say, 'Well, that's fate.' If you an Aboriginal, I do not know what you would say, but it is interesting. So where is that coming from? There is a problem there, but it is not just a police problem—it is the rest of us too—and I think this issue of cultural awareness for those working in this cross-cultural situation is something we need to be thumping. Whether we are in education or church, our people who are coming to work here and deliver services in health or whatever it is need to go through very strict and well-defined cultural awareness programs. I think that that will help break down some of the animosity that exists, because animosity is the breeding ground of crime, I think, amongst other things. I am not dismissing matters like alcohol or drugs. We have already spoken about those, so I do not want to go over the same ground again.

Our attitudes need to change dramatically. I think we have had some marvellous things happen with the police and the police aids, for instance, in the past. I think that needs reworking. Teachers aids are the same, and our health aids too. I think that all of those bring a newness and a freshness to positive development in human relations that in itself eventually results in a reduction of crime and a reduction of juvenile delinquency.

Obviously, the no-brainers are that there needs to be an increase in services in the area of health, particularly mental health, to help those who are not dealing with their environment well. There needs to be an increase in resources and a particularising of resources in the area of education and employment. While a lot of these youngsters have nowhere to go and nothing to

do in these towns—you know what they say about idle hands—you are going to have temptation there. There need to be real employment programs put into place.

I agree with Pauline on that idea of the PCYC. They have done a fantastic job in Broome. I would like to see them here. Perhaps it is a stupid wish list but if only they could come to somewhere like Fitzroy Crossing, but there are other places too. I am a product of PCYCs in another state. I enjoyed the goodness that came out that relationship that I had with them then. I am sure it is something that could happen here. I think we need to look very carefully at our laws and very carefully at our structures and our attitudes. I think they are quite often at the heart of all the problems that we have. Finally, I would simply like to say that for most young Indigenous people—and I speak as a senior chaplain at Broome jail, which is not dealing with youngsters but is dealing with the older ones, who are the graduates—

CHAIR—We are concerned with young adults too.

Bishop Saunders—Okay. I think they need to be in a social welfare system, not a criminal justice system. I think that is at the heart of what we ought to be doing. I do not want to hog this so I will finish there.

CHAIR—Thank you.

Mr Green—I am a local. I am the chairman of the Junjuwa community. I hear that we have all these problems. Alcohol is one of them. All our organisations get funded for service. We hear half of them are not funded properly. Sometimes we need to have them reviewed to see if we are on track. There are other communities that have worked in the past. In our community we have 350-plus. We have 100 houses. All that is managed elsewhere now because other organisations were managing it all and never managed it properly, so the regulatory body needs to do their bit to help us improve our quality of life. Recently, on the weekend just gone by, I have had kids come up fighting on my street. I thought what is this? Across the road there have been members of other communities coming into houses. I have reported that to the superintendent in the past. I have see on the news where people in Sydney are creating rages and chasing other people through the street. Here in Fitzroy people are allowed to go into other communities and taunt people that do not have very many relatives. Nothing gets done about it. Busloads of them come into Junjuwa. They came into my community the other day, twice to one house. I wonder if we are ever going to change and I asked the superintendent, 'Is the policing in Aboriginal affairs ever going to change?' So, yes, we have many problems. I guess it is like I am saying now. These regulatory bodies need to do their job from time to time and check. We are getting a lot of money into this community, and you can see where it is all going.

CHAIR—Thank you.

Ms Hand—I am from the Fitzroy Valley District High School. Last week we had workshops on what they called a safer community and on building up our kids. A lady came to our school and ran a series of workshops with our teachers as well as the kids in our classrooms. One of the things that she did was to do a map of the Fitzroy township. That map had different things that the kids had to do. That map showed where there were safe places, unsafe places and at-risk places. It was one of the best things that I have ever seen with the kids giving their views, telling us where the safe places were around Fitzroy and where they would be taking a risk—good data

for the police, the health people and any other people who would like to look at that. It is something that is coming from the kids themselves, saying that these areas are safe or unsafe for them and where there are things that people are doing illegally. It is a really good thing with information for us here in the Fitzroy community.

CHAIR—That is fascinating.

Ms Hand—It is something that is coming out positive. I know that one of COAG's seven building blocks is building a safer community. What better way is there than to get the information from our kids before they get into crime and stuff like that. That is something that our school is doing in relation to building a safer community for our kids.

CHAIR—I think the problem I am going to describe is worse in less remote places, but a lot of communities say that there is not somewhere safe to take kids or that it is hard to find somewhere safe to take kids who are on the street and who have trouble at home. I suspect here that you can always find a relative for them to be safe with. Do people think there is a need for a safe place for kids, a bail hostel or some other arrangement where police or community members can take a kid who is in danger?

Ms Hand—I think collecting and looking at the information is important. What agencies do around here is support those kids, because they are the ones who are choosing. The tourist bureau is highlighted as a safe place. Some of their own houses are unsafe places. There are some places that are unsafe because of sexualised behaviour. The kids put down where those things are happening. That is a really good indication to all of us here who service the community. We can look at it and ask how we can help and support these kids. It is about building a safer community, whether it is at Kurnangki, Mindi Rardi, Junjuwa or wherever. It is about having a really good, safe environment for our kids. I know what Patrick said. The incident that happened at Junjuwa impacted on our kids at the school.

I was just listening to the lady who spoke earlier. She talked about the PCYC. As a long-time volunteer, running programs for kids in the valley, taking kids out, I know that our recreation centre at the moment is being used as a supermarket. That is where our kids went to do afternoon programs. There is lots of other stuff that has impacted upon Fitzroy Valley. I guess all of us here need to look at what our kids are telling us.

CHAIR—There is one issue that we have often come across while we have been having our hearings. I have not heard it so much here, I must say. There is a complaint that government departments come and do things without talking to one another. I think you partly overcome that because such a lot of government department work takes place through Aboriginal organisations. Perhaps we could start with Travis, who has to worry about this a lot. Have you got anything to tell us about ways in which we could better focus the activity of government departments so that we do not waste a lot of energy?

Sgt Lupton—Through my position at the local operations centre for remote service delivery, I know that when any outside government agencies want to visit the valley then a visitor's notice is sent to us first off, advising us when they are going to visit, where they are going to visit and who the contact person is. If they are visiting a particular community, we make inquiries with that community to see whether it is suitable for them to attend, whether any issue is occurring at

that community, such as sorry time—which is when someone passes away—or whether another department is going to be there on that particular day so that there is no clash and community people do not become confused.

It also gives us the opportunity to identify whether there are two particular agencies that are doing exactly the same job, attending at the same time. So that gives us the opportunity to get back in touch with that agency and say, 'Have you actually spoken to this other agency, because we know they're coming over for that particular reason.' Although it is very much in its infancy—and bear in mind I have only been in this position for three weeks—I think the very small results it has been showing in the last fortnight shows that it is going to be quite successful. It will give us the opportunity to not bombard this particular area with the fly-in fly-out seagulls, as they are normally referred to.

CHAIR—We were careful not to bring too many seagulls with us!

Ms Oscar—If I might just add to that. Prior to COAG, Closing the Gap and then the remote service delivery in Fitzroy being one of the four sites in the Kimberley—and Travis has just outlined what the local operation centre here would be doing in terms of managing government representatives coming in and out of Fitzroy Valley—there was a forum established here, after much community consultation and engagement, called the Fitzroy Futures Forum. It includes Aboriginal and non-Aboriginal people coming in. It has a governing committee that has representatives of the four language groups here in the valley. It has representatives of the three tiers of government and three positions from the community. We are all appointed by the Minister for Indigenous Affairs in this state.

There is the governing committee that also receives and makes decisions on funding that is allocated to this community direct from Treasury that funds Lighthouse projects in the valley. The whole valley, Aboriginal and non-Aboriginal, can apply for those funds. The governing committee assesses each of the applications. It has supported to date many positive things in the community. There is a forum that is held prior to the governing committee meeting which allows for residents of Fitzroy, service providers and visiting government agencies to inform and be informed. It is a model that is working for this community. It is very much valley focused and it has the support of senior executive managers/directors general in this state and in the Commonwealth.

CHAIR—You are good at inventing these kinds of things, aren't you?

Ms Oscar—We want things to work! So that is the process that is there. In our view the COAG is a program, if you like, that has been established with a timeframe of five to 10 years. Fitzroy Futures was established prior to COAG and it will still be there once the Closing the Gap strategy is wound up, however and whenever that happens. We do not know what things will be like after the coming election. So, for sure we have a forum here where anyone can come and present their views and be informed, and it is working. We are about making that work better. It is new, it needs to be reviewed and it needs to improve. This is in response to your question about management of fly-in fly-out.

CHAIR—Is it the consequence of these arrangements that you do not feel so irritated by people flying in and flying out?

Ms Oscar—We used to be, but I think we are managing it a lot better. The other thing I want to add in support of the Yiriman workers presenting today is that we need more investments into the Yiriman type projects. We need to acknowledge that we are operating in a linguistically and culturally diverse community. No one size fits all, just because we are all Aboriginal people and just because we live in this area, when it comes to managing juvenile offenders or other areas—education, health and so on. We have been promoting the fact that Fitzroy is a culturally diverse community and, with the four language groups, a linguistically diverse community. But we also live in the real world, where we are being impacted upon by developments that we have no control over, and we need to be like this, sitting at the table and making the decisions around those issues. But we cannot overlook the fact that in this community language is alive and that law and culture exist, and we need people coming into this community to have respect for those fundamental basics that live here and that shape who we are as Aboriginal people.

CHAIR—I do not know what to ask anymore.

Mr Isbister—Can I talk about safe houses?

CHAIR—Yes.

Mr Isbister—In every community there are one or two families that always stand out in looking after children. Children are always attracted to those power points. My house is one of them in my community; a lot of kids come there. But from time to time we run out of food and transport and other things. So in looking after the safe houses there probably needs to be some sort of support mechanism, whether it is recognition by the DCP or organisations which say, 'Okay, let's support them with the basics to support children.' That does not happen, and a lot of safe houses send a lot of children away because they cannot give them even the basics, like a feed or a bed for the night. We do run out of mattresses and stuff. We do stack them up on the ground from time to time. But it would be helpful if some of those houses could be recognised. They do exist, let me tell you.

CHAIR—We have been talking for hours now, and most of the people in the room have heard all the conversation. I am sure that Danna and I could not express our appreciation strongly enough for the way you have provided us with information that I hope we can turn into something useful for you. As I have said to you before, there is a big government program called Closing the Gap, which attempts to say that in a whole lot of areas, like health and education, there will be targets to be set and reached within 10 years. It is a more serious and carefully planned program than, I think, has ever existed before, but we are aware that under that program there are very good arguments for having more investment and more planning to fix the problem of crime and improve the safety of Aboriginal communities.

I would be very happy if anyone feels that they would like to make a contribution, but my final question is: has anybody got any kind of idea about why the rate of imprisonment of juvenile and young adult Aboriginal people is so much higher in Western Australia than it is in the Northern Territory?

Mr Rodrigues—I have been in Fitzroy for about 10 years. I have seen people come and go and promise Fitzroy a lot of things. I understand what these ladies have done in the past two years. Even though we are the licensees for the two pubs in town, we totally agree with the fact

that they need more support. Every time you read in the paper that everything in Fitzroy is good, it makes the work for these ladies even harder, because there is no extra support coming in to Fitzroy. They are getting to a stage where enough will be enough and the more they ask for they will not get it. We want Fitzroy to grow and move forward. We need to have support, counselling, and alcohol and drug counsellors in town—not people who just drive into town, where it is said to them 'I've got a job for you' and they work for three months. They learn the basics and off they go and we are no better off. We have issues—

CHAIR—You need youth workers, drug and alcohol counsellors and mental health. This is an important list. Those are three sorts. Are there others?

Ms Oscar—Resourcing safe houses in communities.

Mr Isbister—To make all those work, you need housing. Every government agency, including the shire, cannot put in extra resources because there are no houses for subsidised—

Mrs VALE—No accommodation.

CHAIR—I am no expert on this, but there is a big heap of money for housing. In that case, it is a question of getting that going here.

Mr Rodrigues—The other point I want to get across is about police. I run the supermarket. We had a supermarket but it burnt down on 8 July last year. We are at the rec centre at the moment. We have been there for eight months. I know that a lot of people in the town are not happy about us being there because it stops a lot of sports, recreation and stuff. Over the weekend we had a carnival. I thought that went really well.

Ms Hand—Yes.

Mr Rodrigues—On that point, we have had three break-ins this week—Sunday, Monday and last night. It was a huge one last night. In the eight months we have been there that was the 24th break-in we have had in Fitzroy. Again, going back to police, I know their hands are a bit tied because they are dealing with young kids. The ages—from the superintendent, Murray Smalpage—are between eight and 14 at the moment. My question is: have we got any programs in place for the five- to seven-year-olds so that, when they get to the age of eight and 14, they are not doing the same thing? We are going through a wave of people who are breaking in and nothing is happening. A new wave is coming in and it is all happening again. It is fair enough to create programs for the eight- to 14-year-olds, but do we have anything in place to start working on the five- to seven-year-olds, before they get to the age of eight to 14?

Mrs VALE—Could you tell us what they stole when they broke in? Was it food?

Mr Rodrigues—There was more damage than stolen goods. It was more Coke. Last night, it was three 1.25 litres of Coke, two cans of Coke and a drill. I now have to drill all my doors down. I screw all the doors down at night-time and open them in the morning. They broke the door in and took the drill, so I do not have the drill to open the doors and the supermarket is closed today. There was a considerable amount of damage on the doors and on the other side of

the take-away window. Obviously the guys are still trying to get that fixed. It has cost us more to claim on insurance, because of excess, but the damage is always more than the goods stolen.

Mrs VALE—You are a supermarket. Do you sell other things at the supermarket? It is food that they are taking.

Mr Rodrigues—They took some dirty magazines—*Playboy* and *Hustler*—and a two-litre container of ice-cream. In total, there was about $22,000 worth of damage in 24 break-ins. It affects me and my wife. I get there in the morning and it knocks the wind out of me. I think, 'What the hell am I doing?' Everybody in town knows that the supermarket burnt down and it was a big impact on the community. People were worrying about where they were going to get their food, and within 5½ days we got ourselves together with help from other people and we got the rec centre going. It was not our preferred choice to put the supermarket there. We have had issues with insurance, regarding who is going to pay for what and how much we should pay.

CHAIR—Are those issues still going on?

Mr Rodrigues—They were supposed to start work this week, but because of Easter they are going to move all the blokes up on Tuesday. So we will probably start seeing something on Tuesday.

CHAIR—So it is a week before they start building the new supermarket?

Mr Rodrigues—Yes. So things are moving on, but we are about four months behind now because of the issues we have had with the insurance. But, yes, I agree we need more services in this town to support the work that people are doing—and they have done it for a while. As I said, I have seen people come and go. They get disappointed and then walk away—good people. We do not support them and have the right people to do these jobs. Just one more thing: with the police, even though they try their utmost to get the juveniles and they do get them, and I go into meetings with juveniles when they go to that other—what is that called again?

Cmdr Smalpage—The juvenile diversionary program.

Mr Rodrigues—and I talk to these kids and there is a police officer and all that. And I give these people jobs. I give these people a way to repay me. I ask them, 'Come to work in the supermarket on Saturday and see how hard it is,' but they do not turn up. So to me it seems the justice system has in a way failed these young kids. I heard what Ronnie and those guys were saying, that something has got to change. Don't get me wrong; I do not have the answer. But something has got to change.

CHAIR—Thank you. Louie, I really like your hat.

Mr Dolby—A lot of people are talking about my hat. I was thinking about putting it on eBay. I might send it off—see if I can win a house or something! Anyway, getting back to your story, how to stop crime or whatever. That was your question?

CHAIR—My question is: it is the case that the proportion of Indigenous kids in jail or juvenile detention centres in Western Australia is much higher than anywhere else; do you have any idea why that is?

Mr Dolby—I will come up to the table and give you something. I have been working with Yiriman as well. This is something for you to read and think about: are you going to help me? The reason is that there are not enough people supporting young people in the community. My wife and I live 120 kilometres out of town, on Mount Pierre, and we have kids out there. I get kids from New South Wales and from Queensland, but I am not advertising or anything; they ring me up. People ask me to motivate their kids or discipline them—get them going, mainly, in the workforce, and I have done that.

I have success stories to tell. I had an 18-year-old young man come up to me. His father wanted him to be motivated—he could not motivate his son himself—so I told him to bring him to me. I motivated him. He went back to Queensland, and his father rang me up and said, 'Thank you; I got my son back.' Another family brought their son to me, again from Queensland, and this young man did not even know how to sweep the floor or mop up or wash the dishes. I got that young man motivated. He is working in Broome now. He has got a job. His mother and he bought a bed and breakfast in Broome. These are success stories. If one out of 10 can change, I am happy.

There are a few stories to tell, but there is no support from any government departments. I went to the welfare department and the ministry of justice asking for support: nothing. Everything me and my wife do we do out of our own pockets. There is no support from any government department. My son won a scholarship and I took him over to North America and South America, and there was no support from the government—nothing. The thing is that we do not get enough support to support our children here. The cost of living is very high here in Fitzroy Crossing. We pay big money to buy one bag of groceries. With $200 you could get out to Derby and get $500 worth of groceries.

I suggest that the justice system, like I said earlier on, instead of sending the young people to prison, sends them out to our community so that we can work them. Simon can tell you the same story. The young people I had at my place were worked; I worked them hard. They were too tired to think about stealing or anything! Most of the time we support them, we help them, we give them more energy to go and steal. We need to work them, not take them for a joyride. Most of the time we take them out and say, 'You've been a good boy.' No—work them. Make them go to sleep. Seven o'clock or six o'clock—they should sleep. That is why our prison system is overcrowded.

Cmdr Smalpage—I am nodding my head; I agree. For the record, I have personally praised the Yiriman Project to the Attorney-General. There are, unfortunately, limited opportunities for the police to force people. Those who will not go to these things are usually those who are the worst offenders. They will not go until there is intervention comes and it becomes a court-ordered project. For the benefit of the committee I share the frustration that is felt because the bureaucracy itself puts barriers in the way in terms of insurance, working with children and a whole raft of complexities, in what would seem to be a fairly commonsense approach.

Mrs VALE—And sometimes, like we have spoken about here before, the only way you can get young people on these particular programs to start with—no matter how much they enjoy them and how much, when they have finished, they feel they have experienced personal growth—is with the impetus of a court order or a suspended sentence.

Cmdr Smalpage—I share the frustrations. If children of a tender age will not go to school and will not do what their parents want, they often ignore court orders as well. So, yes, there needs to be a degree of compulsion. If they have the choice of whether or not to go and work, they will not. But I agree: I think it is a good initiative.

Mrs VALE—I think it is very similar to the drug courts we have in New South Wales. those people actually have to be compelled to go to the drug courts.

Mr Dolby—Another thing that needs to be set up in communities is boot camp. We could get a boot camp going. Nearly every community or town needs a boot camp. If we work young people and talk to young people, they will change.

CHAIR—I think it is fair to say that around the world there have been a lot of studies of boot camps and they almost invariably show that it is better to have something like Yiriman than it is to have an American style boot camp.

Mr Dolby—It is just a figure of speech.

Mrs Dolby—I come from Mount Pierre Station, 120 kilometres out of Fitzroy—

CHAIR—And the eldest of 10 children—I have just read that.

Mrs Dolby—I am, yes. How do you know?

CHAIR—Louie just gave me a document that told me that.

Mrs Dolby—Every meeting we have gone to, and my grandparents and other people have said, and whenever we have been talking about things like this, one thing does not change—Aboriginal law does not change; white man's law changes every five years.

CHAIR—That is a good point.

Mrs Maclagan—We have known each other a long time—most of these people have. We run Mac's Mechanics here. We moved back to this town because of the good things that were happening here. We have moved home. We are not going anywhere. Everyone who knows my kids in this town knows that I am going to say something—and I will get myself shot politically, but I do not care. My kids do not have colour. My kids just belong to this town and are young adults. We employ young people and we want to employ more young people. We are struggling to employ young people in our business at the moment. We employed one young man and he turned out to be a dream and we employed another young man and he was a dream too and we love him dearly. But we were not getting support. We have got exactly the same problem in running this business. We are not being supported—and I know I am going to be hit by someone here—by TAFE properly. We are struggling getting that support with their bookwork. We are

struggling getting anybody to come and help us with anything so we are saying the same thing as Louie here. We are not getting support as a private business here in this town for what we want to do, which is work with youth. That is what we have always wanted to do. We want to encourage youth. When our youths working for us got into trouble we did not get any support. We did not have any way of getting any help or anything else.

CHAIR—What do you mean by 'support'?

Mrs Maclagan—We are ringing TAFE all the time—we are doing the work. Our own son and now this other young man are going through TAFE with apprenticeships and we have to continually ring TAFE to get their books, get their things, and get things done. As a small family business that is up and running, as Louie says, we even have to pay for things like the children's courses because they cannot afford them themselves. We are not really looking for financial support—we are going to make that up ourselves—but we are looking for support. We are looking to TAFE to do its job. When young people are working for us they are given a family environment. Everyone knows how we treat them and everything goes along fine. But other things happen in the environment where they start to get into trouble and we do not get support. We could not get anybody to come and help us or encourage us and we lost some staff.

CHAIR—It sounds like you would be helped if we got some of those youth workers, for instance.

Mrs Maclagan—Yes, we would.

Mr Rodrigues—Just to clarify something. I brought up some questions at the last the Fitzroy Futures meeting—and obviously I was representing Leedal—dealing with the Department of Housing. It was regarding the media release of 21 April 2009 by honourable Jenny Macklin and Brendon Grylls about the hostels in the Kimberley. It has come to our attention that in the short term Fitzroy Crossing is not getting one. I think that it is important for the community to be aware of that. Obviously I do not need an answer from you guys at the moment but is there any chance we can find out about a hostel for Fitzroy? We offered the land for the hostel to be built in Fitzroy. We have been knocked back because in the short term Fitzroy is not getting one. I just want to clarify that and I would like to know whether we are going to get one or not.

Mr Jimbidie—When I am not interpreting, I work with tourism in Mimbi, Girloorloo Tours. Also there is a program happening with the Rural Leadership Program from Canberra next month. Judy has been on board and I would like to get support from Judy and Simon. Thinking about all these leadership things for young kids, there is a history out there about the Devonian Reef—the history there, blackfella story, Dreamtime, tjukurpa dreaming—everything is all there and it is in the backyard, in the Gooniyandi country on the road of this fellow here, our next door neighbour. There are big caves there that have lots of story. We share a dreamtime story with the mudlark and the blue tongued lizard which is told by Walmajarri, Wangkatjungka and Gooniyandi people and ended up in Mangala country. Simply saying when the dreaming took place, how they communicated and shared the land together, in a simple way, in Walmajarri, I could say—

Mr Jimbidie then spoke in Walmajarri—

We mix-married in all the four tribes, the group that are in this Fitzroy Valley right now. That is a really big understanding to me in the Walmajarri. I did not understand when I was a kid. Growing up, I did not go to Walmajarri school but I have learned that. I am an interpreter now. That is why I see it as really important, and I see that blackfellas are going to bear this word. They were both right, but they did not understand each other to communicate and understand properly what the story was—what he said, what he meant by using that English word. I can feel sometimes with these English words that I am using the wrong word. I get myself in trouble.

Anyway, I want to start. I would like to see something with the leadership program happening in Mimbi itself for the locals. I need support. I have written letters and everything to people and everything else, and I am still waiting. I even approached the media for housing. They have been there for nine years; there is still no housing there, and we have got to run a business. Finally we got approvals for our campsite for tourism this year. Maybe one day it will happen.

My big concern is the young people who are suffering here in the valley, when they can go hop, step and jump to their history out there. They go, 'Oh, but I didn't know this and that.' They come and see the cave and I tell them the story. I am a Walmajarri from the Great Sandy Desert—you saw that over there—from my grandfather's side. I am in that Gooniyandi country and I feel very strong. We lost one of our members there. I was strong when he was alive, but when he was gone I felt weak. I want a bit more support from the other Gooniyandi people.

CHAIR—Thank you.

Mr Keenan—I am from the Yiriman Project. I just come back to what the superintendent was saying before about having legislation to compel young people to participate in certain projects, which is a very important thing. But also we are talking about prevention before people even get to that stage. I would like to acknowledge the importance of the roles played particularly by adult mentors and leaders. From my experience working with Yiriman and working with Steven in his role, these are the people who are key to engaging young people and getting them involved. We have done trips out on country which go for two weeks, walking 150 kays through the desert. How are you going to get anyone to sign up for that? They have not been compelled to do that, but they have done it because we have had people like Steven, and there are many other people who have been able to continuously put in time and effort. We have been fortunate enough to employ someone on a full-time basis. People like that are like a Pied Piper, and young people follow them around. I would like to see support for resourcing to employ more Aboriginal people that are adult mentors and leaders to work with the amazing skills that already exist within the community, to be acknowledged for those skills and to be able to further strengthen the relationships which are so important throughout generations. They are very important roles that really act as glue. I think that is a very important part of having people participate in healthy projects.

CHAIR—That seems like a really good moment to end and to acknowledge, as I say, the tremendous effort you have put into providing us with so much information today. We are very grateful and we hope that, when we do our report, it will reflect your views and, more importantly, as a consequence, some of the policies of government will be changed. If anyone leaves here thinking that the Yiriman initiatives were unsupported they must be deaf.

Mrs VALE—Could I just add to that. You have welcomed us to your country this morning. As we finish, can I thank all of you for your welcome. Thank you for this opportunity for letting us hear about your solutions to some of the problems or challenges that you face here. I personally have found it a very profound and moving experience to hear you. We have been looking for the answers to the high Indigenous juvenile incarceration rate, particularly here in Western Australia. It seems to me that there is never, ever one silver bullet but there are a heck of a lot of answers that are here in this room that we have heard. You have some programs up and running and you have found successes. I have no doubt, Maureen, that your FASD strategy will also meet with equal success because of the way you are going about it, the professionalism that you bring to it and the support you will get from the whole community here in Fitzroy. I hear what you say, John, about making sure that we do not say, 'Hey, all the problems of Fitzroy are finished.' They are not, because we want to make sure that you get the funding that you all so deserve. We will be doing our report. One thing I would ask of the secretariat and the chair is to make sure that this community gets copies of our report. Then you can go and take that report to government officials and say, 'See, this was a recommendation of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs.' I would like to think it would give you some leverage. We have had some good success in getting ministers to take up recommendations. To everyone: congratulations on what you have done so far. It has been very inspirational.

Mr Lawford—With respect to accommodation, when you were talking about schools in some areas, what about the old Fitzroy School? We could use that as a training centre. It is history: we went to school there. Just build it around that. It could be a good training centre for a whole lot of young people.

On behalf of the traditional owners Olive Knight closed the meeting—

Committee adjourned at 3.23 pm