



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**PROOF**

**COMMITTEES**

**Aboriginal and Torres Strait  
Islander Affairs Committee**

**Report**

**SPEECH**

**Monday, 20 June 2011**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

**Date** Monday, 20 June 2011  
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**Questioner**  
**Speaker** Dr STONE

**Source** House  
**Proof** Yes  
**Responder**  
**Question No.**

(Murray) (NaN.NaN pm)

Dr STONE (Murray) (20:16): I concur absolutely with the remarks of our very able chair in presenting this report *Doing time—time for doing: Indigenous youth in the criminal justice system*. It is, as our chair said, a very tragic situation in Australia. Far from us being able to present a trend showing there is less recidivism and less Indigenous juvenile detention and offending over time, we are seeing that the rates are increasing, particularly for young girls and women offenders. Quite clearly a lot of those young people are also parents themselves. The intergenerational cycle of offending is unbroken in Australia at the moment. It is of great concern, I am sure, not only to all of us here in this parliament but also to the broader Australian society that so much life is being wasted and lost as young people serve time for offences which very often have been the result of extreme social, educational and health disadvantage or deprivation.

We were very concerned to look at the total justice system. The chairman has referred to the fact that we were concerned to find that there were very few targets set in the justice system. We found there is a lot of well-meaning intention and that there are a lot of programs, but very few of these programs set benchmarks, look at best practice either in Australia or internationally and then measure the outcomes of their various programs to see if in fact they work. There is often very short-term funding for innovative programs. There are, as we have heard, silos of activity. We found that it is not acceptable to have a child or a young person incarcerated or in detention simply because there is not a safer place for them to be. There is obviously a serious problem for safe accommodation for a lot of the juvenile offenders before they go into detention or indeed after they come out. It is a very sad fact that nearly 41.3 per cent of Indigenous children and young people are in out-of-home care compared with only 4.6 per cent of non-Indigenous people.

We are also very concerned about the physical and mental health problems associated with Indigenous offending. We can directly relate the overrepresentation of Indigenous youth in the criminal justice system to things like alcohol and drug abuse, foetal alcohol syndrome, hearing loss and mental health issues and problems. Many young children are disengaging from education from the earliest age or

their truancy rates are so substantial that they are not learning English, perhaps because they are in remote Australia., They may not be able to gain enough skill to get a job—yet they aspire, like every other young Australian, to buy the good things they see on television or in advertising, but they are frustrated in not being able to achieve legitimate employment. Often for them the only alternative is offending.

We found too that there is a very serious problem in our society where there are few role models in our Indigenous communities, where there are families who have not known anything other than cycles of recidivism. On the other hand, we found examples of marvellous mentors in the Indigenous community who are very embedded in terms of their own cultural understanding and their own social life. It was stressed to us many times that mentoring is a key, whether through sport or other artistic or cultural activity or in some other way. If Indigenous young people have someone to look up to, whether Indigenous or non-Indigenous, they can help them find their pathway through to life beyond offending.

We went to New Zealand to compare Maori offending rates and to look at what programs they might have which could give us some better guide or inform us on our policy directions. We found that they had in fact adopted the Koori Court, as it is called in Victoria; it has other names in other states. They had in particular moved towards having more engagement with the offender and the victim of the crime. We saw that as a very good thing. It brought the young person face to face with the impacts and outcomes of their activity so they could see how it impacted on and harmed another individual.

We believe that we really need to take a holistic approach to deal with juvenile offending with Indigenous young Australians. It has to begin almost prenatally, making sure children are born healthy and that they get proper medical attention so that they do not suffer a hearing loss. We really want to say that we must do better. *Doing time — time for doing* is a critical report.

The DEPUTY SPEAKER ( Ms S Bird ): Does the member for Blair wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mr NEUMANN: I move:

That the House take note of the report.

The DEPUTY SPEAKER: In accordance with standing order 39, the debate is adjourned. The resumption of the debate will be made an order of the day for a later hour this day.

(Cunningham) (NaN.NaN pm)

(Blair) (NaN.NaN pm)