



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

**HOUSE OF
REPRESENTATIVES**

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL
AFFAIRS

Reference: Crime in the community

THURSDAY, 10 OCTOBER 2002

SYDNEY

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

INTERNET

The Proof and Official Hansard transcripts of Senate committee hearings, some House of Representatives committee hearings and some joint committee hearings are available on the Internet. Some House of Representatives committees and some joint committees make available only Official Hansard transcripts.

The Internet address is: **<http://www.aph.gov.au/hansard>**

To search the parliamentary database, go to: **<http://search.aph.gov.au>**

HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
Thursday, 10 October 2002

Members: Mrs Bronwyn Bishop (*Chair*), Mr Murphy (*Deputy Chair*), Ms Julie Bishop, Mr Cadman, Mr Kerr, Mr Melham, Ms Panopoulos, Mr Sciacca, Mr Secker and Dr Washer

Members in attendance: Mrs Bronwyn Bishop, Ms Julie Bishop, Mr Melham, Mr Murphy, Mr Secker and Dr Washer

Terms of reference for the inquiry:

To inquire into and report on:

The extent and impact of crime and fear of crime within the Australian community and effective measures for the Commonwealth in countering and preventing crime. The Committee's inquiry shall consider but not be limited to:

- a) the types of crimes committed against Australians
- b) perpetrators of crime and motives
- c) fear of crime in the community
- d) the impact of being a victim of crime and fear of crime
- e) strategies to support victims and reduce crime
- f) apprehension rates
- g) effectiveness of sentencing
- h) community safety and policing

WITNESSES

ACKROYD, Mr David John, Manager, Community Services, Sutherland Shire Council	321
BOTTOM, Mr Robert Godier (Private capacity)	298
COLLINS, Mr Brett Anthony, Spokesperson, Justice Action, Prisoners Action Group and Breakout.....	382
GIBBS, Ms Melissa, Executive Director, Southern Sydney Regional Organisation of Councils	321
LAWARIK, Ms Anna, Spokesperson, Justice Action.....	382
LIVINGSTONE, Ms Linda Jane, Manager for Community Development, Marrickville Council	321
MARGUIN, Ms Ariel Josephine, Co-ordinator, Justice Action.....	382
MONTGOMERY, Councillor Michael Andrew, President, Shires Association of New South Wales	360
POTTS, Mrs Joy, Secretary, Study and Investigation Committee, Country Women's Association of New South Wales	314
PRIEST, Mr Michael Timothy (Private capacity)	338
SAMMUT, Mr Andrew George, Senior Operations Manager, Community Services, Canterbury City Council	321
TRIMINGHAM, Mr Tony, Founder and Chief Executive Officer, Family Drug Support.....	372
WOODS, Councillor Peter, President, Local Government Association of New South Wales.....	360

WOODS, Mr Stephen James, Clinical and Consultant Psychologist.....	404
YORK, Mr Anthony, Volunteer, Justice Action.....	382

Committee met at 9.59 a.m.

CHAIR—I now declare open the public hearing of the House of Representatives Standing Committee on Legal and Constitutional Affairs inquiry into crime in the community, victims, offenders and fear of crime. Yesterday we heard some most interesting evidence from the police about some of the initiatives they are taking to tackle crime, particularly relating to drug related crime. However, we had evidence from some of Sydney's hot spots, particularly Cabramatta and Fairfield, which showed that a lot remained to be done.

Statistics suggest that there are significant increases in crime in Australia, with an enormous blow-out in burglary. This is in contrast to other industrialised countries where crime has decreased. Japan and Australia are the notable exceptions. There is research to indicate that the greatest deterrent to potential offenders is an increased awareness that they are likely to be apprehended and that, unless they feel they are likely to be apprehended, the sentence itself is unlikely to be a deterrent. But the question of sentencing remaining a deterrent remains the subject of differing points of view.

Witnesses did seem to agree that early deterrence and diversionary programs for young people are an important step. We were given statistics that there were something like 336,000 Australians who appeared before the courts each year—an amazing statistic. I think the figure was that one in 14 men and one in nine women and one in four people of Aboriginal background appear before the courts. But, of course, we have only 21,900 people in jail and 59,000 Australians who have been sentenced, serving non-custodial sentences.

We heard a good deal of evidence about organised crime with its tentacles in every facet of society and actively recruiting young people who are vulnerable. The committee has asked for some statistics, if they can be provided, on what percentage of crime in Australia is the subject of organised crime.

Today's hearing will expand on some of these themes. We will hear of some of the initiatives of local councils working to reduce danger for their residents and will tackle further the issues surrounding drug related crime and the efficacy of current drug policy with what seems to be a confused message. We will also be examining some of the socioeconomic and other factors influencing criminal behaviour. We will begin today by hearing from Mr Bob Bottom, whose focus is on illicit drugs in the community.

[10.02 a.m.]

BOTTOM, Mr Robert Godier (Private capacity)

CHAIR—In what capacity do you appear before the committee today?

Mr Bottom—I appear before the committee today in my capacity as a person who has devoted a lifetime interest to organised crime and corruption. I do not appear before you as someone who is an authority on crime per se, but what I would seek to do today is to bring forward to the committee some aspects of crime that relate to the nexus between organised crime, as you have mentioned, but especially illicit drugs and crime.

CHAIR—Mr Bottom, would you like to make an opening statement?

Mr Bottom—I have presented a submission. Since presenting that submission on 16 September, I have had the benefit of reading some of the transcripts of some of your hearings and reading some of the submissions. What I really seek to do, as I mentioned earlier, is to throw a little bit of a different light on aspects of crime. There is an undeniable nexus between organised crime—and that is organised drug trafficking and crime generally—but there is a perception abroad in the community which has been true for a long time: that is, we are losing the fight against drugs. The reality is that in recent years we have turned the corner. We are now beginning to win the fight against drugs. Indeed, I point out—this is in the submission—that the use of illicit drugs has dropped by 23 per cent in the last three years. The number of deaths from heroin overdoses has dropped by 25 per cent. I do not think there are any comparable figures like that anywhere in the world. Much of the reason for that is because of what is euphemistically called a heroin drought but, in fact, it is as a result of increased police action, especially in interception of drugs and other initiatives at police levels. I know that runs contrary to the popular view, but the reality is that it is a law enforcement success which has, in fact, had a community benefit.

In my submission I point to the fact that Australians were betrayed by a historic decision made in 1985 at a meeting of federal and state health ministers. A national drug strategy was adopted which concentrated on harm minimisation. Rather tragically that policy included a term which said that the approach would be to promote harm minimisation and other facets but without necessarily eliminating the use of the drugs. That, in retrospect, was a tragedy for Australia. It has, of course, changed now.

I point out—this is documented in the submission—that Australia once had the worst drug problem in the world. In Sydney it spawned the razor gangs, the Black Hand syndicates in Queensland—terrible things went on; they used to blow up houses—Squizzy Taylor in Victoria and the like. That was a manifestation of organised crime in Australia at the same time that Al Capone was on the rage in Chicago. It attracted world attention and it was for the control of the cocaine trade. So serious was the cocaine traffic in those days that even in recent years, if you bought fruit and vegetables from barrowmen in Sydney, you would have seen holes in their noses from using cocaine in the 20s and 30s.

The governments of the day took strong action. Firstly, they introduced laws to prohibit criminals carrying concealed pistols. They then used razors. Once people started appearing in all the hospitals in Sydney and then down in Melbourne and Fitzroy, with L-shaped slashes on their faces, the community recoiled. They brought in then—it is not popular these days—a consorting law. Everyone is familiar now with the revamp of the National Crime Authority, but let me tell you that under those laws in the late 20s and 30s, a sergeant and constable of police in Sydney arrested and jailed more people than the National Crime Authority and allowed the governments, by 1936 in Australia, to proclaim total victory over the drug trade. The illicit drug trade remained suppressed in Australia for three decades and it only returned in the 1960s.

Since the 1960s, with its return, which coincided with the American forces using Australia as a base for rest and recreation leave and other factors, Australian criminals had access to heroin more easily than anyone from America. The Australians had no market in Australia and they smuggled it into America. There was a famous group called the Corset Gang, bigger than the French Connection, which was eulogised in films. They could not find a market in Australia and they were arrested trying to sell it in America.

But then it changed in Australia. In the 1960s the highest number of heroin deaths was six. In the time since it has mushroomed, the number of heroin deaths in Australia has increased 15,000 per cent and in fact by 1999 there were nearly 1,000 deaths a year from heroin overdoses. That has now dropped by 25 per cent and with proper strategies that could perhaps reduce even further.

What I find extraordinary—and I know this is controversial—is that, having been involved in research in these matters for decades, there has been no real public acknowledgment anywhere in Australia, especially by what might be regarded as the academic-legal-medico-social alliance that forms this harm minimisation network, that all those lives have been saved and people are going off drugs. The fact is that we now have 10,000 drug programs throughout Australia.

I welcome the re-formation of the National Crime Authority into the Australian Crime Commission, and I gave evidence on that in Sydney on Tuesday. That is a matter where they might have gone astray, but at the same time it involved about \$50 million a year to run the National Crime Authority to tackle the drug barons. We are talking at the moment of hundreds upon hundreds of millions of dollars that have been expended since 1985 on harm minimisation. Out of the Tough on Drugs campaign introduced in 1998 by the current government, I think they spent \$625 million in the first three years. The majority of that is dispensing aid to drug addicts under harm minimisation, and it has not worked.

It certainly has not worked in the past. We were winning the drug fight in the 1980s in Australia. After a plethora of royal commissions and all sorts of things, the tide was turning. The price of heroin stabilised and the number of addicts certainly remained static, but after 1985 unfortunately it mushroomed. The message being put out was that, despite the education programs, it was not harmful to use drugs. I could name you the Mr Bigs of the drug trade, let me tell you. I know of no Mr Big of the drug trade who ever sold one stick of marijuana or one cap of heroin to a heroin user. The people who spread drugs in Australia are users who generally sell them initially to their friends, their neighbours or their brothers and sisters. It is like a pyramid.

The drug trade of Australia is being run, in a sense, with patronage from harm minimisation like a supermarket chain, with free give-aways—free needles and everything else—and it is dramatic. Nine out of 10 people who end up on heroin were first given the drug or had it sold to them by a friend or an acquaintance. It is a voluntary army of people spreading drugs in schools and the like, with the message going out from harm minimisation. I believe it has been an absolute disgrace for Australia. It has reached the stage where it does affect crime generally.

There is a current program funded by the Commonwealth called DUMA, Drug Use Monitoring in Australia. It has been able to prove that one-third of the people who have been categorised under this study, which affects various states, and arrested for whatever crime have sold drugs at some time for profit. Three-quarters of males now detained in jails have tested positive for drugs. So that is three-quarters of males arrested, who comprise the majority of the prison population. Of course, as I say, they sell drugs, because that is the only way they can pay for them, and that is why our robbery figures have sky-rocketed.

I notice that you had evidence from the Victorian Drug and Alcohol Association at one of your hearings in Melbourne and they put to you a proposition that, rather than put some of these people in jail, you ought to save the money and put them in hospitals and the like, as if that would get them off drugs. I have never read such academic waffle in all my life. About a week after that evidence, a press release was issued by the Labor police minister in Queensland in which he published the latest figures on drug use in prisons. As you know, there is a concern that, firstly, three-quarters of them, once they go in there, test positive for drugs. By average, about 17 per cent have been found over the years to continue using drugs in jail. By the simple method of random drug testing in Queensland, they have reduced that by 75 per cent. So there are a minimal number of people in jail now using drugs.

Mr MELHAM—What is the percentage now, Mr Bottom?

Mr Bottom—I meant to bring the release down. It was issued on 24 September and I can provide it to the committee. It is very revealing, in the sense that out of those who are arrested, three-quarters test positive for drugs. The earlier survey found that, when they go into jail, about 17 per cent were able to continue to use drugs in jail, with people smuggling them in. I must say, McGrady—I'll give him his credit—uses the same language as John Howard. He said, 'And it's going to get tougher.' Nothing namby-pamby; not giving out free needles in the jails and whatnot. He is saying, 'Get tougher.' It has reduced the number of users in jails from 17 per cent of the population of prisoners down to about six per cent.

Ms JULIE BISHOP—By random drug testing?

Mr Bottom—Yes. I am only illustrating this point in the sense that, if these are the hard core who go to jail—most people do not—and if in jail and serving a sentence for a crime, most of them are not able to use drugs, I can tell you, I think that has more chance of success than some rehabilitation centre down at Fitzroy, where they get free this and free that, where only about 30 per cent ever get off drugs. So you have a very big success rate, if you can get them into a situation where they cannot use drugs in jail. Whether they take it up after jail, I do not know, but it is a nonsense. There are notifiable diseases in Australia. If someone is using drugs and they are found selling them, why haven't any of these clinics ever asked, 'Where are you getting the drugs?' If you have a notifiable disease, you have to say where you got it from.

CHAIR—You are saying that of the \$625 million—

Mr Bottom—I believe the greater proportion has gone to harm minimisation groups Australia wide.

CHAIR—And that harm minimisation programs are supplying illegal drugs—

Mr Bottom—No, not supplying illegal drugs.

Mr MELHAM—Needles.

Mr Bottom—They supply services, which I believe provide the climate to facilitate the spread of drugs. If young people feel that it is no longer wrong to take drugs or sell them to their friends at school or the like, it makes it difficult. Of course, you only have to look at some of your evidence or submissions. You will find that police now are not too worried about the users on the street. The fact is that they are the people who are marketing the drugs. Of course you want the National Crime Authority to target the drug barons, but what they did in the 30s was very simple. The Consorting Act, however much one might be critical of it today, meant one thing. You could not buy drugs unless you consorted with a criminal. So immediately ordinary people in Sydney found that, 'There's no use going up to the corner or up to the coffee shop and buying drugs, because you can be charged with consorting with the criminal who you buy the drugs from.' Here, we have a situation that is like a pyramid.

The most dramatic example I ever had—and there are other examples—was one very good example in the Williams Royal Commission of 1979-81 of how drugs have spread. The Williams Royal Commission, 20 years ago, forewarned against the debate on drugs being hijacked by the harm minimisation lobby and Williams actually recommended that the situation be reviewed after five years. What they were telling these commissions—and he was not the only one at that time—is that there ought to be another royal commission in 10 years. Twenty years have passed. All that the royal commission sought to achieve has been negated and I believe, quite frankly, your inquiry is admirable. It is probably the first of its kind in Australia and is very wide ranging, but I would just throw one thought to you. I have been credited with starting 18 royal commissions.

CHAIR—You would like 19, would you?

Mr Bottom—Most of them have been over the failures of other authorities, either through corruption or just not doing the job. With the money involved in this and the harm to the community and the thousands of deaths that are a result of this, there ought to be one now into drugs again. I believe, quite frankly, that this time it should not be the police so much who are brought to account. Let us get the academics and the medicos to justify what they have imposed by debate or whatever means on the Australian community. Let them be accountable for all the people's lives that have been ruined.

I take a very dim view of it because I do not believe it should have happened the way it did. It is all right to listen to the criminologists and some of the figures they have been giving you. I have read some of that. Some of it is absolute nonsense. There was someone here from the Australian Institute of Criminology and he hardly even mentioned drugs. I do not know what is in the air in Canberra, but that is just untenable when you know that something like 80 per cent

of robberies and burglaries are so people can get drugs. He did not even mention it. He talked about bicycles in China. I am not interested in bicycles in China. Why would we be having people in Canberra sussing out how many bicycles are stolen in China? We want to know the reality in Australia.

It really is mind-boggling to me. I suggest there ought to be a turning point because through drug summits—one was held in this House and there are others—I reiterate that we went wrong. One of the three principles that Williams and other royal commissions promoted was stronger law enforcement—and we have set up all sorts of regimes in Australia; some have been successful and some not. The second is education. We have had Keep Australia Beautiful campaigns and all sorts of things that have succeeded in Australia. Our education program on drugs has failed and really, until recent times, it had been abandoned. We want proper rehabilitation.

CHAIR—Aren't we sending a mixed message? We have a federal policy called Tough on Drugs which, to my reading and understanding, says that we want to prevent people taking drugs and we want people to abstain and not become addicts. That is the aim it seems to me, yet we have this harm minimisation message which says subliminally, 'It's okay.' Indeed, I was horrified to hear that here in New South Wales—and probably in other states—the taxpayer is paying for the health department to actually teach young people how to put needles in their veins. I find that absolutely extraordinary.

Mr Bottom—The Tough on Drugs campaign is now working. But, as much as I have welcomed it, isn't it amazing that we had royal commissions in the 70s initially on drugs, after the drug trade had been going less than a decade in the true sense? Heroin really only came back in the early 70s. The Tough on Drugs campaign that was introduced in the 1990s should have been called Tougher on Drugs, using the language of McGrady in Queensland.

CHAIR—McGrady started it.

Mr Bottom—I mean, it is great, but what an admission, that in 1998 we are talking about getting tough on drugs. It should have been Tough on Drugs 20 years before. But I must tell you, the debate was hijacked. Organised crime turns over billions. Let me tell you that you can tabulate the hundreds of millions involved in this industry and the vested interests. Funnily enough, there is another submission I stumbled across here worth looking at again—and I just ran into Phil O'Grady walking out there. He makes one point: a lot of these people do not want to see the drug usage go down because their jobs are at stake. It is no different from any vested interest. I am not saying they are all suss, but it is a growth industry. You just have to look at the proposals. It is mushrooming. It is just mind-boggling. No other aspect of Australian society supports so many health workers and social workers. I think you had a comment in evidence—maybe from one of the members—that 50 years ago we had no social workers and less crime. That is a simplistic view.

Ms JULIE BISHOP—If we had supporters of the so-called harm minimisation industry here, I assume they would say, 'What we are actually witnessing in the decrease in the number of deaths from illicit drug use is in fact as a result of harm minimisation programs, the long-term benefits of harm minimisation programs over the last 16 or 18 years, rather than the more immediate tough on drugs policies.' What would you say in response to that line of argument?

Mr Bottom—I would be surprised if they would come and tell you that because I have been searching the records.

Ms JULIE BISHOP—Let us just assume that that was an argument. What evidence do we have to prove that the reduction in the number of illicit deaths is a result of a tough on drugs approach rather than a longer term benefit from harm minimisation?

Mr Bottom—I would go by their words which are already on the record, because they will not acknowledge it. They talk about the heroin drought but you will find invariably they then say, ‘But once the drought is over it is all going to come back.’ Of course this is very revealing if you research it. Why wouldn’t they acknowledge and welcome this? They have not. You can study the groups in Canberra. All they say is, ‘Yes, that’s okay.’ They will not give any credit to law enforcement, they will not take it for themselves. You can trace it all. They are almost chortling and saying, ‘This is a temporary aberration and when the drought is over the usage will go back to where it was.’ There is a credibility issue. They are not taking credit at all and they are actually almost looking forward to the return of the former usage. It is a nonsense. You only have to read their literature. They have not claimed any success themselves and they begrudge the fact that this has occurred.

Ms JULIE BISHOP—But we have had evidence that as a result of the so-called heroin drought people have increased cocaine amphetamine use—exchanged one for the other.

Mr Bottom—That is probably true. I am not too convinced of that. Yes, some will, or course.

Ms JULIE BISHOP—And that leads to aberrant social behaviour as well.

Mr Bottom—If you cannot get a cigarette, you might go and have a cup of coffee. In relation to those figures from the jail, if you deprive someone of something you can get them off it. I am not saying it is going to work for all. This has not been my forte, but I have made it my business lately and I have traced the history of the literature these people have been putting out for some time. There is no hint in it of an outcome whereby they seek to reduce the usage. It is to facilitate the use. I am not saying they are deliberately doing it.

Ms JULIE BISHOP—No, I understand.

Mr Bottom—But they are misguided. Some of it is very admirable, but you get them along here and tell them that really they should be seeking to shut down their clinic at Fitzroy. They should be able to solve the problem and rationalise down, like the original law enforcement approach in the late 70s and 80s where great resources were given to police for extra taskforces and things. Do you know what the catchcry was then? They were not setting up an edifice. The catchcry for all of those bodies at that time was ‘limited terms, sunset clauses, do the job and that’s it’.

Ms JULIE BISHOP—And move on, yes.

Mr Bottom—It changed and that is what happened to the National Crime Authority. In 1995 they changed and set up an edifice, which now has to be dismantled and has been dismantled to an extent. I have perhaps a controversial view on this, but I believe that because of mushrooming in the trade and the amount of money dispensed to these bodies we should hear of

their successes in any sphere whatsoever that could be used as a barometer. I do not know of any. Some have had some success. I know it is a hard view. People say, 'Hang on, Sergeant, you said you have arrested this man but it has had no effect.' The police are under scrutiny all the time. There are being measured. No-one has measured these harm minimisation programs for success or failure.

Mr MURPHY—Mr Bottom, are you advocating the abolition of harm minimisation programs?

Mr Bottom—Not abolition. I believe that the strategy ought to include three components—even stronger law enforcement, education and rehabilitation—but not this free needles business or 'Look, it's not too harmful.' I went to a conference once and someone asked me, 'Would you legalise heroin?' I said, 'I'm not an expert on that.' A guy then popped up who was an FBI man based in Hong Kong. He said, 'Look, I heard that. Let me just say that I have always wondered about that myself. I am leaving Australia tonight to go back to Hong Kong. How would I feel if I knew people could freely use heroin and my pilot could go and inject himself with heroin?' I thought about that and in my submission I say, 'Where do you start and end with these sorts of programs?' I am not just going on the free needle exchanges and things like that but the biggest growth for heroin use is down to 14-year-olds. If you recognise someone is a heroin addict, are you going to give it out at playtime at school? Where does it start and end? I believe there is a health aspect to it, but I do not believe that the harm minimisation lobby has been accountable enough in comparison with the accountability mechanisms for the law enforcement side of it.

Mr MURPHY—I want to pursue this harm minimisation because my understanding of it and the proponents of it can demonstrate that it saves lives. If it saves even one life, isn't it worth having a harm minimisation program?

Mr Bottom—I would embrace it but let me put this to you: how does it save lives? When we had a tough problem—the growth in the trade accounted for the increases, but since that harm minimisation was adopted in 1985 and that became the emphasis, what lives has it saved? I have to tell you that my view is that harm minimisation has cost hundreds if not thousands of lives because the number of deaths since 1985 when it started has gone up. Harm minimisation may have cost us since 1985 as many deaths per year as it cost in lives in Vietnam for the whole war.

Mr MELHAM—That is your personal view.

Mr Bottom—That is my view. I know it is unpopular but the reality is we were winning the fight. Why did we drop the ball? We wiped it out once. Why did we drop the ball in 1985? A lot of it is to do with the AIDS program, of course.

Mr MURPHY—I don't know whether you can stay this afternoon but we will hear from Mr Tony Trimmingham from Family Drug Support. I have read many of his letters in the metropolitan daily newspapers in Sydney and been to public meetings with credible people like the Reverend Bill Crewes about supporting this program because he had a personal tragedy with the loss of his son on heroin and he is someone who people like us have to listen to because he has experienced it at the coalface with his own family. He is a strong supporter of harm minimisation.

What I am putting to you is that there must be some balance. You are talking about law enforcement, education and rehabilitation. I would like you to talk a little bit about that because I would like to know how we could better educate the community, particularly starting with the youth of this country, because it is such a critical issue and we know the extension of crime from drugs. If you could talk a little bit about how you see education and rehabilitation, that would be useful for the committee, because some of us think the harm minimisation program is saving lives and Tony Trimmingham would fiercely debate you on that.

Mr Bottom—I have no doubt about it. In the 1970s we used to have education in the sense that police themselves would go into schools. Some of this still goes on. You study how much real education against drugs has there been applied in schools and among the younger community. I do not want to be critical of Tony in this sense but let me say I have another view which is radical—that is, that the lobby publicly that supports minimisation—and it has been pinpointed by some other contrary groups—are often people who have been caught up in tragic circumstances. They have lost a son or daughter and suddenly, to them, this is a tragic thing.

Some do not want to admit that their daughters or sons had got themselves into an illegal activity, for a start. Secondly, one of the things they do not often ask themselves is, if an addict has got to the stage where they have become addicted and fairly entrenched in it, it is inevitable that they probably also are a dealer. What is becoming paramount is that the drug trade is not among all the down-and-outs. The street dealers often are coming from the sons and daughters of the well-to-do. There is this aura at the moment of, ‘Tut, tut. We don’t want to jail all these people or get them into trouble with the law. This is a health problem.’ It is a health problem, all right, if you live in a street and you are trying to bring up your kids and some other family’s daughter or son is on drugs and they get your kids on them.

The most graphic illustration I had of the spread of drugs—I am getting away from the point but let me say I gave a speech once at a place called Jerilderie during the height of the Donald Mackay matter at Griffith. 3,000 people turned up and, like you—I notice your reaction—people were critical of some of the things I said about the spread of drugs. A person got up, a health professional who had been employed by the New South Wales and Victorian governments combined, to go to a little town on the Murray River. He said, ‘Look, what Mr Bottom has said is actually the tip of the iceberg. I am here because two governments had to combine. In this town a teacher was transferred to a school. She had a boyfriend from Fitzroy or St Kilda in Melbourne who came up and lived with her. He was a drug dealer. Do you know that in less than a year every young person in that community—and I mean every one except one child—from 13 up to 22 or 24 years old, were all heroin addicts.’ Sure, I like rehabilitation. If the child has a problem, rehabilitate them, but do not paint a picture that it is not harmful and we will look after you. It needs a lot more thought than one does off the cuff here. Let me tell you, you could say law enforcement has failed over all these years but analyse the reality. Why did it mushroom to the extent it did?

I have to put this to you: We have got Mr Bigs of drugs, all right. Of course they want to promote their trade and the trade is being spread from down below like a pyramid. We are creating Mr Bigs to service the spread of heroin and others that have mushroomed because of this namby-pamby community attitude that has made it all acceptable for people to use drugs.

Mr MELHAM—Hasn’t it mushroomed in societies where it is not namby-pamby and there is zero tolerance, amongst other things, and the death penalty?

Mr Bottom—I do not think that some of the overseas material I have seen suggests that we have had growth to the extent of Australia. Some communities have. I do not pretend to be an expert on that but I think we listen too much to what happened overseas. You have probably heard of the film *The Man with the Golden Arm*. America had drug problems in the forties. Australia proved to the world in the twenties and thirties—they wiped the drug trade out. It was very serious. It never came back for 30 years and here we are now with increases in Australia that are beyond belief.

I was asked the question about harm minimisation. What has got me a bit quizzical about it all is: why haven't they been crowing from the rooftops about the 25 per cent drop in the heroin deaths in Australia or the drop of 23 per cent in the use of illicit drugs? Their only comments are carping ones saying, 'Yeah, it's a heroin drought. They're getting on other drugs. You wait, it will be back to normal.' Why would it be back to normal? It is a bit like going to the labour commerce situation. They do not want to lose their jobs.

Mr MURPHY—Mr Bottom, in the six minutes that are left I would like to hear your views about where we are falling down in education. That is a very important point you have made in your submission. How can we better educate Australia?

Mr Bottom—We spend hundreds of millions of dollars through governments in advertising for all sorts of messages. We even send out through government pamphlets into letterboxes. I know some of these things have been done in a different fashion but I have to tell you I have not seen anything through my household about education on drugs. I happen to own a couple of newspapers. I am in the media. At one time there were briefings from the media. The media would have briefings with the health department. That is all gone. It is a fairly basic thing. With the hundreds of millions we have spent why don't we have a concerted campaign through schools? I don't have all these. But a multifaceted education program on the reality of drugs—and you have to be fair dinkum because kids are not silly. You do not want to overemphasise things, but tell them the truth and with less emphasis on where they can go and get free needles and, as Madam Chair mentioned, telling them how they can shoot up and all this sort of nonsense.

Mr MELHAM—It might help if they had jobs and secure careers to go to.

CHAIR—When they are 14 years old they are not up to that yet.

Mr Bottom—Harm minimisation, to many people, can mean education and rehabilitation. But a study of the literature on harm minimisation—not all of it—has gone far beyond that now. It is a namby-pamby message they give out. Look at some of the stuff that comes out of the ACT group. It is mind-boggling nonsense. Australians are not idiots. I think there is a general message. We have succeeded in the past, as I said, on Keep Australia Beautiful and all sorts of things such as the campaign to wear seat belts and others.

CHAIR—Dr Washer has a question he would like to ask.

Dr WASHER—Mr Bottom, I agree that prohibition is probably the best way to go, but unfortunately prohibition alone has never worked. It certainly did not work in the United States with the alcohol trade. One of the big problems with prohibition—and I am all for trying to limit the amount of drugs in this country—but also you can twist the type of drugs. At the

moment, in spite of the fact we have difficulties with opiates, we have less difficulties with opiates from a medical point of view than we do with amphetamines and cocaine, for which we have no substitute or reasonable treatment.

Prohibition is one thing but at the end of the day I want to restate, from a harm minimisation point of view, the optimum thing is to withdraw the person from the drug and make them drug free. I do not know any credible doctor who would disagree with that. Where we get into a problem is that sometimes that is an impossible situation and therefore we try to put in a safer substitute. I agree with you that most people who take drugs onsell some of those drugs to pay for the cost. That is what you are talking about. Most of the profession would acknowledge that and certainly counsel those patients that it is a criminal offence and we would treat it severely. You would not be amused by the fact that they were spreading it.

The AIDS epidemic, if I can take you back to it, was a nightmare for this country. That is also not talked about much now. If we had not had the people that we could bring into treatment programs with some needle exchange programs with limitations—and obviously there is abuse in this and what Madam Chair said of people teaching other people how to inject themselves is just a bit over the top to say the least—and retractable syringes, which are now being introduced, then that AIDS epidemic, I would predict, would have been far worse. That is a very serious problem. Not only does it affect drug addicts, it also gets into heterosexual and homosexual societies well beyond that. I think that was a monitor that it was probably a good idea.

The catch-22 was the hepatitis C. I want to elucidate that, too, because our ability to diagnose hepatitis C was pretty limited. Only recently have we been able to put a major screening program in. It is far more prevalent than we first thought. That probably is not because of a major increase, it is a major new ability to diagnose what was a major problem.

I want to make it very clear, as a profession—I was involved not just in this as a program, but I certainly observed it—we did not condone at all namby-pamby stuff. We wanted to get these people off. The therapy was to do that and to really chase people down. Unfortunately these people are not always reliable and to minimise their spread of disease has become a major factor. I think it is still a very important part of the program. Education, again, I think is also extremely important. I agree with you in that I think we can do a lot more and it is probably not as well done as it could be, but I guess we will learn from that. We have been fairly successful in tobacco, though, which is still the number one killer in this country.

Mr Bottom—Yes, we have been relatively successful, but we have not come up with substitutes for cigarettes and we do not need them. You either give up smoking or not and I think it should be the same with heroin and cocaine. You are either on it or not. When I get to the term which I will reiterate as namby-pamby, I agree with you, if it was rehabilitation rather than this euphemism of harm minimisation, to get them off it, but the trouble is we are giving them methadone now, we are giving them needles. With the needle exchanges now, is there any effort to actually say to them, ‘Look, you really shouldn’t be taking this?’ Of course there is not. You are facilitating the continued use.

I have to tell you historically again, one loses a bit of faith in the medical profession. I must put that in context. Heroin was once legal in Australia, you know. Prohibition only occurred in the 1920s. The first Drug Act of New South Wales which prohibited drugs was 1927. Do you

know why they prohibited it? Because you could buy heroin and all you had to have was a notice under the Poisons Act. Even in the 1970s there were no criminal sanctions on drugs in New South Wales. Parliament had to bring in a law in 1978 in New South Wales after a parliamentary inquiry because the only laws on drugs were under the Health Act—even then, in a sense, it was under the old Drug Act.

After the First World War, our diggers came back after being given morphine in the trenches at Gallipoli. The medical profession—and I could mention the names of the people with the mansions in Toorak who made the trade out of spreading the drug problem in Australia—and that is why the governments had to act. The same thing happened in New South Wales. When they cleaned up the Razor Gangs it was a two-pronged attack because the people facilitating organised crime in Sydney were the medical profession. Some medicos became organised crime figures as late as 1975 in New South Wales because they came out of the cocaine trade.

Mr MELHAM—You have given everyone a spray this morning.

Mr Bottom—It was always based on the fact that some of the medicos were obviously saying, ‘We should give them this or give them that. Look, it is better to give them the heroin and whatnot.’ Of course, it was great for business. Have a look at the mansions that were built on the drug trade in Toorak. I ought to name the people here. But all I say is, yes, I agree with you about rehabilitation to get them off the drug and not creating a climate where they can get on to something else.

Mr MELHAM—That might get you most of them.

Dr WASHER—At the end of the day, if that is true, then they should go to jail and it is as simple as that. No-one condones criminal activity. But let me put this to you: unfortunately our management and our ability to withdraw all drug addicts from their drug is just not possible. What you are suggesting to me then practically—because at the end of the day we still have a real person out there with a real problem—is that we should jail every single one of these that we cannot treat.

Mr Bottom—No, I believe in notification. If you go to court and you have been using drugs or been dealing—because you only go to court now if you have been onselling and I believe in the drug court system—require them to have treatment and make sure they attend. Most of them do not and they are facilitated in that. I go back to what I say about the McGrady thing. If, in fact, the worst, most entrenched drug people who are going to jail—more so than some of them on the street who are not jailed—can live in jail without drugs, I do not accept your argument, this nonsense about not being able to get people off drugs. They are proving it. They are going to jail, they are serving their sentence, they are not on heroin and they do not need it. There is a shibboleth about it. I am not saying some of them are not so addicted they have to be medically looked after, but I come back to that aura built around harm minimisation and I think we have gone too far and it really needs proper evaluation.

I put it on the basis of where I am coming from. I have spent three or four decades scrutinising police and asking ‘Are they doing the job?’ I think the shadow minister looks at what the police are doing and everything and you get very annoyed. But blow me down, trying to get the police to do the job and you find out we have got 10,000 drug programs and the heroin—

CHAIR—Facilitating.

Mr Bottom—You have to ask yourself: someone has to be accountable. If we are going to have police up before a royal commissioner, let us get some medicos up and say, ‘Look, you have been running this program. What about some of these people dispensing methadone?’ They even get paid to distribute it.

CHAIR—That is right.

Mr Bottom—Let us get them up and accountable and say, ‘Now you tell me, why you are doing this? Who have you got off drugs?’ Let them nominate one person they have got off drugs. Some of them have not got anyone off drugs.

CHAIR—I have two questions: firstly, the statistics show that since harm minimisation has been introduced the number of drug addicts has increased.

Mr Bottom—Definitely.

CHAIR—It seems to me logically the reason that has occurred is because we have sent out a soft message saying drugs are okay. Therefore, the people who have been on them, in order to service their habit, as you have said, have sold on to their friends. When I am thinking about the person who is addicted and is a real person in Dr Washer’s terms, I also think of that person as corrupting another young person and destroying their lives and the multiplying factor of that, so that we have gone from 70,000 addicts to 240,000 addicts, which means that by falsely protecting, I think, one young person by saying, ‘It’s okay to have drugs,’ you have destroyed another three or four lives every time you do that. To me, that is morally wrong.

I would like to ask you this question. What happened in the middle eighties that changed the whole direction we were pursuing? This was our position: our social lubricant is alcohol and other drugs are illegal. What happened in 1985-86?

Mr Bottom—The change came in 1985. It was unfortunate. One of the problems was—and it was to the credit of the authorities at the time—they had an AIDS epidemic.

Dr WASHER—Yes.

Mr Bottom—Our messages were mixed up with the AIDS campaign—which was an admirable campaign—and that had an effect.

Mr MELHAM—It saved many lives.

CHAIR—Absolutely.

Mr Bottom—I applaud that. But in promoting that message under harm minimisation, it was translated across the community per se. There has been great criticism since if you suggest homosexual sex spreads AIDS. But there was a great message spread in broader Australia—and it started with the *Women’s Weekly*—trying to say that heterosexual sex was just as dangerous, which it was not. The message on AIDS was necessary; it worked.

Mr MELHAM—We led the world on it.

Mr Bottom—Yes, you have to give credit for that. But in doing that message to appeal to a small section successfully, we spread the wrong message to the wider community on the use of and how to handle drugs. What happened is that it came at the wrong time. There had been an evolutionary process with royal commission after royal commission, and they were tough old days. I used to live under Commonwealth guard for years, and other guards, and they were tough days to get something done. We campaigned and the like. They set up joint task forces, the Australian Bureau of Criminal Intelligence, the National Crime Authority—all these things. Suddenly there is a reverse pyramid of law enforcement and a couple of things came out of the royal commissions. In 1984, this was to be it. Just then the law enforcement things started to work. In 1985 the health ministers met—it was in the climate of the AIDS epidemic—and they decided on harm minimisation, as necessary as it was for AIDS, but that then became the general policy on drugs per se. I believe the way it was implemented was wrong.

CHAIR—I do not think that was enough. When did hep C become a problem?

Dr WASHER—When we could diagnose it.

CHAIR—I have always accepted that the anti-AIDS policy worked.

Dr WASHER—Yes.

CHAIR—The reason was presumably we stopped drug needle sharing. But we did not, because we have 80 per cent of those 240,000 with hep C, which will kill them, as much as AIDS will kill them. How come we say it worked for AIDS but it did not work for hep C?

Mr Bottom—Hep C is different from AIDS. See if I am wrong on this. What we are saying is, it was effective in dealing with AIDS with a limited section of the population, but the mixed message was that it provided a climate in which more and more people used drugs and needles, and did share them. A percentage still did share them. In the homosexual community they sought not to. It was the growth of the drug trade, because other people who were heterosexual were using needles. Hep C is not a homosexual one, is it?

CHAIR—No.

Mr Bottom—It is a general community one. By trying to control AIDS and the homosexual thing, we spread drugs—

CHAIR—What are you telling me—that the homosexual population was far more responsible and that they stopped sharing needles?

Mr Bottom—Yes.

CHAIR—But all the other people who were getting the free needles as well, they went on sharing them?

Mr Bottom—Yes. Not only did they go on but more and more people went to drugs because of the mixed message. If you check the figures on hep C, you could almost equate them with the number of people on drugs. The percentage rise is fairly similar. You say 70,000 people were on illicit drugs and now we have 240,000. I do not know what the figures are for hep C but I think it is up to about 100,000.

CHAIR—It is 80 per cent.

Mr Bottom—It runs fairly similarly, but you have to relate that to the general community and the extra usage of drugs, in my view.

CHAIR—Are you telling me then that the needle exchange program does not stop hep C and that the needle exchange program stopped AIDS? Are you saying that you could now abolish the needle exchange program?

Mr Bottom—No, not so much the needle exchange. I think the messages given out under the AIDS program—I must give full credit for this. The government that took that on really did not do a bad job, from my perception. You were on the ball earlier, Mr Murphy, when you asked, ‘What do we do about the education?’ Study the AIDS publicity. There is no-one in Australia who has not noticed. There were liftouts in magazines.

CHAIR—Yes, there were.

Mr Bottom—There was saturation. One criticism was everyone in Australia saw those messages but they were only aimed at a small section of the population. What I am saying is, as good as it was in achieving its aims for AIDS, it was a mixed message about drugs per se. Unfortunately, I believe that has had a mushroom effect.

CHAIR—Mr Bottom, I think there was something else in there, too. There were people who were driving the debate who really believe that people should be free to use illegal drugs if they wish. There are people in the community who believe that is their right. They were pushing the harm minimisation debate and they did it by saying, ‘Look, all drugs are equal.’ There was a policy to say that alcohol and tobacco are dreadful, frightful drugs, the worst in the world, and the emphasis went on there and the illicit drugs were subservient. The argument went, ‘We can control the worst drugs—alcohol and tobacco—by regulation. Therefore, you can do it for all other drugs, too, and they should be available.’ From that, we had terms that developed in the language like people who had recreational drug use. What a bloody nonsense that is! You hear that coming from broadcasters on the ABC. The example I gave the other day—

Mr MELHAM—All the conspiracy theories are coming out now.

CHAIR—was when a particular footballer was suspended because he had used cocaine. The commentary on the radio was, ‘Isn’t that ridiculous? It’s not as if he was using steroids.’ When you get to that stage, there is something wrong in the debate.

Mr Bottom—The media has a big impact. I do not have the knowledge to be an expert on this debate, I only have my perceptions, but I can tell you this: when it comes to the promotion of drugs in this country there is something to ‘some of the elites involved’. There are two remaining Mr Bigs of Australia who have been untouched, turn over millions, still parade in

Sydney. One of them, who has been referred to as ‘the Godfather’, do you know how he started in the drug trade? Selling marijuana at Parliament House in Canberra. He is now probably the biggest in Australia. I reckon he has the biggest file by the FBI in America. It was the elites in Canberra who were the first big market for the Double Bay mob of Sydney.

Since then there have been people in the professions who get into some of the trendier drugs. I am not suggesting there is a conspiracy but I see some articles by journalists who I know have dabbled in drugs, who do promote it or excuse it. I will leave you with one thought. In the harm minimisation support groups you will inevitably find very well-meaning, honest people who will suddenly take up the cudgels for harm minimisation, only after their daughter or son is involved. I believe a lot of it is a knee-jerk reaction to say, ‘Well, look, how did it happen to me?’ I come back to this: it is unfortunate, but a lot of those people never ask, ‘Did my daughter—

CHAIR—Like somebody else.

Mr Bottom—‘Who else did they get on drugs?’ That is the thing we have to stop; not only them using the drugs but selling them to others.

Mr SECKER—We have concentrated on heroin and cocaine, but my sources reveal that there seems to be a greater increase in the use of drugs like ecstasy at rave parties. Is it a similar process of sale and procurement? Would you comment on the other disturbing thing that I hear, which is that police actually go to rave parties, as police people, but do not arrest anyone. They just try and make sure that it is all done nicely and that there are not too many awful things happening there, but are quite happy to see everybody popping ecstasy pills. They are basically turning a blind eye to it.

Mr Bottom—That is a very interesting matter. This may pinpoint, Madam Chair, an answer to your question. I have kept a very notable cover story on drugs from an Australian news magazine written by one of the most prominent right wing commentators in Australia. Do you know what the front page article is about? Defending ecstasy and saying that it is harmless. I find that amazing. I have kept this. There is a network of people who believe it is harmless, although it is killing some people. I am not a medical expert—Dr Washer would be able to tell you—but ecstasy has been proven to be just as dangerous as the others.

This commentator, by the way, has a big impact in Australia. Why he ever put his name to something like that—it is the most extraordinary advocacy for the use of ecstasy you have ever seen. Obviously, he has touched it and he thought that he ought to proclaim to the world that it is innocent. It is amazing, if you knew who this person was. There is an element out there who, through the papers at times, say, ‘Look, it’s a bit of a trendy thing at parties,’ and all that; not much different to what happened in Hollywood with cocaine, and it got out of hand. It was promoted as the in thing for the stars and pop singers and the like. Of course, the end result of that is that some of them have ruined their lives, but the thousands of other people who followed them and got onto drugs—it has been tragic for the world.

The ecstasy thing is something that is true. It is being portrayed as not as bad as heroin and all that sort of thing, but I think you might be surprised. I know of a party in very recent times in Sydney, where one of our biggest business persons—and I am talking about someone of world class—and a friend of mine went and was absolutely startled that they were giving out a variety

of drugs, and they were some of the business leaders of Australia. No wonder you get some mixed messages.

CHAIR—As there are no further questions, Mr Bottom, thank you for coming before us and fiercely putting your point of view. We are going to hear from Mr Trimingham later in the day. We are hearing all points of view, but we value the evidence that you have given us today, particularly your words about the need to educate kids on what it can do to you.

Mr Bottom—Thank you.

[11.03 a.m.]

POTTS, Mrs Joy, Secretary, Study and Investigation Committee, Country Women's Association of New South Wales

CHAIR—Welcome, Mrs Potts. We have received your submission and authorised it for publication, but I would ask you if you would like to make an opening statement.

Mrs Potts—I realise that crime in the community is on a very political point-scoring roll at the moment. When my committee was asked to do this submission, we reflected that it was only months before that we had worked on a review of the Young Offenders Act 1997 and just before this submission we were asked to submit questions on general concerns regarding police matters to be put to the Deputy Commissioner of Police when he addressed the CWA executive at Potts Point.

Also in 1999 the committee was asked for a response to conference papers on crime prevention through social support. These concerns have been researched and researched at great cost in money and time, searching for long-term, bipartisan, holistic solutions. Unfortunately for all governances, the community wants to feel safe from crime now, this week—not in five to 10 years time when long-term social support and educational plans might possibly be achievable. Also we appreciate the fact that all governments like to see what they have promised—pledged in their goodie bag prior to the election—come to fruition well before the next election comes around.

The common vein flowing through all these concerns regarding crime, apprehension, punishment and the effect on the community is cost in money, personnel, time and reputation. The police force must be given more funding for recruitment, training and equipment. I know that a record number of police cadets—637—graduated this year. Twelve are coming to the local area commands in the Cessnock state electorate. This is good, but the community wants more. Cessnock station is getting three, which will only cover sick leave, overtime leave and all that kind of thing.

A press release states that the new police will be involved in high visibility, high impact policing. The focus of Commissioner Ken Moroney is a back to basics approach. Every officer in local commands is required to perform visible frontline beat duties following the July restructure, which is exactly what this community wants. Yes, we do want them out and about and visible. I had put there, 'And the bigger and burlier the better,' but I had forgotten then about female officers, so I did not put that in. The general public could not care less whether they have a university degree, so long as they know right from wrong. A uni degree does not necessarily and of itself make for better police officers, just as it does not necessarily and of itself make for better nurses. I think also a return to the buddy system would be a good thing—a seasoned officer paired up with a new recruit, which is how it used to be.

Ninety per cent of the money allocated to the police goes on police wages, leaving 10 per cent for equipment, resulting in cheap, bargain basement items being purchased. An example of this is the often repeated statement of walkie-talkies being inadequate and breaking down, thereby

increasing response times for backup and in some cases endangering the very lives of the police on the beat. They deserve better.

Teenage thieves and thugs are a constant strain and drain on law and order. The public is annoyed and frustrated at seeing young men of 16 and 17 treated as juveniles, even though they have committed adult crimes. Their names are withheld from the media and the hearings are held in camera. The police see that some serious offenders receive token punishments, such as weekend community work—for which they rarely bother to turn up—all because of their supposed juvenile status. It is most discouraging for the police. Slowly, some judges are adopting a more realistic approach to sentencing. There was a case last week of a young man who, while 18 now, committed a very serious crime at 17. When sentenced, his name was released to the media, possibly as a warning to the community that when he gets out he will repeat his crimes. The names of the under-18s on trial for the gang rapes were also released. There is strong pressure to reduce the juvenile age of responsibility from 18 down to as low as 12.

The study and investigation committee worked on a submission regarding children in detention. It was interesting to note that, when there was a possibility of women and children leaving the detention centre and living in a house near the centre, boys who were 12 years and over were not allowed by the family to be with the women and children. They had to stay with the menfolk. They were no longer children at 12.

In spite of the harsh criticism vented on the judiciary, the judges are still coming up with amazingly light sentences and heavy payouts for compensation et cetera. Haven't they heard of structured payments? One local judge recently declined to make a man accused of violence on another pay any fine because he was on a disability pension. What kind of message does that give out? We have the case of a magistrate being asked to attend a shire council meeting to explain his sentencing decisions. Some fines are set as low as 50c, and a good behaviour bond given for cannabis and firearms offences.

The community deplores the axing of the community aid panel, which was a very helpful service in steering young offenders in the right direction. I see that the Attorney-General, Mr Bob Debus, is seeking ways through yet another council—the sentencing council—to make the local courts more accountable and taking steps to toughen sentencing and set guidelines with repeat offenders. I do hope he is successful. It would be good to have a standard set of guidelines.

There are two items our submission omitted to mention. One is to do with the soft touch of jails. The only fear I have ever heard a prospective jail inmate express was the fear that he might get AIDS in jail. This is a real deterrent and recently a newspaper said that a gang rapist was spending his days in isolation for his own safety, writing poetry to his girlfriend because he had been threatened with AIDS by injection. The second item should have been included in our final paragraph, What is crime? Omitted was that, as long as this country allows the different races to set up cities within our cities, keeping to themselves and following their former country's customs and laws and with their own schools, there will always be a clash of standards. We need an inclusive society, not an exclusive one. The latter results from not insisting on an inclusive system of education and language.

Finally, in this submission, mention was made of the worst crime of all, white collar crime and corporate crime. Recent exposure has shown the blatant greed of CEOs and board members giving themselves \$2 million to \$3 million increases for salary and bonuses, secretly and not disclosed to the shareholders. Again, it is a case of the little man, the shareholder, not knowing of the wheelings and dealings of the men who are stealing his money. It is a crime. Thank you.

CHAIR—Thank you very much, Mrs Potts. We were particularly delighted to receive your submission, because we do want to take public hearings of this committee into country areas and to talk with people in their own home environment. I wonder if you could begin by telling us whether or not you perceive a difference in the sorts of crimes there might be country areas rather than city areas.

Mrs Potts—Our committee is made up of seven different people and we all come from different areas. One lives at Illabo, the Hume group; one in Molong, the Central Western group; one in Nambucca Heads, the Mid North Coast group; two in Tamworth; one who lives at North Ridge but has a property at Monaro; and I am from Cessnock in the Hunter. The ones out in Illabo say that they are not up to the level of vicious crime that is happening in Sydney, but they have now reached the stage where they have to lock up their houses, unfortunately. There are drugs, they say, in Cessnock. You will see Cessnock getting a lot of percentages for drug apprehension, but often that is people trying to take drugs into the jail there. We have a big jail there and a lot of drugs are apprehended going into the jail. But we do have a drug problem in Cessnock, just as there is a drug problem everywhere.

CHAIR—Could you tell us how you feel about the policing of the drug problem in Cessnock? Is it adequate? Is it inadequate? What do you feel?

Mrs Potts—As you would have read, the police are so stretched at the moment. They have this hub and spokes method and they have taken a lot of powers away from Cessnock. It is only run by a sergeant, not an inspector any more, and they just would not have the time to go around. We have a very quaint newspaper called the *Independent* and this man reports—I don't know how he gets away with it—all the cases that appear at Kurri and Cessnock courts and he lists all these people who commit drug offences and they end up in court every month.

CHAIR—What, the same people?

Mrs Potts—Yes. If they are just using drugs, they can't do much anyway, can they?

CHAIR—What happens to them in the *Independent*? What do they report?

Mrs Potts—They go to the local Hilton for a while. That is the jail there.

CHAIR—If they are coming up every week, they are not going to jail.

Mrs Potts—Not every week, every couple of months or something like that. It is only certain families in a small community. The police know who they are.

CHAIR—Are there any drug rehabilitation programs for those people?

Mrs Potts—Yes, there is.

CHAIR—Does that work?

Mrs Potts—Yes, it does.

CHAIR—Who runs that one?

Mrs Potts—There is one in the Allandale Hospital grounds now and of course the Salvation Army have the big ones in Newcastle.

CHAIR—Does the CWA have confidence in the fact that these programs are designed to get people off drugs?

Mrs Potts—Yes. The police are doing their best, yes.

Ms JULIE BISHOP—Mrs Potts, there is one line in your submission that I thought was quite telling, and I am sure there is a deal more evidence we should receive on it. You said:

Our membership often expresses an opinion that it's time to censor television violence.

I take it that the CWA would like to see more research into potential links between media and publicity, as well as television violence generally—news reports, films and the like—and crime. Is that what you were suggesting?

Mrs Potts—I would not say news reports. They were more thinking about films, really. Even the backup to songs you hear on *Rage* and things like that—I have only seen it once and asked my granddaughter, 'What were they saying?' and she said, 'You don't want to know, Nanna.' They really are rude, horrible and explicit. It is the videos and the movies that are really—I know that when TV first came out 40 years ago, we had cartoons.

Ms JULIE BISHOP—1956.

CHAIR—1956 for the Olympics.

Mrs Potts—Yes, 1956. We got it about 43 years ago in Cessnock. The cartoons were Tom and Jerry and all that, but now the cartoons are all so violent and explicit; blowing people up.

Ms JULIE BISHOP—And you think that is having an impact on—

Mrs Potts—Yes, I do. The computer games now are all violent, aren't they? In fact, I saw at one stage that they were stopping some of those video games that they play. They banned them in some jails because they were too violent and teaching people how to do the wrong things. It is mostly in video games and videos and movies and all that kind of thing.

Ms JULIE BISHOP—Are you aware of any specific research that has been done examining the link between media and crime, or are you saying that is a view of the membership?

Mrs Potts—It is a view of the membership.

CHAIR—Have they done any research or is it just a feeling they have?

Mrs Potts—Not as far as I know. Just a feeling, yes.

CHAIR—I have wondered about this myself on the basis that we say good books and good documentaries, good educational material, affect us for good. I guess the flip side of that is that if it is evil it might affect you for bad. I suspect that most of us do disassociate the violent message from real life. Would it be true to say that the concern is that there is a minority of children who are vulnerable to that? You are not suggesting it is everybody.

Mrs Potts—No, I am not. People our age and even younger who are in stable jobs et cetera. But imagine the effect it would have on 14-year-olds who know they are not going to have any job anyway. They hate school. They are going to drop out. They just sit around the place watching videos.

CHAIR—Some of those videos are really a lot more explicit than—

Mrs Potts—They really are.

CHAIR—I can remember being terrified by Grimms' fairytales, too. They did some pretty nasty things in those days.

Mrs Potts—Yes, they did.

Ms JULIE BISHOP—Could I ask another question perhaps on a hypothetical basis. Mrs Potts, given your experience in Cessnock and the experience of your membership as they relate to you, where would you like to see more resources directed, or current resources redirected, in terms of dealing with crime in the community? Where would you see the priority areas? Is it more police?

Mrs Potts—They keep on saying that police on the beat stops crime. Really, the police cannot be walking around the same place 24 hours a day. I really do not know. Vandalism is just something that happens everywhere, isn't it? I know that at our CWA rooms the front glass door was broken for two weeks running.

Ms JULIE BISHOP—You feel that the vandals do not have any sense that they are likely to be apprehended so there is no deterrent effect.

Mrs Potts—No. If a police car drives up the road then they know they are not going to come back in 10 seconds. They are going to do what they want to do, aren't they? At one time Cessnock had cameras all along, but someone said that interfered with people's privacy so they took the cameras out.

Ms JULIE BISHOP—When did that occur?

Mrs Potts—About two or three years ago.

Ms JULIE BISHOP—Were the cameras installed in a shopping or retail area?

Mrs Potts—Yes, in Vincent Street and Cooper Street.

Ms JULIE BISHOP—They were installed.

Mrs Potts—Yes.

Ms JULIE BISHOP—Did they operate for a time?

Mrs Potts—Yes. I would imagine. I don't know what it was, but someone got into the ear of the authorities and said it was against the Privacy Act.

CHAIR—Somebody might have been out walking with somebody who wasn't his wife.

Mrs Potts—I wasn't going to say that but I am sure that was it.

Ms JULIE BISHOP—Are they still there but they just do not operate?

Mrs Potts—Yes, that is right.

Ms JULIE BISHOP—Is it well known that they do not operate?

Mrs Potts—Yes.

Dr WASHER—Mrs Potts, to elaborate on the comment made by chair said: they do not send out the Multinova pictures to everyone; you have to pick them up if you want them. The divorce rate goes up considerably. You mentioned in passing that 14-year-olds, for example, have low employment opportunity because of educational standards et cetera, and, certainly, there is evidence on that running through the whole of this debate or issue. We can probably identify a lot of people at a very young age who show criminal tendencies by antisocial behaviour, et cetera. Do you feel that your group would condone more active intervention in younger people's lives and those of their families in trying to assist? In other words, getting social workers in or whatever groups of people are trying to intervene in what we would call pathological families that show a greater possibility of crime.

Mrs Potts—I mentioned that in my report. It is very intrusive. You cannot go into a person's home and say, 'I think your children are on the way to becoming young criminals,' can you?

Ms JULIE BISHOP—Teachers can apparently identify characteristics in children at particular ages that indicate if they are likely to turn to crime. This is evidence we have had. Evidence bears that out. The characteristics that they detect early on are in fact borne out by the children later becoming young criminals.

Mrs Potts—What do you think should happen then?

Ms JULIE BISHOP—That is a dilemma teachers face.

Mrs Potts—Yes. Often these children just reflect their parents' attitudes, don't they? As I said somewhere, in Cessnock where I worked there were three generations on the dole. What life are they going to have?

Dr WASHER—To follow that, I did not want to put you on the spot to have to make a corporate decision about whether that is right or wrong but just the feeling of the community up there, as far as you sense it, is should there be an ability for the public now to access these people and do more proactively to help. As you say, the compromise to that is freedom, but do you think that freedom should be compromised?

Mrs Potts—I am sure it has been tried in the past, hasn't it? Cessnock is a hard town, as you would know. We even have Red Cross people giving breakfast to the children because the parents do not bother to give them breakfast before they send them off to school. That would be an ideal thing if it could happen. If the teachers identify it, what would they do then? Send a note home to the mum to say, 'Your child is in danger,' or what? Would they then have to report it somebody else? It is a very hard thing, I think. It should be done.

CHAIR—You are putting your finger right on the dilemma, aren't you?

Mrs Potts—Yes. It should be done.

CHAIR—Mrs Potts, we appreciate very much your coming to give testimony here today and particularly the perspective that you have given on that dilemma. You are speaking like most people would react. How would I feel if somebody said about a niece, a nephew, a son, a daughter, whatever, that a person has identified characteristics in that child—one would be incensed. You have identified what is a very real dilemma in looking at the question of early childhood intervention which some people say we ought to have, but, when you try and define it, it becomes very difficult to come to terms with. Giving us your perspective is very valuable to us. We appreciate very much the sterling work you are doing.

Mrs Potts—I came down on the train yesterday from Morisset and there was a little vacation care group that got on, about 20 of them. Obviously both their parents are working. The kiddies are on holiday so they go to this vacation care. There was one little boy who sat opposite me and he would have been only eight but he spoke like a boy of 15. He was very aggressive. He pushed a child out so his mate could sit down opposite. I thought, 'You're going to cause a lot of trouble later.' What could we do?

CHAIR—Maybe if he was channelled in the right direction he would become a very highly successful person. If he goes the wrong way, we are in for big problems.

Mrs Potts—That is right.

CHAIR—Thank you very much for your testimony and for your submission.

Mrs Potts—Thank you.

[11.29 a.m.]

GIBBS, Ms Melissa, Executive Director, Southern Sydney Regional Organisation of Councils

LIVINGSTONE, Ms Linda Jane, Manager for Community Development, Marrickville Council

SAMMUT, Mr Andrew George, Senior Operations Manager, Community Services, Canterbury City Council

ACKROYD, Mr David John, Manager, Community Services, Sutherland Shire Council

CHAIR—We have asked you to appear together in this session because we feel that the perspective of differing councils in local government and how perhaps you differ in the way that you are dealing with the question of looking after residents could be of particular value to the committee—to see the way you deal differently with it, or indeed if there are similarities. Would you like to each make a short opening statement. We might begin with Mr Sammut.

Mr Sammut—Thank you very much, Madam Chair. It is a privilege to be here on behalf of Canterbury City Council, particularly in relation to my experience of 20 years working in the community services area, 17 years within the local government context.

Mr MELHAM—Can I just declare, before Mr Sammut gives his evidence, Madam Chair, that Canterbury council partially comes within my electorate, so I have some knowledge of the council.

CHAIR—Good.

Mr MELHAM—They are within my electorate so I thought I should put that on the record.

CHAIR—Are you going to give them a star?

Mr MELHAM—They are entitled to more than a star. They are entitled to a triple A rating.

CHAIR—Great.

Mr Sammut—As I began to say, I have provided for the inquiry an additional submission that I am circulating here this morning. That submission focuses on the key three things that arise in our submission. I would like to take a few moments to address each of those issues and to highlight what we believe will be an important direction for the inquiry to consider. In particular I would like to address the issues of the promotion of best practice partnerships and coordination between the federal, state and local governments; and the recognition and support of the role of local government, particularly in relation to our role in situational crime prevention and in social development. I will speak to that in a few moments. Finally, I want to speak of resourcing community development in neighbourhood centres, which are critical

facilities to address many of the issues I am certain the inquiry has already been discussing. I heard already this morning some of the issues that I am sure neighbourhood community centres and youth centres can play a very important role in, in supporting victims and addressing the three levels of crime prevention which I will speak about in a moment.

In particular I would like to open by discussing the partnerships that I am certain the Commonwealth is looking to develop. The inquiry is investigating in the broadest possible terms the incidence and fear of crime and the effectiveness of measures to counter and prevent crime. We welcome the Commonwealth's commitment to partnerships as expressed in the establishment of the national crime prevention strategy. This strategy acknowledges the Commonwealth's leadership role in alleviating crime and violence, to promote innovative ways to prevent crime and the fear of crime.

We also support the Commonwealth in furthering the objectives of the Australia and New Zealand Crime Prevention Ministerial Forum, which includes the states, to support strategic thinking and policy development, to promote research, to encourage innovation and support of evidence based programs, to promote partnerships in coordination and to encourage the integration of crime prevention into the core business of other organisations. As a local government authority, we believe the clear message in relation to this perspective is that the Commonwealth should continue to support and promote models of best practice amongst councils that promote local partnerships to further these objectives. Through the national crime prevention strategy the Commonwealth is already committing significant resources to this effort and we certainly would like to see that continue.

But we also believe there should be better partnerships between the Commonwealth and the state to ensure that the work going on at a state level to support local councils on an ongoing basis to develop community safety and crime prevention plans and to build effective partnerships with local business, with our local communities, are being effectively supported. I think there does need to be some improved work in terms of partnerships at that level.

What is the benefit of that from a local government perspective and from the inquiry's perspective? Clearly there needs to be some recognition of the role of local government and what we can offer in terms of situational and developmental crime prevention. Consistent with the Commonwealth's objectives in crime prevention, our council, Canterbury City Council, has also been concerned with community safety and crime prevention for many years. We recognise the impacts of the incidence and fear of crime on our local community. We recognise that we share with other levels of government a responsibility within our recognised authority to take action to minimise the incidence of crime and reduce the risk factors associated with offending behaviour.

We, as a local council, have supported many community initiatives to build social capital and have, for many years, undertaken a wide variety of works within our environment and infrastructure roles to prevent crime. Like a growing number of councils in New South Wales—and there are a couple of the key players at the table with me—we have more recently welcomed a role in the strategic and coordinated programming to support situational and developmental approaches to crime prevention.

More specifically this has included holistic approaches to coordinating the activities within our community. Our submission highlights some of the successes of that work. Certainly we are

looking to build continuing partnerships with the private sector, community organisations, the government and our residents. The roles that we have played include community consultation and research, community development, coordinated planning, information and community education, environmental and community facility development, management of public space, integrated environmental design and development assessment, evaluation and community advocacy.

In recognising that there are many different councils in and across Australia we recognise that not all councils are rising to the same challenge. We understand there are some councils that are leading the way in that sense, in terms of trying to address the needs of our community for dealing with crime, but we believe that those councils should be held up and supported in their effort to encourage others to do the same. The Commonwealth, with its larger tax base, should also be asked to consider resourcing our development of capital works, to contribute to the development of social infrastructure, such as community and youth centres. We believe they are critical to the early detection and prevention of crime, and evidence within our submission highlights the benefits they could provide.

I would like to highlight some of those benefits, if I may, in my final point concerning the role of neighbourhood community centres and crime prevention. Over many years councils have provided essential support to the development of neighbourhood community centres in their areas. These centres play a critical role in community safety and crime prevention because they offer flexible and responsive crime detection and intervention services in a non-threatening, inclusive environment.

It includes those ordinary people who are involved in positive recreational activities and can use that inclusive environment to be involved in identifying what the needs of particular members of the community might be and provide targeted programs to address issues as diverse as drug use, domestic violence and situational crime, particularly in relation to young people involved in vandalism and graffiti, where they can work with those young people in a positive, inclusive environment and be a magnet for those people to get involved in something other than crime.

Mr SECKER—Can I just get some clarification about the acronyms all over the place.

Mr Sammut—Sure.

Mr SECKER—There are TLAs and FLAs, three-letter acronyms and two-letter acronyms. What is a CLEO?

Mr Ackroyd—That comes in my presentation.

Mr SECKER—Can I find out what it stands for now?

Mr Ackroyd—A CLEO is a community law enforcement officer.

Mr SECKER—What is CPTED?

Mr Ackroyd—CPTED is crime prevention through environmental design.

Mr SECKER—I would never have got that one. What is LEP?

Mr Ackroyd—Local environmental plan.

Mr SECKER—A DCP?

Mr Ackroyd—A development control plan.

Mr SECKER—DA?

Mr Ackroyd—A development application.

Mr SECKER—An SSC?

Mr Ackroyd—Sutherland Shire Council.

Mr SECKER—The last one is an SCDA.

Mr Ackroyd—Which page is that?

Mr SECKER—It is on the same page as the one about three key objectives.

Mr Sammut—While we are waiting, might I complete my submission?

CHAIR—Yes, I think that would be a good idea.

Mr SECKER—I thought you had. Sorry.

Mr Sammut—No, I am getting there. I am nearly there.

CHAIR—Mr Sammut, please go on.

Mr Sammut—Thank you. The main point that I wanted to make in terms of neighbourhood community centres is that they can provide a role at three different levels of crime prevention. As our presentation document says to you here today, in crime prevention they can be involved in issues as broad as community information, promoting community participation in the sense of belonging in the community, home and community care programs that help people feel an ordinary part of our community, recreation services, child care, playgroups, and building social capital, which is about developing networks within a community. At a secondary prevention level for those that are first getting involved in crime, they can provide victim support programs, parent education and counselling services, emergency relief, material assistance and supported accommodation. They provide first-time offender case management and treatment services, support and redirection of at-risk groups and drug prevention activities.

At a tertiary level, the third and final level, they also provide direct offender treatment programs, such as AA and Narcan programs. They provide prisoner release programs, domestic violence and child protection services and court order placements. Examples of all of that work are in the handout that I have given you today. I particularly draw your attention to the annual

report of the Riverwood Community Centre which highlights direct intervention in crime prevention activities. It is a fabulous centre, one well worth visiting if the committee has time to do so.

The fundamental point that I am making, and on which I will conclude, is that a whole of government approach should be pursued to develop minimum standards of service to local areas in these ways. The Commonwealth should also pursue a partnership with the states to increase levels of recurrent funding to these centres in recognition of their role in community safety and crime prevention. Thank you for your time.

CHAIR—Thank you very much. Ms Gibbs?

Ms Gibbs—Thank you, Madam Chair. Thank you for inviting us to appear before the committee. With the concurrence of the chair, I propose to make a very brief statement about the role of local government generally in helping to create safer communities. My colleagues from Marrickville and Sutherland shire councils will then very briefly talk about some of their councils' initiatives and the policy context within which these initiatives operate. For brevity, if you don't mind, I will refer to my organisation as SSROC. I get a bit tongue-tied saying the whole lot all the time.

CHAIR—Sure.

Ms Gibbs—As SSROC has noted in its submission, local government has a diverse range of functions and responsibilities. It is a planner, a manager, a regulator, a service provider and, perhaps most importantly, an advocate for local communities. In New South Wales the Local Government Act contains a set of principles to guide local councils as they carry out these functions and the charter obliges councils to provide equitable and responsive services and facilities, to exercise strong community leadership, to promote the principles of multiculturalism, to provide and plan for the needs of children, and to properly manage and protect the environment. I personally think that the charter is unique and very special and something that we should all be very proud of. It is a fine piece of legislation.

Councils in southern Sydney have embraced these principles and actively encouraged the participation of local communities in the affairs of local government. Consistent with these principles, the councils have developed a diverse range of strategies to reduce crime and improve community safety. Some of these initiatives are listed in the submission. I took the opportunity last night to read a number of the submissions made to the inquiry and I must say I am rather taken with Moreland City Council's community safety plan, particularly the title of the plan. It is called 'No Single Answer', so named to reinforce the need to adopt an integrated approach to community safety and to develop strategies to suit local circumstances. In other words, there really is no 'one size fits all' model.

The key point I would like to make is that each of the councils represented by SSROC has adopted a strategic approach to community safety. They have recognised the importance of developing whole of council solutions that cover the range of their operational and strategic functions. But perhaps most importantly they have responded to the issue in a way that reflects the needs and aspirations of their communities. Even though they might not have thought up a catchy title, the southern Sydney councils are certainly living up to the 'No Single Answer' creed.

CHAIR—Thank you very much for that. Ms Livingstone.

Ms Livingstone—Thank you. I will talk briefly about Marrickville initiatives. Marrickville, like many areas in Australia, does have safety problems, such as illicit drug trade hot spots. However, the safety concerns of Marrickville citizens are not just about crime and policing. To feel safe, people need to feel they are part of the community; they belong. That is why council is working hard to provide both a social and physical environment where people are part of a strong community and feel safe. Many of the strengths of Marrickville come because we are a tolerant and inclusive community. Our robust network of local groups and the commitment of residents and businesses to the area contribute to community safety.

The traditional law and order approach to safety is not enough. It is only through building strong communities that people can really feel safe. Knowing your neighbours and being familiar with the streets and public places surrounding where you live goes a long way to making you feel safe. Council is employing two major strategies to enhance community safety. Firstly, we are looking at a wide range of community strengthening activities, like creating a sense of neighbourliness and belonging. Secondly, we are looking at community harm prevention, which includes making our public spaces safer.

We believe in Marrickville that community safety is everyone's business and that the entire community has a role to play in making Marrickville a safer place. The best way to make our community safer is to develop a strong and united community that works together to improve safety. Thank you.

CHAIR—Thank you very much. Mr Ackroyd.

Mr Ackroyd—Thank you. I apologise for the acronyms in the presentation. These are really just dot points that I have tried to give so that as I work through my presentation I can give you some indication of the types of activities that we are involved in, together with some photographs which demonstrate some of the concepts that I would like to highlight. I would also like to demonstrate the philosophy that Sutherland Shire Council is working from at the moment and try to illustrate why the council first became involved in crime prevention.

Studies have found that crime is a prominent concern of residents. Within Sutherland Shire Council we undertook research with 17,000 residents for our strategic plan and one of the highest priorities that came through from residents was about perceived levels of crime. Crime and the fear of crime—in fact, many aspects of life in the city—can hold older people hostages in their own homes and also prevent the use of public transport. A key transport hub running through the Sutherland shire is the railway network, and it is often the focus of crime. I have included a photograph of a house in Marrickville that demonstrates the type of house which gives an impression of what a community is all about, and I guess that is what councils are trying to avoid.

The strategic plan was developed in 1998 and was researched with 17,000 residents. It focused on many areas, but key themes—and recurring themes—were about safety, healthy living and the environment. The actions that were wanted from the plan were about personal responsibility for public space and about ensuring that infrastructure was maintained. Those were residents' perspectives on how we should be tackling issues: create a safe community, develop positive caring family and neighbour relationships and enhance the quality of life for

young people. Young people are often the targets of crime, not only the perpetrators. Male young people are major targets of crime as well. We have been implementing a CCTV system within the Cronulla area over the past six months, now operational. We were undertaking baseline data so we can start measuring some of the impacts of the cameras in Cronulla.

Mr SECKER—What is CCTV?

Mr Ackroyd—CCTV is closed circuit television. The major issue that came through from the research that was undertaken with over 600 residents was that under-age drinking was a key problem in the area. Police tell us that the under-age drinking is about local kids; yet, when we actually ask what people's fears are in the community, 48 per cent of residents that we surveyed actually said that they had a fear of young people—gangs and outsiders, not local people. Again, the graph on the following page illustrates the variation in what people actually fear and that type of people coming out at 48 per cent, far ahead of any of the other graphs in that table.

What does that mean for a council? Councils are about local solutions. The police accountability teams include mayors, business leaders, chambers of commerce. Within Sutherland council we work from three things really: a social support strategy looking at community services and community building, which has been talked about now; working in partnership with the police; CLEOs, community law enforcement officers which council employs; and using crime prevention through environmental design, which council is a key regulator of—things like the local environment plan development applications and development control plans.

In relation to social support mechanisms, we have implemented a number of domestic violence programs. We initiated a court support program for women seeking apprehended violence orders in the court system. In our youth services we have been very active in youth entertainment and I have again given an illustration of the types of events that we are involved in in early intervention—getting young people involved in constructive activities in public places and elsewhere.

In conjunction with the CCTV we have also employed two outreach youth workers who are actually on the streets in Cronulla during the summer periods at very late hours and Friday and Saturday nights. We also provide a range of recreational facilities ranging from leisure centres to a skate ramp. Again, I have attached a few photographs in the presentation.

We have linked the strategic plan down through our social plan into a crime prevention plan which again looks at a number of key strategies. Crime prevention through environmental design is one. Another is safety audits, which are a process of actually demonstrating that we care about our places, about involving people and looking at issues within communities, and then also demonstrating that we are prepared to take action and remedy those complaints. A key objective is about alcohol abuse; if you look at the table which relates to alcohol abuse, it really talks about partnerships between police, councils, safer communities development officers and a range of organisations including the council and other organisations across the community.

The three tenets of crime prevention through environmental design are to increase the risk to perpetrators; increase the effort that is involved; and reduce the rewards. If you look at the skate ramp, what we have done is try to place it in a very high profile position. There is a lot of surveillance coming into the facility. There is a lot of passing traffic. There is a feeling that

people are actually being watched. The key principles are about layout, about lighting and about landscaping. Again, if you look at some of the concerns of the residents there, lighting is another one of the higher graphs that was a concern for people at night.

The ends within our strategic approach are to reduce the supply of motivated offenders, early intervention, and making crime more difficult to commit. It is really about the 'crime prevention through environmental design' principles. The key to success in the reduction of crime in neighbourhoods is really about good social relationships, about including people in communities and coupling that with good urban design which limits the ability of people to commit crime.

CHAIR—Thank you to each of you. You all represent distinct groups. Mr Sammut has got a very contentious area, shall we say. Sutherland Shire has got a totally different profile and demographic, and Marrickville has a different demographic again. I wonder, looking at the size of the communities you are dealing with, if the three councils could tell us how many residents—men, women and children—you have got in your council area and what the demographics are, particularly with regard to young men, 17 to 25.

Mr Ackroyd—Sutherland Shire Council is approximately 215,000 residents. It is the second-largest local government area in New South Wales. Our youth population—12 to 24—I would estimate is about 30,000 to 40,000. I would need to check those figures.

CHAIR—Thank you very much. Mr Sammut.

Mr Sammut—Canterbury City Council is made up of about 133,000 residents. It is one of the most culturally diverse communities in Australia. Over 40 per cent of our population is made up of non-English speaking communities. There are pockets of high socioeconomic disadvantage, which includes low levels of literacy, high levels of unemployment, very low incomes and significant levels of medium density accommodation. Our youth population in the area represents about 12 to 13 per cent of our total population—not a large component compared to other parts of our community, but we certainly have a lot of very young infants who live in high-rise units and flats. We also have some pockets where there are department of housing areas which are significant concentrations of people on pensions and benefits, just to give you an idea of the range of people there.

Ms Livingstone—Marrickville is a bit smaller because it is in the inner city. It has approximately 75,000 people. The youth population is declining currently as a result of gentrification of the area, but we would have about 13,000 people in that age group you spoke of.

CHAIR—Thank you very much. It gives us a handle on the different sorts of services that each of you is going to be looking at. I was quite impressed with the array of services, Mr Sammut, you have outlined and the sorts of things that you do. Is it true that the one thing that would have bound you all together was the disappointment with regard to that decision with the Bulldogs?

Mr Sammut—It certainly had an impact on our community. I know a lot of very disappointed people in our area, that is certainly true.

CHAIR—I notice you have got your primary, secondary, tertiary plans that you have put out. With your drug prevention activities, which you have listed, would you like to tell us what sort of policy that is, what population you have to deal with and what the effect is.

Mr Sammut—I guess the real question is what is drug prevention. There are a wide variety of programs that relate to drug prevention activities. Some would argue that running programs that involve young people in recreational activities has an impact on drug use. Certainly, in terms of specifically those people who are using drugs, maybe at the early stages of their use of drugs—and by that I also include excessive alcohol and the use of tobacco—there are a range of programs—

CHAIR—If you could just concentrate on the illegal ones to start with.

Mr Sammut—The illegal ones, certainly. We run programs within our Belmore Youth Resource Centre that target young people who are involved in the use of cannabis or other illegal substances. They are involved in programs that are mainly aiming to build their own self-esteem and also to get them involved in counselling services where they may need them. There are also referrals for young people to methadone clinics that are available within Canterbury Hospital. These are services that are provided free of charge to young people. They are people that are detected through being involved in either one of our other youth programs or community centres. They are referred by the police or they may be referred through programs such as our street work program that is based at Belmore Youth Resource Centre but operated by Barnardo's.

CHAIR—You do not actually run any rehabilitation things yourself. You use Barnardo, as you have mentioned.

Mr Sammut—We do not run rehabilitation per se. That is certainly the province of the department of health. We certainly run early intervention programs. The council receives funding from the state government to employ a youth caseworker who is based at our Belmore Youth Resource Centre. She runs groups with young people who have got substance issues.

CHAIR—What does she do to try and get them off drugs? Does she try and get them off drugs?

Mr Sammut—She certainly does. She does a range of things. She provides direct counselling services with those young people.

CHAIR—What does she counsel them about?

Mr Sammut—Family issues. There may be domestic violence situations young people are facing. Recently we had a case of a very young person, 15 years old, who was looking at leaving home. Again, domestic violence was involved in that case. That young person was obviously having difficulty coping with her school work. There were a number of issues that she had to be supported through. Drug and substance use was one of those issues. Certainly the initial response was counselling, to build a relationship and build trust with that young person, and then to involve her in other programs to help her understand the consequences of her behaviour and also to try and help her to be redirected into other more effective programs. The best way to measure the effectiveness of that work is that as a result of that intervention there is

the involvement of that young person in ongoing support services and also in terms of getting to be independent, her involvement back in school life. I think that was really a big step for her, to get back into the school system, because she was having many difficulties doing that.

Mr MURPHY—Mr Sammut, in relation to your submission, which indicates that council has been successful in reducing break and enter, motor vehicle theft and assaults, what local initiatives have Canterbury implemented to achieve that?

Mr Sammut—I think the major things we have been able to achieve have been as a result of our close work with the police through our community safety and crime prevention program. We have established a community safety committee in Canterbury that is looking at targeted operations. We identified through that process what our crime statistics were telling us were the key issues. With the police we started to look at some of the targeted operations they could introduce to address some of those issues.

For example, we coordinated, with them, programs to deal with street offences. We used our powers in terms of putting up signs and trying to discourage loitering in particular locations; at the same time, the police supported that program by tasking their police to look at those areas in particular. So in coordination with our police service we were able to address particular problems in particular locations. That helped to identify, in their view, repeat offenders. It helped to identify the people who were causing the crime statistics to look as bad as they did in our area. By working with those people within the community and eliminating their operations in the area, that helped to reduce the statistics. Canterbury's crime statistics, relative to other parts of Sydney, are significantly lower than many areas, contrary to—unfortunately—the myth about the area.

Mr MURPHY—Do you think crime is different in Canterbury as opposed to other councils comprising SSROC?

Mr Sammut—Certainly the make-up of the community is very different and certainly the crime profile in each of the areas would be very different, yes.

Mr MURPHY—Can you give me some examples?

Mr Sammut—I guess just to look at Sutherland, it is a totally different community; not as culturally diverse and certainly not with the same socioeconomic disadvantage we would have in an area like Canterbury. What that means of course is that there is greater emphasis on property crime within our area. I would say there would be a significantly higher level. I do not know what Sutherland's figures are. Certainly relative to other crimes within the Canterbury area, property crime is a more significant area of concern. That is related to socioeconomic factors, unemployment and issues of that kind within our community.

Mr MURPHY—You are not making the distinction of the ethnic diversity of Canterbury compared with Sutherland, but rather you are making the distinction of the socioeconomic disadvantage. Is that what you are saying?

Mr Sammut—I do not think there is any firm evidence to suggest there is any greater incidence of that within particular communities. Certainly there are specific problems and instances that may have occurred, but generally speaking we are still waiting to see what the

review of the Bureau of Crime Statistics and Research says about the real facts in terms of the relative involvement in crime of people from particular ethnic communities, if that is what you are suggesting.

Mr MURPHY—Yes. Ms Gibbs, earlier in the year you convened a forum in relation to community safety for SSROC. One of the first descriptors you said you adopted was a whole of council approach to community safety. What do you mean by ‘whole of council approach’?

Ms Gibbs—I mean not just keeping it within the purview of the professions that you see at the table today. As I said, councils have a multifaceted role as a service provider, a regulator, a planner and a manager, so it was ensuring that each of those areas was also adopting safety principles in the work they do. For example, it is important for engineers to understand safety aspects when they are planning to develop a park, or planning to build a road—lighting issues, for example, and the impact of lighting on crime and the fear of crime. The suggestion is that all parties in council, all the different functions that councils perform, really should be integrating safety as part of their operating principles.

Mr MURPHY—Ms Livingstone, what is your view about organised crime in the Marrickville local government area? I know that your mayor has spoken positively about your needles program.

Ms Livingstone—That is correct, yes. Organised crime in our area I think is on the decline. The police would argue more effective policing has meant that some serious offenders have recently been put in jail. In terms of there being more current issues, they are not as prevalent as they once were. Not so long ago Marrickville had a high level of crime. That has significantly reduced in recent times. I think with the changing of the population, different sorts of issues are coming up. Earlier somebody suggested that the majority of people using drugs are young people. In our area it would be more people in the 20 to 40-year age group who are the drug users, so there is a different set of strategies.

Mr MURPHY—Would that be in any way related to your drug education program?

Ms Livingstone—Partially, yes. What we are trying to do is encourage responsible behaviour, again, with that harm minimisation approach. If people are going to use they have to be responsible in how they dispose of their syringes et cetera, as that affects the health of the rest of the community. Yes, that has been a strong emphasis of council.

Mr MURPHY—Thank you.

CHAIR—Do you involve yourself in taking responsibility, in that people who are drug users might be inducing other people to become drug users to support their habit and therefore corrupt other people?

Ms Livingstone—We do not buy into that argument.

CHAIR—You think that is the police’s problem.

Ms Livingstone—Yes. We see our role as being to increase safety in the area and minimise the public health risk to other residents. That is our primary focus.

CHAIR—Increasing the population of drug users is somebody else’s problem?

Ms Livingstone—No, I would not say that, but I suppose I would dispute whether we are actually increasing drug use by having the—

CHAIR—From 70,000 to 240,000.

Ms Livingstone—Yes, but in Marrickville per se, what we are trying to do is minimise the risk to other residents.

CHAIR—So they can afford their drug habit out of their wage, can they?

Ms Livingstone—Some can in our area, yes.

Mr SECKER—The community law enforcement officers, the CLEOs, what powers do they actually have?

Mr Ackroyd—It is the same as the rangers within council. They work closely with the police. They have been involved in joint operations with the police in public places. They focus on parks, around council buildings, where we have had numerous attacks, graffiti, vandalism to our buildings.

Mr SECKER—They cannot arrest anyone, can they?

Mr Ackroyd—No.

Mr SECKER—Can they move people on?

Mr Ackroyd—I cannot definitively give you an answer to that—their full powers. They are in a different division from me. I am not 100 per cent sure of exactly the powers they have.

Mr SECKER—Would their main role be to support police, tell police what is happening?

Mr Ackroyd—That is not their main role. Their main role really is to provide a profile within public places to demonstrate that council is caring about public places, that they are prepared to address issues within the public places, to approach young people where they are causing problems and ask them to move on, or forcefully suggest that they adopt appropriate behaviour in public places. Their key role really is about the profile and demonstrating we care about areas. Secondly, it relates to a working partnership with the police and to support them, provide information and also undertake joint operations at times.

Mr SECKER—They would really have to use the bluff act if they have not got any of those powers, would they not?

Mr Ackroyd—When they are with the police then those powers come with the police officers. They have certain powers under the Local Government Act. Again, I cannot answer until I know exactly what their powers are.

Ms Gibbs—As I understand it, the powers under the Local Government Act would be for litter infringements and that sort of regulatory responsibility.

Mr SECKER—Minor things.

Ms Gibbs—Fairly minor, but I think the point is the fact that there is another set of eyes out there who look like they are in a position of authority in a uniform, in a car with a light on the top.

Mr SECKER—So you are using the bluff act a bit.

Ms Gibbs—It is about perception, isn't it? Perceptions of crime and perceptions of safety. It is a perception issue again.

Ms JULIE BISHOP—I will take you up on that point because it does dovetail into what I was going to ask. Everybody acknowledges that local government has a role in community safety and crime prevention, but we still seem to think in very traditional formats—that policing is within the jurisdiction of the state, that the federal government has a different jurisdiction over crime prevention and that local government has a role to play. Local government prides itself, quite rightly, on being the grassroots level of government. A lot of crime is grassroots as well. Have councils—or has local government—considered a different role, a less traditional role, for local government in terms of policing powers, in terms of security services—perhaps a little more like they do in the United States, where the city councils actually have real policing powers, but in limited areas, as an additional level of policing for state or federal. Can you tell me about those sorts of discussions, or your views on that proposal?

Mr Sammut—I might begin by responding and saying that it is certainly the beginnings of that with the community law enforcement officer. The powers they have of course need to be clarified and defined. But clearly we are talking about a partnership between state, local and federal governments. This was my point before: what is the legitimate authority we have to intervene in those ways? More importantly, clearly the state has that responsibility at this time.

Ms JULIE BISHOP—Do you think local government has a lot more to offer in that regard?

Mr Sammut—We certainly have a lot to offer in terms of dealing with crime and the fear of crime. That is what this whole submission is about. It is about saying that to deal with the fear of crime and the actual incidence of crime there is a lot of work that needs to be done and that the police will rely on local government and community organisations and local communities to actually deliver, because they cannot do that. They are there to enforce the law. It is about partnership, and that is where local councils have been effectively able to build those partnerships through community safety programs, in partnership with police and local organisations, who each play their appropriate roles in preventing crime. It is not eliminating it, but it is certainly having a significant impact in reducing the incidence of crime in those areas.

Ms JULIE BISHOP—Could you comment then on whether or not local government could adopt just a more powerful role in terms of policing and security, such as having your own security force, or your own police force in some form or another.

Mr Sammut—It is about jurisdiction largely.

Ms JULIE BISHOP—Yes, I appreciate that.

Mr Sammut—And it is about whether the state government is prepared to—

Ms JULIE BISHOP—Yes, but is it something we should be debating?

Mr Ackroyd—It is about jurisdiction and about funding. The community law enforcement officers are paid for by council, which reduces our capacity to get involved in other programs. We would certainly hate to duplicate the role of the police in the provision of those services. I would say that within Sutherland council we have a very active and very healthy cooperation and memorandums of understanding with the police in terms of information between the two parties. It is very much a partnership approach to addressing issues of community safety and crime prevention.

Ms JULIE BISHOP—You would be aware there is another Commonwealth parliamentary inquiry into local government generally. Is this an issue that is being addressed in that inquiry? This is Minister Wilson Tuckey's.

Mr Sammut—Not that I am aware of.

Mr Ackroyd—Not to my knowledge.

Ms JULIE BISHOP—So this issue of community policing, community security, actually funding local government to have a more powerful role in policing—

Mr Sammut—To my knowledge it has not been raised at all as a specific function that councils should be involved with.

Dr WASHER—Just to answer that, Minister Tuckey has certainly come out in public and made recommendations that he personally feels the police should be at least partly paid for by local government and that local government should be funded to do that. That is sort of an open statement.

Ms Gibbs—I think there is an analogy in New South Wales with the New South Wales fire brigade, where local councils do fund the provision of fire services and yet they have no say in how those funds are spent, or how the fire brigades are operated. In our region of 11 councils we make contributions in the millions. It is close to \$1 million for each council. It is a huge amount of money. Unfortunately the fire brigades are able to increase the amount of money they ask for from local councils.

CHAIR—But you do not get a say?

Ms Gibbs—We do not get a say and they often ask for increases outside the budgetary process. As the committee may be aware, in New South Wales we have a thing called 'rate pegging' which means that local councils cannot then pass on those costs to anyone else. They are restricted in their ability to raise funds.

Ms JULIE BISHOP—You see, I am concerned that we are not thinking outside the square—I hate that phrase—in terms of the traditional roles of law enforcement in this country. Maybe there is a greater role for local government authorities per se.

Ms Gibbs—There has been another development recently in New South Wales where parking police were transferred to local government. There was a revenue issue as well but the reasoning behind that was that local councils are very well suited and well established to provide that sort of service, whereas it was hanging off some other department in the state government. I am not quite sure that the police—

Ms JULIE BISHOP—I am thinking of crimes such as graffiti and vandalism.

Ms Gibbs—Councils are involved in graffiti removal and the number of—

Ms JULIE BISHOP—Yes, that is removal. I am talking about apprehension.

CHAIR—The more you remove it, the less you get.

Ms Gibbs—That is right.

Ms JULIE BISHOP—It was just a thought.

Ms Gibbs—It is not something that councils are really well established to do.

Ms JULIE BISHOP—There would have to be a complete change of thinking.

Mr Sammut—But there is also a fundamental resourcing issue. I agree with what David is saying.

Ms JULIE BISHOP—Sure.

Mr Sammut—That in fact without the dollars to do it the parking police are bringing with them an income that will help to cover that cost, but certainly, generally, I think that policing role would require some additional resourcing.

Ms JULIE BISHOP—Yes, that would follow. I am just asking about the concept generally, the thinking. Obviously there would have to be a not only a revamping of the thinking but also resource allocation.

Ms Gibbs—I think we would also be a bit circumspect about even something that was funded, because our experience is that funding usually disappears over time, or it is tied, or it is for a limited period of time, on a pilot basis. Then, when the funding dries up, the expectation of the community is that the service will continue. There is no-one else for local government to devolve that to.

Mr Ackroyd—You cannot simply focus on the police in respect of it. It must be a strategic approach to crime prevention. It must focus on police; it must also focus on the design issues.

But it must also focus on early intervention and social support programs if you really want to make a difference in terms of crime prevention.

Ms JULIE BISHOP—I agree.

CHAIR—That is where local government is well placed because there are different strategies for each of your councils.

Dr WASHER—Can I congratulate you firstly on these neighbourhood community centres. My gut feeling is that if we can get in and intervene early and identify abnormal or pathological behaviour in an early phase we have a greater chance of crime prevention. I think it is all prevention. At the end of the day when things go badly wrong, management of that problem and treatment and traversing the ground is very difficult. I think that is great and I hope you are getting enough funding for that. I do not know where the resources are, but that is great.

In terms of social engineering, you mentioned you have high levels of youth unemployment and that is certainly a very high risk factor which has been well identified. How is local government placed in terms of community redevelopment to try to create employment opportunities?

Mr Sammut—Again, it is a matter of resources. It constantly comes back to that issue. If you are talking about building new infrastructure to take up youth unemployment, certainly within the limits of our resources we are developing our own area. But, clearly, without those resources we cannot expand the programs we have to bring in programs like we had in the 1980s and 1990s which included bringing in unemployed youth and providing proper jobs and job skills. That is the fundamental issue: it is about dollars again.

Dr WASHER—If you had the resources then you would feel quite confident you could redevelop to reduce youth unemployment. You feel that historically you have proved you have been able to do that.

Mr Sammut—We have certainly been able to do that in the past. There were a number of records of success when it came to the old jobs programs—where they did get young people not just into temporary jobs but into longer-term, more secure employment through the work experience they had in those programs.

Dr WASHER—And that recommendation is going not only here but back to what Ms Bishop said about the local government council inquiry.

Mr Sammut—Yes.

Dr WASHER—Good.

CHAIR—I would like somebody to move that the supplementary submission from Mr Sammut on the role of neighbourhood community centres in crime prevention be accepted as evidence and published—and seconded, thank you.

Resolved (on motion by **Ms Bishop**):

That the supplementary submission from Mr Sammut on the role of neighbourhood community centres and crime prevention be accepted as evidence and published.

CHAIR—I would further like someone to move that the following documents which I will list—that is, the Riverwood Community Centre annual report ‘Living in Harmony’ project report, the Sutherland Shire Council community safety and crime prevention plan and youth entertainment report and the Marrickville Council ‘Belonging’ video guidebook and needle and syringe disposal report—be admitted as exhibits.

Resolved (on motion by **Ms Bishop**):

That the Canterbury City Council annual report, ‘Living in Harmony’ project report, Sutherland Shire Council community safety and crime prevention plan and youth entertainment report and the Marrickville Council ‘belonging’ video guidebook and needle and syringe disposal report be admitted as exhibits.

Mr MURPHY—Ms Gibbs, do you have a copy of the *No Single Answer* by the Moreland City Council?

Ms Gibbs—Only what I saw from their submission to this committee on the web site last night. I am sure you have it. There was a brief description of it in their submission, and I was taken with the title.

Mr MURPHY—Yes. I thought you might have a copy there. I wanted to have a look at it. That is fine. I will get a copy of it, thank you.

CHAIR—Thank you all very much. That has been most helpful in looking at the different ways that local government can deal with a very local problem with different strategies other than dealing with the different demographic mix that you have got within your very different areas. Thank you very much for your submission and for attending this morning.

[12.22 p.m.]

PRIEST, Mr Michael Timothy (Private capacity)

CHAIR—Mr Priest, do you have any comments you would like to make on the capacity in which you appear today?

Mr Priest—I am former a police officer, detective sergeant, in the New South Wales Police.

CHAIR—Mr Priest has supplied the committee with a copy of your submission that you made to the inquiry into police resources in Cabramatta.

Resolved (on motion by **Mr Murphy**):

That the committee accept the submission by Mr Priest as an exhibit.

CHAIR—Mr Priest, would you like to make an opening statement.

Mr Priest—I have prepared a short statement I might read onto the record. Thank you for the opportunity to appear before this committee. Some 18 months ago I sat before the Legislative Council's Committee on Policing in Cabramatta in this same room. Within one hour of giving evidence to that committee, my life changed forever. I endured almost constant harassment and pressure from senior police; numerous attempts to discredit me and destroy my reputation, mostly with the support and assistance of a few unethical radio and television journalists.

All I did on that fateful day was tell the truth and tell it how it was for a frontline policeman in Cabramatta. It was not pretty but it was the truth and had to be told. Many things have changed for the better within the New South Wales Police Force since those hearings. Gone are a number of incompetent senior police who presided over one of the worst periods in the New South Wales Police Force's history. Since 1995 we have seen a steady decline in the capability of the New South Wales Police Force to deal even with petty crime. Its ability to deal with serious and organised crime is severely limited, thanks to the disastrous crime agencies model of the centralised criminal investigation which is only now being rectified by new Commissioner Ken Moroney. However, it would take some time for the damage to be rectified and for the criminal investigation to get back on track.

If I look back on Cabramatta I see that a combination of deception, incompetence and negligence left the community defenceless against drugs and organised crime and allowed hundreds of young Australians to die anonymously on the dark streets of Cabramatta, yet not one senior police officer has been brought to account over this disgraceful affair. In fact the region commander during that period has now been given the task of organising security for the Rugby World Cup next year. Other commissioned officers who failed to do their duty at Cabramatta have been promoted to superintendent rank and now run their own police stations. As I said, no senior policeman was held accountable, yet those police who came forward to tell the truth have suffered a very different fate. Both Detective Sergeant Robert Francis and I have been invalided from the police force, whilst the careers of Sergeant Vince Fusca and Constable Chris Laird have been stalled.

The punishment for coming forward does not end there. Senior police continue to serve up retribution at every opportunity. They use unethical and dishonest journalists to snipe away at your reputation so that at the end of the day, not only have you lost your career but also your reputation and thereby any chance of securing meaningful employment. They hunt you to the end of your days to send a clear message to other police that might contemplate appearing before a parliamentary committee and telling it how it really is. I pay great credit to the present police minister, Michael Costa, who, in his first days as the new police minister, initiated a review into the police internal witness scheme in the hope that never again would a police officer who came forward to tell the truth be punished as I and others have been. It is yet to be tested.

There is a misconception amongst many of the elite in the media and politics that police corruption is about detectives meeting criminals in sleazy clubs and receiving brown paper bags full of money. This is such a stupid and dangerous misconception. Institutionalised corruption poses an equal threat to the health of the police force and indeed the community. We have seen numerous examples of corrupt promotions within the New South Wales police during the past five years that have gone undetected and, equally, unpunished. Cabramatta is the perfect example of what can happen to a community when incompetent and undeserving police get their hands on the wheel and control law and order.

What is all the more sinister about promotions corruption is that the recipient of a corrupt promotion becomes indebted to those that promoted him or her, and you can guarantee that one day that debt will be called in, whether to cover up serious misconduct, criminal behaviour or gross incompetence. The only corrupt police that ever get caught are those at the lower end; those that live in the valley, as police call it.

What Cabramatta showed was that the New South Wales Police Force was in total chaos. It was not run by a commissioner, but a series of warlords who presided over various parts of the kingdom. It had become dysfunctional and that is why we now see the problems in everyday law and order that are occurring in New South Wales. The machine has broken down. The only saving grace is the determination of the Police Minister, Michael Costa, to try to fix it and he too has made powerful enemies within and outside, particularly in the media.

You would be astounded if you knew the power that some senior police hold over certain sections of the media. These journalists are beholden to senior police to give them exclusive rights to major crime stories. They repay this favour by constantly doing favourable articles on their favourite police, in order that these police can rise to high office. The nexus between some journalists, certain senior police and major criminals is even more disturbing, yet nothing is done about it.

Organised crime—particularly Lebanese based organised crime and, similarly, Asian-based crime—have taken a foothold in New South Wales in the past five years and have spread all over Australia. If you have major drug and gang problems in Brisbane, Melbourne and Adelaide et cetera, it has almost certainly emanated from New South Wales in the past five years. This leads me back to institutionalised corruption and the enormous damage done not only to an organisation but to the community generally. If you have certain powerful sections of the media bought off and there is no failsafe mechanism in place to expose this problem, then we have the disaster that is New South Wales. There was not an anti-Ryan story done in the first four years of his term. There are still some journalists to this day that are trying to convince people that

Cabramatta did not happen; there was nothing wrong with police in Cabramatta; it was a beat-up. Try telling that to the hundreds of grieving parents and relatives whose kids died alone in a strange place far from their loved ones.

One radio journalist continues to recite the story of his one visit to Cabramatta some months ago at midday on a Saturday where, in the company of two uniformed commissioned police officers, he went to lunch and did not see any murders, drug-dealing or gangs. The way he retells the story it is a wonder he was not approached by the Easter Bunny. What this dishonest imbecile fails to tell his audience is that later that night six people, including a young boy, were gunned down at a wedding reception in the main street, just a few hours after his momentous trip.

Unless there is a cleaning out of those that contributed not only to the horror of Cabramatta but to the horrors inflicted elsewhere in the past five years, we will advance very slowly for at least a generation. There is still no long-term solution to the problems of Cabramatta. There is still no multi-agency taskforce in place to deal with re-emerging problems with organised crime and gangs in the suburb. Cabramatta is unique and, as such, needs unique answers. Cabramatta is also the gateway to problems in Brisbane, Melbourne, Adelaide and Perth. That is why I am hopeful that, with the new Australian Crime Commission, a solution can be found that might not be too far away. I know also that the police minister, Michael Costa, is still examining a proposal I made about the setting up of a Cabramatta-specific taskforce. I hope, for the community of Cabramatta, it becomes a realisation.

It is my firm belief that the only way to retake the streets from the gangs and the organised criminal networks is to have an effective Australian Crime Commission, with special RICO-type legislation that is available also to the states and territories, as well as the need for zero tolerance policing to be practised in most major cities. We have seen the unthinkable being achieved in New York and Washington, to name just two cities. The same could be done here, but it requires political commitment.

I urge you to study the methods and results of Mayor Giuliani and Police Commissioner William Bratton of New York. Bringing back quality of life to our citizens in both the city and the country is possible, but only through courageous political decisions of the type made by Mayor Giuliani and, to some extent, President Clinton with his federal funding of additional law enforcement for state and municipal police forces. It was an investment in the future and it has already paid off. We can do the same.

CHAIR—Thank you, Mr Priest. We have now received a copy of what you read to us.

Resolved (on motion by **Ms Julie Bishop**, seconded by **Mr Secker**):

That Mr Priest's opening statement be received as a submission and published.

CHAIR—Mr Priest, we have had some evidence given to us by people from the Cabramatta Chamber of Commerce and the Fairfield Chamber of Commerce concerning the continuance of crime in Cabramatta and we have heard evidence from Deputy Police Commissioner Madden about the improvements that have been put in place. Mr Ross Treyvaud from the Fairfield Chamber of Commerce gave us a transcript of an interview he gave, which has been put into evidence, saying that things are very much better. Councillor Heggie from Fairfield Council

gave us evidence that, although the situation there has improved, it is a long way from satisfactory. There does seem to be discrepancy between the opinion of what is being done now to clean up Cabramatta and what needs to be done. Do you have any up-to-date evidence that you can give us on that question?

Mr Priest—There is no doubt that things have improved dramatically, because they could not get any worse, going back to 1999-2000. However, they have improved probably for all the wrong reasons. There is no long-term police strategy for Cabramatta. It is ad hoc. It is saturation type policing that relies on a target-rich environment in a very small place. Coupled with the fact that we have had a climatic drought of heroin in Myanmar and we have had the war in Afghanistan, there has been virtually no heroin flowing through to Australia. That has now changed. The climatic conditions have now improved greatly in South-East Asia and the war in Afghanistan is over. We have seen recently that apparently production is up 100 per cent. They are going to double their production and flood Europe with high-grade heroin, which will mean that Australia will become a market as well.

The problem we have is that the policing in Cabramatta is not prepared for something like that. It has come in at a time when there was a heroin drought and there was a lack of drugs on the street, a lack of junkies and a lack of gang fighting. If you put a totally different situation in place, where heroin starts to flood back through and you have masses of junkies and masses of gangs trying to fight for control of the drug trade, the authorities are not going to be prepared for it and they certainly will not be able to deal with it. What we are seeing at the moment is cosmetic policing.

CHAIR—Do you believe that Cabramatta was turned into a honey pot, in that it was seen to be the place where anyone who wanted drugs could go?

Mr Priest—Without a doubt. They came from all over Australia. They came from Canberra. Numerous people used to drive up the Hume Highway to Cabramatta, buy drugs and go back to the ACT and country New South Wales. It was a supermarket for cheap, plentiful and strong drugs. There is no doubt in the world about that.

CHAIR—Do you believe that that infrastructure is still in place for that to continue?

Mr Priest—Most certainly. Hardly any of the main players have been arrested and charged. Some have and some are due for release from jail within the next few weeks, which is also causing concern for some police that this is about to erupt all over again. Essentially, you had two sides fighting for control of Cabramatta and they had nothing to worry about and nothing to fear from the police, so it became a free market that got out of control and they were fighting each other. Some of those players were arrested some years ago, but their terms are up now. Some beat serious charges and are back on the streets.

CHAIR—Councillor Heggie gave us evidence that, if a juvenile was seen on the street in Cabramatta administering a drug to another juvenile, the police would not intervene. Do you have any knowledge of that?

Mr Priest—We had this harm minimisation disaster, which virtually ordered police to do nothing to junkies using heroin. We were supposed to go after the person selling it. We didn't do that either. Everywhere you looked in Cabramatta in 1999-2000 they were shooting up in the

main streets and they were shooting up in parks opposite the police station. It was just a free-for-all. On one hand, you could not arrest every single drug user because there were literally thousands of them every day but on the other hand you also were not encouraged to lock people up for using heroin. It was to be treated as an illness or sickness.

CHAIR—In hearing from many witnesses, the term ‘harm minimisation’ seems to have different meanings for different people, depending on how they want to interpret it. It can mean rehabilitation to some people and it can mean *laissez faire* for other people. You have given credit to Mr Costa for coming in and having a ‘crackdown’—would that be a good word to describe it?

Mr Priest—I suppose it would be, yes.

CHAIR—Do you have any knowledge of that message permeating through to the people who are currently policing in Cabramatta?

Mr Priest—No, I don’t think it has permeated through to Cabramatta, because I think the senior officers there are very much harm minimisation advocates. In fact, during Peter Ryan’s tenure, the policy-making sections of police headquarters were infiltrated, so to speak, by people that were strictly harm minimisation. They not only preached the idea of harm minimisation but made sure that it went all the way through the ranks.

Mr MELHAM—That is not something that is exclusive to New South Wales or Cabramatta. Harm minimisation is something that is picked up in other states and other police agencies as well, isn’t it, Mr Priest? Let’s get back to taws here!

Mr Priest—I think it is decreasing throughout the world.

Mr MELHAM—I appreciate it might be decreasing, but there is a genuine view that harm minimisation is an appropriate strategy. I am not saying it is the correct strategy, but there are differing policies and issues. It is not something that is exclusive to Cabramatta.

Mr Priest—I never said it was. I was just asked about Cabramatta.

Mr MELHAM—I accept that.

Mr Priest—What I will say is that throughout the world now they are finding that harm minimisation is not working and they are going in the opposite direction.

Mr MELHAM—I accept that, but it was a trend throughout the world that harm minimisation was the way to go. The results are now coming in in relation to that and there is certainly a change of direction in some areas.

Mr Priest—That’s right.

CHAIR—I was making the point, before you came back, Mr Melham, that harm minimisation seems to have different meanings to different people.

Mr MELHAM—Sure, I accept that.

CHAIR—I was trying to ascertain what the police interpretation of ‘harm minimisation’ was in Cabramatta. I would like to ask you what you think that is. As I said, to some people it means rehabilitation—that is, get people off it and stay off it—to other people it means teaching them how to inject and to other people it means it is okay to use drugs. I just want to know what the culture was in Cabramatta.

Mr Priest—The culture was that it was okay to use drugs; that it was an illness or sickness and the police were not to interfere with it. In fact, the police were to go to extreme lengths to make sure they did not interfere with drug taking unless it caused a problem within the CBD itself, where you had junkies injecting outside shops. You still would not arrest them. You would hunt them out of the way, so they went into a back alley somewhere and shot up.

Mr MELHAM—Are you aware of current statistics that were given to us by Mr Madden yesterday in relation to Cabramatta and needle exchange, amongst other things, and the rate of success of such programs?

Mr Priest—No, I am not.

Mr MELHAM—Just so you know, the figures we were given in terms of needle exchange were: in the year 2000 there were 629,000; that reduced to 272,000 in 2001 and that reduced to 57,000 in the first five months of 2002. In relation to drug activity, the figures went from 670 in the year 2000, to 109 in the year 2001 and to 63 in the first five months of this year.

Mr Priest—There is a heroin drought.

Mr MELHAM—This is in relation to heroin activity.

CHAIR—Yes.

Mr Priest—I am saying to you that those figures are undisputed.

CHAIR—Before you came in, Daryl, Mr Priest had given evidence about the existence of the heroin drought and the impact that it had on Cabramatta. He also gave evidence, whilst you were out of the room, concerning the increase in drug supplies and how heroin is likely to come back into the area and their ability to cope, so those figures fit with that drug drought.

Mr MELHAM—I do not think, Madam Chair, it is just a drug drought. I think there is a difference in view.

CHAIR—With regard to some other statistics we have received, Mr Priest, we heard evidence from Ms Mayhew, who is a criminologist in Canberra, that across the world there has been a decrease in crime—in the United States, in the United Kingdom, Scotland, Italy, Canada and New Zealand—but in Australia there has been a rise in crime. Japan is the other country where there has been a rise. She is researching reasons why that might be so. In looking at the difference between Australia and New Zealand in our own part of the world, you have told us that harm minimisation is disappearing in other parts of the world, and I was wondering if you

could give us any background information of your knowledge of those countries that I have just mentioned where crime has diminished and whether or not it could be that our continuance of harm minimisation, perhaps interpreted at its most liberal form, contributes to the increase in crime that is still going on in this country.

Mr Priest—I will use the United States as an example because I have studied that country the most. I think they are the world leaders in law enforcement and world leaders in drug legislation. The decrease they have had there has been dramatic. For example, in New York there are something like 800 people staying alive each year because the murder rate has been slashed remarkably. The same has happened in Chicago and Washington—except for the recent random shooter. Zero tolerance policing and an increase in federal funding for local law enforcement, putting more police on the streets, are probably the most crucial reasons for why crime has dropped in America.

There is no doubt that more police on the streets brings crime down and it also lowers a perception of fear of crime by having police about. One of the great examples of that, of course, is Hong Kong. Everywhere you walk there is a policeman on the corner. You can catch a train there at 3 o'clock in the morning, with no guard, just a driver, and you do not feel in any fear whatsoever. You have a situation where people are disciplined because they know there are police around and if they do something wrong they are going to get caught. In New York that is exactly what has happened. There has been an explosion in the number of police in New York and people now walk freely of a night time, they enjoy themselves, they have quality of life, and it is because of the increased numbers of police and also because of the way police are used, which is zero tolerance. Every crime counts and you do not tolerate antisocial behaviour, the likes of which harm minimisation does spawn.

To use Cabramatta as an example, harm minimisation meant that every imaginable antisocial behaviour that you could think of was occurring in Cabramatta. They were vomiting in the streets, they were urinating in the streets, they were lying collapsed on the footpath—people going about their business, kids going to school, had to step over them—swearing, fighting, begging; the whole lot. Harm minimisation bred that. It occurs to me that if we limit harm minimisation to putting junkies in institutions and taking them off the streets, you solve a number of problems at the same time. That is what America has done. That is what they did under Bratton. They took all the beggars off the streets, all the junkies off the streets, and it made an amazing difference.

CHAIR—I see. With regard to the statistics, we have heard that in the mid-eighties there were 70,000 heroin users. We have heard there are currently 240,000 and that that has been concurrent with the growth of the harm minimisation policy. With the Tough on Drugs policy which has the aim of getting people off drugs or preventing them going onto drugs, we heard evidence this morning that there has been a success rate, that the death rate is reduced. I do not know how much of that is attributable to the heroin drought or whether the policy itself has been working. Do you have a view about that?

Mr Priest—There is no doubt that Tough on Drugs does work. I am not saying it works for all addicts but certainly for those who are on the verge of making it a full-time habit and those who want to see what it is like, a good shock from Tough on Drugs can be the answer for them, to say, 'Look, I don't want to use this any more. The cops are going to come down on me. I may get a record. My family may find out that I'm in trouble.' That has a tremendous impact

psychologically on a lot of kids. If you just say, 'Look, nothing is going to happen to you. If you use this and it becomes a problem, we'll look after you. We'll give you a pension. We'll give you free syringes, free medical. You'll never have to work and you won't have to worry about the police coming down on you,' there is no deterrent effect. Tough on Drugs will deter a lot of kids who would otherwise make heroin addiction a full-time addiction, whereas harm minimisation does nothing. It does not send any sort of message.

CHAIR—You said in your submission to us that you had been hounded out of the police force because you had gone against whatever the prevailing culture was. How did that manifest itself? What was done to you?

Mr Priest—It would probably take hours, Madam Chair, to tell you everything that was done. As I said in my opening remarks, senior police have very powerful media connections and they can have stories printed about you, they can have radio interviews done about you, alleging lack of integrity, corruption. They can allege that you have probably lost your mental capacity.

Mr MELHAM—That is not a new phenomenon, though, Mr Priest.

Mr Priest—It is to me, though.

Mr MELHAM—It is to you. But you are aware that there have been factional fights in senior levels of the police for decades which have been written about.

Ms JULIE BISHOP—He is talking about what was on radio, Daryl, about himself.

Mr MELHAM—Yes, I understand what he is talking about and I will come to that in a moment.

Mr SECKER—I thought he was answering the question quite properly. It did not need an interruption.

Mr MELHAM—I find it amusing that this witness is a late addition. Some of this stuff has been given before a state parliamentary committee. We have radio news with mikes stuck in front of people; stuff that is outside of the terms of reference, I would argue, and frankly I am not impressed. Anyway, I will come to that shortly.

Mr SECKER—I would like to hear his answer. I am not impressed by the interruption.

CHAIR—Would you like to continue?

Mr Priest—Yes. As I was saying, they will use the media to try and discredit you. There was an absolute avalanche of internal affairs complaints about me. In the space of 12 months, 18 months, I had something like 25 to 30 frivolous complaints about not filling in duty books; threatening behaviour to senior officers. Between 1994 and 1999 I think I had had three internal affairs complaints for incivility, failing to get a brief in on time. In the space of two weeks I had about eight internal affairs complaints in 10 days and it accelerated after that. I think I ended up with 25 complaints. They virtually destroyed my career there and then because you could never go to a promotions committee where they have a look at your internal affairs record and see

threatening behaviour towards senior officers and that sort of thing. They will work at different angles. They will have people making complaints about you so you are constantly investigated. They will transfer you from place to place so that you never settle down and, in the end, they make it so hard for you that you know for the rest of your career they will follow you because they have disciples everywhere, they will always remember who you are. Michael Drury is probably the best example that I can give; 16 years after he was shot, they were still going after him and they eventually got him. They could not kill him but they destroyed his career. That is what they do to you and, at the end of the day, you cannot beat it.

CHAIR—How can we avoid that sort of thing happening? I guess we could call you a whistleblower. I found, over the years that I have been in parliament, that whistleblowers can serve a very useful function in getting things that are wrong and making them right. But if you are an example of what happens to a whistleblower, who else is ever going to speak out?

Mr Priest—As I said earlier, one of the first things that police minister Michael Costa did when he took on his new job was to reinvigorate the police internal witness scheme in the hope that there would be no more like me. As I have said, it is yet to be tested but that is what I admired about him straight away; that he was determined that there was not going to be another Tim Priest or another Mick Drury.

Mr MELHAM—From all you have seen that he has done, he has lived up to that earlier commitment.

Mr Priest—I have said that. I have said that a number of times.

Mr MELHAM—I accept that in your submission and I notice that you also give praise to the new Commissioner Ken Moroney.

Mr Priest—Yes. He is a decent bloke and does not come with the baggage of the last fellow. Ken Moroney has actually been a policeman in his career.

Mr MELHAM—From what I gather, he has got the support of officers across the spectrum.

Mr Priest—He has, yes.

Mr MURPHY—Mr Priest, could you give details and are you prepared to give the names of the police and the unethical radio and television journalists—in particular the ‘dishonest imbecile’ as you describe him, who visited Cabramatta—to this committee, either publicly or in camera?

Mr Priest—I would prefer to do it in camera because the last time I did mention it publicly the bloke had a go back at me and we were not given a right of reply. It turned into a bit of a war and took away the great work that the Cabramatta committee had done. To avoid that I would rather do it in camera.

Mr MURPHY—This is a very explosive submission that you have put before the committee today and obviously, if we are to do something with it, we need that sort of information because the allegations are extremely serious. I would want to know what the police commissioner and the minister are doing to satisfy you that something is occurring in regard to these dishonest

police, as you allege, and dishonest journalists to account, because you seem to question not only the credibility of the police but members of the media, in what information is reported or not reported to the public. It is certainly in the public interest that these allegations be properly investigated.

CHAIR—Perhaps we could do an in camera hearing and hear those names.

Mr MURPHY—I would like to know because you have had a lot of publicity and I do not doubt your sincerity, but we need to know from you so that it can be tested. You seem to be saying that you have confidence in Michael Costa addressing your concerns, so that we do not have another Tim Priest, and that equally Commissioner Moroney is addressing these problems, because it is clear from what you have said here this morning in your written submission that under Commissioner Ryan dishonest journalists were very selective about what was and what was not reported. These are very serious allegations.

Mr Priest—In fact they are well known. I do not know why they have not been pursued. Some media organisations have tried to pursue it and some journalists have paid a big price for pursuing Peter Ryan.

Mr MURPHY—Do you have evidence of that?

Mr Priest—I have.

Mr MURPHY—You have been discredited by some people and other people say the opposite.

Mr Priest—I will give you the perfect example of the James report. I do not know if you have heard of the James report. It was a young kid that enlisted himself to help the Cabramatta inquiry that I had had some dealings with as a policeman back in Cabramatta. This kid was everything that is wrong about Cabramatta. His mother was a junkie. His father was a career criminal. He was born with a heroin addiction, looked after by his grandmother because his mother could not look after him. He grew up on the streets of Cabramatta. He was probably one of the first Australian kids to actually become part of the Vietnamese community. There were so many kids at his school that were Asian, he virtually became an Asian Australian. He used to squat like them. He would talk like them.

Eventually he got in with them. He got in on the outer fringes of the gangs and sold drugs and was engaged in all sorts of criminal activity and when I was at Cabramatta in 1999 he was actually one of our A1 targets because he was that much of a nuisance as far as selling drugs and being involved in gang fights are concerned. To be an A1 target at Cabramatta in a completely target rich environment with literally thousands of targets, that showed the credibility that that kid had as a criminal.

He pulled himself together, got off drugs and during my evidence to the parliamentary committee he decided he would come along and verify what I had said, as a kid that actually lived that life. He was not allowed to give evidence before the inquiry for various reasons: some political, some legal, I suppose. He was taken over—that is not the right word. He was then given access to *60 Minutes* and the Alan Jones program where he made a number of allegations, all of which I believe to be true. He received quite a deal of notoriety over it.

A very senior police officer asked to have the kid introduced to him so that he could get the intelligence that this kid had spoken about on the program and use it to do something with Cabramatta. We had some reservations about handing the kid over but eventually we did because we had nothing to hide and we wanted to see things fixed in Cabramatta. Within six months a report had been concocted which discredited the kid James; called into question both Dr Basham's integrity and qualifications and his sanity, as well as myself; and was very conveniently leaked to dishonest journalists at the ABC and at a radio station who had access to the report even before the Commissioner of Police and the police minister did.

It was deliberately left to the last minute to hand it to the police department shortly before the Cabramatta inquiry resumed so that there could be no review of the report and people would take as fact what had been leaked to journalists saying that James had been discredited and that Priest and Basham were not to be believed. We had this scenario, as I have said in my initial remarks, that some people would have you believe that Cabramatta never happened. These are the same people that would probably say that the Apollo Moon Project was farcical.

Mr MELHAM—Mr Priest, there has been a history of people within the police force giving journalists stories and a whole range of things, and having them—

Mr Priest—I have no doubt about that.

Mr MELHAM—You talk about the Drury—and I think Rogerson is the other half of that equation—situation. That has been well documented.

Mr Priest—But not for the agenda of what some of these senior police do now. They deliberately set out to destroy the promotional prospects or the integrity of police that possibly are rivals to them.

Mr MELHAM—Okay. How do we overcome that process? You are not critical of the new commissioner. You are not critical of the new police minister in terms of the direction that they are heading in. What I am interested in is the terms of reference of our inquiry. I am a bit suspicious, when we have a late witness of your standing. You have been in the police force for a number of years. You understand the nature of your written submissions and your oral submissions to this committee that we received just today.

CHAIR—He is under oath.

Mr MELHAM—I appreciate he is under oath, Madam Chair. There are a number of questions I could ask him in relation to how it is he came to give evidence before this committee. I am interested as to when you discovered we were in existence and we have got a couple of radio mikes in front of this witness. If you are talking about certain journalists being put on the drip, with the greatest of respect to Mr Priest, I am not saying that he does not believe anything he has said, but he is also attempting to use this committee to get a bit of publicity.

CHAIR—With respect—

Mr Priest—I have not rung any of the journalists. You can ask them. I have contacted no journalists.

CHAIR—I can answer that. This committee puts out a press release saying who is appearing before this committee.

Mr MELHAM—That is right, and when did Mr Priest get put on the agenda?

CHAIR—Yesterday.

Mr MELHAM—Who did he ring to get on the agenda? Who did he speak to? I get notified this morning on a handwritten note that Mr Priest has been—I do not have a problem with that, do not get me wrong, Mr Priest, but we have terms of reference and your submission does not necessarily address those terms of reference.

CHAIR—That is rubbish.

Mr MELHAM—What I am interested in is how do we, in terms of our recommendations—

Mr Priest—There is no sinister reason why I am here. There is no ulterior motive. In fact, I advised police minister Michael Costa's staff yesterday that I would be attending here. One of them may even be sitting in the hearing, I am not sure. I come here with no political agenda. I have been equally praiseworthy as I have been critical of the New South Wales government.

Mr MELHAM—I accept that.

Mr Priest—I have no reason for being here other than that law and order in this state affects the rest of Australia.

Mr MELHAM—But you have not missed some of your fellow officers in your submission.

Mr Priest—I have not named them, though.

Mr MELHAM—I accept you have not named them, but you understand the nature of your submission—and you are prepared to name them in camera, I accept.

Mr Priest—I am. I did that submission because I tell it how it is. I do not want to muck around. I do not want to gloss over things. There is only one way to understand and that is the way I wrote it.

Mr MELHAM—What I am interested in is how can this committee, through its terms of reference, assist to clean up what you say is a process that has some problems?

Mr Priest—My own personal view is that we need a royal commission into law enforcement throughout Australia. I think we have competing interests everywhere. I think one state, particularly New South Wales, has let down other states in the way it polices. Everything starts in New South Wales and finishes in the other states. If the ball gets dropped in New South Wales, the ball gets dropped all over the place. How can other states police, like Victoria and Queensland, do their very best to police, including the Australian Federal Police, if New South Wales is letting them down?

Mr MELHAM—But you acknowledge that the current police minister and Commissioner Moroney are, in effect, cleaning up what you say is a problem. Your submission says that.

Mr Priest—That is right, but they have not gone far enough and I do not think they will be allowed to go far enough.

CHAIR—What you are saying is that the people who made life very tough for you are still there.

Mr Priest—They are still there and they will hinder the police minister, Michael Costa, during his whole tenure. They are doing it as we speak, in the way that the crime agencies are being reviewed and reformed, going back to specialist squads.

Mr MELHAM—Setting aside a royal commission, what are the recommendations that you would make to this committee that we should do without a royal commission? What are the conclusions that you reached on how to clean it up?

Mr Priest—Additional federal funding in much the way that President Clinton did in America; have the DARE program federally funded for education; bring in RICO legislation that is useful for all states—and you understand what I mean by RICO.

Mr MELHAM—I do.

CHAIR—No. Could you explain that for us.

Mr Priest—Racketeer influence and corrupt organisations legislation. If one commits a crime in a gang, they all commit a crime in a gang. It is common purpose. In a way it is similar, but nowhere near as far reaching and as damaging as RICO is in America. It has cleaned up the Mafia. It has cleaned up some of the Asian drug gangs in New York, Virginia and those sorts of places. It is very effective. It gives the power federally to intervene in organised crime when it appears as though local law enforcement cannot be doing anything with it, or do not seem to be able to do anything with it.

Mr MELHAM—You are aware that there is a current inquiry into the National Crime Authority.

Mr Priest—I am.

Mr MELHAM—And some legislation has been placed before the parliament to turn it into an Australian Crime Commission.

Mr Priest—I am.

Mr MELHAM—Do you see that as an avenue in terms of where the feds can be involved in terms of what you are suggesting?

Mr Priest—I think the ACC is a great start and it may well make up for the underachieving and disappointment of the NCA as a body.

Mr MELHAM—You are aware however that the initial proposal by the Commonwealth government was that it just be an intelligence-gathering service, but that has now been changed as a result of meetings with state and territory counterparts and that it will retain its coercive powers and its powers of investigation.

Mr Priest—Yes, I am.

Mr MELHAM—Are you supportive of it having those powers?

Mr Priest—Very supportive.

Mr MELHAM—And not just being retained as an intelligence-gathering service.

Mr Priest—Yes. I was dead against that idea from the start.

CHAIR—I do not know where that idea that it was only going to be an intelligence-gathering operation came from.

Mr MELHAM—Read the press release of the current minister for justice. Madam Chair, it was there. It has now been abandoned.

CHAIR—There are a lot of us on this side of the House as well as your side, Daryl, who would be absolutely opposed to that concept.

Mr MELHAM—I accept that, Madam Chair, which is why it has been abandoned by the current government.

Mr Priest—One of the great supporters of that is Michael Costa and one of the guiding forces behind it is Michael Costa.

Mr MELHAM—And you are aware that Minister Costa basically led the charge against the Commonwealth with the state and territories and that is why it is back in terms of its role.

CHAIR—I go back to the statement you made about James, the witness. Yesterday I introduced an exhibit which is an affidavit sworn by someone whose name I do not have because it was struck out of the affidavit. But in listening to what you said today, it does seem to be James who was involved with this affidavit. I asked Deputy Commissioner Madden yesterday about the request that the swearer of the affidavit made that he could be given the paper that he was asked to sign—and not given a copy of—and could be given the tapes of the interview. You are mentioned in this affidavit as was Dr Basham, who gave evidence yesterday. A piece of paper was handed to Mr Madden and he then said, ‘No comment.’ I am wondering whether or not this affidavit, which states that he was asked to sign this piece of paper as part of his protection and yet he was then discredited in your terms, is something which could be solved if in fact the police did let him have a copy of the paper he signed and the tapes that he signed. Are you aware of any of that?

Mr Priest—I am. In fact, Deputy Commissioner Madden has a lot of knowledge of this particular thing because the kid’s solicitor—

Mr MELHAM—In fairness to him, I was not there but he declined to comment, as I understand, when this was raised with him yesterday because I think he took the view that it is an ongoing matter. You just should be aware of that, Mr Priest.

Mr Priest—Thank you. That is one way to dodge questions.

Mr MELHAM—It is not a matter of dodging the question. It is also appropriate, as you well know.

CHAIR—He was handed a piece of paper. Then he said he would not—

Mr Priest—But James' solicitor has actually fought to get the tapes and his report on James' behalf and still has not received any material whatsoever.

CHAIR—I do not understand how the police can ask someone to sign a piece of paper and not give them a copy of what they have signed and not let them have a copy of the tapes of interview. I do not understand that.

Mr Priest—Nor do I.

CHAIR—How is that able to happen?

Mr Priest—I can imagine doing that to an offender and taking the stuff to court and then the judge says, 'Why weren't you handed the transcript?'

Mr MELHAM—But they are required to give it to an offender under the current law, aren't they?

Mr Priest—I would say that ethically you are required to give any member of the public any tapes that you take where you record their conversation, provided it does not endanger someone's life.

CHAIR—I would have thought it had a lot to do with natural justice.

Mr MELHAM—Mr Priest, that is not the current state of the law. Let us be clear. If he is not the subject of a criminal charge—

CHAIR—No, but he is being subject to a slander operation.

Mr Priest—Even if you are not the subject of a charge I think you are still required under the ERISP instructions to provide a copy of the tape. You are supposed to be given a tape at the time the ERISP is completed. I cannot see why that kid was not given a tape.

Mr MURPHY—Mr Priest, have you seen a copy of that affidavit Mrs Bishop is referring to?

Mr Priest—Yes, I have. I have seen a copy of the affidavit but I have not seen a copy of the report.

Mr MURPHY—Have you provided a copy of that affidavit to this committee?

Mr Priest—Not to this committee, no. I provided a copy of the affidavit to the Helen Sham Ho committee. In turn that was delivered to police Commissioner Ken Moroney.

Mr MURPHY—And to that committee did you provide the names of the police officers that you believed are corrupt and also the unethical journalist?

Mr Priest—I did.

Mr MURPHY—Did you give the names to that committee?

Mr Priest—I did.

Mr MURPHY—Because I have not read that.

Mr MELHAM—Was that in camera?

Mr Priest—No, I made that in public. They are well known.

Mr MELHAM—They are already on the record then.

Mr Priest—They are.

Mr MURPHY—You feel that the police commissioner and the minister are paralysed to really root out the corruption between those senior police officers and those unethical journalists? Do you sincerely believe that?

Mr Priest—I do. I do believe that at least one of those senior officers is almost unstoppable. Short of driving a stake through his heart this bloke will continue to—

Mr MELHAM—You would not do that; that is against the law and you are a law-abiding person.

CHAIR—Metaphorically speaking, surely.

Mr Priest—Yes, that is right.

Mr MELHAM—I just wanted to clarify that. I would not want it misrepresented in the transcript.

Mr MURPHY—Within our terms of reference we have to look at the effective measures for the Commonwealth in countering and preventing crime. Do you believe the only way to get to the bottom of this is yet another royal commission?

Mr Priest—I do. Not just concentrating on New South Wales but seeing how other states police better, how legislation in other states is working better than some states and perhaps get to a uniform code of legislation in relation to organised crime and drugs—

Mr MELHAM—But, Mr Priest, it seems to be happening at the moment. There seems to be a lot more cooperation in terms of state and territory police forces and the way the ACC seems to be progressing indicates that. The state rivalries that used to be there, even a couple of years ago seem to be folding. Am I wrong?

Mr Priest—Yes, you are right in that respect, but I am not just saying the police. I am saying law enforcement or law and order in general, because there are some horrendous decisions handed down by different Supreme Courts in different states, which eventually affect every police officer throughout Australia. We have seen some really ridiculous decisions made in New South Wales in recent years that have compounded the effect of organised crime. In particular, unless we get uniform legislation, such as RICO, criminals will hide behind different state legislation. As we have seen with some of the Vietnamese gangs, they seem to use South Australia a lot for doing their drug running and they use Melbourne a lot for importation.

CHAIR—Julie Bishop has a question, but would you like to say something further about using South Australia for their drug running? Which gangs?

Mr Priest—Vietnamese gangs, particularly the ones that were in Cabramatta. There seemed to be a direct link between Adelaide and Cabramatta as far as drug running was concerned. I know that a number of Vietnamese gang members were actually caught in Adelaide and it was curious to me why they were doing it. I spoke to a South Australian policeman who said that, in his opinion, South Australia's drug laws were quite lax. They risk getting caught down there, because they receive minimal sentences.

Ms JULIE BISHOP—Mr Priest, you said today that Cabramatta was unique and you also said that crime, if you like, flowed from New South Wales. So, if we start concentrically, Cabramatta, New South Wales, to other states. You also talked about zero tolerance and your admiration for the work of Mayor Giuliani and what has gone on in New York. Can you tell me how you would see zero tolerance applying in a place like Cabramatta? We will take the epicentre, if you like. Like phrases such as 'harm minimisation,' zero tolerance means different things to different people. How would you see it applying, in your opinion, in Cabramatta?

Mr Priest—Zero tolerance policing is probably best understood by, 'Every crime matters.' You do not turn a blind eye to someone spitting in the street and you do not turn a blind eye to people swearing in front of kids and women. You make sure that there is no social disorder. What Bratton did in New York was return the streets to the people, to the common citizen, who before that had been afraid to go out, for any number of reasons.

People may think that spitting, swearing, vomiting, urinating and just gathering in the street are not serious, but they are. They interfere with people's quality of life. If you start at the bottom and lock up the people that urinate, swear, do graffiti and gather in the streets and cause trouble, you are stopping them from committing further crimes up the track. What I have noticed, particularly with Lebanese based criminals in Sydney, is that they have absolutely no respect for anybody on the street. They will swear, speed, pull their cars up anywhere and pick fights with Australians.

If you had zero tolerance policing, you would not let them get past swearing or even spitting in the street. You would stop it there and then. Instead, you empower them to start taking bigger risks. They will start fighting and extorting money in the streets. Zero tolerance is about 'The

small crimes matter as much as the big crimes'. In Cabramatta in 1999-2000, any of the junkies that were antisocial would have been locked up; they would have been taken off the streets. Once they are off the streets, they do not cause a problem and people can see that police have control of the streets rather than the opposite, which is that junkies and criminals have control of the streets.

Ms JULIE BISHOP—In New York, they also did it in terms of zones; in areas that they focused upon. Can you elaborate on that?

Mr Priest—They did. They looked at the hot spots, saturated the hot spots and forced them out. At the same time, their intelligence was telling them where the displacement effect was happening. If we had hit Cabramatta, there would have been what they call a displacement effect. The crooks would have said, 'All right, it's pretty hot here in Cabramatta; we'll duck across to Liverpool or we'll go to Fairfield.' What Bratton did was make sure that police were waiting for them there as they moved.

Ms JULIE BISHOP—When they moved from New York to New Jersey, they were—

Mr Priest—Hunted back over the border again and, after a while, they got chased all around New York and they left, gave up or they are in jail. After a while, they absolutely hammered them to such a degree that they could not survive any longer. You do not just lock them up for the serious things; you lock them up for everything along the way, whether it is parking—

CHAIR—When you say 'lock up', what do you mean?

Mr Priest—Arrest.

CHAIR—Do you mean arrest, charge and detain overnight or detain on remand until they are charged? What do you mean by that term?

Mr Priest—Certainly arrest, certainly charge and, where legislation permits, detain.

CHAIR—So bail would still be available? In New South Wales, for instance, tougher bail laws have been introduced, which means that they would probably be on remand.

Mr Priest—And they should be. You take them out of the picture; you take them away from causing any further trouble.

CHAIR—But the evidence is that some criminals actually give up.

Mr Priest—Most certainly. The statistics prove that a lot of them have given up. A lot of them are in jail doing lengthy sentences. They cannot hurt anyone any more. We are too focused on rehabilitation.

CHAIR—I want to focus on rehabilitation, because I think it has a part to play. If you are stopping people becoming more determined criminals doing greater crime—if you stop it early before they become entrenched in crime—do they have programs then to allow those people to

return to society and actually become people who get jobs and work and have families and become normal people?

Mr Priest—I think the Americans do it really well. They introduce juveniles at a young age to the shock and horror of what it is to be in an adult prison and what it is to lose what hope you have left for a good life. I think they do that remarkably well.

CHAIR—But then do they give them back-up to help them become law-abiding citizens?

Mr Priest—I have no doubt they do. There are some great programs in America, particularly the mentoring program, which is something we probably should be doing here too with young people.

CHAIR—We heard about that from the Justice Advocacy Centre yesterday.

Mr Priest—Mentoring is very big in America and it is remarkably successful.

Mr SECKER—For the record, I think it was in 1986 that the Vietnamese gangs were working out of South Australia. I think it was in 1986 that the Bannon Labor government brought in very lax marijuana laws. They were actually strengthened quite substantially last year by the conservative Olsen government. I wondered if you had any more information as to whether that sort of trafficking had reduced in, say, the last 12 months since that legislation was brought in.

Mr Priest—I really could not comment on cannabis production. When I was at the NCA in 1986, 1987 and 1988, we actually did focus on South Australia for cannabis and for Italian links, but it is only anecdotal stuff that I know with the Vietnamese gangs being caught in South Australia.

Mr MURPHY—Mr Priest, we can get access to the evidence you previously provided in relation to the corrupt police and unethical journalists, but I would be interested to know the current rank of the one unstoppable police officer that you referred to when I asked you a question earlier. Could you tell me the rank of that officer?

Mr Priest—Assistant commissioner.

Mr MURPHY—The unethical and dishonest journalist? Is it limited to the public broadcaster or are there commercial broadcasters and commercial journalists who are, in your view, unethical or dishonest?

Mr Priest—There are at least one radio, two television and one or two newspaper journalists.

Mr MURPHY—So it is a mixture of public and commercial?

Mr Priest—Yes, and they are all interlinked. They have all been associated for the last 15 or 20 years. They all come from the one foundation up at Gore Hill. Yes, they are a nexus.

Mr SECKER—What is Gore Hill?

Mr MURPHY—That is the home of the ABC.

Mr MELHAM—It is an ABC conspiracy!

Mr Priest—I did not say that, because they will come after me again this afternoon or this evening!

Mr MELHAM—The truth is that they have different views to you, haven't they, in terms of what they believe to be the way forward?

Mr Priest—No, the biggest and only problem I have with them is that they produced this James report for public broadcast knowing, after they had spoken to us, that the James report was a fraud and it was virtually a conspiracy to undo all the good that the Cabramatta committee did in the previous two years. It was designed to resurrect people's political careers and police careers at the expense of a kid and a suburb. For anyone that does that—they are supposedly investigative journalists—it is reprehensible.

Mr MELHAM—I can recall reading in one of the Sydney papers some suggestions about your conduct post one of the hearings of the state committee. There were serious concerns about the way you reacted in terms of getting on the telephone and speaking to certain people.

Mr Priest—I threatened journalists, allegedly.

Mr MELHAM—Yes.

Mr Priest—What is the point you are making?

Mr MELHAM—The point I am trying to make is that some people are genuinely committed but have different views and may take different directions. They might honestly believe the direction they are taking are the views that are honestly held.

CHAIR—I do not think we are just talking a different point of view. The fact of the matter is that Mr Priest has had his career destroyed by actions that were taken. I wonder if you would tell us, Mr Priest, what financial position you are now left in as a result? How have you left the police force? Sickness, illness—what is it?

Mr Priest—I was invalided, medically retired from the police. Only recently I had been denied any compensation from the New South Wales police but, owing to the interference and the persistence of Police Minister Michael Costa's office, that was set right. I have received a lump payment and I am on a police pension of about \$1,100 a fortnight at the moment. It is not pretty for anyone that risks an \$80,000 a year job to go back to \$26,000 a year. My wife is a nursing sister so we rely on her income.

CHAIR—That is what you are saying has been the price of being the whistleblower on Cabramatta.

Mr Priest—Exactly. I would have had at least another 12 or 14 years left in the police with superannuation at the end of it, but not any more.

CHAIR—Do you feel that, even with that cost, what you have given up and what has been done to you—the fact that you have outed a lot of what was going on—you did the right thing?

Mr Priest—In one sense I did the right thing but I wonder whether I did the right thing by my family for what I put them through and the cost that it has had to them as well. That is a balance which is hard to judge at the moment. I suppose history will see whether I did the right thing or not by them.

Mr MELHAM—One of the things really is that we need strong whistleblower legislation, both at a federal and a state level, that needs to be properly enforced.

Mr Priest—We do. Once again the United States leads the way with their witness protection activities. We should be looking to them to provide that sort of legislation.

Mr MELHAM—One of the recommendations that you will, I gather, urge on this committee, is to support strong whistleblower legislation at the federal and state level.

Mr Priest—Most definitely.

Ms JULIE BISHOP—That would include the strong confidentiality provisions for evidence that they give, reports that are written—

Mr MELHAM—That goes without saying but I am happy for that to go on the record.

CHAIR—Could you tell us, finally, what has happened to James?

Mr Priest—James is at last being looked after by the New South Wales police department, thanks to Ken Moroney. The promises that were initially made to him have now been honoured. Also the diligence and relentless behaviour of his solicitor, Paul Kenny, have made sure that James is now a lot better off than he was.

CHAIR—Mr Priest, this committee will be writing to Commissioner Moroney asking him to release the paper that he signed and the tapes of the interview to James so that he can have what clearly, to me, he is entitled to have. I do not know whether that will have—

Mr MELHAM—Mr Priest, we do not have the power to do that, of course, in terms of directing the commissioner.

CHAIR—We are not directing; we are writing to him and expressing our view.

Mr MELHAM—Which is a stunt.

CHAIR—It is not a stunt.

Mr MELHAM—As a matter of record I say it is a stunt, Madam Chair, because it is outside the terms of reference of this committee and I think it is outrageous to suggest it.

CHAIR—It has something to do with natural justice.

Mr MELHAM—It has nothing to do with natural justice. That is a matter for the New South Wales government and the police commissioner and an ongoing inquiry, not for this committee to buy into something when we have specific terms of reference.

CHAIR—I am sorry. If you think it is okay for people not to have access to what they have signed, that is fine.

Mr MELHAM—It is not a question of that. We have certain powers, Madam Chair. It should be said that this is outside the terms of reference of this committee. I put that on the record. It is not something I support, Mr Priest. There are other avenues for that.

CHAIR—Nonetheless, Mr Priest, I will be writing and hopefully James will get access to what I believe he is entitled. Has anybody got a further question? Thank you very much for coming today. Thank you for your evidence. I hope you are able to rebuild your life. Perhaps we can get some changes so we do not have a repeat of what has been done to you.

Mr Priest—I hope so, thank you.

Proceedings suspended from 1.26 p.m. to 1.53 p.m.

MONTGOMERY, Councillor Michael Andrew, President, Shires Association of New South Wales

WOODS, Councillor Peter, President, Local Government Association of New South Wales

CHAIR—The committee has received your submission and authorised it for publication. Would you like to make an opening statement?

Councillor Woods—Thank you, Chair. We have made a detailed submission on a number of matters but I would like to emphasise that the Local Government Association and its state executive is of the view that there are often too many negative attitudes towards crime within our society, negative to the extent that it is critical rather than constructive; negative to the extent that it seems to place no emphasis on the aetiology of crime and mechanisms and interventions that could be deployed to set an environment that would be less crime oriented.

My executive last Friday requested that I make this position very clear. They are concerned that politicians of all political hues are utilising and misrepresenting statistical material to set a political climate rather than one that would see better and safer communities which would be community oriented and would require the involvement of communities in order to overcome some of the antisocial activities occurring. In fact, I believe that in many ways we have moved forward from the disgraceful days back in the sixties when criminality ran rife within the state of New South Wales, aided and abetted by no less than the premier of the day, Premier Askin, and politicians and criminal heads of the police who were in league—and it has been well and truly documented—with the criminal underworld within Sydney and within the state.

Fortunately, as a result of a bipartisan approach by politicians within New South Wales, we have seen a move away from those extremely corrupt activities to one where there has been a dramatic improvement. As will be evident within our submission, there is still a long way to go, but we are of the view that identifying the problems and working constructively to overcome these problems is the direction that we should take and it should be done in a historical context—that is, looking at those periods in our history where criminality ran rife, where the police force was totally a corrupt organisation where a small minority felt that they were, in fact, being disenfranchised from carrying out their responsible activities.

Following the intervention of politicians from both sides and governments from both sides, I think we have seen dramatic improvements put in place. I think the Woods royal commission saw dramatic changes in the structure and organisation and process of the police force and that is to be commended. But to say that it is totally free of criminal activity would be a very foolish observation. Nevertheless, let us put it into context, and a proper context. There has been a dramatic improvement and we need to build upon that.

The second matter that I would like to raise is this: the aetiology of crime must be addressed but tends not to be. Unemployment, failure to provide meaningful activities and opportunities for young people, the failure to look effectively at discrimination, the promotion of racist attitudes within our society, all add to conflict and all add to potential criminality. For a long time we had a very proud record as a multicultural society that was recognised all around the world. I can certainly indicate, as President of the Asia-Pacific Region of the International

Union of Local Authorities and world vice-president, that the attitude of countries around the world to Australia has hit an all-time low in terms of the perception of racism that seems apparent in some of the directions that are being taken.

That comes back to our communities, where local governments need to deal with people in encouraging positive attitudes. It makes it extremely difficult to keep a cohesive community when you have these profound racist attitudes, not only prevailing but being encouraged. Wherever you have division within a community or in society at large you will have the potential for antisocial behaviour and criminal behaviour.

We need to bring about greater equity for people. We need to provide better educational opportunities. We need to provide greater resources for people in terms of their social welfare. We need to recognise that, unless we look at a whole of state need, we are going to have an increasingly impoverished group of people in the non-metropolitan areas with a different type of impoverishment than those who are impoverished within many of the metropolitan areas. But one thing that is common is a need for social action, a need to commit resources and a need to give leadership that will promote cohesiveness in society.

When people talking about the terrible crime within their society, I say they would be better deployed looking at the reasons for crime and coming up with some constructive social action and collective community action than running around bagging whoever is supposed to be responsible. Within a society, we are all responsible. It is how we deploy our resources, the priorities we give to the deployment of those resources, our commitment to social equity, egalitarianism and those principles that used to be held so dearly within Australian society and which gave us a leading position within the world, a position that I have already indicated we have fallen far behind with.

I believed it was most important that I address a broader perspective in which to look at some of the detailed submissions made, which are perhaps of a more conventional type. Ascribing blame is no way to overcome crime, nor social disadvantage. Working collectively to find solutions is what we should be doing, in the context of the history. Bad as we may see things in certain circumstances today, that drifts into insignificance from the despicable past that we have had at various times within this state through its governance and through its administrative institutions.

You will always have differences within the police force because of factions that have existed from time immemorial. They used to be related to religion; the Masons versus the Catholics. That seems to have disappeared now. That is well documented too, but fortunately we have grown up a little in our society, so that people are not divided on the basis of their religion. We have grown up on that notion. Nevertheless, divisions still exist and we see that by some of the negative attitudes displayed by some police yapping about the bad things, not talking about years ago when it was far worse and, importantly, not coming up with solutions. Local government wants to see solutions. The best solutions are proper resourcing, providing support for communities, making a commitment to end discrimination in all its forms and restoring Australia's reputation. I make those submissions, thank you, Chair.

CHAIR—Thank you, Councillor Woods, for your opinion. I found your history lesson interesting. You left out Minister Jackson in the Wran government getting convicted of taking bribes and going to jail and you left out a whole heap of things, but thank you for your opinion.

Councillor Woods—Chair, I did indicate a series of governments over a period of time. I believe there were many at fault from all different shades of politics, not just one. I would just like to emphasise that.

CHAIR—You just happened to leave those ones out. Councillor Montgomery, do you have an opening statement that you wish to make?

Councillor Montgomery—I come from a country perspective in New South Wales. Local government right across the state, I think it is fair to say, have a very good relationship with the police force in this day and age and are willing to work closely with both the force on the ground in their local government areas as well as with other departments which are mandated to deal with the issues that are important in the prevention of crime in our communities.

Certainly, a number of councils—whilst outside their purview—have taken a very keen interest in seeing crime rates fall in their communities, through being active in committees with police and government departments and they will continue to do that. Obviously, local government, as I am sure members of the committee would be aware, is underresourced when it comes to dealing with the issues that they have as a prime mandate, let alone getting into other areas that are the prime responsibility of the state or the Commonwealth. Nonetheless, we are committed to making sure that our communities do receive the sorts of services that they require and it is more than just putting more police on the street. You could treble the number of police in any country town and you would still have social problems which evolve into criminal activity.

It is very important that we engage those members of the community who at the moment do not feel as though they are part of society. We have seen it in a number of cases in country communities where, rather than work constructively with the powers that be in a community, they find themselves marginalised and throwing stones—literally and figuratively—at society rather than feeling that they are able to actively contribute to the community and that the community will in fact care for them.

One of the points Councillor Woods made was about social harmony in communities; how important it is that people have jobs and for community members to feel there is a future for them in the community. It may be something that parliamentarians across the nation have heard from country people for a long period of time, but it is important that there be economic growth in regional Australia, particularly in regional New South Wales, where we really are at the bottom end of the food chain when it comes to taxation delivery through the processes that have been traditionally adopted in Australia.

It is also important to be recognised that local councils are a conduit for government departments to come in and work with communities. A local council will air the concerns of a community and they will air them loudly and strongly, because they are a true reflection of the feelings in that particular community. Often you will hear councils beating the drum about law and order issues, but councils generally are looking for constructive solutions. Rather than just locking people up, they want to see that members of their communities can in fact engage and be engaged in a constructive way, so they are looking for alternatives to simply putting people before the courts and then locking them away.

I think it is fair to say there would be a small minority of people who would suggest locking up five per cent of the population would solve a lot of problems. Unfortunately, I am afraid I might be part of that five per cent—so I do not really endorse those views. Nonetheless, there are always going to be people who take a hard line when it comes to crime and I can understand that. It may not be crime, it may be the fear of crime. If you are an elderly person living in an isolated part of a community, whether it be isolation because of ill health or lack of services or isolation simply because of locality, you will be afraid that your life and property may be at risk. It is understandable if people feel that way. We need to address the issue of fear within communities, particularly among the elderly, who the statistics show might not necessarily be the target of crime, but are fearful nonetheless.

By engaging your local councils at a local level and giving them the resources to go out and use what they have available to them, but also to muscle up the resources that the state and Commonwealth properly should be putting into these areas, we can allay a lot of the fears. It is certainly well-documented in our submission, but ultimately I think it is important that we have a range of solutions, not just policing solutions, although that is important. I table, Madam Chair, the *Moree Champion* from last night concerning a football carnival held in Moree last weekend. There was a large number of police in town, but nonetheless there was no trouble. The fact that there were large numbers of police probably went some way towards having a quiet time over the weekend, but I think it is also some of the attitudinal change which has come about in that community over the last decade, where people are feeling much more a part of the community and want to have a good image of their community portrayed and consequently will keep some of the hotheads down that may in fact have been in trouble in the past.

So it is more than just putting police on the beat, although that is also an important element. It is about a range of issues, including job creation and a feeling among members of the community that society values them and there is a future for them in that community and in society in Australia that will benefit them and their progeny.

Resolved (on motion by **Mr Melham**):

That the newspaper article be received into evidence.

Ms JULIE BISHOP—It is interesting, isn't it, that the headline saying 'good behaviour' is considered to be the exception these days, rather than the rule?

CHAIR—Thank you, Mr Montgomery. Earlier in the day we heard evidence from three urban councils of differing sizes and demographics who spoke about the different ways they, as councils, dealt with their different problems.

Mr MELHAM—Sutherland, Marrickville and Canterbury.

CHAIR—In other words, there does not seem to be a problem which is common to all councils. Different councils have different problems and different ways of dealing with them. You representing the Shires Association would have a great knowledge of country shires obviously and we do intend to take this inquiry into country areas and to regional areas. We also heard from a lady from the CWA, speaking from her perspective. I would be most interested to hear of the types of strategies in country areas. Moree perhaps has a reputation but that really is a terrific headline to see. You said there were a lot of police there and we have had other

testimony that says if people really believe they are going to be apprehended, they are more likely to behave. What sorts of policies have been put in place by differing country shires to deal with, say, a drug problem or to deal with Aboriginal communities? We have stats that show just how involved with the crime Aboriginal people are. How are you dealing with that?

Councillor Montgomery—Obviously the solutions will vary depending on location, demographics and size. For example, Bourke—which is doing tremendous work with the Aboriginal elders and other members of the community through strategies that are particularly tailored to that community—will be different to a solution for a place like Moree for example, which on the surface may have similar issues but the solutions will be vastly different. Of course, a community like Armidale, which also has a large indigenous population, will also have a different solution to the issues that are confronting them.

The Attorney-General's Department Crime Prevention Division in New South Wales has been working closely with a number of communities on crime prevention plans and developing compacts between the police and the council with various community groups, whether they be chambers of commerce or Aboriginal land councils and the like. I think the message is that people need to be engaged and there needs to be sympathetic ears to the problems which are endemic in those communities.

CHAIR—Would you like to outline for us, for instance, the way policy would differ in Bourke from Moree?

Councillor Montgomery—Yes. In Bourke, for example, the resources are much more limited than they are in Moree. So the absence of government officers on the ground, simply because of the size and the location of Bourke, would mean there would need to be specialist people brought in at various times to assist in training local community groups. Also because of the size of the community it is much easier for the Aboriginal elders, for example, to be resourced to assist with juveniles who may, for one reason or another, be unable or unwilling to stay at home.

Mr MELHAM—So resourcing of mentoring is very important in the success of those programs.

Councillor Montgomery—Certainly a lot of the problems come from emerging from a home life that is less than ideal and I think people, regardless of who they are and what background they have, need positive role models. Unfortunately the Aboriginal communities have lost a lot of those role models within the communities, whereas I think the broader community probably still has access to them, either at home or within an extended family group within country communities. We should recognise that the specific difficulties Indigenous people have should be treated that way. It is not a racist thing to treat Aboriginal people differently from the rest of the community because they have special needs.

Mr MELHAM—It is about respect and sensitivity, isn't it?

Councillor Montgomery—Of course it is. By the same token, I do not think people should necessarily be labelled racist because they identify that there is a specific problem within the Aboriginal community. We have gone beyond that political correctness which was a bit of a blockage in the past. Country communities are often unwilling to raise issues simply because it

is so difficult to get investment and to convince people to come and live in the community. By wearing your heart on your sleeve, you are actually doing more harm than good in a lot of people's minds. Nonetheless, I think we should be open and frank about the problems that are emerging so that we can target effectively the meagre resources that we have available to us to combat some of these problems.

Mr MELHAM—Have you noticed a positive change in recent years? I must confess that I have, in terms of indigenous communities and local government in the regions, flowing on from that 1997 convention in Melbourne.

Councillor Montgomery—Yes. I think as a nation we have moved along. We recognise that Indigenous people in this country need to be engaged and they need to be respected for who they are and we have to target our thinking a little bit more towards the lack of opportunities they have. If we allow Aboriginal people in this country to continue to be victims of a lack of employment, of severe problems with housing, with being marginalised, we are going to reap a reward that none of us want to see. We have to start changing the way we assist those people to be able to secure a future for themselves, their children and their grandchildren.

We need to start recognising there is a level of abuse in Aboriginal communities that is unacceptable, there is still a lack of employment opportunity for Aboriginal people, Indigenous people in this country which is a national disgrace and we should be doing something much more constructive about it. We should be engaging industry more to provide the sorts of jobs that are long term and sustainable so the wealth coming out of this country can be spread a little bit more evenly across the communities. That is particularly relevant in regional communities.

Mr MELHAM—Thank you.

Mr SECKER—I am interested in your comments about the country because I represent a country seat. I come from the country and, especially in the smaller towns, the crime levels are pretty low, although I do not know what they are like per head of population. For example, I used to leave my house and car unlocked.

Councillor Montgomery—That is a crime in New South Wales.

Mr SECKER—What, to leave your car unlocked? Well, there you go! You learn something every day.

Mr MELHAM—We would not want you convicted and disqualified from parliament, Patrick. You could not win a seat.

Mr SECKER—That is right, yes. If you were in a town like Kingston, say, which has about 2,000 people, they were complaining recently of a crime wave because they had had two break-ins in a week and were quite seriously worried about the fact that they could not leave their house unlocked any more. But I suppose you could contrast that with a town like Murray Bridge, population 15,000, Mount Gambier 30,000, and it is a little bit different. What do you see are the differences between country policing and city policing? I know in my area a good country cop is considered one who actually tries to prevent crime rather than arrest. He will take someone home drunk in his own car, rather than let him drive and, if they get a hoon doing wheelies, they will tell them off the first time but the second time they will throw the book at

him—that sort of community policing. Do you see differences between how policing should be done in country areas compared to city areas?

Councillor Montgomery—I do not have a lot of experience with the city operations. Fortunately I have not had a lot of experience in dealing with police on the ground either—it could come, I suppose, in later age. Certainly, in small communities there is an ability to know what people are up to and to nip it in the bud before strife is created. The larger a community the more there is a honey pot aspect as well: people will come because of what is available, whether it be easy pickings in the break and enter area or access to drugs, or simply that when you get into a larger community the public housing is probably a little bit less efficacious. Often public housing in country communities is so run down that I do not blame people for not wanting to be there at night. If you are in a 40-degree heatwave and there is no airconditioning in public housing, you are going to go out into the street. At 3 o'clock in the morning it is probably understandable that people would be out there.

One of the problems, of course, is the way our family systems have broken down. We are not going to repair that by making changes to the Family Law Act. That is part of the way society has evolved. But certainly families need to have greater support. I think our submission talks about giving that support so that a single—parent family can have children in it who feel loved and also are given boundaries so they are not going outside of what younger members of a community have expected of them. Kids will push the limit regardless of where they are from—the city or the country.

Councillor Woods—Some time ago we were looking at the incidence of graffiti. On a visit to Tasmania a thing that struck me was that so many parts of Tasmania had virtually no graffiti at all. I was thinking about this and wondered if they had a ban on spray cans. Why is this? But of course it is really about a sense of community. I think it ties in. We cover, in the Local Government Association, most of the moderate and larger country centres. You will have chalk and cheese. You will go to some of those where a similar situation to Tasmania will prevail. It is a sense of community. It is about people feeling wanted. It is not about alienation.

Ms JULIE BISHOP—What do they do in Tasmania that would prevent the proliferation of graffiti. What do they do? Is it community based programs, or is it local government intervention? What is it?

Councillor Woods—I do not think it is about programs or organising people. One of the things I thought about was that with the highest incidence of unemployment in Australia, the greatest incidence of youth unemployment in Australia, surely this would be alienating people from their communities. But it is the sense of community, of people feeling part of a community, of everyone knowing each other. I think very often it is a lack of recognition and a desire to find, through artificial means, either recognition or to take out a frustration of alienation which might be there. We need to go back to that sense of community. If that sense of community can be manifested in a sparsely populated state like Tasmania, including some of the bigger centres, and in some of the country centres, then why can't we find the mechanisms for that sense of community? What is the cause of it? Looking for cause and mechanisms to involve, instead of running around and blaming people, is what we should be about. We could learn a lot from those small country communities in bringing those values into some of our bigger centres.

Councillor Montgomery—Even in the metropolitan areas, the place management programs have been instituted. There is one in Kings Cross and one in Cabramatta and there is certainly one in Moree, although it emerges in different ways in different communities. But I do not believe that it is impossible to create that sense of place within any community, regardless of the size of it.

Mr MELHAM—You do need proper resources.

Councillor Montgomery—Of course. Nothing is going to happen unless it is properly resourced, but it does not mean that it always has to be government resourcing. There is certainly a role for private industry to play in the provision of employment.

Mr MELHAM—So you are looking at a partnership approach, are you?

Councillor Montgomery—Partnership is a word that worries me because usually in government dealings it means that the Commonwealth or the state will come up with the idea and local government will end up paying for it.

Mr SECKER—Cost shifting.

Councillor Montgomery—Yes—tell me about that one. Certainly we can work in collaboration, but it is never going to work unless a community is engaged. Frankly, the best way to do that is through your local councils.

CHAIR—How would local government create jobs?

Councillor Montgomery—No. What I am saying is that private industry needs to create the jobs, because ultimately they are sustainable.

Mr SECKER—Local government can provide some of the incentives, as in making sure that the planning goes through quickly rather than being held up for six months. Those sorts of things can help industry a lot.

Councillor Woods—Local government can also be facilitators for reasonable economic development, as in fact was seen after the Kelsey report came down. Things started moving and then that all folded. All the opportunities are there. Local government is far better placed than state or federal governments to be a facilitator, but it does not have the resource base and so on. Wise central governments would utilise the presence of local government in its interaction to be able to do those things. Unfortunately it tends to be, as my colleague has indicated, unfunded mandates coming from federal and state governments rather than true partnership saying, ‘We will support you with resources. You are on the ground with communities. You facilitate caring communities that are active communities and economically viable communities and everyone is going to be happy.’

Mr MURPHY—Picking up on that, Councillor Woods, and Madam Chair, I would like to record that Councillor Woods is a councillor on the City of Canada Bay local government area which falls within my electorate.

CHAIR—I hope he votes for you.

Mr MURPHY—I am sure he does. I would like to congratulate him on his positive and constructive contribution here today and in identifying, at the conclusion of that submission, that Councillor Woods believed there should be proper resourcing and support for communities and ending discrimination in all its manifestations. Against that background and our terms of reference, which talk about the effective measures for the Commonwealth in countering and preventing crime, I would like to give Councillor Woods an opportunity to tell us how the Commonwealth effectively then might strengthen those objectives—that you have identified here today—with respect to countering and preventing crime.

Councillor Woods—I believe under our federated system of government that we have great opportunities that are often lost. We have COAG, which is a wonderful opportunity. I sat on COAG as a full member for two years when it was first established. Having sat on that, I said if we were looking at rail gauges or other areas of cooperation by government, we would never have made the stupid decisions we have. Having sat as a full member of COAG with the state premiers, the two chief ministers and the Prime Minister, representing Australian local government, I came away knowing, if we were going to make decisions on rail gauges, that we would have made the same ridiculous decision that was made back in the last century. This is very unfortunate. I can give you plenty of examples. We have all these time zones. Any time there is an attempt to bring some commonality, you have all these divisions and people running off in different directions.

I believe, in answer to your question, having experienced COAG and having sat on various ministerial councils, that federal government, state governments and local governments have to cut out the political nonsense—that is, the whole three of us—and we have to start identifying the needs within our Australian society and to sit down and address the most adequate sphere of government to be able to make that work and the division of resources to enable that to occur. It is not about who is bigger and who is more important and so on. It is about recognising that the three spheres have differing responsibilities and that the federal government is the most capable of carrying out certain functions; states—while we ever have them—are; and local government is the most capable to carry out some functions, but others not.

Having said that, if we are looking at the obvious existence of crime within society, we should be collectively addressing the issues and responsibilities on a cooperative basis; talking about the resources on a cooperative basis instead of ascribing blame and trying to make capital out of it. I say that from local government's point of view as well. I have seen local government representation of people sitting up and saying, 'This is terrible. We've got more crime. They're running drugs' and so on, as if it is some revelation. Where do drugs come from? From overseas. Therefore you say, 'That's the responsibility of the federal government.' Nonsense. We never get anywhere by addressing important social issues like this. The sooner we can have a COAG system working effectively and the three spheres of government sitting down at the table and working through problems and responsibilities the better off we will be.

Ms JULIE BISHOP—Mr Woods, are you saying that we should not confine ourselves to the traditional forms of federal jurisdiction—in relation to crime—at this level, with state jurisdiction over policing and local government jurisdiction over local crime prevention strategies, but rather throw all that thinking out and start again as to what level of government is best equipped to deal with what level of crime prevention and policing? For example, should

local government be involved in policing and security to a far greater extent than it currently is? Should it have powers in that regard that it currently does not have?

Councillor Woods—It may be an answer, but its power must also have resourcing.

Ms JULIE BISHOP—Yes, that goes without saying.

Councillor Woods—And it is very important that they go together.

Ms JULIE BISHOP—Reallocation of resources.

Councillor Woods—What is necessary is, quite frankly, that the politics in the three spheres have to sit down and address the issue on that basis and understand that whoever is able to do something best needs to be resourced. Of course, foreign affairs is the prerogative of federal and it should always remain the national government's responsibility.

Ms JULIE BISHOP—And customs.

Councillor Woods—But there is too much overlapping and waste of resources, duplication. Quite frankly I think the local government would be delighted to sit down—provided it was being done on a proper and equitable basis and provided the resources were there—to talk through the issues to see how better we would be able to deploy them. I would certainly urge that, as I have in all forums, in the federated sphere.

Ms JULIE BISHOP—Mr Woods, you started talking about Tasmania with its very low graffiti rate and the fact that, given its unemployment levels and unemployment of young people, it was interesting. I thought you were on to something there for a while. I thought we might be able to explore this whole sense of community further. But then I look at the New South Wales Bureau of Crime statistics and it seems that, whilst they might not be busy graffitiing the countryside, they are doing other things. Vehicle theft in Tasmania is the third highest per capita anywhere in Australia. Assaults have risen dramatically—some 70 per cent over seven years—and the rise in sexual assault in Tasmania is second only to the ACT in Australia. Robbery has gone up over seven years. Break and enter has gone down. The vehicle theft rate has just gone through the roof compared to every other state. Coming back to your point about aetiology, about the reasons, about why crime occurs, it obviously does come down to local factors, demographics, different issues that impact in different areas across Australia.

Councillor Woods—Yes.

Ms JULIE BISHOP—You see, I was excited about your thought on Tasmania, but I think these figures show a different picture.

Councillor Woods—I wish you would remain excited because I am particularly—

Ms JULIE BISHOP—I am generally excited.

Councillor Woods—excited with what you told me. If we are looking at the aetiology of crime, we have to go beyond the superficial statistics. What are those statistics? Without examining them fully—and I might say I have worked in this area over a long period of time—

Ms JULIE BISHOP—It was evidence given by the New South Wales Bureau of Statistics.

CHAIR—They are very reliable figures.

Councillor Woods—Yes, that is okay, but statistics, as you well know, Chair, can be used in all sorts of directions.

CHAIR—Not these. These we are relying on.

Councillor Woods—No, what you have to do is look at statistics. It is no good taking bland statistics. I think it would be demonstrated that graffiti may not be as profound there. Why? If you say break and enters seem to have diminished, why? But these other areas of criminal activity have increased. Why? We have to go beyond the superficial observation and ask—

CHAIR—That is precisely what we are doing.

Councillor Woods—I do not think you are if you are just taking statistics and saying, ‘There are the statistics,’ without looking behind those statistics.

CHAIR—Mr Woods, believe me, we are listening to a lot of people who are giving us background.

Ms JULIE BISHOP—That is precisely my point, Mr Woods.

Councillor Woods—Good, then we are both excited.

Ms JULIE BISHOP—We are.

CHAIR—Dr Washer is even more excited because he is getting the last question.

Dr WASHER—Gentlemen, I could ask you both this question. I think what you alluded to is that there is family, social and community dislocation which tends to lead to a high incidence of crime. I think that is pretty generally accepted. I will not argue with that. Again it comes down to a situation of funding that I think you have alluded to.

One of the fascinations is the lack of funding for indigenous people, and that is partly out of Commonwealth jurisdiction. What has gone wrong there? Why are you not getting the money? Are we not putting enough money into it, or is the money, sadly, getting short-circuited somewhere—like it often does, I hasten to state? If you want to say, ‘Let’s see more federal funding directly to local government,’ that is a theme which is catching on fire very rapidly in Canberra, I can assure you. People like me advocate that very strongly. I think states are starting to lose their shine. But you tell me about this example where we are bypassing states to a large degree for funds, and it is not working out.

Councillor Woods—You will recall, obviously, the capital works program that was introduced some years ago where the federal government allocated moneys directly through to local government. There was an attempt to criticise that but the Auditor-General indicated clearly that the management cost for the disbursement of \$350 million federally, to which was added \$150 million by local government across the nation, was 0.5 of one per cent management costs. It is in the interests of local government to ensure that the resources come through into their communities and, in cooperation with the communities, is properly deployed. When you have moneys coming through federal bureaucracies and then state bureaucracies, or only one of them, you will have a creaming off of resources, administration fees. Think of a figure—seven per cent or what have you, nine per cent; it does not matter—up to wherever you want to go. Cream it off and you are not getting the moneys through. I believe in many areas of deployment of funds in indigenous areas as well, moneys are being creamed off in both federal and state bureaucracies and they are not getting through. That is why we need the partnership. That is why the three spheres need to sit down, work out who can do what effectively and look at the mechanisms of getting resources straight through. Local government I believe has a lot to offer.

Councillor Montgomery—Can I add a few observations of my own. In a lot of cases good ideas are put into trials in country communities. They start to show results and then the money is pulled. You see it in employment programs, particularly the Aboriginal employment strategy that the cotton industry in Moree and Bourke was involved in. It was a battle to get continuing funding for it. In the education field teachers were employed to deal direct, one on one, with disadvantaged students. There was a trial and it seemed to be successful; then the money was pulled and never replaced. We get good ideas and are funded for a short period of time and then we seem to abandon them and expect them to roll straight back into the mainstream where they are lost. There is always a higher priority.

CHAIR—That is a very good point. Thank you very much for that. Thank you both for coming. It is always entertaining to hear you, Mr Woods. Mr Montgomery, thank you.

Councillor Montgomery—I am a much more quietly spoken chap.

Councillor Woods—But equally entertaining.

CHAIR—Thank you for your insight, both of you.

[2.41 p.m.]

TRIMINGHAM, Mr Tony, Founder and Chief Executive Officer, Family Drug Support

CHAIR—Mr Trimingham has brought with him some material in the nature of an exhibit.

Resolved (on motion by **Ms Julie Bishop**, seconded by **Mr Murphy**):

That the material of Mr Trimingham be accepted as an exhibit.

Mr MURPHY—Madam Chair, Mr Trimingham has his organisation within my electorate. I support him and have joined his Family Drug Support group.

Mr Trimingham—I should balance that up by saying Ms Bishop is my local member so I think perhaps that evens things up. Madam Chair, thank you for the opportunity to present further evidence to your committee regarding crime in the community. Before I talk about our sad constituency, I would like to make some opening remarks. I do believe we live in a great country. We are governed by good, well-meaning people on both sides of politics and all levels of politics. I do believe we have generally an honest police force who do the best they can. We live in communities that are generally filled with honest people and we live in families where the families themselves do the best they can as well. Often in these sorts of committees we focus on the problems and the negativity. Whilst we obviously should be striving to do better and make improvements, it goes without saying that Australia is one of the best places in the world to live.

I refer the committee to our written submission of 6 September. Our organisation is a self-help group which supports families affected by drugs. We have 1,800 members around Australia and we take 15,000 calls a year on our telephone help line from families in distress. Obviously my evidence today is restricted to the nexus between crime and drugs. However, the majority of crime in Australia is directly drug related and people committing crimes also often have drug or alcohol problems, so we believe our contribution to be significant.

The issue of drugs affects us all in one way or another, whether indirectly by the costs we pay for our insurance premiums or security or whether we have been victims of drug related crime. It is true to say everyone is affected in some way. Apart from drug users themselves, though, there is not a section of society more affected by drug use than the families of drug users. With problematic drug use, families live with an unending cycle of hope and despair. I am talking now about dependency; I am not talking about experimentation. We see the descent into problems, we see our loved ones lose hope, confidence and often a sense of self-worth and value. We see them start to neglect their positive attributes and activities. We see them wasting their money and time and losing friends within their social circles. We grieve over the loss of family activities, conversations, expectations, dreams and potential. We see our families disrupted by internal conflict, scapegoating, blame and chaos. We see trust disintegrate as we bear the brunt of the negative behaviour that so often occurs. We, as families, often face these problems in isolation, unsupported and unable to talk, sometimes even to our extended family and friends.

I think it is true to say that drug users are the modern-day lepers in our society and they are often treated like lepers. We, the families, feel the guilt by association. There is shame and a stigma that force us to isolation and helplessness and condemn us to carrying these burdens on our own. Over time many families crack under the strain; despite the human capacity to keep going, we can become worn out and give up.

With hard drugs, like heroin, we have the continuous overhanging possibility of death by either accidental overdose or suicide—and, increasingly, by the combination of substances and mental illness. Some of us have lost loved ones to drugs and we carry three great burdens. Firstly, our children predecease us. Having lost parents and friends, I can tell you that there is nothing like losing a child, for any reason. When we read coroners' reports and see the deaths are preventable and that no-one really need die from overdose, it is an extra burden to carry. Then, finally, in the eyes of the law and in the eyes of even some of our church people and certainly many in our community, our children die as criminals and sinners. These loads are overwhelming.

With all of the above to carry, we are also forced by the legal system to carry the fears of the criminal justice system. Inevitably, dependent drug users who cannot afford their habit are forced into prostitution, theft or drug dealing, which means the family faces constantly the anxiety about policemen arriving at the door, going to court, or all of the anxieties surrounding having a loved one in jail. I recently attended the annual general meeting of the Probation and Parole Officers Association. Unanimously that gathering of people spoke to me and said that 20 years ago they would never have seen about 80 per cent of the people they now have as clients. They are talking about people who are now coming into the criminal justice system who do not have a criminal mentality, who are not career criminals who set out to rob and steal and do the other things that sometimes criminals do. Most of these people are not naturally criminally minded. They have been forced by dependence and the way our society deals with drugs into criminal behaviour to support habits.

I personally know a young man called Matthew. I have known him since he was 13. He is now 26. I remember him as a 13-year-old. He was intelligent and sensitive. He loved animals and wanted to be a vet. He was a talented footballer and he came from a good middle-class North Shore home. Matthew still loves his family, particularly his 12-year-old younger sister. Matthew's heroin dependence saw him commit several armed robberies and he is now halfway through a secure sentence. The only possible benefit to jailing drug users is that it gives the family a bit of respite. It does very little else that can be construed as positive.

One frightening statistic is that the risk of overdose death is greatest within 72 hours of leaving jail than at any other time. People leave jail without case management, without anybody looking after them and without anywhere to go, generally. In contrast, drug treatment provides the antidote for most of the severe harms of drug use. When people are in treatment they are less likely to die, get diseases and commit crime. Unfortunately, treatment rarely brings to families what they really want—drug free kids—but it is a much better alternative to prison. In the United States there are two million people in prison and Australia is rapidly catching up project rata. In both countries it is ethnic minorities, drug dependants and mentally ill people who make up the bulk of prison populations. Real career criminals represent probably about 20 per cent of the population behind bars.

Family Drug Support has recently joined a coalition of concerned individuals and organisations in New South Wales to form an organisation called Beyond Bars. The purpose of this coalition is to promote social justice solutions to a range of criminal justice system issues and to dispel common myths about law and order. We are particularly concerned about the regular electoral law and order auction that is currently happening in New South Wales and that always appears as soon as election time approaches. Part of my tabled documents are the Beyond Bars fact sheets, together with Family Drug Support newsletters and invitations to the committee to attend our remembrance ceremony in November.

I conclude by saying that, if drug law reform is too difficult for Australian governments to cope with, we suggest that, at the very least, people with drug dependency in prison are entitled to the sorts of treatments that they would get outside prison. This not only means adequate and regular counselling, therapy and rehabilitation, but also should include methadone and other pharmacotherapies, and, if necessary, clean needles.

I conclude by quoting a grief-stricken father whose son jumped off the harbour bridge after being arrested for holding up a service station. He jumped because he was ashamed of the impact on his family and he had an absolute terror of life in prison. His father wept to me and said, 'He was not a bad boy. He was a sick boy and we did not deserve to lose him and spend the rest of our lives in misery.' Thank you.

CHAIR—Thank you, Mr Trimingham.

Dr WASHER—Mr Trimingham, I would like you to clarify a couple of things for me. I was fascinated with what you said and I totally agree, but we had some different perspectives put on things earlier today. Medical management or harm minimisation is a pretty broad spectrum of concepts. To me 'harm minimisation' means just that—and stop spreading the problem. But people here today, particularly the constabulary, have accused that of being an inhibitory factor in terms of limiting the amount of drug usage.

As you have acknowledged yourself, one of the means of drug spread is people selling the drugs to pay for their habit. Can you elaborate on that? Do you see that as being a bigger problem, as they say? The needle exchange program was also mentioned. I do not know how it works in New South Wales, but it was also targeted as being a way of encouraging further drug abuse, with people dragging other people—in a pyramid system—into a ring of crime and degradation. Can you address those issues.

Mr Trimingham—Certainly. I have talked to a lot of drug users in the last five years since my son died. Since I have been involved with Family Drug Support, I have not yet spoken to any drug user who said they started using drugs because they could use a clean needle. Why people use drugs is very complex. Why people continue to use drugs, knowing the harms, is usually because they have become dependent. It is never a matter of choice when it gets to that point. We have to look at what would have happened if we had not introduced the needle programs in the mid-1980s. We only have to look to Australia's record in terms of HIV, particularly amongst injecting drug users, to see the absolute benefits of that program.

Australia has an HIV rate amongst the injecting drug using population that is lower than eight per cent. New York, which did not introduce clean needles until about five years ago, has a rate of 70 per cent. Toronto, which initially did have a needle program and then reacted to the sorts

of comments you have mentioned and scrapped its needle program, saw its rates rise from 10 per cent to 40 per cent within two years of scrapping the program.

It is very important that those of us who advocate harm minimisation make it clear we do not condone or advocate drug use. It is a furphy that that actually happens. I have never met anybody who has had anything to do with drug treatment and drug programs who has ever said to any of their clients or anyone who is publicly using drugs, 'It's a good thing to do and you should go and do it.' I have not even heard them infer or suggest that it might even be halfway true.

Harm minimisation is like putting fences around your swimming pool. It is like having traffic lights and seat belts. It is like having safety switches on electricity. It is exactly what it says. The greatest form of harm minimisation, of course, is prevention and education to make sure people do not use drugs in the first place. That is an absolutely essential part of harm minimisation but it covers the whole spectrum. It works out the point on that spectrum that people are at. It is there not only for the benefit of the individual but for the benefit of their families, their communities and the country at large. As a country we do get those benefits from this program.

I cannot comment on evidence I did not hear but I would say that sort of comment often comes from either ideological positions of where people would like to be, or ignorance of what harm minimisation really is.

Dr WASHER—Other comments were made that the police were reluctant to apprehend drug traffickers who were visibly trafficking on the streets because of a policy here in New South Wales of harm minimisation. Users or people who were trading openly were not arrested or were not charged for doing that, but that is not part of harm minimisation, surely, in New South Wales, is it?

Mr Trimingham—I certainly would not regard that as a harm minimisation strategy. My own personal opinion is that I cannot see the point in ever charging a drug user. But coming down heavily on dealers, particularly suppliers and importers, I have no problem with whatsoever. Not charging someone—I have never seen that written up in any harm minimisation strategy or policy.

Dr WASHER—There were some figures also given about prison and people who are hard-core drug addicts. It was alleged that those people comprise about 17 per cent of the prison population. After a series of times of imprisonment, it dropped down to about six per cent of those people continuing to use drugs when out; the rest had given up. In other words, there was a suggestion that internment and withdrawing from the drugs perhaps had some curative effect on at least 50 per cent—and perhaps up to 75 per cent was mentioned—of people. Is that your experience in your work with prisons now?

Mr Trimingham—I cannot comment on those particular figures. I know drugs tend to be available in prisons, as they are available elsewhere. Obviously, in a controlled situation, the supply of drugs is likely to be less, particularly if more effort is put into enforcing that and more time and resources are put into policing that.

What I would point to, though, is what happens to those people when they come out of prison. As I mentioned in my earlier remarks, more people die 72 hours after coming out of

prison—or, incidentally, a rehabilitation centre—than in any other circumstance. It might have the curative effect of keeping them drug free for a period of time while they are in inside, but what happens to them when they come out? I suggest that the majority of dependent drug users are just thinking about that first hit. Whilst they may well be able to manage over a period of time without their drugs, once they come outside it is not the same situation.

Dr WASHER—Earlier in the day a particular person alluded to the fact that educational programs against the use of illicit drugs are not all that effective. What is your impression?

Mr Trimingham—We can always do better. We are starting to learn that we have to start early, with prevention starting almost from the cradle. We have to start looking at families at risk and helping and supporting them. Then education has to start at primary school. My belief is that effective drug education is one that is consistent, is part of a total life skills program and does not just mean a one-off lesson or program by George the Giraffe, or whatever his name is.

We also have to accept, though, that we are never going to eliminate drug use. Young people between the ages of eight and 12 may be adamantly against substances of all kinds, legal and illegal, but will often be experimenting at the ages of 14 and 15. If we are looking to eliminate drug use as a result of drug education, we are always going to fall short. Certainly I believe in effective prevention, I believe in effective education and we can always do more and always do better.

Dr WASHER—That is great. Thank you very much.

CHAIR—Thanks very much, Dr Washer. Mr Trimingham, obviously, as you said, losing a child is perhaps the worst thing that can ever happen to a parent and is something you would never get over. Of course we had young Anna Woods who was also lost in our electorate. Anna's parents' reaction to that has been totally different from yours.

Mr Trimingham—Yes.

CHAIR—One of the problems I have with the way you have developed your thinking is that accepting almost the legitimacy of the person going on taking drugs means they corrupt somebody else. Drug taking has increased, in the period where harm minimisation in its extreme form has come into existence, from 70,000 to 240,000.

The corollary is that, if we had a different policy where we were beating it in the early eighties, there might have been 100,000 kids who never would have experienced it—they would have been saved from it, from the soft message. I can never isolate the question of the need to look after one child from the detrimental effect it can have on another child and another child and another child. The man who you said had gone to jail for six years had been sent to jail for armed robbery, you said.

Mr Trimingham—That is right.

CHAIR—The figures are that we do not put people into jail for early offences. We have 21,900 people in jails of which 83 per cent have been convicted, but we have 59,000 people who have been convicted out there on non-custodial sentences. A lot of those people would have been first-time drug offenders. We had evidence today of how South Australia, which has

weak drug laws, has become an important centre for the heroin trade by Sydney gangs. Harm minimisation seems to mean many things to many people; it does not seem to have a fixed definition. To me it means rehabilitation, it means aiming to prevent; to other people it means it is okay to have drugs—laissez faire. It seems to me that we have a real dilemma. For me the overriding concern will be that, the softer the message, the more people we have as addicts and the greater the loss to our communities.

Mr Trimingham—You have raised a large number of points in those remarks and there are a few responses I have. In relation to the Woods, I acknowledge that they have a very different attitude to how policy should proceed than I do. I believe also that there were very different circumstances surrounding the death of their daughter.

CHAIR—There is still a dead child and drugs.

Mr Trimingham—There is still a dead child, and I am not diminishing that or underestimating their grief at all. But there is certainly a difference between having someone die at the relatively young age of 15 in an early stage of using a drug to someone who is older and a bit more entrenched in drug use. That does not diminish their right to have a point of view. However, an organisation like ours represents a large number of families who have lived with the problem. Believe me, most of our members at earlier points in dealing with the issue would have had different attitudes to the ones they now have. Personal experience does change you, when your children are dead. I would rather quite categorically have a live heroin dependant than where my son is now.

CHAIR—Even at the cost of corrupting other people?

Mr Trimingham—That is arguable—whether people corrupt other people. Most dependent heroin users realise how negative their behaviour and their lives are, and I do not think they necessarily corrupt other people.

CHAIR—Obviously we would always want a child to survive, to be alive. I do not want that misconstrued. My comment about the danger of it with other people is by having a soft message. But equally, like you, I believe each life is precious.

Mr Trimingham—I would like now to address the issue of harm minimisation. The drug problems that have escalated in Australia are part of a worldwide phenomenon. We are not isolated.

CHAIR—No, we agree with that. Our crime is going up; theirs is coming down.

Mr Trimingham—Every single country in the world has had an escalation of drug problems over the last 20 years. The countries that have absolutely totally restrictive regimes like China, Malaysia and Pakistan, continue to have escalating numbers of dependent hard drug users. The trade in illicit drugs is the second biggest in the world. The only trade that is bigger is the arms trade. We have a policy in Australia which has an overbearing principle of harm minimisation. The facts are, though, that we have still poured most of our resources into supply reduction—that is, pouring most of the money and most of our efforts into policing, into the courts and into prisons. It is absolutely true that 84 per cent of our resources go into that side of things. That is on United Nations figures. I thank God that we do have an element of our policy directed

towards minimising harm. I do not believe it is enough. I would argue with you about the messages. We have to live in the world that we live in, not in a world that we would all like it to be.

Mr MURPHY—Mr Trimingham, I would like to restate that I am a proud member of your Family Drug Support group and I would encourage your local member to become a member of your group.

CHAIR—With respect, speak for yourself and I will speak for myself.

Mr MURPHY—I am taking this opportunity because of the admiration and inspiration of this parent. Out of the most horrendous tragedy one could imagine, he has made a positive and constructive contribution in the public interest in terms of raising the awareness of the consequences of this terrible scourge called heroin. He deserves all the support and encouragement he can get. I appreciate what he has done in my electorate and he has great credibility, as evidenced by the numerous letters that he gets published in the major metropolitan daily newspapers.

Against that background, Mr Trimingham, in this inquiry we are looking at effective measures for the Commonwealth encountering and preventing crime. I noticed in your submission—because I read it very carefully—that you recommended:

We would like to see the NCA retained as a truly independent crime fighting body free from political agendas.

I would like you to expand on that. Yesterday we had the Director of the NCA before us. The NCA have a very important role to satisfy people like you who have great credibility and who are apolitical. Is there anything that the Commonwealth can do? This is an excellent opportunity to tell this committee. This is a very important committee. We are going to be travelling, I believe, to other states to hear what is happening there. You are an important voice, and I would like you to explain to me your concerns about the NCA and the political interference.

Mr Trimingham—Thank you, Mr Murphy, for your kind remarks. I will get to the NCA, too. It is important to say that, whilst I am probably notorious for standing up for measures to keep people alive, it is true that probably 99 per cent of my time is spent trying to support families to cope. We do that through a variety of programs and some of the material I have given you will explain how we do that. I am not wanting to corrupt anyone, any young person, and certainly not to give any sort of message that any substances cannot be abused and cannot cause you a lot of harm. In relation to the NCA, our position is a simple one. The NCA has been an independent body and that has been its value. Under the new arrangements proposed, that independence is likely to be lost and it is likely, we feel, to become a tool of government. Therefore that is a negative in terms of the community and in terms of organisations like ours.

CHAIR—What is your basis for concluding that?

Mr Trimingham—Why change from something that has been an independent body and not governed, to this point, by government?

CHAIR—There have been plenty of reasons before.

Mr Trimingham—Time will tell. Nevertheless, I say we would rather see the National Crime Authority maybe reformed and maybe have some problems ironed out. Why throw out the baby with the bathwater? It is just a fear. It may be ill founded.

CHAIR—I think so. There has been a great deal of support expressed by other people giving evidence for the new proposed Australian Crime Commission. It will have more powers.

Mr MELHAM—You are not Robinson Crusoe, though, Mr Trimingham. Your concerns have been raised by a number of people.

Mr Trimingham—Thank you.

Mr MURPHY—Mr Trimingham, another thing you raised in your verbal submission to the committee is the fact that there does not appear to be a proper management plan for those drug addicts who leave jail and—within 72 hours, I think you said—are at risk of overdosing. What do you think can be done to address that?

Mr Trimingham—Despite the fact that governments at all levels have poured more resources and more money into dealing with the drugs issue than ever before—it was absolutely essential that we do that—does not mean that we have gone anywhere near far enough. We still have a basic system that is abstinence based. We still tend to support treatment services that focus on somebody becoming drug free. The reality is that it is true that we need those services, but we also need holistic services.

I would like to see services that focus totally on case management so that people get whatever they need at the stage they are at. That applies to people outside jail and outside the criminal justice system, just as it does to people in prison. We see that people in the criminal justice system are at the very bottom of the barrel when it comes to services. There is a reluctance from governments at all levels to put any sorts of resources into helping those people.

As I said, people walk out of jail—they may have been dependent, they may have been abstinent from drugs and their tolerance level is low—and they are probably thinking about their first hit. Many of them do not have places to go to, do not have jobs to go to, do not have people to support them. They are highly vulnerable and highly at risk. As I said earlier, a lot are people who have been sick—either mentally or in other ways—socially deprived. We need to do more to try and assist those people with some sort of case management, some sort of follow up, some sort of assistance.

Mr MURPHY—Dr Washer picked up on this in his questions to you, Mr Trimingham. I am specifically referring to Mr Bob Bottom, who equally has the same credibility as you. Whilst the evidence he gave this morning would not leave us with the view of his absolute support for harm minimisation programs, I believe that what you said here today is entirely compatible and complementary to what Mr Bottom—

CHAIR—I do not think you can verbal him.

Mr MURPHY—No, but—

CHAIR—I think he had a very strong message and I do not think that is the interpretation I got.

Mr MELHAM—His advice was for zero tolerance.

CHAIR—Zero tolerance.

Mr MURPHY—But if he were actually to get a copy of what you said here, that would give him a better understanding—

CHAIR—For heaven's sake, John! That is your point of view. Don't verbal somebody else. He is for zero tolerance; do not misrepresent him.

Mr MURPHY—You have asked some fairly leading questions in this inquiry and I am entitled, in a positive and constructive way—like Mr Bottom and Mr Trimingham—to make Mr Bottom aware of the evidence that Mr Trimingham has given today because both of them have been important crusaders in fighting crime.

Ms JULIE BISHOP—Our role is not to make witnesses agree with each other. Our role is to take information.

Mr MURPHY—I accept that.

Mr Trimingham—I was not here for Mr Bottom's evidence—

CHAIR—Thank you, Mr Trimingham. I am sure you can give your own.

Mr Trimingham—I am certainly not an advocate of zero tolerance but I can understand what Mr Murphy is on about. I find this quite a lot when I sit down and talk to people—that is, we often get attention for the things that divide us when we look at these issues. There are certainly issues in this area that are divisive and polarising that the media tends to leap on and sometimes politicians, too. But the reality is that with everybody who is passionate about drugs and passionate about crime there is also an almighty lot that we agree on. I sat on the Australian National Council on Drugs and I got to know Brian Watters very well. We have the utmost respect for each other and we agree on probably 95 per cent of policy. The five per cent that we disagree on should not be something that divides us. If this is what you are getting at, Mr Murphy, we should focus probably more on what unites us than divides us.

CHAIR—Thanks, Mr Trimingham. We have heard evidence which is very much at variance with yours. We will be looking at things in the way it has been given. As I said, different people respond in different ways. The Woods family has responded in a totally different way to you. I admit that I have worked with the Woods family in what they have tried to do in Anna's memory. Different people's points of view are very strong. My concern is that, since we have had harm minimisation in its liberal form and its most laissez faire form, we have gone from 70,000 drug users to 240,000 and, of those, 80 per cent have hep C and I find that a very worrying statistic.

Despite all of that, the committee and I are very grateful for you coming and expressing the way you see it and for the work you are doing. I know that you are doing it from a compassionate base. It is up to this committee to look at the analyses and sort out the fact from the fiction. The fact is that overseas crime in like countries is coming down but in Australia it is rising—what are the components of that? We have a lot of things to look at. I do thank you for the compassionate work that you do.

Mr Trimingham—Thank you, Madam Chair. I hope that, when you look at those statistics, you look at them realistically.

CHAIR—Believe me, we will.

Mr Trimingham—Thank you.

[3.21 p.m.]

COLLINS, Mr Brett Anthony, Spokesperson, Justice Action, Prisoners Action Group and Breakout

LAWARIK, Ms Anna, Spokesperson, Justice Action

MARGUIN, Ms Ariel Josephine, Co-ordinator, Justice Action

YORK, Mr Anthony, Volunteer, Justice Action

CHAIR—We received your submission and we have received some additional information from you.

Resolved (on motion by **Mr Melham**, seconded by **Ms Bishop**):

That the additional information be received as evidence.

CHAIR—Would you like to make an opening statement, Mr Collins?

Mr Collins—Yes, please, Madam Chair. We represent Justice Action, the Prisoners Action Group, Australian Prisoners Union and also Breakout. We have a number of community organisations in our sphere of influence. We also work through an organisation called ICOPA—International Conference on Penal Abolition. Effectively, we represent offenders, prisoners, victims and the community as a whole. We are community members and we are an unfunded organisation. We have been linked back, probably for three or four decades, through different sorts of organisations. We have been involved in a number of campaigns. If you look at this particular brochure you will see we have a production company for which we supply our own funding. We do designing and printing for a number of major national unions—people like the CFMEU, mining and engineering and energy, the teachers federation, a number of community groups and some womens' movements.

We have been running our production operation for the last 18 years. From that financial base, we are able to work as a pressure group and also assist other organisations. On the last section of that brochure—on the back of the brochure—it talks about Justice Action itself which, in fact, is probably the best known of our faces. That is the form in which we have been involved. We are a community based organisation monitoring abuses of authority.

There are a number of campaigns in which we have been involved. More recently we were involved in the presentation of material to the Australian Institute of Criminology biennial conference, which was a big conference on crime. We presented on corrections in Australia. We were one of two organisations who presented at that forum. We were invited to the Senate inquiry into DNA databasing to present material. We orally presented material solely against the Federal Police and the Attorney-General's Department. We were also involved in the defence of prisoners' right to vote. We have been involved in a campaign, for example, to prevent the abuse by police, of verballing. We have been involved in welfare work for many decades. We funded for a period an organisation called Glebe House and have been involved in mentoring for

probably 18 years. We were involved in the campaign to expose the frame-up of Tim Anderson for the Hilton Hotel bombing. It was based at our organisation and was another successful and important campaign.

We very proudly represent the human beings who are the offenders within the community. We are happy to identify with them. We identify them as, in fact, good people. When you are looking at crime in the community, we ask you not just to look at those people out in the community but at the same time to speak to the prisoners. In recognising their humanity and to hear directly from them why they were involved in the crime, you are doing a service to the community in that process. Not to recognise their involvement in this investigation would be a mistake. For people to talk about other human beings and not to listen directly would be an inadequate look at crime in the community and why those people—the ‘offenders’—commit crime. We represent them in different national and international forums.

We were involved in the formation of the Australian Prisoners Union about four years ago. We would propose a number of things. We have subdivided our material. Ariel will talk about the overview of crime and the right of prisoners to information. Anna will talk about the ineffectiveness of sentencing. Tony will talk about social problems, mental health and drugs in the media. I will talk about community interaction with law enforcement agencies. Thank you.

CHAIR—Thank you for that. You might be interested to know that I think we received a submission from the Hoddle Street bomber.

Mr Collins—That is good.

CHAIR—Who wants to speak next?

Ms Marguin—I want to emphasise one of the things Brett said. Even if people have committed crimes and even if they are in prison, they are still part of the community. One of the big mistakes we seem to be making at the moment—certainly in New South Wales—is to suppress information going in and out of prisons to the extent that the prisoners are becoming divorced from the community. A huge percentage of people in prison will come out again so it is not a good idea for society as a whole to pretend that they are in some kind of cryonic suspension and will come back unchanged into the world, or possibly changed in a positive way. Prison does not often change people in a positive way, as far as we can make out. That is one thing that we need to consider. The community, as Brett said, includes people who are in prison—they are still part of the community.

Another thing I brought up in my submission—which was a bit of a rave, I am sorry, because I did it quickly—was to ask, ‘What is crime?’ I was quite heavily involved with the people who were affected by HIH when it crashed and it was appalling what it did to their lives. It still has not really come out. You hear a lot about what Ray Williams contributed to this and that, but you do not really hear how it has affected people. You might have heard because we—I was not working with Justice Action, nothing to do with that—very strongly recommended people to contact their MPs and complain about what had happened to them as a result of the HIH collapse. I am sorry to say that most of them did not know who their MPs were. We had to tell them, which is pretty sad.

They must have contacted people because in the end inquiries began to roll and hopefully heads will roll. I am picking on that issue because that is a type of violence—it was incredible. People lost their homes, their jobs, each other and people were on sickness support. I cannot see that as any less of a crime than somebody going around threatening people with a baseball bat—as long as they do not hit them. This had a very bad effect on people's lives. I do not recommend that everybody who was involved with HIH ends up in prison but what I do recommend is that when you are looking at crime you take a very broad focus.

CHAIR—But we do. That is why we have a royal commission.

Ms Marguin—I know, yes, but I find—from the bits I have heard and seen—it is very much focused on more or less the petty criminal thing, or the drugs, or the violent crime as in somebody holding up a gas station and that kind of thing.

CHAIR—Can I reassure you that we are looking at crime in its totality and some of what we are looking at is the newly emerging e-crime, fraud, identity fraud, highly sophisticated fraud—white collar crime, if you like—which is growing, which is a new demographic of people with many more women involved in it. We are looking at the very broad range. Please do not be under any illusions that we are looking only at one type of crime. We are looking at the lot.

Ms Marguin—Okay, good. Regardless, information is a really important thing for people to have in society about what prison is for. We gave you this little thing which was done quite voluntarily by one of Brett's children saying, 'What are prisons for?' People have to think about that because New South Wales—certainly, at the moment—is becoming the new penal colony and prisons are just there to shaft off everybody who is mentally ill or homeless and we do not exactly know what to do with them. We have to think very strongly about what we are trying to get out of any punitive system—if that is what it is—and if it is a correctional system then what are we trying to correct and is the effect going to be positive on a society as a whole?

One of the things which you, as parliamentarians, might be interested in is that in New South Wales a parliamentary inquiry is still running into aspects of the Department of Corrective Services. We heard from a couple of parliamentarians that the prisoners were not informed about this inquiry even though it was about corrective services. We sent the terms of reference to the inmate development committees, all through the official channels. We sent them to the Department of Corrective Services internal mail so they went to the governors of the prisons and thence to the inmate development committees, but they did not get there because an edict went forth that nobody was to get these terms of reference. A few of them got in because we sent them to individual prisoners but they were not generally distributed.

That is absolutely appalling. It is people's democratic right to know about parliamentary inquiries which affect them as closely as that one did. That is just one example which should concern you as representatives of some of those people, even in prison, because a lot of them can still vote—most of them still can. Most of them will come out. Most of them have families. You should try to look at that situation. I will pass on to the next person because I have probably said enough.

Ms Lawarik—I want to talk about sentencing. Increasingly what I am seeing more and more when we talk about sentencing is that we are talking about imprisonment. There is a hard line on crime: 'Let's get tough. Let's put people in jail for longer and longer periods. Let's put more

and more people in jail.' Those who have been to jail, particularly in New South Wales, with recent changes to the Bail Act, after they have been released for the rest of their lives, should they ever be convicted of another offence, as soon as they are charged, immediately put them in jail. Refuse them bail whether they are innocent or guilty because they have been to jail before. We are looking at using prison more and more as a first response rather than a means of last resort, which is what it is supposed to be.

What do we do when we put a person in prison? We completely isolate and exclude them from society. As Ariel was saying, we restrict the flow of information into prisons, we restrict their access to the outside world and we restrict the outside world's access to the prisons. They become completely excluded from the society to which they will return. The vast majority of people in our prisons will return to society.

Inside the systems, we have incredible overcrowding and staff shortages. That is something that is apparent nationwide and worldwide. That leads to further restrictions on the prisoners so that they do not get access to rehabilitation programs, they do not get access to educational programs, they are locked in their cells for longer and longer periods, they are left unsupervised, tensions build and they become violent people. If they were not violent when they went in, they certainly are by the time they come out.

Over the last 12 months in particular, a lot of specialists and experts in the field of criminology have spoken about the fact that an extremely high percentage of ex-prisoners are reoffending. Everybody seems to be using that as a reason to justify reimprisoning and imprisoning for longer periods. I look at that statement and those figures that say a high percentages of ex-prisoners are reoffending and I say, 'What the hell were we doing with them while they were in jail?' Why did we fail those people while they were in jail and fail to rehabilitate them so that when they came out they could lead normal productive lives?

Instead, what we are doing is putting people in prison, locking them up, cutting them off from society, not giving them any support when they are released and then we expect them to be very good, functioning members of our society after their release and to lead productive lives. How the hell can we reasonably expect that, with the way we have treated them, sometimes over the last many years?

As has been said by Brett and Ariel, we need to start looking at prisoners as part of the community. Simply because they have offended and been sentenced to a term in prison does not automatically remove them from our society. They are still a part of our society. At a Commonwealth government level, when these people are released from prison without rehabilitation, without education, without retraining, without appropriate assistance to join the workforce, they go onto our federal welfare system, and the Commonwealth government is paying for that. The Commonwealth government may not have a role in the states' imprisonment systems, but it certainly picks up the pieces the moment those prisoners walk out the gates, by then financing them, sometimes for the rest of their lives, because they are unable to regain employment.

Instead, we need to see perhaps some of that welfare funding being spent on programs inside the jails at a Commonwealth level to ensure that prisoners receive adequate training and support for when they are released, so that they can develop skills, develop their self-esteem et cetera, to become productive members of society. Maybe then we will see a reduction.

All over the world I cannot find a single expert who disagrees with the statement that the only thing the increased use of imprisonment does is increase overall crime in the community. If we are trying to reduce crime in the community, perhaps we need to look at the way we are dealing with offenders and stop using imprisonment as a method of first resort. We need to look more sincerely at alternatives to imprisonment and at working with people when they are in prison, rather than simply forgetting about them like we seem to be doing at the moment. If we are serious about reducing crime in the community, we seriously need to look at the way in which we are dealing with offenders, rather than simply trying to blame these people for all of our social ills that we, in large part, are creating through our own short-sighted policies. I will leave it at that and pass over to Tony.

Mr York—I have two issues to discuss: mental illness and drug dependence. There has been a great tragedy for the mentally ill, particularly in New South Wales, since deinstitutionalisation of the mentally ill.

CHAIR—Yes. The Richmond report.

Mr York—Right.

Ms JULIE BISHOP—When did that occur? What date are we talking about?

Mr York—From about 1980 onwards, really—the major deinstitutionalisation.

CHAIR—Yes. I might say they rewarded Dr Richmond by putting him in charge of the Olympics and giving him a gong. There you go!

Ms Marguin—It was a good idea at the time.

Mr York—The concept of treating people in the community is a good idea. But what failed to happen was the transfer of those resources from mental hospitals into the community. That has been the failure of deinstitutionalisation. The mentally ill have been left to their own devices.

CHAIR—It did not come as a big shock, though, did it?

Mr York—No. It was predictable.

CHAIR—The same thing happened in the United States and then we copied it.

Mr York—Yes. We are now suffering from that failure of funding in mental health services. The government, I think, was sold the phoney idea that medication would solve all ills, with community treatment orders. I was one who argued against that, because medication is only half the solution. Mentally ill people need good case management and they need welfare. They need something done about their poverty. They need good housing. They need to be clothed and, in some instances, they need to be fed.

CHAIR—Yes, and someone to care for them.

Mr York—Someone to care for them. The old mental hospitals did that, but they did not do it very well. We need to get our mental health services reinvigorated.

Ms JULIE BISHOP—Does that mean out of the community and back into some sort of formal framework? What do you mean by that?

Mr York—Many people with serious mental illness—the chronic schizophrenic population—need protected housing. For example, I knew a man in a housing commission flat—a very disturbed schizophrenic man. He was quiet, he was harmless, but he was dishevelled and he was incapable of feeding himself. Some local kids went in there and sexually assaulted him, smashed his furniture and spray-painted the walls in his apartment. The next morning he went down to Our Lady of the Snows, which is a soup kitchen at Central Railway, for his breakfast. On the way in, he saw his reflection in a shop window and he thought these people were coming back to attack him—this is a man who is psychotic—so he kicked the person approaching him, smashed the window and was arrested et cetera. This is a common story of people who are mentally ill.

CHAIR—When he was arrested, what happened to him?

Mr York—He was put in prison for a short time. Then he was assessed. He was found to be mentally ill, so he was transferred back to Rozelle Hospital. They said, ‘Oh, this is Peter. He’s being looked after by the crisis team. Discharged.’ He went back to his flat, where he had been sexually assaulted, so he was not really looked after at all.

CHAIR—He was only in jail on remand, was he?

Mr York—Yes. I think he was in for about two or three days—not long. This sort of occurrence is a common thing, where mentally ill people are involved in violence or assault. It is because of their psychotic symptoms. They get into situations with people—for example, the police—who do not understand schizophrenia, who do not understand the mentally ill and who are not trained to deal with them.

CHAIR—But they still have to deal with someone who has kicked somebody and kicked in a window.

Mr York—Of course they have to, yes.

CHAIR—That is still a crime.

Mr York—Had this man been in protected housing, this would not have happened.

CHAIR—That is right. I agree.

Ms Marguin—Prevention we are talking about, once in a while.

Ms JULIE BISHOP—What is the definition of ‘protected housing’? What do we mean by that?

Mr York—For example, our mental hospitals were established on grand estates—the Gladesville hospitals, the Callan Parks. When deinstitutionalisation started, moving people back into the community was seen as a literal thing, to move them out.

CHAIR—A bit like the Bastille?

Mr York—Yes. It would have been far better to redevelop those sites and invite the community in—to break down the walls, metaphorically speaking.

Ms JULIE BISHOP—We went too far. We went from institutionalisation to community and we did not approach it at the in-between stage.

Mr York—Yes, precisely.

Ms Marguin—They could have used the sites and just made it more humane but they were dumped in houses in Bondi Junction or God knows where.

CHAIR—Awful boarding houses.

Ms Marguin—And it was awful.

Mr York—Those estates were valuable, which is a great temptation for any government, and so they were sold.

CHAIR—We have just won a fight to keep our hospital on some very valuable land.

Ms Marguin—Manly.

Mr York—Of our prisoners, 61 per cent have a serious mental illness.

CHAIR—Do you have those stats? We have been searching for some stats like this.

Mr York—Sydney University, forensic medicine.

CHAIR—Thank you very much.

Ms Marguin—We can send you that. It was Sydney University Law School. We can get them for you.

CHAIR—Do you also have stats relating to literacy?

Ms Marguin—Yes, I think so—the education situation. There are so many people who go in illiterate and come out illiterate, when they could actually have a chance to—

CHAIR—Yes. We would be very interested to have those.

Mr Collins—It was a health survey of 10 per cent of prisoners in New South Wales about five years ago. That had quite up-to-date statistics and there was an update about two years ago.

CHAIR—We are very interested in looking at the question of early intervention, whatever that might mean—who are the people who ought to intervene and how it ought to be done.

Mr York—I think good mental health services would go a long way to helping people with existing mental illness but also having the deterrent effect of picking up people in the early phases of distress. Particularly the mental health community services because they assess people all the time and refer them—

CHAIR—We have stats on what the major crime is that they have been sentenced for. It would be very helpful to match that information about people who have illness and people who have virtually no employment skills—I suppose, that is the word I am looking for—to the sorts of crimes they commit. I do not know whether that has been done either.

Mr York—I have not seen anything personally.

Ms Marguin—There is a parliamentary inquiry going on now here, isn't there? Anyway, we will find out for you. We would like to emphasise—because the committee has asked quite often about resources—that the money that has been put into building the four new jails in New South Wales and others, presumably, elsewhere in the world is not being put into mental health.

CHAIR—I do not think you can do that competition thing. You do need to have jails. That does not mean to say that these other things do not have to be looked at. There are some people we have to be protected from.

Mr York—It would make sense, given this large number of mentally ill people in prison, to look at prisons as a starting point for rehabilitation.

CHAIR—Yes. I accept that.

Mr York—To use those resources.

CHAIR—Yes.

Mr York—I would like to say something about drugs. Having been a director of a heroin detox unit, having worked in alcohol detox units and court drug assessment programs and having been the director of a community mental health crisis team, I have seen a lot of this. Harm minimisation freaks me out. It frightens me.

CHAIR—Yes, it scares me.

Mr York—It really is a symptom or a response to prohibition. It is what you do when you have prohibition: you try to keep people alive. It is not the solution. Prohibition will continue to make drug dependence worse. You can go hard line, you can cut out harm minimisation, but drug dependence is going to get worse because I think you fail to understand drug dependence. Drug dependence really gets back to personal pain. Drug addicts are treating their pain. I know that probably goes against what you think, what you feel, but drug dependence really is a medical problem. Its root is a medical problem. In the end, the only solution is a medical solution. It is to give drug addicts back to doctors and let doctors decide how they are treated.

Ms JULIE BISHOP—Presumably to detox them. Wouldn't that be the ultimate aim?

Mr York—No. Everyone is different; every drug addict is an individual.

Ms JULIE BISHOP—Sure.

Mr York—Every drug addict is different.

Ms JULIE BISHOP—Yes, I am sure the treatment would be different. But the ultimate aim would be to get them off the drug.

Mr York—No, it's not.

Ms JULIE BISHOP—There are some people who will remain on—

Mr York—No, it's not.

CHAIR—Mr York, I understand that there are some people who hold the point of view that you hold, and we are pleased to hear that evidence. There are other people who hold a completely opposing view.

Mr York—Of course. It is horses for courses, I think. Many drug dependent people are quite capable of recovery, getting off their drug. Some drug dependent people are not, because of the nature of their underlying problems, and they may need medication for life. It is not unlike cancer, not unlike some other illness.

Ms JULIE BISHOP—I understand what you are saying now. I am talking about the ultimate aim.

Ms Marguin—Like depression.

CHAIR—Well, perhaps.

Mr York—It is a medical problem and, until politicians recognise that and act upon that, we will continue to have problems.

CHAIR—Mr York, that is your point of view.

Mr York—It is my opinion.

CHAIR—If there is one expression that sends me off my tree it is 'until those politicians'.

Mr York—Well, that's how it is.

CHAIR—We are not a generic caste.

Ms Marguin—We expect you to perform miracles.

CHAIR—We happen to be parliamentarians, for starters.

Mr York—My apologies.

Ms JULIE BISHOP—Magicians instead of politicians.

Mr Collins—I want to refer to another issue. That is having a partnership between community and government. At the moment, in dealing with crime there is almost a belief by the government that they can legislate against crime and they can bring in the big powers—the police and the prisons—and deal with crime. It is just not true.

CHAIR—It is true, actually.

Mr Collins—They can deal with crime?

CHAIR—In that they legislate for it. While we say murder is outlawed and it is a crime, that does not mean to say we will not have any murders. What it does mean is that, if you do it, the likelihood of getting caught is quite good and you will be put away.

Mr Collins—Well, that's not true. You will find, in fact, that for most crime there is nobody apprehended. The stats say something like five per cent of offenders of crime involve people going to jail. In fact, almost a minuscule number of offenders go to jail.

CHAIR—The stats say 21,900 people are in jail.

Mr Collins—Yes.

CHAIR—Eighty-three per cent of those have been convicted and are serving time and 40 per cent of them will commit again, the recidivists.

Mr Collins—Yes, but that is not—

CHAIR—We have 59,000 people who have been convicted of something and who are serving non-custodial sentences.

Mr Collins—Right.

CHAIR—I found those figures amazing because I did not realise that that was the proportion of people. In fact, we had some people give evidence that it is quite hard to get into jail in New South Wales and Victoria.

Ms Marguin—It is, if you want to visit.

Mr Collins—Madam Chair, the issue is not who goes to jail but in fact how many offences occur in the community—

CHAIR—There are 336,000 people charged before the courts each year—that means one man in every 14, I think it is, one woman in every nine and one Aboriginal person in every four.

As a result of all those charges, the bottom line is we have 21,900 in jail and 59,000 on non-custodial sentences.

Mr Collins—That is just a small percentage of the number—

CHAIR—I am not sure what happens to the rest of them. I have not figured that out yet.

Mr Collins—If you were to compare that to the actual offences that the community as a whole has to accept, it is only a minuscule percentage of crimes in the community. That is one of the issues—crime in the community. You are not talking about people who go to jail. The number of people who go to jail—

CHAIR—As I said, it is small.

Mr Collins—It is very small, that is right. Imprisonment is almost insignificant, except for the fact that that and the amount of resources that are absorbed from the community as a whole is enormous. The amount of money that has been taken from education and from health for imprisonment is enormous.

CHAIR—We pay for a lot of things where the cost is enormous but we regard that as the proper way to spend money in order that the society functions.

Mr Collins—Justice Action would propose that it is a very inefficient and destructive way. People who go to jail for minor offences become brutalised by the experience and then later cause violent offences—

CHAIR—That is the point.

Mr Collins—and cause more difficulties in the community. People who go to jail end up—

CHAIR—But they do not go for minor offences.

Ms Marguin—But they do—on remand.

Mr Collins—Most of them do go to jail for minor offences. It is worth looking at the statistics.

CHAIR—I have.

Mr Collins—Good.

Ms Marguin—Look at the remand statistics.

CHAIR—I did.

Ms Marguin—If you look at the graph—

CHAIR—The remand statistics are about 17 per cent.

Ms Marguin—Department of Corrective Services can show you a graph of how many people go to jail on remand and how many get custodial sentences at the end of it. It is a complete waste of people's lives to go to jail on remand.

CHAIR—Not really, because people have got very tired of having people who have committed things like rape getting out on bail and doing it to somebody else.

Mr Collins—The only reason they are held in jail in that intervening period before they go to trial—

CHAIR—Is because they have not been granted bail.

Mr Collins—Don't forget they are innocent people waiting for trial.

Ms Marguin—They are innocent.

Mr Collins—Those innocent people waiting for trial, charged by the police at the discretion of the police, are held in jail away from their families for long periods of time. They lose their houses and their families. At times they wait two or three years for bail, with a total devastation of their lives, whilst the court processes are not efficient enough to bring them to trial. If the court processes were correct, if the government was able to get its act together and ensure that legal aid was there and the courts were fully in place, then they would get to trial and then you would be entitled to deal with them and punish them accordingly. But you are dealing with innocent citizens and a very large percentage of those people who are charged with offences do not get custodial sentences after not being granted bail.

CHAIR—I have just said that. The number of people who are on bail is about 4,000, I think, if I have worked out the figures—

Mr MELHAM—And rising.

CHAIR—because governments have passed legislation that says they want to make it tougher to get bail. They have done it because they have had people out on bail who have committed the same offence.

Ms Marguin—That is a media beat-up. Very few such people who—

CHAIR—Not if you are the one who has had it done to you.

Ms Marguin—Very few such people do, and you consider the cost in human lives of the people who go on remand. You have brought up some old cases. Jamie Partic, for example, who went in on a traffic offence, on remand. He was brutalised and vegetablised. Many other people have suffered. Do you really know what happens in jail? Fortunately, I have not been to jail. It is absolutely awful that these people who have done some stupid little crime like shoplifting can go in there and be raped in a prison van on the way back from a court hearing by six people—

Mr MELHAM—Are fine defaulters still going into maximum security?

Ms Marguin—They do, yes, because they are all mixed up. The people on remand are mixed up. This is my understanding. Once they have got a sentence then they might be in maximum or minimum or medium, but when they are on remand they can all be mixed up together. It is a question of dog eat dog.

CHAIR—You are saying there is not a separate remand section?

Ms Lawarik—There is a separate remand section, particularly in New South Wales. We have the metropolitan remand and reception centre which is designed to hold approximately 1,000 inmates.

Mr MELHAM—What is it holding at the moment?

Ms Lawarik—It is generally working at capacity; so much so that we quite often have reports coming into Justice Action of people who are being held in police cells for anywhere up to three to four weeks because they cannot get into the prison system; the beds are not available.

Mr Collins—There is an essential issue here and we should make sure we focus carefully on it. That is, in the process of denying bail to prisoners you are then adding \$60,000 approximately per person. This is money which could otherwise have gone to legal aid and to ensure the courts run efficiently.

CHAIR—Yes.

Mr Collins—It is acting unfairly on the community.

CHAIR—I don't wear those comparative arguments of competition for the dollar.

Mr MELHAM—You might not, but I would not mind the evidence being given, Madam Chair.

Ms Marguin—Government always says, 'Sorry, we've spent the money on defence, so we can't give you any teeth,' or whatever it happens to be. But the thing is we are doing this because we know that there is that offset. It is opportunity cost. If you only have \$10, you have to decide whether you are going to spend \$5 on health and \$5 on prisons. It is a government decision which you do make. We have all heard about the pie and how small it is and we have all seen pie charts. You have been in politics a long time. If you want to see society improve during your next tenure, we would not advocate that putting lots more people in prison is the way to go. You are intelligent enough, surely, to see that there are good alternatives for most of them. There are really bad people, or they have done really bad things, but honestly the huge percentage are made worse. They were not that bad to begin with. All we are trying to say is please think of alternatives.

Ms JULIE BISHOP—We are looking for recommendations. Is the efficiency of the court systems a problem?

Ms Marguin—Yes.

Ms JULIE BISHOP—Justice delayed is justice denied, all that sort of thing. If you could get people in and out of the court system and get a result in a far more efficient and efficacious way, then the outcomes will be better.

CHAIR—What is the average period of remand? Do we have a figure on that?

Ms Marguin—We do not have one because Corrective Services will not talk to us. You can ask for this graph which shows you the average period. They did a study over 100 days of 1,000 prisoners. It is so graphic. Most of these people did come out within a very short time. Most of them were not there for 100 days. It was more like two weeks.

Mr MELHAM—Haven't there been figures produced by the District Court?

Ms Lawarik—Most people are dealt with in less than 90 days.

CHAIR—That is better than it has been before.

Ms Lawarik—But some people can languish on remand for anywhere up to four or five years.

Mr MELHAM—You are saying those figures are with Corrective Services?

Ms Marguin—Yes. They have good figures and graphs.

CHAIR—Can you just repeat that figure?

Ms Lawarik—Most people are released or are dealt with by the courts within 90 days.

CHAIR—Right.

Ms Lawarik—But I know of cases of people who, after four years of being in jail, have been found innocent.

CHAIR—What is the nature of the charge?

Ms Lawarik—It ranges across the board.

CHAIR—Like what?

Ms Lawarik—One person I am thinking of was in on sex charges but he was found completely innocent of all charges after four years.

CHAIR—Why was he on remand for so long?

Ms Lawarik—Because of the court procedure, the length of time.

Ms JULIE BISHOP—There could have been appeals within appeals. I have been involved in cases that have taken four years as a result of some very good defence work on the part of the defence team in getting matters to the High Court, through the appeals system, special leave.

Mr MELHAM—Alternatively, some hung juries.

Ms JULIE BISHOP—True; some of the outcomes of court processes. You would say, ‘Okay, this person has taken four years to get through the system but at the end of the day he/she proved their innocence.’ That brings me to the question of whether or not we should be considering some form of compensation when defendants get off on miscarriages of justice or acquittals or something. But we have no notion of it in criminal law.

Ms Lawarik—This person in particular was charged with various sex offences. On the first appeal to the Supreme Court all charges were overturned. He was found completely innocent. He returned to the country community where he had lived previously, to find his job was gone. The people in the community did not want him in the community anymore because the mud had been thrown and obviously had stuck.

Ms JULIE BISHOP—Anna, this does raise a very interesting point about what do you do to people who subsequently prove their innocence? It is an area where I would be interested to hear—

Mr MELHAM—They don’t prove their innocence. They maintain their innocence.

Ms JULIE BISHOP—You are quite right. Some would say it feels as if they have had to prove their innocence.

Ms Lawarik—I would say they have to prove their innocence.

Ms JULIE BISHOP—No, but that is how they feel. I would be interested to know what examples there are overseas and how—

Ms Marguin—Sorry, just before that—

Ms JULIE BISHOP—It is going to happen, though.

Ms Marguin—Yes, but before that—

Ms JULIE BISHOP—People are going to take years to maintain their innocence.

Ms Marguin—If people need to be held, and I am not saying that they do, but surely it is much better for everybody to hold them in more humane conditions. We know people who were raped repeatedly. They had done nothing except shoplifting, and nobody protected them. Where were the video cameras that were trained on Bilal Skaf? We know they were on, but where are those videos? We never see those videos. People are bashed, people are raped. Prison officers look on. We know this from personal evidence.

CHAIR—That is why I asked you about the remand centre. Does that happen in remand?

Ms Lawarik—Remand is the worst of all the prison situations because everybody is mixed together. You have hardened and violent people with innocent people.

CHAIR—You mean people who are hardened criminals on remand together with people who are—

Ms Lawarik—I will cite one example of a transgender prisoner who was arrested in December 1997 in New South Wales on charges of suspicion of drug dealing. She was very advanced with her process of feminisation, had been on female hormones since the age of 15 and was now about 40. She was sent to the protection section of the metropolitan remand and reception centre because they felt that was the safest place for her. Unfortunately, Protection also houses the greatest number of sexual predators because they are in danger from the rest of the prison community.

CHAIR—I see.

Ms Lawarik—The standard procedure for imprisoning a transgender person throughout Australia is to put them into a protection section, where they become far more vulnerable to sexual assault. As it was, this particular person was raped five times directly opposite the officers' workstation. She committed suicide that night. She was described by the coroner as an attractive young woman.

Ms Marguin—Just appalling.

Ms Lawarik—Assaults, rapes, violence of all kinds occur in remand at a far greater—

CHAIR—You said that was done in full view of somebody. What was done in that case?

Ms Lawarik—There was an inquest—

CHAIR—There obviously were witnesses.

Ms Lawarik—There were witnesses. There were witnesses even amongst the prisoner population who came forward in this case, which is unusual.

CHAIR—Yes.

Ms Lawarik—There was an investigation committed by the coroner's department. He recommended the immediate implementation of what was then a draft transgender policy, allowing for transgender people to be incarcerated in prisons in accordance with their gender of identification.

Mr MELHAM—Has that been progressed?

Ms Lawarik—To date one pre-operative person was sent to a female prison. She was subsequently accused of sexual misconduct. The charges, when they went to court, were not billed because the witnesses suddenly vanished. However, the charge of sexual misconduct remained on her prison file. She was removed from the female section back to the male prison

sections where, to this day, she still remains. No other person has gone across to the female system.

Mr Collins—This raises the other issue of access by the community. It is essential that prisons become seen as being part of the community. We are people who are community workers and we do not get paid. As such we are independent. We are, quite honestly, just members of the community with enough interest and enough connections to want to express our goodwill inside the jails. We are blocked because we are not employed by the corrective services or employed by any government department and, as such, we do not get access to the prisoners. In fact, we are seen as being a danger to the prison because, by being prepared to go in and talk to prisoners, we then hear about things such as the rape of transgender prisoners, or we can see the difficulties that prisoners are facing and then we expose them. So access by the community to prisons is absolutely essential. Some sort of legislative support from the central government—

CHAIR—We do have a system of prison visitors, don't we?

Mr Collins—No, official visitors who are nominated by the minister and who cannot disclose the information they get except to the minister himself. That is very different from community members—

CHAIR—But I would hope that if information such as you had was given to the minister, the minister would act.

Mr Collins—You would hope so.

Ms Marguin—They put it back to the department.

CHAIR—Not if you are half any good as a minister you don't. You have an argument with the department.

Ms Marguin—We need more ministers like you might have been.

Mr Collins—There are even issues like freedom of association inside the jails. There are some very basic human rights which accrue to human beings because they are such. There is a temptation to believe that prisoners are in some way slaves with whom you can do whatever you like. In fact, the worse you treat them, the better a government appears to be. That is a danger. At the stage at which you do not allow the community to go inside, when you criminalise families because they want to go in—for example, the mother of Skaf, who was on the front page of the *Sun Herald*, because she was willing to pass a love letter—excuse me—to her son who was 21 years old the day before and also wrote a map to show how he was and where he was living inside his cell. For that to be exposed in the media is an outrage. For the woman who, from the goodness of her heart, as a community member to support somebody so vulnerable—

Mr MELHAM—That is now subject to inquiry.

Mr Collins—Sure.

CHAIR—Mr Collins, please do not ask me on that example to feel sympathy. I am afraid as a woman I get very angry.

Mr Collins—I can assure you, that sort of thing is happening all the time.

Ms Marguin—You are a mother too.

CHAIR—You bet I am. I am the mother of daughters.

Ms Marguin—Another thing that might be good in terms of this—we have a person who is called the Inspector-General of Corrective Services in New South Wales. I understand that in Western Australia they have somebody who is in charge of corrective services and detention who reports directly to parliament. That would be great, if you could somehow see whether you see that works and extrapolate from that to the other states, because our inspector-general is a wonderful creature and he makes great coffee, but he only reports—

Mr MELHAM—That is in Western Australia, is it?

Ms Marguin—Western Australia is a good example. But he only reports to the minister and nothing is ever heard from him.

CHAIR—We are going to Western Australia for this inquiry, so we will call him as a witness and ask him about it.

Mr Collins—But that does not take the place of community access, which we have had over a long period, where we led an organisation called the Criminal Justice Coalition, which was a coalition of all organisations involved in the criminal justice area. For 2½ years we met with the minister and the commissioner every two months or every six weeks and we then did a tour of the jails, taking at times eight or 10 people in. We spoke with the prisoners directly. There was never ever a security problem. In the process we actually helped the management of the jails—

CHAIR—So what brought that to an end?

Mr Collins—It stopped because of a management decision at the commissioner level. He actually felt that he could do better by closing it down. It was never suggested that there was any breach of security. That sort of process where the community is involved means that you do not have the excesses that prison officers do, or the suspicions.

Ms JULIE BISHOP—I can understand where you are coming from in terms of community involvement. The only concern I have about that is the security issue. We are hearing evidence about how people in jails are getting drugs and people who had not been involved in drugs before they went into jail certainly are once they are in there. They are obviously getting in there somehow. Keeping the prisoners secure from abusive forces from outside or so that they are not abused in jail—I mean in the sense of people supplying drugs, because, there you are, and a dealer could find a whole—

Ms Marguin—But how can the drugs get in, when everybody is searched all the time? If there are still drugs—

Ms JULIE BISHOP—I am just saying there is a security issue that goes two ways.

Mr Collins—There is a security issue.

Ms JULIE BISHOP—The prisoners need to be protected from those who would abuse their position because they are in jail and the community needs to be protected. This is another thing we need to balance.

Mr Collins—The difficulty always is, if you tried to hermetically seal a prison, you would then lose all community contact.

Ms JULIE BISHOP—Sure.

Mr Collins—That would be impossible. There will always be tension between the issue of security and access, but what you can do is ensure that people going in do not carry things in.

Ms JULIE BISHOP—Yes, I accept that there is tension. We have to work out the balance.

Mr Collins—Management must get much better than it is now. With the community consultations or community access in which we were involved, there was never an issue of security, not once. In fact, we said deliberately that nobody was to cause any problem at all after we left the jail. We wanted to make sure that the management itself was not affected by our entry, and it never was. There never was any breach of security. Although at times they would have liked to attribute something to us, it never occurred. We were careful and so were the prisoners to make sure it did not happen. But the process of openness is a very important one. It is empowering to the community and empowering to the prisoners.

CHAIR—Mr Collins, we are going to have to wind this one up.

Ms Marguin—Just one more plea. Just think about the children of prisoners. I do not know if anyone has talked to you about that, but it is just appalling what happens when children try to visit the parents; one parent brings them in to visit the other parent. The way they are treated, the way that have to wait and the kind of suffering they go through is really bad. It could be much improved. If you find a better way in one state—because we cannot travel around—maybe you could recommend it. What happens here is not good at all. That only creates more family disturbances and obviously is not good for the kids' future. I would just drawn your attention to my last sentence, which says that the more punishment is permitted to simply mirror crime, the greater the risk of losing sight of any difference between them, of setting in train a brutalising cycle of violence and counterviolence in which the means ostensibly adopted to preserve a civil society end up threatening it. They are not my words.

CHAIR—Can I thank you all very much for your evidence today. It does give us a different side of our criminal system. We thank you.

Mr Collins—Will you get a chance to go into the prisons to speak to prisoners directly?

CHAIR—I did say we had had it from the Hoddle Street bomber. I'm sorry, it was the Russell Street bomber. And Sisters Inside. We have yet to make a determination how we will deal with those submissions.

Mr Collins—It would be a symbolic acceptance of their humanity. Even if you put aside a few hours in one day, I think people would see that as being at least an acknowledgment.

CHAIR—Mr Collins, this inquiry, as I said right from the beginning, is one we are doing without fear or favour and without political correctness. We want information and we want the best information we can have.

Mr Collins—You cannot talk about offenders without talking to offenders.

CHAIR—I hear what you say about that, but we will be doing it on the basis of information we require, not because we want to be seen as happy souls. Thank you very much.

Before I call Mr Woods, I have a matter I want to deal with. I have received a letter which concerns me a great deal. It is a letter that comes from the New South Wales Police Service and it is addressed to me, 'Dear Committee Chair'. It relates to evidence that we have taken and indeed to a document that I personally brought in, an affidavit concerning James. I am so angry at this letter I am going to read it.

Mr MELHAM—Hang on.

CHAIR—Yes, I am. This is written to me.

Mr MELHAM—It might be written to you. You do not have authority to act on your own. This is a committee. I think we should go into session first.

CHAIR—This is a letter written to me which is full of inaccuracies.

Mr MELHAM—I accept it is written to you, but you are here as chair of the committee, not as an individual.

CHAIR—As both.

Mr MELHAM—What I ask, Madam Chair, is that we adjourn for five minutes as a committee and give us the courtesy of having a look at the letter. I am not here trying to cut across you. I am asking you that we adjourn for five minutes. This will not stop you doing what you want to do.

CHAIR—You bet it won't.

Mr MELHAM—I think we should adjourn for five minutes.

CHAIR—I am prepared to have a short adjournment to show you the letter, but then I am going to read it onto the record because I am very angry. Mr Woods, can you wait while we just do this? Thank you.

Proceedings suspended from 4.12 p.m. to 4.17 p.m.

CHAIR—We are back in session. This letter says, ‘Urgent and confidential’ and is addressed to me. It then goes on to set out enormous inaccuracies. It says, ‘Dear Committee Chair—’

Mr MELHAM—I want to put on record, Madam Chair, that it is my advice to you that it should not be read out in the form in which you wish to read it.

CHAIR—Thank you.

Mr MELHAM—It is marked ‘Urgent and confidential’. This is a decision you have taken; it is not a committee decision.

CHAIR—That is right.

Mr MELHAM—I think that should be put on the record.

CHAIR—Fine.

Mr MELHAM—And that you have been counselled by some of us not to take this any further.

CHAIR—No, by you.

Mr MELHAM—By me.

CHAIR—Yes.

Mr MELHAM—That is some of us.

CHAIR—No, that is you—singular.

Mr MURPHY—I support Mr Melham. I would like to put that on the record too.

CHAIR—Good. The letter states:

Re inquiry into crime in the community, victims, offenders and fear of crime. I am writing to you on a matter of grave concern. I have been informed that yesterday evidence was given in Sydney before your committee by Dr Richard Basham in public and in camera.

Wrong—it was not in camera:

I understand Dr Basham made reference to the James report prepared by New South Wales Police and provided to the committee an affidavit allegedly sworn by the person code-named James by the New South Wales Parliamentary General Purpose Standing Committee No. 3.

He did not mention the James report. He did not provide the affidavit. I brought in the affidavit. It had nothing to do with Dr Basham at all.

I further understand that representations were made to your committee by Dr Basham and the whole of an edited copy of the affidavit should be released by your committee.

No such communication was made by Dr Basham either privately or on the record. The judgment to in fact put the affidavit as an exhibit was mine, and purely mine.

This letter is signed by Michael N. Holmes, Director, Legal Services, solicitors for the New South Wales police. He then goes on to say:

I urge your committee not to release the affidavit or any part of it or any other confidential material tendered to the GPS No. 3, for the following reasons. (1) GPS No. 3 took evidence in camera from the New South Wales Commissioner of Police, Mr Moroney, in relation to James. Mr Moroney has since referred the affidavit to the Police Integrity Commission of New South Wales in order that the issues raised might be investigated. (2) GPS No. 3 in its report tabled 27 September 2002 made the following recommendation. No. 1, at page 5, that the evidence provided by Dr Basham regarding the James investigation be referred by the Legislative Council to the Police Integrity Commission. (3) There are concerns for the welfare of James should any of the contents of the confidential affidavit be released. In this respect I note the GPS No. 3 said, Introduction at 1.16, a small group of witnesses sought to use the forum provided by the committee's public hearings to, in effect, conduct a debate with one another by reference to James. His credibility, his appearances in the media and the conduct of the police investigation into his claims as well as being an unnecessary and unproductive distraction, the committee is concerned that continued public debate about James is unlikely to be helpful to James, both in terms of his welfare and his personal safety.

With great respect, the release of this confidential material would not seem to fall within the terms of reference of your committee. For your benefit I enclose copies of the following relevant extracts from GPS No. 3 report, pages 3 to 5, James and the current review; pages 125 to 28, James. May I ask if your committee is considering a course of action contrary to this submission that leave be granted as a matter of procedural fairness to the New South Wales police to be heard on the issue. Further, your committee might see fit to check with the Police Integrity Commission if your committee is minded to do what Dr Basham has urged.

Dr Basham urged nothing. I asked the Deputy Commissioner of Police whether or not the man who we now know as James should be given a copy of the statement that he himself signed and has not been given; that he be given the tapes of the record of interview which he has not been given. When I asked that question of the New South Wales Deputy Police Commissioner he was handed a piece of paper and he then said he had no comment to make.

I received that letter today, which is so full of inaccuracies, having heard evidence from the former policeman, Tim Priest, that James had been verbally—then, here we are, and I am being verbally by the solicitor for the New South Wales police! To say that I am angry is putting it mildly.

I said in open forum earlier that I would be writing to the Police Commissioner asking for that piece of paper and for those tapes to be given to the man we now know as James and, my God, will I be complaining about this too. I find that an absolute affront to this committee.

[4.23 p.m.]

WOODS, Mr Stephen James, Clinical and Consultant Psychologist

CHAIR—We are very grateful to you for having waited so long. We are running behind but I know you have some interesting things to tell us. I know that you are to speak in New Zealand to a conference of police associations or police—

Mr Woods—No, police services from Australia, the United States and New Zealand.

CHAIR—Some of the things you are going to touch upon are profiling and related issues, using your clinical psychology skills.

Mr Woods—That is correct.

CHAIR—Would you like to tell us about it.

Mr Woods—As you have already mentioned, a significant part of my work as a clinical and forensic psychologist is to carry out personality profiles on offenders and also, in some instances, their immediate family. This is generally done to assist in sentencing, to assist with the management of these people, and also to assess their suitability for inclusion in special programs—and then, if included, potential management problems. Having profiled now a very great many offenders and their immediate family, it has become apparent that the majority of them share very certain personality characteristics and traits. A very significant proportion of them also share certain socioeconomic features and educational histories.

To illustrate this point, I have taken two offender profiles that I have carried out, and one family member profile. I would like to briefly mention these people and give you an overview of the sorts of offenders and family that we are talking about. The cases that I have chosen are very typical and, as such, I believe they provide a very realistic insight into how a person can become a career criminal as well as develop the belief systems that cause many of them to keep on offending.

Case study No. 1 is a young man, born in Asia, where he spent the first 13 years of his life. His parents separated during his first year of life. His father entered into a relationship immediately subsequent to the separation and, from what this young man tells me, it was probable that the father was having affairs during the marriage—that is, prior to separation. He was raised in a single-parent situation with absolutely minimal contact with his father. He developed very deep anger towards his father, towards anyone that he saw as having more, and especially towards any authority figure.

Upon arriving in Australia, he commenced school in one of the Western Suburbs schools. He had some difficulty with this schooling. This was due not to his intelligence—he is very clearly a bright young man—but to language. It was due to coming from a different system and not quite fitting in. He very quickly began to mix with a tough crowd. Like so many other young people that I have done work with, he developed the view that it is better to be seen as tough; it is also better to be thrown out of class rather than being seen as dumb.

By a very early stage of coming to Australia, he was experimenting with drugs and alcohol. By his mid-teens he was very much into them—almost addicted, you could say. Inevitably, he dropped out of school. He went along to the school party at the end of the year—he had dropped out but he was still mixing with a tough crowd—and, whilst there, he was recruited into a criminal gang, quite a known criminal gang. This young man tells me that it is quite common for this sort of recruiting of young people to occur. I have heard it mentioned that criminal behaviour these days is very much like pyramid selling. Well, this was exactly what he was being used for.

On the surface, this particular gang that he was recruited to could be seen as a Lebanese gang. The reality is that the leader was Lebanese but it was more a mixture of different racial groups, including people of Anglo-Saxon background. The reality of it also is that it was more an ideology than a racial bias that was driving this particular gang. The ideology, in particular, was that of anger. These people were very angry young men, looking for the opportunity to express their anger.

A worrying side also was that they saw themselves as not fitting into conventional society. They saw themselves as never being able to fit into conventional society, and so they were rejecting of what we would call our social norms. ‘Don’t trust anyone. It’s us against the world.’ The norm for these people is violence. Violence is seen as absolutely normal, the end always justifying the means, so when a person is being spoken to, or if they are speaking to someone, they will tell you whatever they think you want to hear. They will do whatever is necessary to get their point across, with absolutely no concern. This young fellow talked about punishment of people, tying them in chairs, dipping their hands and feet in petrol and setting them on fire: put them out and send them out—that was a good example.

This young man very clearly had an antisocial personality disorder. He had very major paranoid features. The worrying feature—amongst the many worrying features, actually—about this sort of fellow is that his behaviour was viewed by him as normal. He did not want to change. He did not see any reason to change. We are out of step with reality, according to him, and in any case, if he did want to change, he thought he would never fit in anyway, so why bother?

The second case study is a young fellow born in the Western Suburbs of Sydney. He came from a very dysfunctional family, a violent home situation. Both his mother and father are alcoholics. The home environment was characterised by chronic hostility, chronic fighting. The parents separated regularly and then would get back together again, much to his confusion as he was growing up. Eventually they separated permanently and, within weeks, his mother was bringing home boyfriends—adding to this young man’s anger and confusion—one of whom eventually moved in.

Against this backdrop of absolute madness—and I put that in inverted commas—going on at home, it is hardly surprising that he did not cope at school. If you are busy trying to cope with this insanity that he was being confronted with—these mixed messages—concentrating on your homework, listening to a teacher, was very unimportant. He started acting out at school. Again, it is better to be seen as a stirrer, it is better to be seen as a fun person, than to be seen as dumb. As he said to me, ‘Nobody wants to be seen as dumb.’ It is absolutely true. Seeing school as being completely irrelevant to him, he dropped out as soon as he possibly could. Mind you, in his last years of school he was barely there, but he officially dropped out as soon as he could.

As I mentioned before, this young man was angry, but by this stage of his life—15, 16—the anger that had long been there was becoming even stronger. He was angry at the world. He did not know why. He did not know how to express it. He just simply did not see himself as fitting into our society. He thought he could never fit into our society, just like this other fellow.

Not fitting into society, not fitting into a family—having no family, no-one to identify with—he began to identify with gangs. He saw them as having the same values. In fact, a worrying trend that I found about him, a very defined feature, was that he was defining himself as being from the toughest area in a particular suburb. That was his definition of himself: ‘I’m a boy from this area. We are tough. We do things to people.’ He glorified it. He wore it almost as a badge of honour to say that he could be with a criminal group.

He began to idealise local gangs, one gang leader in particular. This gang leader gave him some direction. He saw him almost like a father figure. He was a role model for him; he fitted his concept of what normal people do. After all, his normal world is one of violence, one of what we would see as madness. Of course, he was recruited into the gang and he was very happy to be recruited into the gang. This was almost like a salvation for him. It provided him with a sense of acceptance, finally. It provided him with a sense of belonging and it provided him with a perceived social status in the community he was living in.

His community was this microgroup; within that microgroup, violence was the norm and illegal behaviour was the norm. He was part of this glorified gang, this idealised gang. He had status in it. The gang was made up of people from various racial backgrounds, various ethnic backgrounds, and again there was this same ideology, this same driving force behind it. As with the first fellow, there was anger and he was looking for a way to express it. I diagnosed this fellow as suffering from, again, an antisocial personality disorder.

‘Personality disorder’, although it is a recognised psychiatric disorder, is a generic term and there are a number of subtypes that fit in it. People with personality disorders generally function in society. They are not the mad people that we might see. These are people who can hold down jobs. These are people who are seen to be out there functioning but they are all the time falling off the rails and they have very different values from other people.

The third profile I want to mention is a lady, the wife of an offender. The reason I have done profiling of this particular lady is that she has come to me through a charity therapy situation I do, a playgroup. To give a little bit of background again, there is all the predictable stuff. She was raised in a dysfunctional home; she was sexually assaulted by an uncle at age four. This was the first sexual assault that occurred to her. Further sexual assaults occurred, as they tend to do, by the uncle and by the neighbour. This girl never had a very close relationship with her mother. Her mother was out having too many affairs. Mum had no time for the kids; she was too busy meeting her own needs.

I want to come back to that for a moment. When I say ‘too busy meeting her own needs’, we are talking about a damaged person. It is not just some simplistic way of saying ‘a selfish person’; it is a damaged person. She developed a very close relationship with her father. Sadly the father, who was an alcoholic like the mother, died when she was aged 13. The one person she could relate to, to some extent, was dead. Mother, as I mentioned to you before, was meeting her own needs—her own need to feel loved and accepted, having lots of affairs. Of course, with the husband off the scene, this was great. She could openly have the affairs,

bringing the men home. Sexual assaults continued to occur with our young lady. She was also seeing mum being bashed up by these boyfriends. Her perception of life was that women are bashed and sexual assault is normal. How do you relate to men if you are female? Sex. How do you gain acceptance? Sex. Sell yourself.

At 14 or 15 years of age she escaped from the home onto the streets. I do not think I have to explain how she survived on the streets—or so-called survived. By 17 years old this girl had her first child. She had a few abortions along the way but she kept this one—her first child. She was in a de facto relationship. The de facto relationship inevitably broke down. By her early twenties this young woman had three children. She had been in numerous live-in relationships—they were not long enough for even the Family Court to call them de facto relationships—and every single one of them was physically and sexually abusive.

When I spoke to her about this she did not know any different. She thought, ‘This is normal.’ The concept of love, as opposed to just sex, was completely foreign. I could have been speaking to her in any language you want to name. She just did not understand the concept. It was unheard of. ‘Love? That’s sex. That’s how you get acceptance. That’s what men want and, of course, it’s all right to be bashed.’ What is the schema that was driving this particular lady, the mother of children out in the community? She sees abuse, sexual and physical, as absolutely normal. Her sense of self is so poorly developed that she only sees herself as a sex object or an object for violence.

But she is still trying to find the safe and stable relationships she never had as a child. She has this need. Trying to find them, she is having these sexual relationships. She has had very many. Due to a poor sense of self and what she sees as normal, the chances of ever finding a meaningful relationship—a stable relationship—are pretty minimal. It is an absolutely tragic situation.

This lady is still in her early twenties. Self-abuse and physical harm is common. Indulging in drugs is common. Alcohol—to differentiate between the type of drugs that she is into—she abuses regularly. She is perpetuating, sadly, the cycle she was born into. She is a living manifestation of a cycle she was born into. We do know her children are probably going to repeat it. In fact, if you were a betting person you would put money on it.

Ms JULIE BISHOP—Are the three kids living with her?

Mr Woods—Three kids are living with her, one child has been adopted out and there were numerous abortions. I don’t know the number, I am sorry, but there have been a few.

CHAIR—How do we help those kids?

Mr Woods—Indeed. The way I am involved with attempting to help them is to donate one day a week to these mums. I have 55 of them I am working with now, teaching them how to be mothers, teaching them how to play with their children. They do not know what it means to play, so by trying to help the children I am trying to help the mum.

This lady has a borderline personality disorder. People who are sexually abused—and it does not have to only be where penis penetration occurs—are predisposed to developing borderline personality disorders. The characteristics of these disorders are sexual promiscuity, sensation

seeking, drugs, being in and out of relationships where a person will initially be their partner and be put on a pedestal—seen as a godlike creature—and then very soon be the devil incarnate.

There are these changes in moods. I will just run through the general diagnostic criteria of personality disorder. There is an enduring pattern of experiences and behaviour that deviate markedly from the expectations of our society. The pattern generally manifests itself in cognitive distortions. By that I mean the way in which they look at the world. They do not see it through our eyes; they are wearing a different set of glasses. By their affective behaviour—and by that I mean the range of behaviour—they are very labile and they have entirely inappropriate responses to frustration.

Raising children? We all know it is pretty tough. Looking after kids is pretty tough in a two-parent family. When you are struggling and you have got all these frustrations and you are getting beaten up, the kids cop a flogging pretty often too. I use the term ‘flogging’ because that is what they use to describe it. ‘Little Johnny’s out of order? We’ll give him a flogging,’ and I am sure they do. They have very poor impulse control—almost none.

This pattern of behaviour with personality disorders is very enduring and it tends to be quite inflexible. It does lead to clinical distress, to impairment in social functioning, occupational functioning and almost every area of functioning. These are the people raising these children. What hope have the kids got?

Let me just speak a little bit about the children. I am thinking of one particular study that drew together 60 minor studies throughout the world, in developed countries and undeveloped countries alike. There is overwhelming evidence to prove that the children raised in environments that are characterised by chronic violence and instability are predisposed—they are odds-on favourites—to suffer major depressive or anxiety disorders in later life. The major depressive disorders and major anxiety disorders are the sorts of things that ultimately cost us socially and spiritually. They also cost us a lot of money in society. These are people who need very high levels of care. The children, prior to getting to the stage of being able to exhibit these major depressive or major anxiety disorders, begin to exhibit symptoms of anxiety and depression that manifest in major behavioural problems—oppositional defiance disorders, those sorts of things. These kids are running amok and they do not have any models.

We know from this overwhelming evidence that people are predisposed to suffer these. Females are at even greater risk. The males will suffer but females are at even greater risk. In these environments the incidence of sexual assault of the child, sexual abuse, is very high as well. The female children raised in these environments not only are at extreme risk, with an extreme probability, of suffering these major psychiatric disorders later in life, but also are highly at risk—and in fact they will do it—of exhibiting behaviour problems.

I chose the two case studies to start with quite purposely, to show people coming from an incredibly dysfunctional home environment. If the best you can do is to survive this, school does not matter. These are the people who are raising the children, so a cycle perpetuates. Every one of these damaged people is going to go out and have a few kids at least. Four is not unusual. They are damaging them. We have a problem that is increasing exponentially.

As for the fathers, these fellows are also emotionally damaged and they do not cope with any concept of the responsibility of looking after screaming kids and a crazy wife. What do they do?

Their role model has been their father. For him the perfect answer is alcohol, bash up the wife and leave. Simple. Then go out into another family and do the same thing again. Many of these children do not have a chance—not a real chance—of ever breaking this cycle. They have been learning from day one that what we see as dysfunctional and what we see as disturbed behaviour is normal. We are out of step with reality, according to them. ‘That isn’t how you do it.’

CHAIR—How do we help them?

Mr Woods—Can I come to that?

CHAIR—Yes.

Mr Woods—I have done all this work and you are going to have to listen. I have just a couple of anecdotal cases but they are real cases. A woman came along to see me who came from a reasonably stable background. Her daughter was going out with a fellow. She thought he was a nice enough young man. He started bashing the daughter so she thought, ‘I know, I’ll talk to his mum. I’ll call her up and we’ll sort this out. I don’t really want to interfere too much.’ She called up the mum and said, ‘Look, I’m really concerned your son is bashing my daughter.’ The mother said, ‘Yes, that’s what men do. What’s wrong? That’s normal.’

Another one concerns some of the young people I am doing some work with, as well as their parents. This is where they will differentiate between stealing and thieving. For them this is that anger towards those who have: ‘We’re only thieving. Thieving is acceptable. If you’ve got two rings I can steal one because you don’t need them; I do. I’m only thieving it; I’m not really stealing it.’ This cycle is not going to be stopped by punishing these offenders alone.

When you grow up in an environment where dad, or at least your mate’s dad, has spent time in jail, where you hero-worship some of these people, the thought, the theory, of going to jail does not frighten you. To help these people, we have to bring about a shift in attitude and perception about what is normal and what is dysfunctional. What is normal? What is dysfunctional?

In this regard, I have for the last number of years, as I said, been donating a day a week to a group of people out in the Airds area of Campbelltown. This is a housing area where crime is rampant. I have some stats here that I will, if I may, pass on to you.

CHAIR—Yes. We will take the stats as part of the submission. Mr Woods, could we receive what you have read out to us as a submission as well. That would be useful for us to have.

Mr Woods—Yes.

CHAIR—Thank you.

Resolved (on motion by **Ms Julie Bishop**, seconded by **Mr Murphy**):

That the document and statistics be received into evidence.

Mr Woods—I will give you a moment to look at those figures. They are frightening, and they are out of date—hopelessly out of date, in fact. The rate of crime, the violence in that community, has increased dramatically. I was smart enough to realise that I was only reaching a very small number of people doing this voluntary work one day a week.

CHAIR—For the benefit of members of the committee, particularly Julie, who has come from Perth, Airds is in the west of Sydney.

Mr Woods—It is in the west of Sydney.

CHAIR—St Andrews?

Mr Woods—West of Sydney.

CHAIR—And Green Valley is in the Bankstown area.

Mr Woods—That is closer to Liverpool, I would say.

CHAIR—The Bankstown-Liverpool area.

Mr Woods—Yes.

CHAIR—Thank you.

Mr Woods—Green Valley used to be known, when I was a kid, as Dodge City.

Ms JULIE BISHOP—Like *High Noon*?

Mr Woods—Yes, where the law doesn't go.

Mr MURPHY—John Wayne.

Ms JULIE BISHOP—Gary Cooper, actually.

Mr Woods—‘There's no marshal here. It's just the criminals running it.’ As you can see, the figures are extreme. They are not atypical of housing commission areas. In some of the figures that I have looked at, there are certain common facts associated with these communities. Crime rates generally are disproportionately high. Mental health problems are also disproportionately high. And we have what we call the Gestalt effect. If you put a whole lot of people in crisis together, this person brings their problem, that person brings their problem. You put them together, have an explosion, and end up with more problems than you started with, so the end result is greater than the sum of its parts. That is a Gestalt effect. These people tend to be in chronic crisis situations.

I started up a playgroup. I borrowed, begged—I was going to say ‘and stole’ but it is probably inappropriate in this setting, isn't it?—the use of a squash court, where I invited mums to come along and bring their kids. It started off with about two or three. I now have 55 families registered. They come along, they bring their children along, and we have dads coming along as

well. From what I have observed of these people, they not only are suffering from depression but also are exhibiting a lot of symptoms of post-traumatic stress disorder, the type that comes from living in a situation of chronic fear and chronic instability.

We sit down with them. I have a childcare worker who comes along and helps me out. We have the council able to donate something like \$1,500 a month. The childcare worker works for next to nothing and helps out with this. Through these women and fathers coming along and playing—where I am sitting playing with the child and I am also playing with the parents—they begin to open up and they begin to talk. These are people who would never conceive of going into a therapy situation. They say, ‘This is not a therapy situation. We’re only playing.’ They begin to open up and, by doing this, we are able to give these parents some indirect counselling or disguised counselling.

One of the very rewarding things that I am finding, as well, is that now many of them are beginning to question what they have always seen as the norm, that norm that I have been talking about. These people are finally starting to question it.

CHAIR—Will that make their life easier or more difficult?

Mr Woods—A number of them have been bashed because they have gone home and questioned the situation. A very great many of them have stopped giving in to so-called partners. I was again delighted recently by one young woman. Her relationship involved a fellow coming around about two or three times a week, usually after the pub. He was drunk. Rape was the normal way of having sex. The next morning he would apologise, promise her the world, and she would take him back. She is finally questioning that and, in fact, has taken out an AVO on him. It is a slow process, but it does start to get them to question it, and many of them are at least passing that on to the child. The kids are also seeing that, fortunately, they are interacting with a person who is not going to bash them up and is not a raving alcoholic—hopefully, a slightly better norm.

Very recently, it occurred to me that we have resources going begging that are at our disposal to help the children. Throughout Australia, a person who graduates in psychology, to become registered, has to do an internship. It is very similar in many ways to a medical internship. In the case of psychology in this state, it means doing about 160 hours of placement work. People are doing a specialist postgraduate degree to become clinical psychologists. That is people who have already done their undergraduate degree, have done their internship, practised for a little while and have now gone back to university to do a postgraduate degree. They have to do block placements, usually for about three months, in some clinic.

I have had these people coming to my clinic, saying, ‘I will work for you for nothing,’ and ‘I will pay you \$100 an hour if you will supervise me.’ We have students throughout every university in this state—and we have internships in all the other states as well—who cannot get placements; people who are already graduates, practising; people who are just new graduates wanting to get registration.

Ms JULIE BISHOP—Where is the system failing in that regard?

Mr Woods—We are not using them. We are just not using them. It is crazy, isn’t it? I recently approached a university and said, ‘Look, if I set up a centre, will you send these people to me

that I can then use in a therapy situation?’ They said they would. I spoke yesterday to another university and said, ‘Will you do the same?’ ‘Yes.’ In fact, they are starting to fall over themselves now to send these people to me. I have also put a submission in to the federal government very recently under the Sustainable Regions project.

Ms JULIE BISHOP—On what topic?

Mr Woods—To ask for funding to set up a much bigger clinic to deal with these people. I have asked for three years of funding, and it is roughly \$1 million for three years. The cost of employing one clinical psychologist to act as a consultant almost works out to more than that over three years. I have the figures available, where I have done a breakdown of it.

CHAIR—Have you already started to measure the efficacy of utilising those graduates who are doing that period under supervision and the impact they are having on communities? Have you already started to measure that?

Mr Woods—No, I have not started in that regard, but what I can say is that there are a number of clinics—private clinicians—using these people and charging out. I can take a graduate intern doing a clinical degree, put him or her in my practice, charge at the schedule fee of \$165 an hour and pay them nothing. These are people who have practised as registered psychologists for years already. I do not have the figures, but they are obviously doing something. They have been working in the area. The new graduates are used in community health centres. They must be able to do it, would be my answer. No, I have not. I have not had the chance to do so as yet.

CHAIR—But you intend to do that?

Mr Woods—I intend to do so. As part of my submission for funding to the government, I approached a large public relations firm, which has offices throughout Australia as well as in London, and they have offered to work on a pro bono basis to promote it so that it will become self-funding within three years.

CHAIR—I think that is a scheme that has a lot of merit.

Ms JULIE BISHOP—That has gone to a parliamentary committee on regional funding?

Mr Woods—At the moment it is with the local committee who have to recommend to Canberra as to who they will give it to. There are six regions in Australia which come under the Sustainable Regions area.

Ms JULIE BISHOP—That was it—Sustainable Regions.

Mr Woods—Yes. As I have stated, if we are going to have any real chance of breaking the cycle where offenders are reoffending—but, more worryingly, where offenders are being educated to be offenders, the children being brought up through the system—we have to deal with these children at an early age, before they develop this distorted view about what is normal. We have to be able to reach the mothers as well so that they begin to question what is going on, to provide these children with a genuine chance. That is how we help the kids.

CHAIR—Julie, do you have any other questions?

Ms JULIE BISHOP—No, I think it speaks for itself. I do not have any specific questions about it. I will obviously be very interested in putting these ideas—I think we all accept that early intervention is one of the answers—to people who are involved with child—

CHAIR—As with the first time we tried to get an answer to that question on early intervention, the first question I always ask is, ‘Who is intervening and how?’ You have supplied us with some answers as to the who and the how. If along the way you got some empirical evidence that shows how successful it is, we could begin to have a model.

Mr Woods—There are a lot of these people who are volunteering to come along who have worked as psychologists for years. They are registered practitioners. They want to get their specialty training. They are competent, capable people. They are going to be effective. I do not have the numbers available, but these are the same people who would be working in an area health centre. I have written all over my notes that I have here.

CHAIR—That is fine. You can send us a clean copy, if you like, if you want to keep your notes, or we can make a photostat.

Mr Woods—I am happy to give you a clean copy, or give you this one. I have as a clean copy something I put together on some of the facts over various housing areas, some of the basic facts, and I have a little bit here that I have written on on the failure of the current strategies to treat it. The Health Commission one places area health centres; they are hopelessly over demand, undersupplied and very expensive. They are not working; they just cannot. With all the best intentions in the world—and I am not being critical—they just cannot meet the demand.

CHAIR—Thank you very much for that. Mr Woods, I do thank you very much. Beginning to find an answer to the who and the how is of enormous help to us. I do apologise for keeping you waiting in the course of this inquiry but we did have quite a bit to do.

Mr Woods—I understand.

Resolved (on motion by **Mr Melham**, seconded by **Ms Julie Bishop**):

That this committee authorises publication of the evidence given before it at public hearing this day, including publication of the electronic parliamentary database of the proof transcript.

CHAIR—Ladies and gentlemen, that concludes today’s proceedings. I would like to place on record my thanks to all the witnesses who have appeared today for the information that they have given us. It has been a very diverse set of witnesses. As the inquiry continues, we are building up a most valuable database which hopefully not only will be of use to this committee but also will have an ongoing use for many years to come.

Committee adjourned at 5.03 p.m.