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HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

Reference: Crime in the community

MONDAY, 18 NOVEMBER 2002

GERALDTON

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HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

Monday, 18 November 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 Bishop, Mr Cadman, Mr Kerr and Mr Murphy

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

Committee met at 9.11 a.m.

CHAIR—I declare open this 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. Through this inquiry the committee is able to investigate crime in Australian communities and its effect on those communities from a number of perspectives. The committee will also look at the way all levels of government can work together to combat crime. To date the committee has received over 100 submissions, and we expect to receive more.

The committee is very pleased to be here in Geraldton today because we are particularly interested in investigating crime and the perception of crime in Australia's regional and rural areas. We want to see in what way the concerns of those in regional areas differ from those in the cities, but we also want to know how they differ between the various regional centres and towns. We also want to look at how different communities are dealing with crime and what sorts of strategies are being put in place across the country, whether it is by councils, local police or active community groups.

This morning we will hear from a number of people separately, including the Geraldton police and stipendiary magistrate Dr Michael King. This afternoon we will change the format a little and have a roundtable, which will allow interested organisations and individuals to have their say. We are commencing this morning with evidence from Dr King, who has also made a submission to the committee.

[9. 12 a.m.]

KING, Dr Michael (Private capacity)

CHAIR—Welcome. Do you have any comment to make about the capacity in which you appear before the committee?

Dr King—I am a stipendiary magistrate but I appear in my own capacity rather than on behalf of the magistracy or the government as a whole.

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

Dr King—Yes, thank you. I am delighted that the committee is sitting here in Geraldton to ascertain the concerns in regional areas. I think Geraldton has a lot going for it in terms of interagency cooperation and cooperation between government and community agencies in dealing with crime, not simply on the preventative level, where there are examples such as the Geraldton Aboriginal Reference Group, but also in terms of sentencing, where there is the example of the Geraldton Alternative Sentencing Regime. Those are some of the examples of interagency cooperation and working together. The Safer WA committees also illustrate the value of agencies, groups and members of the community working together to get a better outcome. My submission to the committee was on two levels. Firstly, it was basically concerned with the sentencing paragraph of the committee's terms of reference. My submission suggested that there is more that the courts can do in terms of their processes to further the prevention and lowering of crime and of offenders coming before the courts. Secondly, my submission suggested that one needs to take a broader, more holistic view of the personality in terms of informing principles that direct the court in sentencing.

For example, the principle of deterrence, which is an essential part of the way the court approaches sentencing, is based on utilitarian ideas developed in England 300 or 400 years ago. Essentially, they say that a person avoids pain and pursues pleasure and that, if one imposes punishment, an offender will rationally decide to avoid the pain that would come from committing an offence through the punishment imposed by the court and will pursue law-abiding behaviour. The day-to-day experience of the court is that most serious offenders commit their crimes under the influence of drugs, when their rational processes are not working particularly effectively, or that there is life trauma or stress that has interfered with the offender's cognitive functioning. Deterrence is a necessary part of the criminal justice system. There is evidence that a system that apprehends offenders and punishes them through court processes has an effect in deterring crime, but one has to appreciate its limitations. Deterrence in itself is not enough to resolve difficulties in terms of offending, because a lot of the time offenders have significant personal issues and significant dysfunction that need to be resolved.

One aspect of sentencing is rehabilitation, which is essentially concerned with promoting the wellbeing of the offender: restoring to health someone who comes before the court with substance abuse or other problems that have caused them to offend. Therapeutic jurisprudence, which is one of the more recent developments in the law, says that court processes can have either a positive or a negative effect on a person's wellbeing, whether it is the defendant or

someone else participating in the court process—a member of a jury, a witness, the counsel or the judicial officer. If court processes can be used to promote the rehabilitation of an offender the community has a better outcome. In that regard, an outcome of the Geraldton Alternative Sentencing Regime evaluation has been that many people coming to court perceive the court as being there simply to punish. Yet, under the Sentencing Act of this state and the Commonwealth Crimes Act, one of the essential principles the courts apply in sentencing is rehabilitation. But if offenders see the court as being there simply to punish, the court's ability to promote rehabilitation is compromised.

One of the outcomes of the alternative sentencing regime is that participants in the program are now seeing, for the first time, that they are part of a network that assists them to get over their substance abuse or other offending related problems. So there has been a significant change in the way that people view the criminal justice system through the use of appropriate court processes. In this regard, in Geraldton we use judicial management of offenders in collaboration with a treatment team. We use interactive processes in the court when the person comes back for regular review. They are accountable to the court for the rehabilitation programs they do. Through their participation in the program they are accorded respect as an individual, and they develop over the three or four months they are supervised by the court. Already we are getting some very good outcomes in terms of people moving away from significant substance abuse problems and, in one case, anorexia and the drug use that came from that. People are moving from lack of employment to engaging in constructive employment in the community and engaging in community activities. This is one aspect in a regional area where a collaborative project involving the court, the police, community justice services, local treatment agencies and the legal profession is doing something to try to address crime.

That, in a nutshell, is the thrust of my submission. We are also trying innovative strategies that have not been used elsewhere in Australia but have been used in the US. One example is the use of transcendental meditation. The reason we use it is that many people coming to court are highly stressed and highly anxious. For some, that has been a critical factor in their abuse of substances. So far, 40 offenders have learnt the technique, and many of them have reduced their anxiety levels and substance abuse as a result. If you look at the literature you will see that there is increasing evidence of the link between stress and substance abuse. Stress is also implicated in a wide range of health and behavioural disorders. I would submit that one of the aspects that have not been properly addressed in the past in terms of the criminal justice system response is the need to address the offender's stress coping skills.

CHAIR—You say that you believe that sentencing does not necessarily act as a deterrent, because they are not acting rationally when they come before you. Do you take into consideration the impact on victims as well in that assertion?

Dr King—One has to distinguish between the impact of deterrence on a potential offender and the need of the criminal justice system to punish offenders and to safeguard the community. The protection of the community, the punishment of offenders and the use of processes such as offender-victim mediation are ways in which the court and the criminal justice system respond to the needs of victims as well as allow victims to provide victim impact statements so that they are considered in relation to sentencing. My point is that when an individual acts on a day-to-day basis in the community they may not necessarily be thinking of the possibility of punishment when they commit an offence because their thought and cognitive processes are so disturbed. It is essential to take into account the needs of victims. In Geraldton we have one of

the highest percentages of referral to offender-victim mediation outside the Perth metropolitan area. We use those processes to allow victims to take an active part in the way in which the court deals with offenders coming before the system.

CHAIR—You say that these techniques work presumably to stop recidivism. Does that apply to a certain class of crime?

Dr King—That is a good point. On our project we do not include those whose offending is so serious that they should be imprisoned immediately.

CHAIR—Could you give us an example of the crimes that you think that that is applicable to?

Dr King—I am a magistrate; I am the third tier of the court system in Western Australia. The very serious crimes go to the District Court and the Supreme Court. I have placed people pending sentence in the District Court in this program. I have, for example, placed someone on an aggravated burglary charge awaiting sentence in the District Court on this program. Because this young Aboriginal man progressed through the program under supervision for several months and made significant progress, the District Court judge in sentencing him did not imprison him but put him on an intensive supervision order. In terms of the matters coming before me, I have used cases of less serious domestic violence, drink-driving, drug related crimes which are not serious, offences of dishonesty—a broad range of offenders and offences—in the program.

CHAIR—We found that nationally 21,900 people are currently in jail and another 59,000 people are serving noncustodial sentences. One of the things that we are very anxious to get a handle on is the rate of recidivism among the 59,000 who are not in jail. We know what the rate of recidivism is among people who go to jail, but we do not know about the other group. I guess that the sorts of people you are talking about are part of that 59,000.

Dr King—Yes. It is difficult for me as a judicial officer to do that because I am not a criminologist and I do not have access to the statistics but it is certainly a critical factor. We are a local interagency project which has not received any significant extra funding from other sources. The local agency is working on its existing resources. We do not have the resources to carry out the important statistical analysis that you have just raised.

CHAIR—Is anybody doing a statistical analysis of whether the incidence of crime here in Geraldton is rising, whether it has tapered off or whether it tapered off and has risen again?

Dr King—I think that question would be better directed to the Department of Justice or to the Crime Research Centre of Western Australia, which is attached to the University of Western Australia. They have crime statistics in relation to Western Australia.

CHAIR—When you talked about people under the influence of drugs or people with a substance abuse problem, is there a predominant substance or drug abuse that is prevalent in Geraldton?

Dr King—In terms of crime generally, I would say that alcohol abuse is the most significant factor in offending. It is the most significant factor in domestic violence cases. With respect to

more serious crime, alcohol is the main factor in this area. There are also amphetamines. Cannabis matters usually do not involve any significant offending. There may be some driving under the influence of drugs, but violent offending is not really associated with drugs here. Alcohol abuse or alcohol in combination with some other drugs such as amphetamines are perhaps the most predominant forms of abuse in my assessment of what comes before me in court.

CHAIR—Have you found any evidence or have you noted whether people appearing before you are illiterate?

Dr King—I get a huge range. About 90 per cent of people who come before a court come before a magistrate. They range from those people who are upstanding citizens who perhaps had a little bit too much to drink at the hotel and who were picked up by the police on their way home for drink-driving or who were a bit disorderly outside the hotel to very serious offenders—and a lot of people in between. So I get a huge range of people coming before the court. I do get a significant number of people who are illiterate. I also get some people who are illiterate and who are not represented, and that creates some difficulty for me in that I then have to adjourn their case and try and get some further assistance for them.

CHAIR—Did you say they are 'illiterate' or 'literate'?

Dr King—Illiterate.

CHAIR—Are they a large percentage?

Dr King—It is difficult for me to say. If they are represented, most of the information is conveyed by counsel or by the prosecutor, so it is not easy for me to assess. If you spoke to the Aboriginal Legal Service lawyer or the duty lawyer in town, they would have a more accurate assessment than I would.

Mr MURPHY—Dr King, your submission focuses on the effectiveness of sentencing and encourages the greater use of therapeutic jurisprudence in sentencing. You say in your submission, and it is amplified by your oral testimony here today, that the results to date suggest that such an approach promotes reduced offending and improves the wellbeing of participants. I am sure that this committee would like to know whether that is based on your experience here in Geraldton or whether there is other research over the last 20 years since therapeutic jurisprudence has become relevant in sentencing?

Dr King—At the moment, in the drug court movement in the United States, a large number of the drug courts there apply therapeutic jurisprudence. Although they emerged parallel to therapeutic jurisprudence principles, therapeutic jurisprudence is now used to validate and support drug courts. The use of drug courts and family violence courts is greater in the United States than it is here. I gave a reference in my submission to an evaluation of drug courts in the United States which suggests that they do have a therapeutic effect. Some drug courts in the United States have been in operation for more than 10 years, whereas in Australia they are a more recent phenomenon. In terms of Australia, an initial evaluation of the New South Wales Drug Court suggests that that sort of approach has a positive effect.

Mr MURPHY—You describe a significant number of people who appear before you as illiterate. Would it be difficult to promote therapeutic jurisprudence in that case?

Dr King—It would mean that the judicial officer and those concerned would need to be more sensitive to the needs of that person. But part of the therapeutic process is that the court interacts with the defendants. For example, if you came along to one of the more intensive parts of the sittings—the court supervision regime of the alternative sentencing regime—you would see that every time someone appears before me I spend some time talking with them, finding out how things have been going in their life, asking them whether they have been attending the rehabilitation programs, finding out whether there are any difficulties that they need to address, and encouraging them. For some, there has never been an instance in their life where a person in authority has taken an active interest in them. Their being accorded respect and being an active part of the whole process helps promote their wellbeing.

We have examples of people from all sorts of backgrounds who have gone through the program and who, at the end of it, have progressed significantly from where they were at the beginning. One person reported that their eating disorder was a lot better due to the gentle pressure they were under from the court, the court having taken an active role in ensuring that they stuck to the program. The flip side of course is that, because they are coming back before the court regularly, if they do significantly breach the terms of the conditions then the consequences are immediate, as opposed to being under a community supervision order, where it can take months or a year before a breach is activated by a court.

Mr MURPHY—I am encouraged by your Geraldton Alternative Sentencing Regime and I am wondering whether this is an initiative of yours based on your experience?

Dr King—It is an idea that I raised with various groups in the community in April last year, and we formed a steering committee. Although the idea might have started up with me, it has been developed and is owned by the agencies concerned—the court, the police, Community Justice Services, the treatment agencies such as COMPARI, and the legal profession all working together. It is still overseen by these agencies. There is a steering committee that still meets each quarter to make sure that the project is going well, to see whether it needs to be finetuned. It is an example of a small town, a regional centre, where the agencies have got together to try to get a better outcome for the people concerned.

Mr MURPHY—Aare you aware of any other regions in Australia using this approach to sentencing?

Dr King—Not that I am aware of. There are variations of therapeutic jurisprudence. For example, there is an Aboriginal court in operation out at Wiluna. My Carnarvon colleague has a special layout of the court which parallels more closely a traditional bush meeting: an Aboriginal elder or elders sit with him in court, and there are paintings by a local Aboriginal artist which portray healthy themes—to try to get a more positive outcome for Aboriginal participants in that process. Designing court processes to fit more closely with the needs of the people coming before it is a therapeutic approach, because it tries to uphold cultural traditions and promote the wellbeing of those people while at the same time attending to the needs of the criminal justice system and of the community to make sure that offenders are punished and that those who need rehabilitation are set in that direction.

CHAIR—But you are not suggesting we have two sets of laws?

Dr King—No. Wiluna is a unique situation, where a significant number of people lead a traditional Aboriginal lifestyle. It means that the court needs to be sensitive in the way that it deals with people. Court processes can be alienating for people coming before them. If the courts are not sensitive in their interactions with people, then the message the court conveys to those people, in terms of deterring crime and promoting law-abiding behaviour, is not getting through. Part of the whole principle of deterrence and how courts operate is that the court is interacting—communicating—with the defendant. If you are not using court processes where the person understands what you are saying, then the role of the court is compromised.

Mr MURPHY—Finally, I want to make the observation that I think your approach to sentencing is on the right track, and I encourage you.

Dr King—Thank you very much.

CHAIR—There was, however, the appalling situation where a 15-year-old Aboriginal girl had been sexually abused, and the judge found that because it was customary law it was okay. I find it absolutely abhorrent that we would protect a 15-year-old non-Aboriginal girl but would not protect a 15-year-old Aboriginal girl. You are not suggesting anything along those lines, are you?

Dr King—No, I am not. First of all, it is not appropriate for me to comment on another judicial officer's decision. What my submission says and what I have been saying to the committee does not bear on that particular case. I think it is important that the victim is protected and that is an essential part of the court's role, but at the end of the day there are also the future victims that we need to protect. Part of the way to protect future victims is to try and rehabilitate the offenders. If one ignores rehabilitation and simply punishes, at the end of the day most offenders who are imprisoned are released back into the community and, if the problems that brought them into the system to begin with are not addressed, the community may still be at risk.

Mr CADMAN—What proportion of those who appear before you have committed crimes which are drug related or drug induced?

Dr King—Of the more serious and repetitive offenders, I would say close to 75 per cent to 80 per cent.

Mr CADMAN—Do we have any statistics on these issues?

Dr King—No.

Mr CADMAN—How are statistics collected for the state of Western Australia?

Dr King—Through the court system we collect statistics of the types of offences and the number of offenders in each of the centres. When the police bring across a complaint, it is entered into the computer system and it is given a number. The nature of the charge, the offender and the results after each outcome are logged in. The court system itself can keep track

of outcomes, the number of offences, the proportion of offences, the age groups of offenders and the ethnic group of offenders. Beyond that, you need to look into the statistics kept by the Community Justice Services, the prison system in Western Australia, and the police.

Mr CADMAN—You understand our problem. You are making statements that are interesting, but I am looking for the verification of your suppositions via a statistical outcome.

Dr King—In terms of the ASR, I can talk about statistics.

Mr CADMAN—You did not put it in the submission, though.

Dr King—In the self-evaluation, we did. I emailed a copy of the self-evaluation.

Mr CADMAN—Yes. That was the self-evaluation where people made subjective comments about the value of the program, but have you produced positive change?

Dr King—We have. First of all, qualitative research is a valid part of an assessment of a project. There is increasing importance placed on qualitative research. At the moment, we do not have the resources. We are not resourced independently. Existing agencies are using their own resources, so we do not have the means or the expertise to carry out long-term quantitative research. We would need more resources from the government to do that. Based on existing resources, we carried out a qualitative study which was based on surveys administered to participants and to the agencies involved.

Mr CADMAN—I am looking behind those qualitative surveys to the statistics that demonstrate that there has been an improvement in conduct or outcome. That would be extremely valuable. If we were to consider broadening this program here in Geraldton to a more regionally based program, if not an Australia-wide program, we need to go behind the results that you have already achieved. How do we do that?

Dr King—I agree. I have provided a copy of the article on this project that was published in the *Criminal Law Journal* recently. One of the points made in the conclusion is that long-term, quantitative evaluation of the project is important. To do that, we need resources and the involvement of an outside agency which has the necessary expertise to do that.

Mr CADMAN—What are the prospects of, say, an honours, masters or doctoral student from one of the universities taking this on as the basis of their thesis?

Dr King—I think that is a worthwhile option. I did raise these issues with certain of the universities at the beginning of the project. We had one expression of interest, but that has not been translated into any concrete study at this stage.

Mr CADMAN—Madam Chair, from my perspective, one of the recommendations that I would like to see this committee come forward with is an evaluation of programs such as this, because it is no good having a good idea if you cannot demonstrate that it works. If it works, we need to have that demonstration so it can be extended. I think that is a critical process.

Dr King—Sure. I think there is the qualitative research which suggests it works, but I agree there should also be the quantitative. I think, as I said earlier, qualitative is also important.

Mr CADMAN—Does the therapeutic jurisprudence process concept generally impose lower penalties?

Dr King—Therapeutic jurisprudence in itself does not mean high penalties or low penalties. It is an approach to the law, whether it is criminal, family or civil law, that says that what we do in court and in legal processes has an effect on people's physical and psychological wellbeing and asks how we can use that to better promote criminal justice system outcomes. In terms of the ASR, yes, people have avoided immediate imprisonment where there is an option of suspending it, if they have gone through the program. I have had people for whom I have considered whether I should suspend the imprisonment term or not. I have given them the option to demonstrate, by them successfully completing the program, that there are mitigating factors as to why I should suspend the imprisonment. We have had people who have gone through who have moved from significant drug abuse, lack of employment and offending to reduction or elimination of their substance abuse, concrete employment and not reoffending.

One of our first people through the more intensive part of the program had been in and out of the court system for 12 years. He told us at the end that, in those 12 years that he had been in and out of the court system, he had tried on numerous occasions to get off amphetamines and he had not been able to do it. But, through the 3½ or four months on the program, he was off amphetamines, he had obtained employment—he was involved in a training course at TAFE—and he was also involved in community related activities. That is an example of an outcome where somebody avoided imprisonment through participating in the program.

Mr CADMAN—Do you think, because of your close association with the program, there may be a reluctance on your part to impose breaches—

Dr King—No.

Mr CADMAN—to demonstrate the success of the program?

Dr King—Well, we breach as well. If you look at the stats, I have imprisoned people who had not completed the program. I have used other sentencing options as well. The program itself needs to be accountable. There are breach processes within the alternative sentencing regime, and people have been breached and have been imprisoned because they have not complied.

Mr KERR—I am wondering how you built your community consensus around this, because you obviously presented a very detailed theoretical justification for it. How did you go about discussing this and creating it as a program?

Dr King—The initial part was having a steering committee meeting involving the agencies and seeing whether there was any general consensus for taking an alternative approach. The idea was raised, the proposal was presented, then the agencies meeting together thought it was a good idea and we formed several working groups to work on different aspects of it. One was a court based working group to work on the court processes that would be used; the other was a treatment based working group involving the treatment agencies and Community Justice Services to see how the different entities could work together. As a result, we came up with a

practice direction, and the steering committee has overseen it since then. We take a holistic approach, so there is a wide range of programs, and it involves the agencies that have been involved in the development of the project and other agencies as well. It is a broad-scale, inter-agency community involvement, and it is really those agencies that own and have developed the project.

Mr KERR—You mentioned the agencies. What about the larger community? Was it discussed, explained or communicated in some way that it was going to be a different approach?

Dr King—It was reported in the local media as an approach that we were going to use, yes.

Mr KERR—What reaction has there been from your community? Is there a debate about this?

Dr King—No. I have not seen any negative comments about the use of the ASR. The reason is that we only use it where it is appropriate. Where people breach, we take appropriate action and call them to account.

Mr KERR—So I can get a sense in my head of how this is working, Geraldton is a community of about 25,000. Is that right?

Dr King—Yes. Probably more if you take into account the adjoining shires to the city of Geraldton.

Mr KERR—Are you the sole magistrate for Geraldton?

Dr King—I am the sole resident magistrate.

Mr KERR—In a sense, this is a proposal that does not have to deal with the awkwardness of others who might have interests in your client population. You are not dealing with other magistrates who sentence in a different way or have a different view. This is quite an interesting experimental base where you can apply a program and see how it works.

Dr King—Yes. Also, Geraldton has had a history of trying innovative approaches. If you look at the way in which Geraldton deals with domestic violence, again it is an inter-agency approach. In application for violence restraining orders, we are one of the few courts in the state where the police apply on behalf of the victim for a violence restraining order. We use affidavits to try to mitigate the negative effects of a victim giving evidence. If their affidavit is in order, they do not have to go through the horrible experiences they have had. The agencies interact well with the police and the court in relation to that. There is a broad based approach to that. There has been a history of this in Geraldton and the agencies working together, having done so before, were able to do so again in relation to this project.

Mr KERR—How have the superior courts responded? It is a bit early yet. There has not been much by way of review of the work you have done.

Dr King—I have had one referral from the District Court backwards. In similar conditions to the way in which the District Court in Perth refers offenders to the Drug Court in Perth for

supervision, we had the first one referred from the District Court sitting in Geraldton to our project last month. It is starting to have some impact on the superior courts.

CHAIR—How long has this process been in operation?

Dr King—The practice direction came into effect in August of last year, so it is a very young project.

Mr KERR—You are not feeling like Maconochie on Norfolk Island waiting for your superiors to shanghai you off—the reformer brought to heel?

Dr King—There are other magistrates in Western Australia who are taking an innovative approach as well—my Carnarvon colleague in what is happening at Wiluna; the Drug Court is a good example in Perth; and the Family Violence Court in Joondalup—so I am not unique in that regard. There are other magistrates and judicial officers throughout Australia who take a more therapeutic approach as well. As I said earlier, a therapeutic approach does not mean that you ignore completely the principles of sentencing; it is used in conjunction with them.

Mr KERR—It is interesting that the system is sufficiently flexible for you to develop a local practice direction system and appear to be carrying your community with you at this stage. How much flexibility is there within the system? There are always these tensions between the desire for consistency of approach and enabling innovation to be trialed and tested, which obviously is not compatible with consistency. How do you work that?

Dr King—Sentencing itself is not a consistent exercise because you have so many different variables involved in terms of the offender, the offence and the judicial officer concerned. In terms of how we operate, we use the same legal framework as the Perth Drug Court. The Perth Drug Court is not a creature specifically of statute. It is a court of petty sessions. The Children's Court Drug Court is a Children's Court operating within the present legislation. Under the Sentencing Act in Western Australia a court can adjourn sentencing for up to six months. Under the Bail Act the court can set conditions of bail requiring participation in rehabilitation programs. Those two acts working together allow a therapeutic approach to be carried out in the framework that I have described. This approach applies also in the Drug Court, here in Geraldton and with the court in Wiluna.

CHAIR—What percentage of people who come before your court would you deal with under this practice direction? What percentage would you actually send to jail?

Dr King—Unlike a superior court, the vast majority of people who come before a magistrate in criminal matters do not go to jail. Believe it or not, the vast majority of matters that I deal with are mainly traffic related. These range from having no driver's licence, to failing to give way, to careless driving and to drink driving. There is also a range of disorderly conduct offences, for example, assaulting police. I may only imprison one a week on average because the level of serious crime is not all that high.

CHAIR—It is not in your jurisdiction?

Dr King—It is not in my jurisdiction. I send them on to a superior court—the District Court or the Supreme Court—depending on the charge. The vast majority of people who are dealt with in criminal matters do not go to jail because their offending is very minor.

CHAIR—So, the people who say that our jails are full of people who have only committed minor offences are probably not accurately reflecting just who goes to jail.

Dr King—Both under the Crimes Act of the Commonwealth and under the WA Sentencing Act, imprisonment is a sentence of last resort. The court has to consider all of the other options before it considers whether imprisonment should follow. Usually the most serious of crimes have to be committed to warrant imprisonment or it is the most persistent and serious offenders who are actually imprisoned.

CHAIR—Geraldton was said to have a considerable crime problem. Would you say that it has remained constant? Has it risen or has it gone down?

Dr King—The number of charges is not entirely an accurate estimate. The number of charges in our court has increased by several hundred this year. There may be the same number of offenders but they are committing more offences. There could be people with multiple offences or there could be more people committing offences. In terms of court figures you would need to see a breakdown of whether there are more disorderly conduct offences, more failing to give way at traffic lights offences, more failing to register a car offences or whether there are more serious offences being committed. A simple increase of several hundred, which we have not analysed completely yet, does not necessarily mean that there is an increase in the crime problem. I do not look at the other statistics because it is not my province. Our concern is the number of charges before the court and whether they are being dealt with properly. Again, I think you would need to go to the Crime Research Centre at the University of Western Australia. They would probably be able to give a more accurate estimate about the crime rates and how they fluctuate.

Mr KERR—Crime rates measure only those who are actually brought before the courts or who are arrested.

Dr King—Yes. Victimisation rates are another way of dealing with it.

Mr KERR—They only really relate to those who report.

Dr King—Yes.

Mr KERR—This is a very difficult area because the statistics are inevitably less than perfect. Impressionistic data is important and so too are statistics, but the statistical base is always rubbery. What is your doctorate in, just out of curiosity?

Dr King—I have a doctorate in philosophy but it has no relevance to what I am doing now. My dissertation was on natural law, which is one of the schools within jurisprudence. I looked at the concept of natural law within the West and compared that with the concept of natural law within the Vedic tradition of India. It is quite a philosophical dissertation.

CHAIR—The point that you made regarding your impression of things can be quite valuable. What comes before you? Is your impression that the number of crimes has increased, leaving aside failing to give way and similar traffic offences? Has it remained constant or gone up or down? Do you have a feeling about that? What comes before you?

Dr King—I think that there has been an increase in the number of offences coming before me, but I cannot say whether that is an accurate reflection of what is happening in the community because matters that originate in another magisterial district can also be brought before me. Someone may be arrested in Geraldton for something that has been committed in Kalgoorlie, Esperance or Port Hedland. So it is very difficult to assess.

Mr KERR—I am very interested in seeing how this evolves. I imagine that one of the keys to its successful evolution would be firstly to make certain that there is some sort of quality assurance for the therapeutic providers. You sit there, you listen to a sad story and you say, 'You might be assisted by such and such.' That judgment would depend upon the effectiveness of those who provide different aspects of the later interaction with that person. It would also depend on the degree to which you carry your community with you. One of the things that you spoke of was somebody getting a job. Is there a willingness to provide jobs to people who have had a life of trouble with the law? All those sorts of issues emerge. In the longer term, what measures do you put in place before you accept somebody? What quality assurance measures do you accept before providers are brought into this group? For example, you use transcendental meditation, about which I suppose many of us sitting here think, 'Gosh. How does that fit in?' You say, 'Yes, it is successful.' But what quality assurance do you provide in how you assess the value of an interaction with somebody that you are sending off to one of these sets of programs? How do you plan to keep your community on side? At some stage or another somebody who you have given a chance to is bound to do something pretty horrible. The nature of this is that, if you give somebody a chance, many will take it and some will abuse it. Your argument is that, on average, you will do better than by other means but, plainly, you cannot rule out the possibility that some of them will completely abuse it.

Dr King—No. We have had people who have reoffended whilst on the program, but it is the same in relation to people released on community based orders, on intensive supervision orders, on conditional release orders or with fines. The court system cannot make any guarantees, but the experience so far has been that taking a therapeutic approach is having a better outcome than not taking a therapeutic approach. That is my own view. Again, it goes back to the earlier point of quantitative evaluation being needed. We need more resources to be able to do that and maintain the program.

The treatment providers we use are vetted through community justice services. They are people that are being used already by community justice services. They have their own quality control. One of the main agencies that is helping our people is COMPARI, which is the local drug treatment provider. You may be hearing from Lorraine Smith from COMPARI later in the morning. In terms of the meditation, we use an accredited TM teacher from Perth who comes and teaches the program. They have their own process of accreditation, like any other treatment provider. So we use valued and accredited people.

CHAIR—Geraldton is quite a long way from the city centre, where most drug activity would occur. What is the source of the amphetamines? How do they get here? Who runs them? Who sells them?

Dr King—You are better off asking the police that. I'm not familiar with operational matters such as those. I deal only with the end outcome—when they are actually before the court. On the more serious drug matters, I deal with them only on an initial basis. They are dealt with finally by the District Court.

CHAIR—So you would not see anyone who comes into the category of an organised drug operative or someone who was part of a gang?

Dr King—Well, I have. Last year, the Federal Police and Customs did a big arrest north of Geraldton. You may have read about the people who were arrested from Columbia and America.

CHAIR—Yes.

Dr King—They were initially brought before me. I did the initial authorisation of certain search warrants and other matters for the Federal Police. They initially appeared before me, but then were sent to Perth to be deal with in the Supreme Court.

Mr KERR—For clarification, you answered Mr Cadman's question about drugs I think by saying that 70 per cent of the serious matters you dealt with had an involvement of drugs.

Dr King—Yes.

Mr KERR—I am not certain whether by that you meant alcohol—because you had given alcohol as the most serious drug—or whether you meant—

Dr King—Them all together. Some drugs, not 70 per cent alcohol.

Mr KERR—We often use the term drugs as meaning illicit drugs or what have you.

Dr King—I get a range. I get a few who are also under the influence of solvents—sniffing.

CHAIR—Is that a large problem?

Dr King—Not as large as alcohol. It is a problem with some younger Aboriginal offenders. I do get a few like that. It is not as significant a problem as it is in more inland communities and communities in Central Australia. Seventy per cent of serious offenders are under the influence of some drug or another, whether it is alcohol, an illegal drug or a combination of some of those—at least 70 per cent. It is probably more.

CHAIR—But you do not know what the break-up is?

Dr King—No. I think speaking perhaps to community justice services is a better guide. Not always will I get the information that they are under the influence of some drug, or not. On a Thursday, for example, I can have 100 defendants appearing before me. In that regard, all I am giving is my impression, rather than any accurate statistic on the matter.

CHAIR—Are there any further questions?

Mr KERR—No. I am going to go out and be a drug addict for a cigarette, if you will excuse me.

CHAIR—That is all right—that is legal. Dr King, thank you very much for coming and giving your evidence this morning. We will be interested to see some outcoming statistics.

[10.08 a.m.]

CLINCH, Mr Gordon, Member, Geraldton Streetwork Aboriginal Corporation

GREEN, Mrs Merrilyn, Manager, Geraldton Streetwork Aboriginal Corporation

RODD, Miss Priscilla, Youth Worker, Geraldton Streetwork Aboriginal Corporation

CHAIR—Welcome. Is there anything you would like to add to the capacity in which you are appearing?

Mrs Green—I am also the chairperson of the Geraldton Aboriginal Reference Group.

Miss Rodd—I am also the chairperson of the Indigenous Youth Council.

Mr Clinch—I am also the vice-chairperson of the Indigenous Youth Council.

CHAIR—Merrilyn, would you like to begin by giving an opening statement?

Mrs Green—We were only asked to come here today. We are a community organisation. We are quite happy to answer any questions in relation to crime on our streets. In regard to that, the majority of our work is at night-time. We also have a youth centre and a farm which works with court appointed community service orders.

CHAIR—So your farm is a non-custodial reference point.

Mrs Green—That is correct.

CHAIR—Miss Rodd, would you like to say anything in your capacity as chairman of the youth group about how you see youth issues.

Miss Rodd—I have basically come along as a voice for youth and to answer questions. I work on the night runs downtown on Thursday and Friday nights and I also work full-time at the youth centre.

CHAIR—Would you like to tell me about the night runs?

Miss Rodd—We work Thursday and Friday nights. On Thursdays we have just started our new roster from 9 p.m. until 2 a.m.—that is what we have given ourselves—but if we get the streets cleared then we normally knock off at about 12.30 a.m. We just take the kids home and get the youth off the streets. A lot of them go to see the movies. After seeing them, they come out of the cinemas and jump on the bus. That is the same on Fridays as well; we work till about 2.30 a.m. Lately they have been having a few problems in town regarding the nightclub areas. Because of the atmosphere—things are happening, the lights are on and everything—the kids are hanging around. That is mainly on Friday nights. That is why we have extended our bus run

until 2.30 a.m. to make sure that we get them home and away from the trouble areas. A lot of the adults see the kids hanging around, do not like it and stir them up.

CHAIR—So, basically, you are running a transportation system to get them home and keep them from getting into trouble when they have finished going to the movies or a nightclub.

Miss Rodd—Yes, or they may be mingling with their friends. Most of them go down there to meet up with their friends and just sit and talk. A lot of people around town are scared of them because there are large groups of kids sitting around, but all they are doing is using these places as meeting points. We just take them home after they have finished in town.

CHAIR—When you say that it is just a meeting point, does it sometimes become something else?

Miss Rodd—It can lead to other things. We do see a lot of people handing out alcohol to our youth. There are also drugs.

CHAIR—What sorts of drugs?

Miss Rodd—Mainly marijuana. That is the only stuff.

Mrs Green—That is the most visual.

Miss Rodd—Yes. Alcohol is a big issue with our youth.

Mrs Green—Under-age drinking and supplying.

CHAIR—Who supplies it, Merrilyn?

Mrs Green—Hotels can and have, and the police are obviously aware of that particular source. Also 18-year-olds and our own people supply alcohol to each other. I have drawn a sketch here, which you might be interested in looking at later, of the main area of concern at the moment, which is around the nightclub area and Lester Avenue where particular hotels close at one end of town and patrons get themselves down to the nightclubs at the other end. There are two areas: Marine Terrace and Lester Avenue; there are always problems with young people in those areas. But the nightclub area is not the only spot, and it is not only Indigenous young people either. There are two other quite scary areas where we know drugs and alcohol are being consumed, passed and supplied. They are both non-Indigenous areas. They are: the town beach area behind the Sail Inn and the area adjacent to Hungry Jacks, which is quite separate to where the nightclubs are. The majority of Indigenous young people are within the nightclub area and Lester Avenue. People go from the hotels to the nightclubs because the hotels close at midnight. By this time, quite a quantity of alcohol has already been consumed and it only takes one person to agitate another for issues to occur—and they have occurred.

Mr CADMAN—What time do the nightclubs close?

Mrs Green—Most nightclubs close at 6 a.m. and the hotels basically close at midnight—but it depends which one as one closes later. All the people then want to extend their nights and the nightclub area is the place to be.

Mr MURPHY—Are there many fights and brawls?

Mrs Green—Yes, there are quite a few. There is quite a deal of agitation going on as well.

Mr MURPHY—Could you elaborate on that?

Mrs Green—Recently, there was quite a nasty one where a person actually had his leg broken. That really was quite a nasty situation. But there are also fights between security guards—if you want to call them that; we would call them bouncers—and patrons, kids outside the nightclubs and patrons, kids and bouncers—just any interaction that becomes negative.

Mr MURPHY—Do you feel that they pick on the Indigenous community?

Mrs Green—No, I do not believe that to be the case. I do believe that being Indigenous has its disadvantages in those areas, but non-Indigenous people are refused entry into the nightclub as well. Many times we have been given the numbers of 150 to 200. In my opinion that is not accurate. We are there and so we have a pretty good idea. Patrons cannot get into the nightclubs sometimes because it is already full and they have to wait outside as well.

Mr MURPHY—What sort of relationship do you have with the local police and what sort of support do they give you?

Mrs Green—I would say we have a good relationship with the local police and they do give us some support. There is additional support that needs to be looked at and we are looking at that now. The police also have—and I am sure you would be hearing about it—a foot patrol. We have concerns that that foot patrol is not always active and that may be—and the foot patrol is a new thing—because of numbers, but I am not quite sure. The foot patrol has been a success and I think the police should be able to have a roster where the foot patrol are in addition to their roster, not part of their roster, which may increase numbers. I know that it is certainly an advantage to have the foot patrol in place.

Mr MURPHY—What is your understanding of what the police are doing during an ordinary roster—not foot patrol which would be something in addition to their roster that you have just described?

Mrs Green—My understanding would be that they are attending to every single call-out in this community, not just in the town area but certainly in all of our suburbs as well. My understanding is that they also attend alarm call-outs if there is an alarm set off in a business, as happened the previous week. They would also be addressing people who attend the police station. I would say that they would have limited numbers to cover quite a large area.

Mr MURPHY—You are probably suggesting to us that you feel that there should be more police here in Geraldton, or should they be better utilised?

Mrs Green—They could be better utilised, but I would like to see any initiative. There are no two ways about it; I was spokesperson in the ABS for five years and I was called into the police station on many nights and quite a number of those people who we would be attending would be from that nightclub area. So I think they could be better utilised there. If they are going to have foot patrols, then they need to be an addition to the normal roster. I believe they are trying to cover huge areas and coming under fire for not attending to those areas as quickly as people would like them to because there do not seem to be enough people. They also have people in the cells, which means officers must remain there. That is still in place from the royal commission into black deaths in custody.

Mr MURPHY—I will be the devil's advocate for a minute, because I would expect that most of us, if there were a fight, brawl or some other type of crime and we rang the police, would appreciate their response and their visiting where the fight, brawl or crime had taken place. You are saying that it is a large area, so I suppose with the numbers it might not be possible to cover everything.

Mrs Green—It may not, because I do not even know how many vehicles they have and how many patrols they have on at night. I am sure they would be able to give you that information.

Mr MURPHY—Do you think in the trouble spots that it is better to see the police on foot rather than going by in a car where they can be seen in a motor vehicle?

Mrs Green—I think they are better on foot, personally.

CHAIR—Going back to the question of drugs, where do you think they come from?

Mrs Green—They are quite easily available in our community, so do you mean within our community?

CHAIR—Yes. Who brings them in?

Mrs Green—I guess they can come in any way they like. We are right on a highway that goes through and, whether we think we are a long way from Perth or not, we are only four or 4½ hours away. We have flights in, we have water access, so I guess they could come from anywhere.

CHAIR—But someone has to actually bring them, don't they? Is there an identifiable group of people who bring them?

Mrs Green—I think that group would be quite large and varied, and I could not identify them.

Mr CADMAN—What about the young people? Have they got any ideas where they might come from?

Mrs Green—I will let the young people answer.

Miss Rodd—Most of the drugs that the kids get while they are out downtown or whatever are through the people in our community. The ones that are over 18 are supplying them to the kids.

Mr CADMAN—Where do they get them, do you know?

Miss Rodd—I think most of it is just marijuana, so they probably grow it in the backyard.

Mr CADMAN—What about you, Gordon? Do you think that would be pretty right?

Mr Clinch—About the same, yes.

CHAIR—And you feel that your bus program is really working and helping.

Mrs Green—We have come under a lot of fire over the years from police and business sectors. I suppose we are always between a rock and a hard place. The police used to think, at one stage, that we used to take our young people into town, which was totally wrong. We always have a couple of supervisors and often a member of the Indigenous Youth Council on the bus as well. It is difficult, because many young people do not want go home on the bus. They do not want to go home, full stop. They would like to remain where the action is and, unfortunately, there is not any action on our bus—just their parents, hopefully, at the end of the night when we get them home. But the police often—I am going to use this term, because we have come under fire in the community as well, and this is a term that is often used—round them up, and that often gets a lot of young people home.

It not only gets them away from the negative activity; it keeps them from coming into the criminal justice system, it lets parents know that they have got some responsibility, because we do follow-ups with families. We are currently doing a survey of exactly why these young people are downtown. We probably will come under fire again about some of the questions in it, because they are things like: 'Do you do drugs?', 'Do your parents know you're here?' and 'What are your parents doing while you're here in town?' We work with kids who could be anything from eight years upwards.

CHAIR—From eight?

Mrs Green—Yes. I am not saying that that is every night, but it is becoming more and more noticeable. Certainly, there are a lot of 12-year-olds upwards.

CHAIR—Are the parents appreciative of the program?

Mrs Green—I think they are, but there are parents who are not. When we knock on the door and say, 'Are you aware that your son or daughter has for the past three Friday nights been downtown at 1a.m.?' we are not appreciated by some parents. But, in the long run, the parents or guardians are responsible for their children and it is really up to them to know where their children are.

CHAIR—When you bring them home, are they there for them?

Mrs Green—Not always.

Mr CADMAN—What about making parents responsible for their kids in a legal sense? What do you think of that idea?

Mrs Green—Many years ago, I got myself in a bit of hot water for a suggestion I made to the Department of Justice—it was not called the Department of Justice then—and to the magistrate. I said that a lot of kids on community service orders come to our centre or out to the farm, and I suggested that the parents should be made to do the order with the kids. That did not go down very well at all. We work from the point of view that we like the parents to see the really positive things that are happening with their children, and we think that they should also accept the responsibility for the negatives. But that suggestion was not very popular.

Mr CADMAN—I personally have a lot of sympathy for your point of view.

Mr KERR—You are obviously not the father of a delinquent child.

Mr CADMAN—If I were, I would go anywhere and do anything to get him out of it, Duncan.

Mr KERR—I am sure that is true.

Mrs Green—You do think: 'I would do anything,' as a parent.

Mr CADMAN—You would. If a parent walks away from it, I think that to drag them back to confront the problem is a very valuable process.

Mrs Green—With some of the children who come to us, their parents have no control over them, though. They may think that they are in their rooms at night and they are not, or that they are going to the movies and they are not, they are somewhere else. That is quite a common occurrence as well.

CHAIR—What do you think, Priscilla?

Miss Rodd—I have spoken to a lot of the kids who hang out downtown and I have asked them why they hang out. The main reason is that they are bored. A lot of the parents have either gone out playing cards or gone out drinking, and the kids are just bored and they want to be around their friends. One thing I would like to see in future for the kids is somewhere for them to hang out down there, like a safe house or a drop-in centre. They could go there instead of hanging around the nightclubs. There could be a pool table, arcade games and a kiosk in there. Volunteers could work there. I would like to see somewhere where the youth can go, listen to music and have activities to do during the night.

CHAIR—Do you mind if I ask how old you are?

Miss Rodd—I am 23.

CHAIR—What drew you into becoming involved? What was it that made you decide to get involved?

Miss Rodd—I love working with youth. Being young as well, I love talking for them and voicing their views, because often they are too ashamed to speak up.

CHAIR—Did you get some training or are you learning it on the job? Are you learning from Merrilyn?

Miss Rodd—All three: training, learning on the job and learning from Merrilyn.

CHAIR—What sort of training did you do?

Miss Rodd—With the Indigenous Youth Council, we have done counselling skills, leadership skills, public speaking skills, and team building games—that is for when we run the holiday programs. We have done the Bronze Medallion and stuff like that. That also helps with my work as a youth worker, dealing with one-on-one situations. I also work with a group of girls from the high school every Tuesday and Thursday.

CHAIR—That is good.

Miss Rodd—They come to the youth centre. At the moment they are making their own ball dresses.

Mr CADMAN—That is great.

Miss Rodd—Yes. They are also doing some art. They are making gifts for their parents and families for Christmas. I am trying to teach them that it is better to make things than to buy or steal them or however they get their stuff. I have been teaching them to make their own clothes.

CHAIR—That is great.

Miss Rodd—We are also going to be teaching them to cook a healthy meal. They are going to put on a show at the end of the year for their families, invite them along, model their dresses, hand out their presents and cook them dinner.

CHAIR—That sounds fantastic. Whose idea was that?

Miss Rodd—Two teachers at the high school, Coral Brockman and Dolores Brockman, are working with them every day. Vivienne Alone and myself, who are street workers, just got together and set out a program. At first only one girl turned up and now we have six or seven girls turning up every Tuesday and Thursday.

CHAIR—That is great.

Miss Rodd—They love it.

CHAIR—Gordon, if they are making these ball dresses, how many young men are going along to the balls with them?

Mr Clinch—I do not know.

CHAIR—Are you going to be one?

Mr Clinch—Probably, yes.

CHAIR—That is good but I take it you will not be making your own suit?

Mr Clinch—No.

Mr CADMAN—Could I follow up with a question for Gordon. That is a great series of questions for Priscilla but, Gordon, we know that probably about five times more blokes get into trouble with the law than women, so tell me about the fellows' aspect. Priscilla has told us what she is doing with the girls. What do the boys need? What would be good? What would you like to see and what is already happening?

Mr Clinch—I go downtown Thursday nights and see the same thing over and over. They just hang around in big groups, maybe down on the front beach, across the road from the movies where the park is. They just hand out drugs or alcohol.

Mr CADMAN—What would be good for the blokes? What would you like to see for the young blokes?

Mr Clinch—Get them to do activities.

Mr CADMAN—What do you reckon they would like? Would they like to do up cars?

Mr Clinch—Some of them like cars. They could do art or games like basketball or football.

Mr CADMAN—What about music?

Mr Clinch—Yes, some of them like music.

CHAIR—What opportunity is there for that?

Mr Clinch—I don't know.

CHAIR—I have to say that hanging around in a big group is pretty boring.

Mr Clinch—Yes, I know.

CHAIR—Somebody in a big group is going to want to make a big man of himself.

Mr Clinch—Yes.

CHAIR—He'll say, 'I am king here. We're going to do something.' You are always going to get that in a group, aren't you?

Mr Clinch—Yes. Sometimes when I go out to parties there is a ringleader or master who says, 'Yeh, I'm going to kick this fight off.'

CHAIR—So they gatescrash?

Mr Clinch—Yes.

CHAIR—It is not a new problem. It has been going on for a long time, I think. It is something that is not restricted to any one particular group of people. It seems to be something that young people are doing right across the country. I suppose what we would like to find are some ways that we can turn that energy into something that is going to be good for them as well as for the community at large, because when they go gatecrashing it usually ends up with some sort of damage being done, doesn't it?

Mr Clinch—Yes.

Mrs Green—On what Priscilla was saying about the venue, we had some funding for our youth centre, and we are about a kilometre and a half out of town because we could not get approval to build that youth centre here in town. The interesting point is that where we had hoped to build is in one of the streets where they are now saying that all the trouble is. We have opened at night but the kids do not want to be out there supervised doing exactly what Priscilla is saying because it is not in the town site. If it was in the town site it would have a different attraction to it, but we really at the deathknock built out there because we would have had to return the money and not have the youth centre at all. We concentrate on more structured activities like Priscilla and Gordie are saying—suicide prevention training and those type of activities. The building we have is a big beautiful building but it should be in town; it should not be out where it is.

CHAIR—I see.

Mrs Green—We did not want to build it there at all. If you looked at the sketch, you would wonder why the nightclubs and hotels are all in this one area. Perhaps the City of Geraldton town planners should have a look at themselves. One of these nightclubs, the Circuit, was empty for ages and ages and they could not sell it. Maybe that licence should have been transferred somewhere else. It is an area where there are hotels, movie theatres, two nightclubs, and a primary school that often has broken glass and needles in the yard. My two grandchildren went to that school, so I know how people feel about that. There are some vacant lots. It is not terribly well lit leading up to it and it is within a two-minute walk to the area that Gordon is talking about. We have got this area where all the activities are, so no wonder the kids are gathering there. That is what is creating the problem. We really need to attract the young people away from that area. Even if we had a great youth centre somewhere close to it, we would still only get X number of kids coming to it. There would still be others who want to be down there.

There is also the Yacht Club—the area that Gordie is talking about. Years ago we went to our member in the City of Geraldton. The Geraldton Building Company, which was quite a large company at that time, was going to donate portable lights for us. The kids would still be there

but we were going to do volleyball and all those games and that sort of thing in a supervised way. It was also going to be well lit. Unfortunately, the feeling of the day by the city councillors was that we would be bringing kids to that area—but the kids are going to be there no matter what.

Mr KERR—This is one of the significant issues, isn't it? You are trying to build a real sense of community when you actually have a group that wants to keep the problem away. You are saying that the problem is in the community anyway, and unless you deal with it realistically it is going to be difficult to get the most effective outcomes.

Mrs Green—Get it supervised, get it lit and do the best you can with what is there. We spoke about it at the Safer WA meeting two weeks ago. If you want to get the kids away from that area, all you have to do is move the nightclubs over there. The kids will soon leave here and they will go over where the nightclubs are. So, as I have been saying, they are going to be there. You can put on curfews and you can do whatever you like, but kids will still be there. I say 'kids', but I am not even close because a 15-year-old, as an example of the young people I am talking about, has had two or three years on the streets. They are streetwise; they are young adults. We forget that—and I am as guilty as anyone—regardless of being 15 or 16, they are young adults. In some of our families, children have had to help raise their younger brothers and sisters and be responsible for them as well.

Mr KERR—And they have to fit into a pattern where economic opportunities may not be as great for them as they are for others, and their educational outcomes have not been so great. They face exactly the same situation that every young person faces: they want to experience life to the full. If something looks as if it is exciting and forbidden they will at least want to try it. Fortunately, in most instances people grow out of that. You need to be here to help those people who perhaps get into a little bit of trouble along the way.

Mrs Green—That happens here. You said it has been here a long time and you are right. We have had problems in that area now for years and years. What I see is young people go through it, but then the next lot comes along and then the next. In our public school system we have one high school with two campuses, Highbury and Carson Terrace campuses, where the highest number of Indigenous kids go. They have that transition where they go from year 7 into year 8 and 9. They then have to go to another school for year 10 and 11. We have many kids dropping out in year 10. Gordie has just finished year 12. We had 17 Aboriginal kids do year 12 this year, but not one of them did the TEE. I am not saying that the TEE is the only educational option now, because there are so many other options, but there were 17 in our community—and not just from Geraldton, because there are kids from other regions that come here—and not one did the TEE. You should look at our schooling system as well.

Mr KERR—In some ways you should be amazed that there is so little trouble, if you put it in that framework. You are saying you have a community that feels as if it is running into a brick wall in terms of opportunities.

Mrs Green—A lot of families are coming to live in Geraldton now. A lot of agencies and resources have closed down in the smaller towns, and the families are moving here to Geraldton. That is becoming more and more obvious.

Mr KERR—Are there job opportunities for young Aboriginal people?

Mrs Green—We have the CDEP program, but I like to think that is really just the beginning, not the end of it.

Mr CADMAN—I agree.

Mrs Green—I like to think it is getting a lot better. We have school based traineeships, and Gordie was one of the young people on one of those. So there are opportunities there, but I think the highest percentage of young Aboriginal people are being employed through the Wila Gutharra CDEP and the school based traineeship. I know it is harder in some cases for a young Aboriginal person to get employed in the mainstream. Sometimes that is the young people's own fault because they have not had the support at home or the training that makes sure they are there on time, that they are presentable and that they are prepared to do the work. Yet there are a lot of other young Aboriginal young people that I know—excellent young people—who are not given that opportunity.

CHAIR—When you say there is a big number who drop out of the school program, do they nonetheless have good literacy and numeracy skills?

Mrs Green—Many of our young people do not. There is a group of young people who are achievers, as in Gordie's case. But, as I say, if there are only 17 at year 12 in our public school then there are concerns. A lot of the young people we work with certainly do not have good numeracy and literacy skills.

Mr CADMAN—I want to thank you for your frank evidence. It has been really helpful to us to work with you to see if we can come up recommendations that are of assistance and support to the work you do. We are not giving money out or anything like that; if we were I would give you some.

Mrs Green—Our farm is called Gunnado. That is the name of the farm where the majority of the kids go. It is called Gunnado for a reason—

CHAIR—You're gunna do it!

Mrs Green—because a lot of people come who are going to do this and going to that, and they do not do anything in the long run. We are not expecting anything; we are pretty used to fending for ourselves and opening our own doors. Our Indigenous Youth Council has a motto: youth leading youth.

Mr CADMAN—Good; that works.

Mrs Green—We are fortunate to have a good group of people.

Mr CADMAN—What do you do on the farm, by the way? How far out of town is it?

Mrs Green—It is 35 kilometres from the town centre because we could not buy any closer. Nobody really wanted us.

Mr CADMAN—That does mean that once people get there they stay there.

Mrs Green—It is 35 kilometres; it makes sure they get through their community hours. But a lot of young people who go to the farm come back and do a lot of volunteer work as well because of the feel of it out there and the atmosphere.

Mr CADMAN—What happens at the farm?

Mrs Green—We grow vegetables and flowers, we have a few sheep that are quite interesting, and we have a tractor and a plough. There is not a great deal that the kids do, because we do not have a great deal of finance. We get $17,000 a year to run it. But we grow vegetables, we grow wildflowers and we have a beautiful walk trail that the Lotteries Commission and Trails West granted. Up to 4,000 or 5,000 young people a year go out there, go on the walk trail, and learn about Aboriginal culture and reconciliation.

Mr CADMAN—How many live there?

Mrs Green—No-one lives there; we have to travel out and back every day. We are in the throes of building crisis accommodation, which is a joint venture with the Department of Housing and Works.

Mr CADMAN—Would it be better for people to live there so they can have a training program on the spot?

Mrs Green—It would be much better, but on $17,000 a year that would be impossible. At the moment we are hoping that places like DCD can take families in crisis. The environment is really absolutely beautiful in the way of views and the air is so fresh that we expect families to really work together and be united with the kids that we work with. The DCD and the Department of Justice could allocate some of our young families out there and they could work with their kids together.

Mr KERR—It does sound like you have had a bit of a rough trot getting permission for various things from the council. What explains that?

Mrs Green—You probably have not heard the first part that explains it. It is because we are an Aboriginal organisation and a youth organisation.

Mr CADMAN—It is a double whammy.

Mrs Green—Exactly. Where we set up our first youth centre, we were not allowed to conduct youth activities there; we were knocked back on our application. We appealed to town planning in Perth and they overrode the decision, but then a very prominent businessman in this community bought the building and of course kicked us out. So our win lasted about two weeks. We found another business lady who was very good and gave us an old house, and then we built this new youth centre. It is a beautiful centre and it should be in town, as I said.

Mr KERR—You were here when Dr King was giving his evidence. Do you have anything to add to or to reflect on what he was saying?

Mrs Green—I am very supportive of his project. My son actually went through that project and I know the difference it made to him—in particular the anger management side of it. I am waiting for the Department of Justice to get a settled regional manager because I am going to visit—and Dr King is aware of this—some of the Aboriginal families, and we are going to discuss that project to see exactly how they feel about it. Dr King is very supportive of that.

Mr CADMAN—When do you think you will be doing that?

Mrs Green—You may not be aware, but our regional managers at the Department of Justice have changed and, as of today, the one who is going to act in the interim until they find a replacement is back in town.

Mr CADMAN—Does that release you to go and do this investigation?

Mrs Green—They release the names of the families to me, then I write to the families.

Mr CADMAN—Is it possible for you to give us a summary of the outcome of that examination?

Mrs Green—I would like to be able to pass that through Dr King and have him give you a summary, if that is acceptable.

Mr CADMAN—We do not need names; we would just like to know about both the good and the bad because we are looking for ways to do things better.

Mrs Green—That is what I am looking for, from my point of view. Before I go out and really give it my full weight, I would like to find out what is actually happening with the families, because it is not just the client that these things affect, it is the whole family.

CHAIR—Absolutely. I thank all three of you for coming in this morning. I think the work you are doing is terrific and I hope you, Gordon, and you, Priscilla, have really good futures and careers ahead of you. The initiative you have taken is very impressive; as is your work, Merrilyn.

Mrs Green—I will just leave this sketch.

CHAIR—That would be most helpful, thank you.

[10.50 a.m.]

SMITH, Mr Malcolm Robert, Group General Manager, Geraldton Newspapers Ltd

CHAIR—I now welcome Mr Malcolm Smith to give evidence.

Mr Smith—Thank you. I am really appearing not on behalf of Geraldton Newspapers or as a coordinator of a law and order body that was formed by the ACC—that is, the Mid West Gascoyne Area Consultative Committee—some two years ago. I am here as an individual, if you like. As I understand it, I am here to answer some questions after I have given you some sort of summary of how I see the issue of law and order in this city.

CHAIR—We have received a paper from you. Was this prepared for us specifically or is this something that you have used before?

Mr Smith—Which one are you looking at?

CHAIR—*Time for change*.

Mr Smith—This was prepared as a result of five or six community meetings here prior to January 2001.

CHAIR—Was it prepared specifically for us?

Mr Smith—No, it has been widely circulated within the membership—or the fraternity, I suppose. I point out that it is pretty old—January 2001.

CHAIR—We will receive this paper as an exhibit. There being no objection, it is so ordered. Would you like to make an opening statement about how you see things?

Mr Smith—Sure. Have you read the law and order paper?

CHAIR—The one that I have literally just received?

Mr Smith—It is a document of 20 to 30 pages.

CHAIR—We do not have it.

Mr Smith—I faxed that to Canberra last Thursday. The document begins with 'Time for change'.

CHAIR—We have only one document.

Mr Smith—That should have another document behind it on crime and violence and the emergency meeting of CBD traders in January 2001. Is that included?

CHAIR—It has the Law and Order Committee meeting, Geraldton 2000.

Mr Smith—It mentions time for change and then an emergency meeting of CBD traders January 2001 and, before that, the Law and Order Committee meeting of May 2000.

CHAIR—You have more than we have. We have *Time for change*, and we received that just this morning because it only came to Canberra on Friday. Would you like to leave that whole document with us and we could receive that also as an exhibit. There being no objection, it is so ordered. If you would like to speak to the whole document, that would be helpful.

Mr Smith—Okay. There is another part to this report. It is marked private and confidential and is a Geraldton Newspapers discussion paper.

CHAIR—We have that.

Mr Smith—I can assure you that interested members of this community have met fairly frequently with a common concern about the issue of law and order here. Before I get into that, I would like to read to you a few notes.

CHAIR—Yes.

Mr Smith—I have lived and worked for extensive periods in regional and suburban Australia, mostly in newspapers—in Darwin for 15 years, in North Queensland and in Bundaberg in particular, in Melbourne, in Perth and now in Geraldton—and I have quite honestly seen much contempt and disregard for the law. However, at the moment here in Geraldton there is an epidemic of city violence and robbery worse than I have witnessed anywhere.

The newspaper, whether we like it or not, is a barometer of community affairs and a barometer of community concerns. I must say our reporting, I am afraid, does not reflect the level of lawlessness and violence here. It does not reflect the outrage of the business community—that is, ordinary residents who have been robbed and people who have been bashed and beaten senseless, threatened and abused—nor does it reflect the outrage of many good, honest police officers here, the operatives, who believe and say they are utterly powerless to prevent crime, to apprehend and hold offenders, and to actually see justice meted.

If I may, I would like in a moment or two to read you a letter that I wrote to the Commander of Police here in August. But I did not send the letter to him for three reasons. All of them are to do with possible conflict of interest—my interest. I will tell you what those conflicts are. The letter concerns an issue here where the victim was a relative of mine. The second area of conflict would possibly be that I own a property next door to the nightclub in the precinct where this occurred. And, of course, I manage the local newspaper. The other reason I did not send it to him in the end was that I realised that he probably gets a lot of letters like the one I am going to read to you. But the letter I believe accurately reflects community sentiment here. It is to Mr Gronow, written on 1 August. I wrote:

Events of last Saturday morning compel me to write to you seeking advice about safety on our streets after dark in Geraldton.

As I understand it police are charged with the responsibility to ensure a minimum level of safety for citizens of Geraldton. Police have a difficult job, a job that most people will not want to do. It is a job that is at times, dangerous, unrewarding and often criticised by the ill-informed, ignorant and untrustworthy members in our community.

But Mr Gronow, notwithstanding the difficulties of police work, I do not feel safe on our streets after dark; and I hope you can suggest something—I and others can do that will restore our confidence.

I might add that I am also speaking for many more members of this community who will attest their fears also. And I daresay there are hundreds of ordinary Geraldton people who feel the same way.

The incident of which I speak concerns a young man leaving a local nightclub last Saturday—he was getting into a taxi with friends.

Without provocation he was king hit by a young Aboriginal woman who was part of a group loitering in the shadows outside the club.

The young man was knocked to the ground unconscious and lacerated his skull on the pavement. This wound required over 15 stitches, and he may yet suffer complications from this attack.

In the past we have all seen and heard of many vicious unprovoked attacks in the nightclub precinct. I acknowledge this is not a new or unusual incident.

However, these attacks are totally unacceptable—

- Would you suggest closing clubs and like establishments earlier—say midnight
- Or would you hold the licensees of these premises liable and accountable for these attacks and apply the law accordingly
- Or is the council responsible in any way for ensuring the safety of its citizens on public property and roads owned by the council
- Or should policemen simply disperse crowds/gangs who frequent these areas and are actually the attackers in most cases
- Or should ordinary citizens unite to form organisations to protect innocent people
- Or should we all just stay at home and allow these dreadful gangs to terrorise us elsewhere.

Mr Gronow—you are the area commander of police with the powers, experience and knowledge of the law, enforcement and prevention of violent crime.

Could you enlighten the very frightened in this community as to what they may expect in future.

As it is, women, the elderly, the infirm and innocent have no right to feel secure in their own town.

I might say that, since that letter was not sent, the incidence of violence has increased. I am happy to give you some statistics if you wish.

CHAIR—Yes, please.

Mr Smith—I know that somebody else here is going to give you some statistics, but here is one in a paper that I produced for you:

One major retailer in the CBD has suffered over 80 separate incidents in store in the past 12 months—offences include wilful damage of stock, ram raids, snatch and grab stealing, physical and verbal abuse of staff. As many as three “raids”

in a two week period have occurred recently. Police response to these reports is often a long time after the event, allowing perpetrators to avoid questioning, arrest or apprehension.

I will just give you one more statistic, out of a paper that was supplied by the committee for Safer WA. It reads:

In the year 2000 statistics available to SAFER WA on Lester Ave alone, had 96 tasks, 56 disturbances and 5 assaults. In the year 2002 already, we have had 166 tasks, 82 disturbances and 10 assaults. That is an increase of Tasks of 172%, Disturbances an increase of 146% and assaults of 200%. And these statistics are only from reported offences ...

The paper goes on to say that, from information provided from discussions recently, many incidents go unreported. I would like to comment on the business of reporting crime. I became aware only two weeks ago that anybody phoning in or making a complaint with police believes, I think, that they are reporting a crime. But a crime is not reported until a report number is affixed to it. Unless you get a report number, you have not made a complaint. So there is the opportunity for statistics to be very misleading. Alan, it is a long way from Parramatta.

Mr CADMAN—Yes.

Mr Smith—A long time ago. I can talk all day, but you might have some questions for me. I am very happy, though, to give you an account written by our editor for me—and not for publication—about a meeting that he recently attended for Safer WA. This was a meeting that, despite the best will and all the goodwill in the world, the paper was not invited to. It was only after we insisted that we attend to the organisers and the police that our editor gained admittance.

Mr CADMAN—Is that the one on 5 May 2000?

Mr Smith—No, this was recently. This was last week.

CHAIR—Safer WA, I take it, is a state-based program that has been rolled out across the state.

Mr Smith—Yes, it is.

CHAIR—It is designed to lessen the incidence of crime.

Mr Smith—It is to embrace all elements of the community with a view to curbing, containing, maintaining and reducing crime here.

CHAIR—Who runs it here in Geraldton?

Mrs Godfrey—I am Karen Godfrey, the Vice Chairman of Safer WA in Geraldton. Lou Tatasciore is the Chairman, and he will be here this afternoon.

Mr Smith—I will just quote here from the editor's summary of that meeting, which was two weeks ago. It is addressed to me and it is an internal document. It is not for publication. He says:

This information is largely based on what I heard at the Safer WA meeting of October 28. Those present included:

Police

Night club owners

Street workers

Yamatji patrol ...

City of Geraldton

Crime victim

CCI

Legal services

Murray Criddle & Shane Hill

And our editor. The feedback, in summary, is:

Anger at ineffective policing

Anger at poor police presence

Anger at apparent lack of police concern

Anger at police failure to deal with the problem

Anger at police failure to make arrests over youths drinking

Belief that police are failing in their duty of care

Fear of walking on the streets at night

Massive amount of criticism of legal inequality between black and white defendants. Strong belief that police treat black community differently and that Magistrate, Michael King is very soft on Aboriginal people

Police set up speed traps on quiet roads at the same time there are street problems in CBD

He has made some comments:

Police: say they have a problem with the laws which they say does not give them the power to deal with groups of youths on the streets. Police say they do not provide a social service. Police said they had started “Operation Fitzgerald” to boost policing in nightclub precinct ...

Night clubs: say they have installed additional CCTV and have evidence of assaults. Clubs say their videos show that the issue is not one of race. Black and white kids from lower socio-economic backgrounds are causing the problems.

Street workers: say the problem of children on the streets is due to social and parenting issues. They gave stories of physical and sexual abuse as to why children won’t go home at night. Believe the problem is also largely alcohol and drug-related.

Patrol: says they are usually first at the scene of a troublespot and remove problems before police arrive.

City of Geraldton: says it is looking at CCTV but claims police response was that police too busy to tap into the resource even if it is provided for them. Council also pursuing additional street lighting.

Crime victim: says police did not interview him for four days and never followed up when he came out of hospital. Victim offered to go out with police patrol to identify attackers and police said he should go on his own and then let them know.

CCI: concerned over the impact on trade and belief that entertainment traffic has dropped off. They say poor/no police response to threats of violence from youths mean they close early.

Legal services: talk about counseling and ... "training children in meditation".

MPs: Murray Criddle said he would be happy to introduce a private members bill on curfews and youth gatherings but said it would never get a hearing. Shane Hill said the only thing he could do was to ask for more police funding.

Finally, the *Geraldton Guardian* said that we offered our support to tackle the problem. We believe:

... the problems have probably existed for a long time and have got worse with the closure of Centrelink offices in the bush. That has lowered the socio-economic composition of the town. Problems run way deeper than poor policing and go to the heart of families, secrecy and abuse. The rise in drugs and alcohol use among young people is a contributing factor.

Street workers said they would show police where the drug deals are made but police refused to go.

Anecdotal evidence suggests that the police really want a quiet life, do not want to upset the indigenous community and want to get out of Geraldton asap.

They appeared very reluctant to work with the community to deal with the issues at hand.

As I have said, I could go on here. I can make all of this documentation that you have not got available to you.

The fact remains that this is an extremely dangerous place. I would walk down the middle of Parramatta any day in preference to walking down through this precinct here. There is more daylight robbery, abuse and physical attacks on people in the CBD than anywhere I have ever been. The annoying thing about it, from where I sit, is that it was all addressed two years ago in a law and order paper which was produced by me with the cooperation of these and many other agencies. All we have done is talk, talk, talk.

CHAIR—Why do you think the crime is increasing?

Mr Smith—Drugs.

CHAIR—Who is bringing in the drugs?

Mr Smith—I have no idea.

Mr CADMAN—Who do you suspect?

Mr Smith—There is a very strong bikie presence. In this report, you will note that rail cars leave Perth regularly and run up to the Pilbara delivering drugs. I have never seen a rail car; I had never heard the term until people in this community at these meetings told me about rail cars.

Mr MURPHY—What sorts of drugs are you specifically talking about?

Mr Smith—Again, I do not know. I am removed from it. I am told that amphetamines are what it is all about, but I wouldn't know an amphetamine if I fell over one.

Mr MURPHY—Are you suggesting that the people who are taking the drugs in the main are the Indigenous population?

Mr Smith—No; I think they are not. There has been, in the last two years or so, an Aboriginal outcry almost and anguish from leaders of the Aboriginal communities here that some Aboriginal people are supplying Aboriginal children with drugs for the first time ever.

Mr MURPHY—We were told by the Streetwork Aboriginal Group a moment ago that predominantly the drug was marijuana. When we asked them where they were getting it from to test them, whilst there was an acceptance it could come from anywhere, there was evidence that it was being grown in backyards. I am interested, from your personal experience and wider experience in the community, to hear your comments on why you think the magistrate—who was here giving evidence earlier today—is soft on Aboriginals and why the police are not doing their job. I would like you to go into some detail on both those elements.

Mr Smith—There are two things about that: I am saying it, but I am reflecting things that are said to me by the business community in particular.

Mr MURPHY—We want to rely on facts. It is very easy through innuendo to point the figure of suspicion at anyone in relation to crime whether it is the judicial officers, the police or anyone else. What facts or evidence—other than anecdotal—do you have that the magistrate and the police are not doing their jobs?

Mr Smith—I am just reading these statistics to you—and you will get more statistics from Safer WA this afternoon. I have just given you an instance of a CBD trader who has said to me that these statistics, as far as he is concerned, are conservative. Beyond that, everything else is anecdotal but it is not make believe.

Mr MURPHY—Dr King has an initiative in relation to sentencing, which might be different to other judicial officers, but at least the anecdotal evidence of what he is doing seems to be positive although it is only in its relative infancy. There have been royal commissions and a lot of media reports over the years with regard to deaths in custody of our Indigenous population. Obviously something needs to be done about it. To suggest that Dr King is 'soft' has the connotation that perhaps he is not doing his job, but perhaps he is sincerely trying to tackle it in another way. It is a very difficult problem which a number of law enforcement agencies, the courts and the community at large have had difficulty in addressing. Everyone's concern is something we would all like to resolve satisfactorily because no-one wants to have the fears in their community that you have reflected in your testimony before this committee this morning.

Mr Smith—So would you say to me that experimentation with the law, punishment and heaven knows what is entirely up to an individual?

Mr MURPHY—I am not saying it is experimentation; I do not know.

Mr Smith—Look at the statistics of injuries at the hospital and look at the number of robberies that are going on in this town. I have just explained to you that the reporting function

at the police station, as reported to me, is very misleading. I do not know that it is wrong, but it is misleading, because unless it has a report number it is not a report; it is an incident or a complaint. I am just saying that there are some very rubbery figures around and they are anecdotal—the base of those is very—

Mr KERR—One of the problems with this whole area is that there are always rubbery figures. I think Mr Cadman said that it would be useful to try and have some kind of longitudinal assessment or study of the effectiveness of this. The truth is that you can go to any community and get a series of accounts of things that have been terribly wrong. I come from probably the safest place in Tasmania and I could give you a similar set of atrocious accounts of incidences of individual misconduct that have terrified people in my own state, and yet statistically it is the safest place in Tasmania. There are still frightened people, terrified of going on the streets, and I spend a lot of my time trying to persuade them that their fear is far disproportionate from the reality. It seems to me that, regrettably, there is a sense that you are saying that everything is terribly bad, but this is not like Port Moresby—you do not walk up the street and see all the shops with razor wire outside and barred windows; as I walk around it, it does not seem like a city under siege to me.

Mr Smith—If I could respond to that, one of the CBD traders, after 32 years of trading here, was refused insurance by the company that had been insuring him for 30 years.

Mr KERR—That is happening everywhere in Australia. People being refused insurance is happening everywhere. It is terribly sad. Companies are going out of business, again in my state, because they cannot get insurance.

Mr Smith—My point is that he said, 'What's the next step? Do I put up roller shutters in front of my doors and at night, as they do in New York? Is that what we want to do?'

Mr KERR—As they do in Sydney.

Mr Smith—Precisely.

Mr KERR—But you were saying that it is more dangerous here than it is in Parramatta.

Mr CADMAN—No, what he is saying is that the factor of property damage to his property has increased to a point where they will not insure him—not through the failure of HIH or anything else. I think that is what is being said.

Mr Smith—That is precisely the point.

Mr KERR—Again, all I am saying is that I know this happens in my own town, where there have been a series of robberies, and unfortunately people are refused insurance. One of the sad things—and we know this from statistical information—is that the greatest mark of the likelihood of you being a victim of crime is that you have already been one. Repeat victimisation is one of the most common factors. A lot of the work that has been done to try and improve community safety is around strengthening victims, because once you become a victim of crime there tends to be repeat victimisation. I am not trying to knock what you are saying, but I do think that we are being confronted with two pictures of the same community—

Mr Smith—You certainly are.

Mr KERR—one of which comes before us and says, 'We'd like to get some sort of substantive, longitudinal statistics,' and the other says, 'We are a city feeling great fear.' Both can be true pictures of how people feel, but it is pretty hard to make anything of it, other than it could be said of any community anywhere in Australia by people coming forward.

Mr Smith—That being the case, what is the point of this? What are we trying to do here?

Mr KERR—Let me put it this way: I think in the end we try to work on fact based judgments and we recognise that there is great difficulty in some of the statistical bases upon which we make judgments in the areas of law and order. But we also want to hear people's experience because it colours how they insist on reactions, and people may have this very high level of fear. One of the things you identify is the fear of Aboriginal people in the city. That in itself can create its own set of problems if you start trying to break up the capacity of people to come together in their own township on the basis of race. That is a very difficult concept.

Mr Smith—This is not a criticism of Aboriginals at all, it is not race based at all, but to pick up that point—it is a fact of life, and you can go and interview people in the CBD if you like—it happens to be a statistical fact that 80 per cent of offences in daylight in the CBD is Aboriginal related. I have no bias; I am just stating a fact. I would also be ready to say that probably 90 per cent of the drug supply here is white. So what? A circuit magistrate that spoke to me in Bundaberg years ago said 90 per cent of everything that came before his court was drug related. This is a different matter. I would be the last person to be criticising the police or Aboriginals or anybody else, but I do think that unless we can sit together and come up with some solutions then we are just going to have a re-run of the papers that I wrote two years ago, which were circulated to people that could make a difference.

Mr MURPHY—The very first point in your MWGAAC Law And Order Committee Meeting, Geraldton, 5 May 2000 paper made it clear from that meeting that there was an under-resourcing of the police force in Geraldton. Do you still believe that?

Mr Smith—More strongly than ever. Mr Gronnow would say that without the Yamatji Patrol here they would not be able to function as a police force.

Mr MURPHY—And you make that as your second point?

Mr Smith—Yes.

Mr MURPHY—What has Mr Gronnow done in relation to assessing the future needs—that is, an increase in police numbers—to deal with crime in Geraldton?

Mr Smith—In all honesty, I do not know. Whilst I took a very clear path that police bashing in the paper and media here was not on—on the basis that they are humans as well, they are resource based and it is more than a police issue—and we have developed a relationship with the police here, we accept that there is a bigger picture to paint. But how he runs his resources, I have no idea.

Mr MURPHY—Police that I have come into contact with over my career in public life have complained to me about the level of paperwork that they have to prepare for the courts. If a case is going to stand up in court, they have to be punctilious in the preparation of their paperwork, and we all understand that. With the complaints made about the police, and the fact that they do not have the presence we would all like from time to time—we do not see enough of them; we have heard this morning that people would like to see more foot patrols—the police are out answering complaints of crime. Would you like to have a guess at, or forecast, what you think the numbers ought to be that might be required to deal with the crime levels in Geraldton? Do you want to double the number of police officers here, or triple it?

Mr Smith—I would be so far right of the mark that I would not know.

Mr CADMAN—You put the figure at eight in this paper.

Mr Smith—Yes, but that was the result of the discussion that went on. They were looking for some police cadets to help with the paperwork load. That is all that they were saying. That came from the police themselves. They said, 'Give us some police cadets. Let's get on with policing. We'll use the cadets as a stepping stone to a career in police work and get the paperwork out of it.' What a sensible thought! As for just adding to police numbers in the system, I have no feel for that. The police minister would be better equipped than I. But certainly the operatives here are weighed down with a huge amount of work behind the day-to-day activities on the street.

CHAIR—You gave two pieces of evidence which I think are particularly important. You started to talk about the existence of bikie gangs in Geraldton. Are you making a connection between those bikie gangs and drugs, particularly amphetamines?

Mr Smith—I have no evidence of that. I am dealing with anecdotal evidence that the bikie thing is part and parcel of the drugs scene in this country.

CHAIR—You have also said:

The established Abrolhos Island 'drug scene' ...

I do not understand that point. What is that?

Mr Smith—There is a pretty heavy scene out there in the fishing industry, but there has been for 20 years.

Mr CADMAN—I do not understand that from what you have described.

CHAIR—Is that an island where drugs are landed?

Mr Smith—No. It is a group of over 400 little islands, 46 miles off the coast, that is regarded as the biggest crayfishery in the world.

CHAIR—But you say that it can be a drop-off point for drugs which can then go back into town.

Mr Smith—Again, I would not know. This is what was said by people who attended these meetings.

CHAIR—There are two other very significant points in that discussion paper. One is the fact that domestic violence, sexual assault and child abuse result in children and youths not wanting to go home, preferring to be on the streets because of what they are subjected to. Do we have evidence of that, or is this also what was said?

Mr Smith—It is anecdotal evidence. It has come from people within agencies that exist here who attended these meetings.

CHAIR—In the *Private and confidential: Geraldton newspapers discussion paper*, following the words 'topic of discussion', it says:

There are 3 major gangs of between 10 and 30 members each.

These gang members account for up to 90% of all robberies and assaults and incidents.

Mr Smith—That was two years ago. I do not know whether that is still the case, but I can say that it is not unusual to see groups of 50 children between the ages of 12 and 20 congregated on a vacant block opposite the nightclub in the very early hours of the morning. We have a number of witnesses. There is footage on tape.

Mr KERR—I would be interested in your comments on how you could ask proprietors of nightclubs to take greater responsibility for the consequences of people coming together, drinking and doing whatever you do at nightclubs. Plainly this is a commercial activity. People, particularly young people, like going out. Some of them like getting seriously drunk. There are rules that limit the amount of alcohol that is supposed to be served to people. From what we have heard, no doubt alcohol is being bought by some in those nightclubs and being redistributed outside to people who are a bit young. What sort of framework do you think would be useful for nightclub proprietors to be given the responsibility for holding a licence in a city like this? If you are making the case—and I think that you did—that there should be some greater accountability for those who retail these products and provide that form of entertainment, what would you suggest that they ought to do?

Mr Smith—Actually, I was asking Mr Gronnow for his impression. But I would say that it is not exclusively a problem with the retailers. These offenders, from the information I have, cannot afford to go to clubs anyway; they cannot afford to go to pubs, to drink, to heaven knows what and to pay bar prices. The other thing is they do not arrive at the clubs anyway until 11 o'clock at night but, by then, they have bought containered, high alcohol drinks and drunk them off the premises. They simply congregate within the vicinity. If there is some supply going on, then I imagine it would be very hard to identify.

CHAIR—Are you saying these people do not actually go to the nightclubs?

Mr Smith—No—they are 15 to 20 years old.

CHAIR—What do they do?

Mr Smith—They congregate in the park. There is a high incidence of violence, of beatings and bashings. That is not exclusively what they do. What the heck else they do, I have no idea. I cannot imagine why any person would want to stand in a park from one o'clock in the morning until six o'clock in the morning with a group of other people.

CHAIR—So the work of the street-wise people who take kids home is important?

Mr Smith—It is absolutely vital, but they are stuck in the sense that, if they take them home to a—

CHAIR—A drunken home?

Mr Smith—drunken home or a home that is not occupied, what do they do? The problem is much greater than just the behaviour we are seeing. We accept that, and Michael King is entitled to his opinion, but that is all it is. Until there is some metering, some measurement, some schooling, some instruction, some way that offenders from the very earliest age can be taught the difference between right and wrong, we are going to see a perpetuation of the problem. I was going to say the programs in the last 30 years have been pretty ineffective, in my experience. As I say, I can go back to my Darwin, Katherine or Alice Springs days and there is no difference. What are we doing about it?

Mr KERR—I remember my school days at Claremont High School, in the working class area where I went to school. I remember, as young people who were not allowed to drink, we used to go out and get older kids to buy us booze. We used to stay out late at night and we used to drink on the beach because you could not go anywhere else, and that was fairly close. Young people find these things, discover these things and sometimes get up to acts which can scar them for life—if they get a criminal record—but most of them settle down after a while. This is not an unusual phenomenon. It may be more extreme here, but you cannot stop young people wanting to do these things. It is testosterone and—

Mr Smith—I do not think I am saying that I want to stop it. I want it controlled—

CHAIR—Absolutely.

Mr Smith—and I want it occurring within some reasonable—

Mr KERR—Framework.

Mr Smith—parameters.

Mr KERR—I understand what you want.

Mr Smith—We have a situation that is out of control. It might have been out of control when you were a kid; I do not know.

CHAIR—Duncan, you have never been a follower of laissez faire. I cannot really see that it is okay to say that, 'Because it happens, nobody ought to do anything about it.' I think that would be a wrong message to be sending.

Mr KERR—I remember reading the satires of Juvenal and hearing similar accounts in the Roman and Greek literature.

CHAIR—That civilisation collapsed, too.

Mr KERR—It took a few thousand years in the process, Bronwyn!

Mr Smith—The other problem is, with respect, that alcohol is one thing, but get these kids on the ecstasy tablets, the amphetamines and the 'gee-em-up' things and you are talking about a different complexity altogether. We are talking about amphetamines that make ordinary people aggressive, angry and cross.

CHAIR—Particularly with booze.

Mr Smith—Mix that in and look out. I am not returning to my youth, either, because I would enjoy a drink after school with the kids like the best of them. But, I tell you what—

CHAIR—That is precisely why I am asking you where you think the drugs are coming from. Is there an organised network? Are they coming from a particular place? If so, what are the police doing about finding that? You have some things in these discussion papers that give an indication of where it is, but it seems to me that you are making out a case that there has been an increased incidence of amphetamine use that is exacerbating the problem. Nobody seems to be addressing it.

Mr Smith—With respect, I do not have the answers either. The only people who would have the answers are the suppliers or the police.

CHAIR—One of the things we have discovered during the course of this inquiry is that the spread of drug sales seems to be done through a system of pyramid selling, so that you have more and more small users pushing it out to new users. That makes it difficult to police in the usual sense, but it also makes it impossible for you to say that small users are not the target of any investigation. So that is another question. Another thing is that young men, particularly those aged 17 to 25, are both the main perpetrators of crime and the main victims of crime, for the major reason that they are out there. Although they are more fearful of crime, older people keep themselves inside and out of harm's way—except in the case of home invasion and those sorts of crimes, which are also increasing.

Mr MURPHY—I look forward to reading your submission when we get a copy of it. We do not have it here, but it will be provided to us.

Mr Smith—I am happy to also provide you with the notes I have written today and anything else that has not had a hearing today. I have absolutely no reason not to supply the committee with everything I know. Because I am so old—

CHAIR—I do not know about that.

Mr Smith—and have been around such an awfully long time, I am fearful that we will not get an outcome at all. That is not to insult you, it is to say that—save for the escalation in drug

supply in whatever form you like—the problems we are looking at here exist. They are not going away; they are getting worse.

CHAIR—As I said, in your documentation you said that there does not appear to be a refuge where both mothers and children who are bashed or subject to abuse in homes can go. Is it true that there is no refuge here?

Mr Smith—At the time of writing that was the case.

Interjector—Yes, there are refuges.

CHAIR—Okay.

Mr Smith—At the time of writing, that was proffered by one of the attendees at the meeting.

CHAIR—We thank you very much for coming before the committee today. We are grateful for your input and we will be delighted to receive the rest of your submission. I understand we will be getting some statistics that will show reported crime. Victims' surveys are always most interesting, so your suggestion about getting figures from the hospital is also most useful, and we thank you for it.

Mr Smith—I also suggest the pathology department.

CHAIR—Okay, we might make a note about that. We thank you very much for giving evidence today and contributing to what we believe is an inquiry that will have an outcome.

Mr Smith—Thank you very much.

[11.39 a.m.]

SMITH, Ms Lorraine Susan, Regional Coordinator, COMPARI Midwest Community Drug Service Team

CHAIR—Welcome. I know that we have not received a submission from you. You have been invited to attend today, and we are grateful you could come. Would you like to make an opening statement, and then we will proceed to questions?

Ms Smith—There is a perception that crime in Geraldton is higher than it actually is, and there is a community of fear. Geraldton is quite small. When you look at the size of the place it is 10 minutes from one end of town to the other. The CBD is not huge and, of course, as everywhere and historically—and you mentioned kids in the Roman days—kids have always hung around the streets. They are vocal, they are noisy, and they are running amok. While I am not saying that the fear factor is not real, I am saying it is blown up in the media and we hear about it on TV all the time—with people locking themselves in their houses. I do not have any statistics but I have kept an eye on what goes on in the paper—they list the crimes each week in the local paper. Realistically, having worked around the state and worked in areas where the level of offence is high, I can say that Geraldton is no worse than anywhere else in Australia. I actually think it is quite a safe town. But we have highly visible groups of people who are causing problems and, of course, we have historically had some very sensational crimes as well, which have added to that.

CHAIR—What are the sensational crimes?

Ms Smith—We have had the murder of the mother and her children at a farmhouse, the murder of a woman at the beach a couple of years ago, and another murder that I cannot remember the details of.

CHAIR—If you say Geraldton is like every other part of Australia, then it means that crime is rising. The interesting thing that we have ascertained in this inquiry is that in Australia, crime is rising; but in the United States, Canada and even New Zealand and the United Kingdom crime is declining. We are examining, among other things, why that is so and what we can do about it.

Mr KERR—It is all the Howard government's fault!

Mr CADMAN—No, it is the state governments'!

CHAIR—We have got a couple of elections going on. We will see what we can do about it! Also, in this inquiry, we are looking at the issue of the fear of crime, because fear is very real and does impinge upon the freedom and fulfilment of people's lives. It is particularly true of older people who are fearful and lock themselves away. I wonder if you would tell us about the work that your drug service team does.

Ms Smith—Effectively, we cover the area from Exmouth in the north out to Wiluna and down to Leeman with seven staff members. We provide all alcohol and drug services outside of, obviously, the medical services that GPs and hospitals provide. Rosella House provides residential services. We provide prevention, treatment, education, parent programs—you name it and we do it. As a team, we are very active on a number of committees looking at the ways we can work together to reduce the problems that people have in their lives which lead them to using drugs. Our focus is probably not so much on reacting to drug use but looking at why people use drugs and providing education in the community to provide a greater understanding of why people are out there getting wasted. In that way, rather than looking at the drug all the time as being the problem we can look at the ways and means to help people improve their quality of life. This, in turn, has a flow-on effect of people not wanting to abuse and harm themselves or put themselves in situations where they are going to jail.

CHAIR—What is the major drug used?

Ms Smith—Alcohol.

CHAIR—And after that?

Ms Smith—Cannabis.

CHAIR—What about amphetamines?

Ms Smith—Prescription drugs would probably come third, if not second, and then we go down to the amphetamines and heroin as it is available. But heroin users are not normally that problematic.

CHAIR—What about substance abuse—sniffing?

Ms Smith—Solvent use is mainly out in the communities. There is some in Geraldton; it is confined to a group of about 20 kids—but that comes back to which kids are visible doing what. In my experience in this area, I have done a lot of work in the elite private schools where they grow premiers and presidents and prime ministers and what have you, and solvent abuse in those schools is rampant but hidden: Rexona cans in the boarding house, and things like that. We tend to have the perception—

CHAIR—Hang on, slow down! In schools producing prime ministers: what are we getting at?

Ms Smith—The private schools. We are talking about the perception that Aboriginal young—

Mr CADMAN—No; prime ministers come from small country schools.

Ms Smith—That's right, yes. We are talking about the perception that solvent abuse is an Aboriginal issue, when in actual fact it is rampant in the non-Aboriginal community. The Aboriginal kids are out there; you can see them, they do not hide it. The non-Aboriginal kids are actually sneaking around.

CHAIR—From my own experience, I have been to an outback town and seen a young mother pushing a stroller where she had a can strapped to her face. I do not see that elsewhere.

Ms Smith—I am not saying that does not happen. I am saying there is a perception that solvent use is an Aboriginal issue. It is not only an Aboriginal issue. We have got a lot of non-Aboriginal young people using solvents but we do not see them; that is what I am saying.

CHAIR—What happens to them?

Ms Smith—They tend to grow out of it. They can move on to other drugs, but it is usually a short-lived time, when they are in with some groups of people, that they do it and then they move on. They become old enough to start drinking or they start accessing alcohol or what have you, but it is usually an experimental thing that is short lived.

CHAIR—But there are lots, are there not, of young Aboriginal kids whose brains are destroyed? They do not grow out of it.

Ms Smith—Absolutely, yes.

CHAIR—We do not want to discount it as a problem for them.

Ms Smith—I am not discounting the problem; I am actually saying that we tend to focus on the Aboriginal kids with the problem and as the problem.

CHAIR—But they are the ones who are really suffering.

Ms Smith—They are the ones who are suffering, but there are also non-Aboriginal kids that are suffering that we tend not to look at as well. They tend to get forgotten about; that is what I am saying. I am not discounting it at all.

CHAIR—If you can give us some evidence of that, it would be good.

Ms Smith—I do not have statistical evidence; it is so hard to get.

CHAIR—Have you got any evidence?

Ms Smith—It is anecdotal evidence through my experience in working, talking to people I work with—my staff and people in other areas—and particularly, as I said, working in schools in Perth.

CHAIR—Can they give you examples of which schools and where?

Ms Smith—When I was working in Christchurch Grammar School delivering programs about five or six years ago, it was certainly very common. The boys would talk about it in the boarding house as being very prevalent with the cans of Rexona. One of the teachers who actually called me into the school to work was talking about the prevalence of it. It is mainly with young men, in my experience. The girls schools did not seem to have it. There is another

boys school in Perth, and I cannot remember the name of it—but it is something that young people in Geraldton have referred to in the boarding house as well.

CHAIR—So is this in boarding schools only?

Ms Smith—No, not only in boarding schools; but it is in boarding schools that it is evident because all the kids are together and they go out together. At that stage, Rexona was the popular solvent amongst non-Aboriginal kids. But I agree with you, it is not about discounting the problems for Aboriginal kids. There is a group in Carnarvon that have created their own little family around their solvent use. They range in age from eight or nine up to 17 or 18 and they have created a family and they basically stay up at the water tower.

Mr MURPHY—Ms Smith, can you tell us where the offenders get their alcohol, cannabis, prescription drugs, amphetamines and solvents from? Have you got any information for us? I say that against the background given by our previous witness, Mr Smith. I presume you are not related.

Ms Smith—No.

Mr MURPHY—It is a very common name.

Ms Smith—Yes, it is.

Mr MURPHY—Mr Smith painted a very grim picture of Aboriginal crime here in Geraldton. He certainly gave me the impression that it is more amphetamines abuse than cannabis abuse, and that it is being supplied from somewhere—sources unknown. You are at the coalface, so tell me honestly.

Ms Smith—Our experience with the Aboriginal youth that we see is that it is predominantly alcohol and cannabis that they are using.

Mr MURPHY—Where do they get it from?

Ms Smith—Amongst themselves, their peers: they mix in groups with older kids and younger kids; they get it all amongst themselves.

CHAIR—But where do they get it from?

Ms Smith—Where does it come from originally? Who is bringing it into town where it is a problem?

CHAIR—That is what I am asking.

Ms Smith—I do not know.

CHAIR—There is a suggestion here among these papers—

Ms Smith—I could not say whether it was one group or another group.

Mr MURPHY—We were told by the street workers' Aboriginal group, who gave evidence earlier, that, for example, cannabis or marijuana is being grown in backyards. Is much of it being grown here in people's backyards or out of town?

Ms Smith—I cannot answer that. I cannot say, 'Yes, there is,' or 'No, there is not.'

Mr CADMAN—But you are with these people all the time; surely they talk to you.

Ms Smith—Yes, I am with these people all the time and they do talk to me, but I cannot say that I know it is grown in every backyard. I do know that young people access it through either their peer group or older people who are around the group, or through family and friends.

Mr MURPHY—But what we are really driving at here is—

Ms Smith—Where and who is providing it.

Mr MURPHY—That is right. We are not attacking you, but we would like to know whether you believe that strong evidence exists—even if it is only anecdotal—that it is being brought in by ship or being flown in or being brought in by motor vehicles from the big cities or elsewhere.

Ms Smith—Anecdotally, alcohol and cannabis would be supplied by the close groups: the friends and family and so on.

Mr MURPHY—Around here?

Ms Smith—Yes, around Geraldton. I do know that people travel to Perth to get amphetamines.

Mr MURPHY—Who are the people who travel to Perth to get it?

Ms Smith—I do not know who they are.

Mr MURPHY—But who told you that?

Ms Smith—Clients tell me that people go to Perth and pick it up, but they do not tell me who those people are. I would not know who they are. With this drug team we work very closely with the police and have a visible presence with them, and so our clients are a little astute about what they tell us.

Mr MURPHY—What sort of job do you think the police are doing?

Ms Smith—In all fairness, the police are doing the best job they can do. I think the police come under attack numerous times because people want the problem moved away and hidden, put out of sight—obviously, gotten rid of. We need to look more clearly at how we can work with the police and other community groups to alleviate some of the reasons for people doing what they are doing and not to keep moving them constantly. I see one of the problems in Geraldton being this pushing of the problem out of town, putting it under lights, using video surveillance. They seem to be the solutions.

In Geraldton we have street workers who move intoxicated people on, but we do not have a street-present youth work service as they do in other communities. Belmont, for example, had problems with young people in the park at the civic centre. They have a youth work street patrol made up of youth workers who know how to engage with young people. They also provide activities for young people in and around where adults were located. As we know, young people want to be in town; in my opinion, they have the right to be in town. But in Geraldton we have moved everything for young people out of town. The PCYC was moved out of town near the swimming pool. There is a small skate park over there, but we do not see too many young Aboriginal people using it.

The people who are causing the problem are from the lower socioeconomic group. They do not have good, healthy family backgrounds. They do not have access to skate boards and so on or the membership to PCYC, or they do not fit into that structure. I think we lack a street-present youth work service that can engage with kids in that vacant block of land opposite the nightclub, if that is where they are going to be.

Mr MURPHY—A moment ago we heard Mr Smith tell us—I believe that he was sincere in his evidence—that he believed that Dr King, a stipendiary magistrate, was soft on Aborigines and that, in his view, the police were not doing their job. That was his view and he tendered that evidence to us this morning. As someone who works closely with the community, how do you respond to that?

Ms Smith—One thing I can say about working in Geraldton, as opposed to other areas I have worked in, is that there is a genuine willingness by people in agencies to look at the root causes of the problems and not to react to the crime and the drugs. The chief stipendiary magistrate may come across as being soft on Aboriginal people. If you are somebody who wants everybody locked up and kept out of sight and 'out of my face', he comes across as being soft on most people. Actually, I hope you get the opportunity to talk to the magistrate about the initiative that he has put in place.

Mr MURPHY—He has told us about it this morning.

Ms Smith—So you know of the initiative?

Mr MURPHY—Yes.

Ms Smith—We have seen significant change in people as a result of that initiative. It may appear to the community as 'going soft on people'. But he is allowing these people an opportunity to look at the issues in their lives. I suppose it becomes mandatory, but people are put into the situation of being given that opportunity and, I guess, coerced to do it. We can look at ways and means then of improving their quality of life and reducing some of their need to offend—because, as we know, some of the offending occurs out of a need to offend; it is not just 'I want to go out and steal your stuff because your stuff is better than mine.'

Mr MURPHY—Do you think the community have confidence in the police force and the magistrate, generally?

Ms Smith—I do not think anybody anywhere does. Listening to the media—and I mean no disrespect to victims of crime—victims of crime see only their own pain and hurt, and it is like,

'We just want these people out of our face.' But I guess it is also the people who are perpetrating the crimes—and I do not like using the word 'victim', because I think you said earlier that you can become a victim—

CHAIR—Once you are a victim, you go on being a victim.

Ms Smith—Yes. I think we have to look at the perpetrators of crime. To some degree, they are victims also of their circumstances which have led them to where they are. And I am not a bleeding heart either; I am actually very practical in my work with people.

Mr MURPHY—What would you like to see come out of this inquiry in the way of recommendations that might assist the police and people like you who are working to reduce crime levels? What are some of the practical things that we could recommend that would assist in reducing crime in Geraldton?

Ms Smith—My idealistic wishes are that we get to look at why these things occur and talk to the people who are perpetuating these things. I have done a lot of work in prisons. In actual fact, I was a drug user and in prison myself. We should talk to people about what is going on in their lives, and that should be done in prisons or wherever you would like it to be done. It is not about taking away punishment for what they do; it is about the fact that, when these people are being punished, you have a prime time to capture them, because their life is going nowhere. Let us talk to people not about their drug use, not about their offending behaviour, not about the fact that they are hurting me or some other person—hurting everyone—but about what is going on with them to cause this problem: 'What's happened in your life that has led you here?' It is idealistic of me.

Mr MURPHY—I realise that it is important to look at the origins of such things in a person's life that have influenced them and have led to crime. But I expected you to comment on whether we should have more police officers—

Ms Smith—Yes, I am getting to that. We have constantly increased the number of police. Certainly, people like to see a police presence on the street and people feel safe with a police presence. But we have increased the police presence on the street and, as Mrs Bishop said, crime has not decreased but is increasing. So what is going on there? More importantly, I think it is about educating those who are working with these groups of people.

Let us go right back to the early days, even before school. I am a great fan of Dr Fiona Stanley, who basically talks about getting them when they're born and about working with the parents. First, let us get the parents having a good sense of self and wellbeing and community, but let us work with the children and parents from a very young age so that the children grow up with a good sense of self and community. At the moment, everybody tends to be growing up in isolation. They go to school and the bad ones tend to fall through the gaps or get too much focus, while the ones who may not be acting out and misbehaving are missed—and quite often they are the ones who go into drug use later because they are on the fringe. We put a lot of focus on the kids who are misbehaving.

We are also drugging our kids at an awful rate with Ritalin and dexamphetamines, and that worries me severely. We are not working with behaviours; we are just trying to sedate the problem and lock it away, basically. We are not concentrating on what the big issue is, and I

think it is people's behaviours and lack of interconnectedness with community. I told you that mine was an idealistic response. It is working with all the police on the streets, the nurses, doctors, ambulance officers, teachers and so on, to bring in some sense of understanding about issues in people's lives and how that works from a behavioural point of view; and it is working with behaviours but having people across the board able to address behaviours, without fear.

Mr MURPHY—Dr King told us in evidence this morning that a significant number of illiterate people come before him.

Ms Smith—Absolutely, yes.

Mr MURPHY—You talk about getting the kids while they are young—jurisprudence, the philosophy of good law and teaching children what is right and what is wrong. How can we better do that here in Geraldton? You have talked about educating those who are involved with people who have committed crime.

Ms Smith—If you want to look at the group of people who are already doing it, that is a whole different ballgame. Illiteracy levels are extremely high, not just amongst Aboriginal people but amongst non-Aboriginal people too. We need to have a good look at what is going on in the schools. There are initiatives that pick up the kids who are falling through the gaps in school. One was set up in Geraldton by the community ed centre, for young people who were falling through the gaps. That school could not get funding, yet there were half a dozen young people engaged in that. We still see one of the young men that went to that school last year, and he has improved in leaps and bounds just through that interaction. But that school could not get funding. The magistrate's therapeutic jurisprudence cannot get funding. We are having huge difficulties in sustaining initiatives to look at and address the root causes of what is going on. I use the word very loosely, but I think we as a community have become very intolerant of other people. We have all stopped caring, to some degree. Do you know what I mean?

Mr MURPHY—Do you think people are giving up?

Ms Smith—I think so. I do see that to some degree. That is only what I see.

Mr KERR—There is an odd phenomenon of the community treating its children as its enemies.

Ms Smith—Yes.

Mr KERR—It is puzzling. We hear the rhetoric about children being our future, but children en masse are the enemy, the other. There are a lot of newspaper stories.

CHAIR—The behaviour that flows from that is of concern, not the people themselves.

Ms Smith—It is the behaviour. We do not address the behaviour. We tend to blame the people and we alienate the young people as well.

Mr KERR—I am not so sure that it is behaviour. I have seen people who want to stop young people meeting and doing things in the cities, irrespective of the harm. In my own town,

because of skateboards and what have you, people say it is terrible to see all the young people congregating even in skateboard parks.

Ms Smith—That is what young people do, especially young men. They congregate in groups and then we call them gangs and they become the enemy.

CHAIR—Some of them are gangs.

Ms Smith—Some of them are, yes.

CHAIR—You said that you were a drug user in prison.

Ms Smith—I was a drug user, and I went to prison over 10 years ago.

CHAIR—You did not get them in jail?

Ms Smith—I did not. I made a decision not to use drugs when I went to jail. That was my time to stop. But, certainly, drugs were available in jail and still are available in jail.

CHAIR—How do they get into jails?

Ms Smith—Through visitors, predominantly—although it is a lot better than it was.

CHAIR—So you made the decision to use that as an opportunity to stop?

Ms Smith—I did, yes. Jail did not do anything to help me. I was on the court diversion program, and it was all too much to be going and peeing in jars and all that. I decided to take jail, have time out and get straight. I was 33 at the time.

CHAIR—You said one of the things you are very concerned about and that needs to be done is to go back and look into people's lives to see why they started.

Ms Smith—Yes. Look at why people are doing what they do. From my experience of working with drug users—and from my own experience—I know that it is all about not being able to deal with emotions or life's knocks and blows. Why some people deal with it and some people do not, I do not know, but certainly it is about not liking yourself. It is about destroying yourself under the guise of 'I feel better.' It does feel good, because there is no feeling at all. We really demonise drug users—and maybe not alcohol users to the same degree, but certainly the old drunk staggering around the streets—but I look at them and say, 'Why are these people hurting so much?' Why doesn't somebody say, 'Hang on a minute. What is going on?' instead of: 'It is the drug; it is the drink.' We have this war against something that we cannot fight, whereas we can look at people's behaviours and ask, 'Why are you behaving in that manner? What is going on?'

Mr CADMAN—Yes, but the fact of the matter is that assault, robbery and personal abuse are more likely to occur around places where alcohol is supplied.

Ms Smith—Absolutely.

CHAIR—Or drugs.

Mr CADMAN—We cannot say that that does not exist.

Ms Smith—No, I am not saying that at all.

Mr MURPHY—You made the observation that jail did nothing for you, but it is apparent to us from your presentation here this morning that something has happened in your life—

Ms Smith—Yes; but it was not jail.

Mr MURPHY—that has given you a very positive outlook with regard to trying to deal with this problem. What has happened in your life that has changed here?

Mr KERR—It is usually called growing up.

Ms Smith—Do you know what it was? I was still using full-on amphetamines when I was 31 and I had been using drugs since the age of 12. My family background is not the prettiest, but we will not go into that now. Yes, growing up had a lot to do with it, I guess—although I wonder if I have ever grown up.

Mr MURPHY—But at 31 you are grown up. What happened—

Ms Smith—No, as a drug user you are not grown up at 31, particularly when people start using drugs at the age of 15 or 16 or even younger—you are not grown up, because your emotional development is stunted by the fact that you are using drugs. That is why you see people, when they get off drugs and alcohol, actually fall to pieces at a later stage. You see big, strong men behaving like 15-year-olds, because emotionally their developmental stages have got stuck in that adolescent period. So, no, you are not really grown up. You have the illusion of being grown up—I had had marriages and all of that kind of stuff and I had kept a job and so on—

Mr MURPHY—What was instrumental in getting you back on the straight and narrow?

Ms Smith—At some stage or another in people's lives, and for me as well, drug use no longer becomes functional. It becomes harder to use drugs than to live without them, if that makes sense. They were no longer doing what I wanted to get from them. I was no longer having the confidence that I got from them. I was no longer able to function in the real world. I had always functioned in the real world when I was out of it, so the speak, but my drug use had increased to such a level that I could no longer support it. Consequently, I started offending and I ended up in jail. I was half dead by that time. I was using speed for anything up to six or seven days on the trot without eating and sleeping, and just basically passing out. So I had depleted my body and had done a lot of damage to myself. My body, my brain and my soul could no longer sustain it.

Mr MURPHY—Did a person or a government program or a group bring you to your realisation about your problem?

Ms Smith—I am just going to that. When I was arrested I was put on court diversion, and a counsellor said to me, 'Why do you keep hurting yourself this way?' It made me stop and think that, yes, I was doing this to myself. A number of programs helped and a number of people helped. There is no one fix-it for drug and alcohol users. There is no one program that is going to fix you. It is a combination of a lot of pennies in the box. When the drug use stops being functional, you draw on those resources and you have your links to people. No one person can fix another person, and no one program will do it. That is why Dr King's program is really quite useful, because it looks at all areas. It is a number of different things and lots of different pennies in the hat that are relevant to the one person—not one program that is relevant to 20 people, if that makes sense. So basically, that is what happened. I actually chose to go to jail, as opposed to having probation for three years and constantly having to report, because it was time out and it gave me that time to stop and think. So I made some decisions, but I was also very aware. I was probably a lot more aware of what was going on than some of the drug users that I actually work with.

CHAIR—It is interesting that you made the decision to say, 'I am going to take this time out.'

Ms Smith—Yes, and jail was the place I could do it.

CHAIR—It was the place to do it because no-one could get to you?

Ms Smith—Yes. I did not have to answer the phone and nobody came around knocking on the door. Jail was productive for me, but I used jail productively. So I work with people who are looking to go to jail to use jail productively. Rather than just saying, 'I am here because of what I have done,' take responsibility for what you have done and use the time productively to stop, look and think about where you want to go to next. But we also need to look at something to assist in that transition when people are released from prison. That is my passion. That is the biggest gap that we have in this society.

CHAIR—What happened for you?

Ms Smith—I was pretty lucky, because I went back to the house that I had lived in and I had all my friends around me and so on. But I still had no confidence and I did not have my drugs to give me the confidence. I basically had to rebuild. I had to start from scratch as a teenager, so to speak, and learn to live and function in the community. I had good people around me, but I had made a decision to do it. But I can tell you that the first 12 months was extremely difficult and I did a lot of drinking in that time. I did not go back to using drugs because I had made that decision, but I did a hell of a lot of drinking. I think I own half the Jim Beam distillery.

I know lots of people who have been in and out of jail; I have worked in the jails with people. Time in jail is the hardest; that time can really make the difference between whether people go back to what they were doing or whether they make a change. It is very isolating, very lonely and very scary. Regardless of all the nasties that go in jail, it is actually a very safe place because nobody can get at you and you do not have to talk to anybody. It is safe, protected and there are people around and things to do.

Mr MURPHY—By way of summary, the important message you are giving us is that more should be done for people when they come out of prison for their integration back into the community to make sure they do not offend again, because so many of them do offend again.

Ms Smith—Absolutely. More transitional type programs are needed.

CHAIR—The evidence about your personal experience, which you have shared with us, is most interesting. It showed that you had the strength, which other people may not have.

Ms Smith—Yes, and certainly some people do not have it, some do. I think we all have personal resources. My strength comes from my personality. I have always been like that—I bounce back. A lot of people do not have the personal resources and that is what we have to work with. We have to work with people in the community to heal. A lot of people have become cynical. We are living in fear, we are not as trusting of each other as we once were—for obvious reasons. Rather than having more police, locking more people up and getting rid of some kids, perhaps we need to look at ways we can mend communities.

CHAIR—Thank you very much for giving evidence before us today.

[12.22 p.m.]

SHARP, Mr Noel, Researcher, WA Justice Action Group

CHAIR—Welcome. Do you have any comments to make on the capacity in which you appear?

Mr Sharp—The group I belong to, WA Justice Action Group, is an offshoot from Lone Fathers Association, of which I was president for 11 years.

CHAIR—You have provided a variety of written information to the committee, but we are only going until half past 12 so would you like to just give us an outline of what this material represents and then we can have some questions?

Mr Sharp—The documentation outlines the fact that I moved to Geraldton with children and I became involved in the racing industry here, as I am a jockey by profession and I was going to train horses here in Geraldton. My son was at that time an indentured apprentice jockey and came here to ride after threatened violence in Perth. I became involved with a number of horses for a business gentleman in town by the name of Mr Foster—he is from Batavia breads. I was then put under pressure in this town to the effect that I would do as I was told and if I stepped out of line I would be dealt with. I took offence to that, having trained in the Eastern States and all over the place, so I applied for a licence here and was knocked back.

CHAIR—Are you saying that this is to do with the racing industry?

Mr Sharp—Yes. It started off with the racing industry, because of what was going on at that particular time. My son became leading rider here and there was a move against him to stop him from advancing his profession.

Mr MURPHY—Did he become leading rider here in Geraldton or in Perth?

Mr Sharp—He did ride in Perth but he was assaulted in Perth by a horse trainer. There was a cover-up in the racing industry and if he had not shifted out of Perth he would have lost his indentures, so I came to Geraldton—I brought him here.

Mr MURPHY—What is your son's name?

Mr Sharp—Jason Sharp. He is now riding in Toowoomba and Brisbane.

Mr MURPHY—What happened in Perth that he was assaulted? Was there corruption in the racing industry?

Mr Sharp—Yes, there was corruption in the racing industry. It led to a CIB officer by the name of Mr Hancock being involved in the Lewandowski case—or, if you like, the Mickelberg case—and in other matters. As president of Lone Fathers, the information came across our desk. Lewandowski was a member, with Mr Hancock, who came out to Webster stables. My son

became known to them. On numerous occasions, the fixing of races in Western Australia was orchestrated. I advised my son at that time to go interstate, or he would have to get out of Western Australian racing.

Mr MURPHY—Who is involved in race fixing in Western Australia?

Mr Sharp—There are a number of jockeys here who were paid anything up to $3,000 a race. I gave that information in a submission to the racing tribunal here, and I am listed on that submission. Nick Griffiths is the chairman.

Mr MURPHY—What happened to that evidence?

Mr Sharp—There has been a cover-up here in government circles. The Geraldton Turf Club are in the red for $1½ million. I did the financial paperwork and documentation, and that is what I submitted. In fact, Geraldton Turf Club closed down for 12 months after that event.

Mr MURPHY—Since time immemorial, people have been saying that the racing game is corrupt—that jockeys and trainers and the like manipulate race results. What is new?

Mr Sharp—The difference between here and Melbourne, Sydney and Brisbane is that this is a backward state in racing. I say that lightly, because I served my time here. I rode here successfully, then I rode in Melbourne and Sydney as well. I have trained winners up and down the eastern coast. The difference is that the police officers who were running the racing here dominated what you did or what was happening. Five hundred dollars changed hands and saw my son's thigh and legs broken and he was left on a truck for three-quarters of an hour. I went to the stewards and was told that I was overfatherly in my instincts which, you must understand, is tantamount to saying, 'If you don't like it, you know what to do.'

Mr MURPHY—What did they do to your son, Mr Sharp?

Mr Sharp—They brought him down in a race, which broke his legs and has left him short in one leg. It has not impeded him; he has since been to India and now he is based in Brisbane.

Mr MURPHY—I am not an expert in racing but I would presume that if—as you allege—other jockeys brought your son down in a race, they would surely be putting themselves at risk. I read the other day that Damien Oliver's brother—

Mr Sharp—Yes, I knew Jason very well.

Mr MURPHY—died because a horse snapped a leg or something.

Mr Sharp—Yes. I had the same accident; I can tell you exactly what it was.

Mr MURPHY—We are looking for hard evidence of corruption.

Mr Sharp—A member of the Geraldton Turf Club agreed and wrote a letter stating that for five years I had conducted or was part of an inquiry trying to get evidence on drugs and related matters here in Geraldton. It was well known that the drug centre here related to the Tibbs

murder. We have had other murders here that Mr Golightly and co. got blamed for, but Mr Golightly had nothing to do with those murders.

CHAIR—Which was the Tibbs murder?

Mr Sharp—A shooting took place in an outer suburb of Geraldton.

Mr MURPHY—Was it to do with a race result?

Mr Sharp—No, it was to do with drug related matters, gun buying and gun running here in Western Australia.

CHAIR—Who is doing that?

Mr Sharp—At that time, there was a group buying guns, evidently from Queensland, and bringing them to Western Australia—machine guns and everything else.

CHAIR—When was that?

Mr Sharp—That is going back probably five years now.

CHAIR—Was that before or after the drug laws were brought in by the Howard government?

Mr Sharp—The Court government were here at that time.

CHAIR—That is more than five years ago.

Mr Sharp—Give or take.

CHAIR—Are there still gangs here who are dealing drugs?

Mr Sharp—Yes, there are gangs here.

CHAIR—Who are they?

Mr Sharp—The gangs here are controlled by drug running. There was a bust at Northampton recently. Information from the Wintersun Hotel was given to police officers who conducted that investigation. That was a factory that was going to sell amphetamines. They were busted for it. Before that, it was a Colombian group.

CHAIR—Who is doing it? Who is bringing drugs into the area?

Mr Sharp—The fishermen. There is a doctor who has just recently put his practice in limbo and taken a shack, I believe, on Abrolhos Island. There was a court case in which evidence came forward that drugs were freely available and coming in with the fishing industry here in Geraldton.

CHAIR—You say there was a court case?

Mr Sharp—Yes, there was a court case with Mr Carr, a gentlemen who was just here. He is one of them who was given the information and documented that evidence.

CHAIR—Who was?

Mr Sharp—Mr Richard Carr, the elderly gentleman who was just here, from Walkaway.

CHAIR—What was he told?

Mr Sharp—He is a fisherman; he is on the seas. He knew of the drug running going on in Dongara, and he knew of the drug running on Abrolhos Island. He has named the mafia group that operates in Geraldton. I went to two meetings with Mr Carr in Fremantle. The trouble with the meetings in Fremantle was that their political nature and the information divulged caused all sorts of problems. We wrote to Amanda Vanstone about fraud involved in Centrelink. The information we were given was that drugs were supplied to Centrelink staff and nine out of 75 failed the test.

CHAIR—I do not quite follow that. How did we get to Centrelink from drugs being brought in?

Mr Sharp—The fishermen, in a lax area, go on to Centrelink benefits.

CHAIR—What do you mean by a 'lax area'?

Mr Sharp—Between, say, the lobster area—which has just started—there is a lay-off period of a couple of months in which fishermen have to have a living or go on to benefits, as the saying goes. What happened was that a particular gentleman we were inquiring about made a threat, and I approached Dr King for a VRO—a violence restraining order. Dr King refused on the grounds that the matter was not serious enough. The police eventually took me over to get a hearing before Dr King, and the question I wanted to ask of Dr King this morning was based on that: the Aboriginal woman who helped me to get into court put my name forward in front of the bikie gangs that were operating here, and the bikie gangs became aware of who I was and what my name was.

What I am alluding to now is that the drugs that were in Geraldton were bikie based. I put together a file, which I submitted to the Geraldton police, who refused to take that file. They wanted no knowledge whatsoever of it. In that file were police numbers with times, dates and names and what they were dealing with. They were dealing with a murder called the Deborah Anderson murder, when a lady was burnt in Middle Swan. She was found in Midland. We had documents to show that she was at a premises in Rangeway the day before. They shipped her out of Geraldton and took her to Midland. When we took the files to the Geraldton Police Station, they were going to have me arrested for being a public nuisance. I got on a bus and went down to Perth on the advice of my power of attorney, Mr John Doohan, who told me to take the file to Perth to find an honest police officer. Believe me, did I have some trouble.

CHAIR—Where is this file now?

Mr Sharp—The files are with John Doohan. The files have been photographed by the police department and dismantled, with the police registration numbers taken out of them. There is an adjustment now on the police vehicle registrations in the computer system here in Western Australia.

Mr KERR—It is going to be very difficult for us to sort out the truth or otherwise of all these statements.

Mr Sharp—No, there is plenty of truth.

Mr KERR—There is a current inquiry—

Mr Sharp—There is one hell of a cover-up!

Mr KERR—into alleged corruption into the Western Australian police force drug squad, isn't there?

Mr Sharp—Yes, there is.

Mr KERR—Have you given your materials to that inquiry?

Mr Sharp—We have been waiting for some time to have something done about it. Regarding the evidence that has been put forward in the Lewandowski case, Avon Lovell—along with the rest of us, who have been involved for so long—is trying to get into an arena where evidence is going to be taken. The trouble is that we have been assaulted or threatened.

Mr KERR—I am trying to ask you—

Mr Sharp—When they threaten you, there is nothing left. What they do is burn you down. I have taken this to court.

Mr KERR—I may be wrong, but all I am saying is that my understanding is that currently there is an inquiry with the powers of a royal commission—

Mr Sharp—We are going nowhere.

Mr KERR—to look at alleged corruption in the drug squad in Western Australia.

Mr Sharp—Yes.

Mr KERR—That is from my reading of newspapers from outside the state. That would seem to be the place to take these materials to have them assessed for their weight and substance. Have you not done that?

Mr Sharp—I have done that, but we cannot get anywhere. I have suffered three firebombings. I had a place in Buxton, in the Southern Highlands of New South Wales, down near Mittagong: I was burnt out and blown up in the Thirlmere drug case many years ago. I came back to Western Australia because of the children. In Pingelly, I had the same trouble.

They burnt my house down and blew me up. When we gave evidence on behalf of the police, the police were leaking documents and information to the people who burnt us out and blew us up. I was not satisfied with the outcome of what was going on with Centrelink, because the chap who made the threats has since been charged—

CHAIR—This is all over the shop, if you do not mind my saying. How did we get from your involvement in horse racing—

Mr Sharp—That was my profession.

CHAIR—Correct. How did we get from that into this knowledge of drug and gun running?

Mr Sharp—I brought my son here to Geraldton, and I became a target.

CHAIR—Why?

Mr Sharp—Because he was riding five winners a day and the bookmakers and others got upset, and they tried to cut him down to size. When you see your own son lying on the grass for $500, you begin to wonder what the hell is going on.

Senator MURPHY—Mr Sharp, with respect, if a jockey was riding five winners every day he rode, that would become a major news story all over Australia.

Mr Sharp—He is. That is what did happen.

Senator MURPHY—You are saying he rode five winners every meeting.

Mr Sharp—No, not every meeting but his average was five winners at meetings. He went from being a nondescript apprentice to being a leading rider as a 17-year-old.

Senator MURPHY—Here in Geraldton?

Mr Sharp—Yes. He was very prominent in Western Australian racing. He won the most improved rider of Australia at the Burswood Centre, so his reputation is widespread. Everybody knows who he is.

CHAIR—Okay, so you are saying that the fact that your son was a successful jockey and cost the bookmakers money meant that the bookmakers were somehow involved in drug crime?

Mr Sharp—During the last elections, I stood as an independent—

CHAIR—Never mind that. Just tell me the answer. Are you saying that the bookies were involved in drug crime?

Mr Sharp—Yes.

CHAIR—They are, in your view?

Mr Sharp—Yes, and in Canberra the Trimbole case and the Winchester matter are related to that. I gave evidence in the Winchester case, so now you will understand that I have a detailed knowledge of how it operates and why it operated. While I was in Buxton, I supplied cut flowers to Canberra. I went to the Canberra races and took horses all around the countryside from Buxton, which is near Mittagong, and we plundered the bookmakers. In other words, we went to Kembla Grange or we went to Lismore or whatever. In selling flowers around Canberra, I became known in that area for selling fruit and flowers—as well as the horses.

CHAIR—Why, if you were selling fruit and flowers, were you firebombed?

Mr Sharp—Because in naming Trimbole and in other matters, I collected data, if you like, and researched a gentlemen in Thirlmere who got busted for the first $1 million marijuana plantation.

CHAIR—How did you become involved in this?

Mr Sharp—I did contract ploughing in between. I operated a business, and that is what I was doing.

CHAIR—You were ploughing earth for drug growing?

Mr Sharp—No. I was ploughing fields for money at a set rate, because I had the machinery for the orchard and the grading of the racetrack that I put in for the training track and so I put that machinery to use.

CHAIR—How did this then relate to crime?

Mr Sharp—The gentleman who was later busted for the first $1 million marijuana plantation went behind the rotary hoe and planted marijuana. I took the evidence I had to the authorities, and he got busted for it.

CHAIR—Okay. So you are saying you had a ploughing business and they were using your ploughing furrows to plant marijuana.

Mr Sharp—Yes, they were.

CHAIR—And you went to the police and gave evidence?

Mr Sharp—Yes, I did.

CHAIR—And he was busted. Does that mean he went to jail?

Mr Sharp—Yes. There was a murder after that at Bargo and there were all sorts of problems, and then I was firebombed.

CHAIR—What did the murder have to do with you?

Mr Sharp—David, the murder victim, was riding to work for me and driving a tractor. Everywhere the tractor and David went they started planting marijuana: it became known as the town for marijuana. It is the largest growing area, if you like, on the southern tablelands. Having had the farm there at Buxton and having established myself, I then branched out, and that is when I caught up with the episode in Canberra.

CHAIR—I do not understand how we then get to Bargo—

Mr Sharp—Bargo is right next door to Buxton. David was working for me, driving the tractor and riding to work—

CHAIR—And you are saying he was murdered because he knew about the marijuana?

Mr Sharp—Yes. It was a cover-up.

CHAIR—So how does this relate back to Geraldton?

Mr Sharp—When it became known that I was here in Geraldton and I had been to a number of meetings in Perth about law and order in other areas and had named police officers for what was going on up here in Geraldton—

CHAIR—But what is going on here in Geraldton?

Mr Sharp—The former member here was involved with the *Geraldton Guardian,* in joint ownership with Mr Smith, who was here this morning. If you attempted to get anything done here in Geraldton in relation to matters, it was stopped before it got off the ground.

CHAIR—What matters?

Mr Sharp—As an example, five police officers handcuffed an Aboriginal youth and beat him into submission. The sergeant in charge of the station at the time lost his rank of sergeant and was sent to Margaret River. That is one instance where drugs were involved. The youth wanted to name the people in Geraldton who were supplying drugs to the Aboriginals and to the white population.

CHAIR—Did he name them?

Mr Sharp—He was beaten to such a pulp that he was a mess. The photographs showed him with a broken arm, a broken leg and a broken shoulder—he was jelly.

CHAIR—Where is he now?

Mr Sharp—He still lives here. He is on drugs worse than ever now because of the situation he is in.

CHAIR—What is his name?

Mr Sharp—He is one of the Camerons. His name is David Cameron, I believe. But he goes under a nom de plume, too. If we had not had a white woman doctor visiting here, who treated him, they would have got away with it. All the other doctors in this town, plus the police and those who had that knowledge, would have had it stitched up again.

CHAIR—I am sorry, I do not understand all that.

Mr Sharp—A female doctor who was a visitor here treated him and took pity on him. That is exactly what happened.

CHAIR—You are saying that otherwise he would have died?

Mr Sharp—Otherwise he would have been just another of the Camerons who died in custody and in other matters here in Geraldton. Deaths in custody have been ongoing. We had an officer here who was done, if you like, for selling drugs to prisoners in Greenough.

CHAIR—When was this?

Mr Sharp—He got out two or three years ago, probably.

CHAIR—He got out?

Mr Sharp—He was kicked out of the prison service.

CHAIR—Is there anything specific you want to say about what is occurring now?

Mr Sharp—With Centrelink and the threats being made by those who were taking the dole—or the fraud that was going on there—Dr King had the opportunity to stand up and put the police on notice to do something. Then the police brought it out in front of the bikies and named me in front of the bikies, and my safety is now at risk.

CHAIR—You have just lost me. I have no idea how all that connects. I do not know how the bikies got back into the act; I do not know who named you before the bikies; and I do not know why you are threatened by them.

Mr Sharp—I was threatened by somebody in Geraldton. I went to the courts.

CHAIR—Why were you threatened?

Mr Sharp—Because of the information on the drug dealing and what was going on.

CHAIR—But you have not told us what the information on the drug dealing is.

Mr Smith—The drug dealing that was going on here—

CHAIR—No, we are talking about now.

Mr Sharp—Now?

CHAIR—Now.

Mr Sharp—Well the fishing boats are involved. Mr Carr's side brought that out into the open. It is well known in this town that, with the manufacture of tablets having been just closed down in Northampton, they bring them in by road. It is also true that—

CHAIR—Who brings them in?

Mr Sharp—Individuals.

CHAIR—But—

Mr Sharp—I know—we have exactly the same trouble, believe me.

CHAIR—We will keep the document you gave me and make it an exhibit. Are you happy about that?

Mr KERR—Certainly. You may wish to put something in writing. It has been very difficult to follow the account you provide by way of events over time. If you were to get somebody to help you put it together in a logical chronology, it may be of more assistance. The other thing I would suggest to you, if you are so minded, is to give that testimony to the royal commission—I think it is a royal commission—that is inquiring into the conduct of the drug squad in Western Australia. We cannot keep going further, I suspect, today in these hearings.

Mr Sharp—I could put it this way: the trouble at the moment is that, with the Wardle case and the Mickleberg case, there will be no other evidence taken by that commission, because they have run out of money and they have also run out of time. Mr Kennedy, with all due respect, has made it quite plain that we will never get there anyway.

CHAIR—Let me follow up on what Mr Kerr has said. If you can write a submission that has a logical sequence of events, showing how it flows and what the position is now—and perhaps you could get someone to help you to do that—and send it in to us, we will deal with it. If we get such a submission, we will be back in Perth at some stage, and it may be possible for you to come then. It does need to be set out so that we can go through it in a systematic way.

Mr Sharp—You have to understand that in this town nobody will help you. You are on your own. I walked in here today. I have a vehicle and they have demolished it. Everywhere I go, I have to walk. If I ride a pushbike, I am booked. You must understand that I do not get any help in this town.

CHAIR—Mr Sharp, I find it very alarming that you feel that you are in that situation.

Mr Sharp—I wrote to the Prime Minister and I stated that. We have some documents here to show that new information is being provided to 300,000 Islamics explaining how they can help them, but they cannot help their own nationals in this country. I am concerned.

CHAIR—I understand that. I am disturbed by many of the things you have to say, but we need to hear your evidence in a way that can come through so that we can come to terms with

certain things that you are saying. It is a matter of going through and distilling the things that you need to say. I do not know what the document that you are holding up is either.

Mr Sharp—Unfortunately, you appear before a judge. We have a skeleton there with a dog and there is nothing left. By the time we are finished, there will be nothing left. I have nothing left. They are determined that they will wipe me out.

CHAIR—Who are 'they'?

Mr Sharp—There are a number of fishermen in this town who run this town. There are those in this town who control the racing. I cannot get a trainer's licence any more. I had to take on the Western Australian racing industry, and that is what I have done. I advised my son to get out of the country; he went to India. He came back, and he is now riding in Brisbane; he cannot come back to Western Australia. I have the same trouble with my family. I have a daughter who has been attacked with a machete. I have a further problem; she is under police care. I have another son who works with the Geraldton street patrol—Yamatji Patrol—and others. They will tell you the same. There are people here who have tried to help. He has had his vehicle sabotaged and has been warned: 'If you have anything to do with him, you get the same treatment.'

You must understand how it is when they poison your dog and they break into your house. I picked up a jug here a few weeks ago and ended up being sent straight from one wall to the other. Homeswest have now decided that I need new locks because somebody is breaking into the unit. It is not a coincidence. They flooded it out. All my files were floating around the floor, and I had only been gone for two and a half hours. We do not have terrorism overseas; we have it here in Geraldton. You have to realise just how bad it is here in Geraldton.

CHAIR—Are you saying that there is somebody who is in charge of organised crime which involves racing and drugs?

Mr Sharp—Yes; guaranteed.

CHAIR—Do you know who that is?

Mr Sharp—They cut the head and legs off the racehorse Serene Pleasure out at 440 and left it in a paddock. When they did that, what they did not know was that I delved further into a financier here, who has now become involved in a brokers finance scandal in Western Australia. He has just been charged for fraud and for five years has been able to skip the highlights, here in Geraldton, with no charges whatsoever.

CHAIR—Are you saying he is the man who cut off the legs and head?

Mr Sharp—No, I cannot prove he did. It was not until I picked up a wallet and handed it to the police that I found out that six police were charged for manufacturing drivers licences and were involved in crime in Geraldton. It is called the Kalbarri drivers licence scam. I handed that wallet in. It is well known, in circles, that that was the cause of all the drug running and opened up a can of worms in Geraldton. Tibbs made it known on video before he was murdered that there was a problem in Geraldton. When he went to court to carry firearms here in Geraldton for his own safety, he did not last any more than three days. He was then murdered.

CHAIR—We really do need this to be set out in a systematic way.

Mr Sharp—I have 100,000 pieces of paper, including transcripts and documentation—a three-bedroom house full. By the time you go through the paperwork and put it together, that is 24 hours a day and you cannot leave the premises any longer.

Mr KERR—Then you have plenty of time to put it in order for us.

CHAIR—Thank you, Mr Sharp. We are distressed by some of the things you have had to say.

Proceedings suspended from 12.52 p.m. to 1.34 p.m.

BEARDMAN, Mr Brian, Board Member, Give Me Geraldton Any Day Positive Campaign

CAMPBELL, Mr Laurence Ross, Campaign Coordinator, Give Me Geraldton Any Day Positive Campaign

CHANDLER, Mr Peter Nicholas, Previous Regional Manager, Community Justice Services, Geraldton

FINLAY, Ms Anne Kelly, Branch Manager, Geraldton Police and Citizens Youth Club

FULLER, Senior Sergeant Geoffrey James, Officer in Charge, Western Australia Police Service

MUNRO, First Class Constable Sue, Crime Prevention Officer, Western Australian Police Service

NICOLSON, Mr Ken, Assistant District Officer, Western Australian Police Service

GODFREY, Mrs Karen Julie, Vice Chairman, Safer WA (Geraldton); and Executive Member, Midwest Chamber of Commerce

GRAHAM, Mr James Robert, President, Geraldton and Districts Senior Citizens Action Group

JAMES-WALLACE, Mrs Sarah Katherine, Principal Solicitor, Geraldton Community Legal Centre

JEFFERIES, Mr Robert William, Chief Executive Officer, City of Geraldton

ROBB, Mr Paul Andrew (Private capacity)

YEATES, Mrs Charmaine Dawn, Manager, Yamatji Patrol

CHAIR—I welcome everyone to this afternoon's roundtable on crime in the Geraldton community. Some of you may have heard the evidence that was given by some of the witnesses this morning, who raised a large number of issues. We thought that a roundtable would be a good way of now exploring some of those things from differing points of view. I thought the easiest way would be to have a representative of each group make a short opening statement and then we can explore the way we should go. We will start with Mr Peter Chandler.

Mr Chandler—I reside in Geraldton. In July this year I retired after 24 years of working in the field of community corrections, which was previously known as probation in parole—not many people know what community corrections means. Of those 24 years, 13 were served in the Northern Territory and 11 in Western Australia. For 18 of those years I held managerial positions. During those 24 years I saw numerous changes within the judicial and justice system and most of those changes benefited the community. However, at times, I, along with

colleagues, have been frustrated. I have been frustrated when initiatives that work have suffered through a lack of resources and inconsistencies. I have been frustrated at inconsistencies between the states and territories and inconsistencies between the sentencing judicial officers in both superior and lower courts.

Over 20 years ago community correctional administrators commenced meeting on an annual basis to establish standard procedures and legislation. They are still meeting with regularity, with only national agreement on the transfer of prisoners and the transfer of parole acts. Therapeutic jurisprudence, in differing shapes and forms, has been practised by some judicial officers throughout my 24 years of service. Even in the early days, when judicial officers made do with inadequate legislation, it was obvious to most practitioners in probabation and parole that therapeutic jurisprudence could provide a solution for reducing offending rates. It is only in the last 12 months—from August 2001 to August 2002—at Geraldton that a serious attempt has been made to provide a court practising therapeutic jurisprudence.

I am aware that your committee, Madam Chair, has been fully briefed on the Geraldton alternative sentencing regime, including an evaluation of its first 12 months. In my view, if serious attempts are to be made to reduce offending and recidivist rates while increasing community protection, there is a need for federal and state governments to support and encourage all judicial officers to pursue therapeutic jurisprudence, to introduce community corrections legislation that is standard between states and territories, and to demand interagency collaboration or a holistic approach—targeting causal factors leading to offending behaviour—and, in doing so, involve the community.

Mr Graham—The Geraldton and Districts Senior Citizens Action Group have been in operation for over 19 years. One thing that we are looking at is the welfare of our members, especially their safety. At this particular time we feel that we are not getting full cooperation regarding this matter. Our members come to us with problems all the time. Their doors have been smashed and kicked in and they are absolutely petrified to go outside their houses. I have heard this said earlier in submissions which have been made. We have got to the stage where we feel we need a little more protection and that something should be done for our members. We realise that the police cannot be everywhere. But where I live, all night long—and I mean all night long, from dawn to dusk—there are people walking up and down. When I say 'people', I allude to small children from eight upwards. This goes on right through from sundown to sun-up. To prove my point, the other day three young fellows were walking up Hutchison Street. A brand new Landcruiser was parked in a gentleman's driveway. One fellow had a baseball bat, the other two were wielding golf clubs, and they proceeded to smash the windows in this car—and I mean smash them. I could take up a lot of your time by going into the different things that are reported to me—this is only part and parcel of them.

When we heard about this meeting coming up, we were very happy and I especially, because our members wanted it, to come along and see what we could put to you that may alleviate our problem. All these people are locked in their homes—it is a terrible business. We are trying to do something to improve their lifestyle, but they are frightened to go out. When the sun goes down, they lock themselves up. We feel this is a very sad situation. I look forward to the findings of this committee in the hope that something may well be done in the future for them.

Ms Finlay—I work to improve the relationship between young people and the police in this community. The main focus of my work is to address repeat offending by 12- to 17-year-old individuals in Geraldton.

Mrs James-Wallace—The Geraldton Community Legal Centre has the contract with Legal Aid WA to provide the duty lawyer services to the Geraldton court and that involves the alternative sentencing regime, the Geraldton Children's Court and Petty Sessions.

Mr Beardman—I sit on the board of the Give Me Geraldton Any Day Committee. I am also on the board of the Geraldton Tourist Bureau. Both of these organisations join up to promote the town. Generally, our major concern is that the city will be spending millions of dollars in the near future on developing a foreshore, an environment that is going to be attractive not only to people in the town but to visitors in particular, because that is going to be one of the growth industries in this town, and at the moment there is a major problem in the CBD concerning the behaviour of groups of people from 10 o'clock in the morning right through—it does not matter what time of the day. There is more than one group, but there is one in particular, that terrify tourists, particularly ladies. The problem is that no single way of dealing with this problem has been put in place. There has to be a way of handling the situation. At the moment we get no answers from anybody.

Mr Nicolson—The police district itself takes in 19 police stations. In my current role as Assistant District Officer, I am responsible for the Geraldton police station complex and the Geraldton town itself. As I do not have a prepared statement, perhaps I can make a couple of comments from the perspective of the police service. The main problem issues that the police are faced with in Geraldton, and indeed the district, are juvenile crime and domestic violence. The main causal factors of those problem issues are alcohol, drug abuse and other substance abuse.

CHAIR—Constable Munro, would you like to say something about Neighbourhood Watch?

Const. Munro—Inspector Nicolson has given you a broad outlook on the Geraldton police district. My responsibilities are to work with the community to coordinate a full Neighbourhood Watch. I basically liaise with the community and the suburb managers and work with them to look at any possible measures to prevent crime within Geraldton.

CHAIR—Inspector Nicolson, we heard a lot of evidence this morning about the sort of crime, the rate of crime and the different initiatives that people are taking. Over the lunch break while in the cafeteria, people said that you would not want to go out in the CBD after midnight, it is dangerous. There seems to be a lot of evidence that there are people who are capable of violence and indeed that there is violence occurring, and I wonder what strategies the police have with regard to that problem.

Mr Nicolson—For people to say that it is unsafe to go in and around the city of Geraldton after midnight is perhaps a little unfair. The police service certainly recognises that there are some problem issues late at night, and we have recently instigated a number of initiatives to try and curb some violence and unruly behaviour that has been occurring within the CBD, particularly in the area of the nightclub. I might ask Senior Sergeant Geoff Fuller to make some comments about crime in the city, especially of a night-time.

Snr Sgt Fuller—I am the officer in charge of the police station. My role is to assess the data that comes off the streets, devise strategies and put in place actions to try to minimise the impact in Geraldton. One issue concerns the environmental location of the licensed premises or the nightclubs in Geraldton. They are in darkened backstreets and at this stage are quite poorly lit, which encourages a lot of unruly elements to go into that area. What happens is that people have been out drinking in the early evening and partaking in drugs, and then they come into the area either looking for a fight or wanting to be around where the action is. That causes us quite a bit of grief and we need to put an increased presence in that area to cope with it. At the moment, we are trying to work with community groups to address other ways of keeping this element from the streets, unless they are going about their lawful business. Most of our feedback is that they are going there to look for fights and are preying upon the patrons that are going to and leaving the nightclubs.

Mr CADMAN—What age groups are you talking about?

Snr Sgt Fuller—It varies from early teens to mid-20s.

Mr Nicolson—Earlier I talked about drug and alcohol abuse. The police believe that some of the problems that are occurring around the CBD are caused in part by adult persons providing alcohol to underage youths, as young as eight, nine or 10 years of age. The police have had some discussions with the licensees of licensed premises quite recently in relation to that, as well as other issues.

CHAIR—Which people give them the alcohol?

Mr Nicolson—The adults.

CHAIR—Which adults?

Mr Nicolson—What do you mean?

CHAIR—They must have a purpose in giving them alcohol. Who gives it to them? Is it publicans? Is it people who want to make trouble? Is it people who are selling it to them? Who gives it to them?

Mr CADMAN—Even their own parents.

Mr Nicolson—In some cases, it could be parents and relatives. In the main, it is members of the Indigenous population of Geraldton, I suppose, that are the problem. I do not know how you describe it. It seems to be, in part, an accepted practice that family members, friends or relatives will purchase alcohol and supply that alcohol to others of a younger age group.

CHAIR—Are you saying that it is contained to Aboriginal adults buying the drink and giving it to their teenage children? Are these groups of young people all Aboriginal people?

Mr Nicolson—In the main, they are Aboriginal people. I would say a large percentage, anyway. Would that be correct?

Snr Sgt Fuller—A high percentage, but there are a significant number of Europeans as well.

CHAIR—Somebody has said that there are three gangs that operate in Geraldton. Do you have any knowledge of gangs?

Mr Nicolson—Not specifically. I do not think there is any evidence, from the police's point of view, that there are gangs as such. I think there are just groups of people who come together from time to time, purely by accident.

CHAIR—Where do the drugs come from?

Mr Nicolson—The two main drugs that seem to be a problem for us are cannabis and amphetamines. I could talk about other substance abuse as well, if the committee would like. Cannabis, in the main, is grown locally and is supplied from outer areas. We have an outlaw motorcycle group present in town. That is the Coffin Cheaters motorcycle group that we—

CHAIR—Did you say 'outlaw'?

Mr Nicolson—Yes. OMCG—outlaw motorcycle gang—is a common term. The police strongly suspect that that particular group is also supplying some drugs—cannabis and amphetamines, mainly amphetamines—to local people in Geraldton.

CHAIR—Are you saying that it is the bikie groups that bring in the amphetamines?

Mr Nicolson—They cause at least part of the problem. Having said that, we also have some fairly strong evidence that drugs—mainly cannabis and amphetamines—are transported into Geraldton from other areas, including Perth and perhaps the other larger centres within the district, Carnarvon and Meekatharra.

CHAIR—By whom? Who brings them in?

Mr Nicolson—I do not know that I can really answer that question. We apprehend people of various backgrounds from time to time. Some are passing through the district, some are local.

CHAIR—There has to be a network that they bring it into.

Mr Nicolson—Apart from a fairly strong suspicion that one of the motorcycle groups which have a chapter in town do supply drugs in an organised way, to the knowledge of the police there is no particular organised network.

CHAIR—Someone was suggesting that drugs could come in on fishing boats through some of the fishermen off the islands.

Mr Nicolson—That is certainly a possibility. The police also believe that particularly during the fishing season, which has just commenced, drugs are a problem within that group of people. I do not have any specific information as to the supply of those drugs into the fishing community.

Mr MURPHY—How often would you charge someone with growing cannabis in their backyard in the region of Geraldton?

Mr Nicolson—In the Geraldton area, it is quite a common occurrence. Senior Sergeant Fuller may have some figures that he can give you in relation to cultivation.

Snr Sgt Fuller—Our statistics deal with the sale and supply of drugs. It does vary, but our highest monthly figure is 36 offences of sell and supply. On some occasions it is as low as five and six offences. The monthly average would be 25 drug prosecutions for sell or supply.

Mr MURPHY—From your investigations, do you believe that most of that cannabis is grown locally? Or is it brought in from anywhere else in Australia?

Snr Sgt Fuller—We have uncovered very few plantations in the Geraldton area, but there have been a number of seizures of drugs coming in from out of town. Prior to coming to Geraldton, I worked in Broome and one of the main sources for that area was South Australia.

Mr MURPHY—From your knowledge of other areas in Western Australia—you mentioned Broome—would they have comparable levels of drug crime? Are the statistics consistent with yours? We have got the impression, and I want to know whether this is your impression, that there is a higher incidence of crime and drug related crime here in Geraldton, more so than perhaps in Broome, for example.

Snr Sgt Fuller—Per capita, I think it would be. Geraldton is a little higher than Broome would be, and it is also significantly higher than a place like Bunbury, down in the south-west. The town of Bunbury is a little more developed than Geraldton. It has a higher number of staff. The rate of offences in that area is a bit below that of Geraldton. In a nutshell, yes, Geraldton would be a little higher than average.

Mr MURPHY—Why do you think it is higher in Geraldton?

Snr Sgt Fuller—Possibly because it is a little more isolated, it is a reasonably large city and it has the fishing trade running out of it, which our intelligence does lead us to believe is actively involved in at least using drugs, so there is a market there for drugs.

Mr MURPHY—Are we talking about heroin, for example?

Snr Sgt Fuller—No, just drugs in general. We are not into the in-depth part. I have a crime unit which looks after that aspect of it, but drugs in general are evenly spread in this town.

Mr MURPHY—While I am talking to you as police officers, we have had some evidence from community representatives—and you have just heard some of it here—who feel unsafe in Geraldton. It conflicts with your assessment, particularly at night. We have had other evidence too that supports you. We have some evidence that the police are doing their job, and some evidence that you are not doing your job. Obviously—and this is not new, of course, for police—you cannot win, but perceptions are very important. If elderly people, for instance, feel that they cannot go out on the streets at night—even if it is only a perception—what do you think you can do to make them feel safe if they want to go out at night?

Snr Sgt Fuller—There is a perception that the city CBD is not safe at night. From my investigations and analysis of the complaints that we have, the danger period is after midnight till the early hours of the morning, 3 or 4 a.m. Many times I have been through the CBD leading up to 10 or 11 o'clock at night to find it, in my opinion, totally safe. Compared with other cities I have lived in, I do not feel any worse—and significantly better than in an area like Northbridge in Perth or areas of the metropolitan area. But there is an issue after midnight, when the majority of law-abiding people are no longer on the streets and we are left with a group who are out there for a reason—as I mentioned earlier—either looking for a fight or looking to assault someone.

Mr MURPHY—I notice you call them 'groups', and other representatives call them 'gangs'. So your experience of dealing with the groups or gangs, I presume, is that they are not necessarily the same people each time you have an encounter with them because there is some complaint or you are concerned about some of their behaviour that you might witness at 3 a.m.

Snr Sgt Fuller—There are social groups which may not be the same from day to day but are simply whoever is at town at that time. Some will gather into small or larger groups, depending on where they see the action is around town. They are not organised groups as such.

Mr MURPHY—It was put to us this morning by representatives from the Streetwork Aboriginal Corporation that drop-in centres could be useful for people who congregate in groups. You cannot stop people deciding to get together for whatever reason but if, as a result of their drinking or whatever, a fight, a brawl or a dispute arises then what is your view about the need to build another drop-in centre or drop-in centres? We are looking for some answers from people like you because, on the one hand, we are hearing from people who are concerned about their security and, on the other hand, we are hearing from you—as law enforcers—that perhaps it is not as bad as the people who live here think it is. Therefore, what can be done about it?

Snr Sgt Fuller—I have had some meetings with the Aboriginal organisations in town. They are very vocal in that area, and I support them in that. If they had some sort of cultural centre or drop-in centre right in town—it seems that in Geraldton that is where the youth would like to be late at night—it would cater to them. That is an initiative which could well make a difference. Our PCYC, Police and Citizens Youth Club, is located in the residential areas of Geraldton and it has always been my opinion that, if it were located in the centre of town, its designated activities could be utilised in the latter part of the evening.

Mr MURPHY—Mr Malcolm Smith this morning suggested that there is a need for more police officers. What do you think? Do you have enough? They have talked about the fact that you have to do a lot of paperwork and that you are called out to a lot of complaints when people ring the station. What do you feel? Do you need more police officers here? One person suggested better utilisation of the police and more foot patrols outside your standard rosters. What can you tell us that might help you and the community?

Mr Nicolson—I would have to be honest in saying that, no, we do not have enough people on the ground and police resources.

Mr KERR—Has there ever been a police force in world history that has given other testimony?

CHAIR—Yes, New York.

Mr Nicolson—If I could make a point, and Senior Sergeant Fuller has already spoken about it, and it has been mentioned about these groups: the police recognise that the groups that cause problems are a problem. For example, in recent weeks the police's response in part to that has simply been to provide an increased police presence in those problem areas during those problem hours. Quite simply, as a result of that, in recent weeks the problem has gone away because the police are there and the problem people either get arrested or move on. The difficulty, from the police's perspective—getting back to resources—is that it is very difficult for the police service in Geraldton to sustain that increased police presence with those police numbers forever, because we simply do not have the resources. To some extent, it is a short-term solution to the problem but it really only shifts the problem perhaps to another area of town or to the suburbs.

The police service, as Senior Sergeant Fuller alluded to, in these recent weeks have been working quite closely with committees and community groups, the local Safer WA committee and the Geraldton Aboriginal Reference Group. The police, with those committees, are working on some more medium- to long-term solutions, and perhaps some of those groups may have or may wish to speak more about that. The police can really only provide some immediate short-term solutions to those problem groups in town but, without some other medium- to long-term solutions, the problem is going to return. The police service simply do not have the numbers to provide for any length of time the presence needed in those areas.

CHAIR—This is a round table. We have started with the police and we will ask you to comment on what the police have said.

Mr MURPHY—My electorate is in the heart of the inner west of Sydney—it includes Burwood, if any of you know Sydney. We had complaints about young people who used to congregate on a Thursday evening, with late-night shopping, around the Westfield shopping centre. These people were variously labelled as Lebanese gangs, Asian gangs and all this. The local Chamber of Commerce got very active and sent representatives from the Chamber of Commerce to talk to and to get to know the young people, and most of them were just there looking to meet girls or to get together with their mates. The Chamber of Commerce got to understand what they were doing and found out who they were and got them involved in the local Police Boys Club and in other sporting activities, and they have a very good relationship with them. The problem has largely gone away in Burwood because of the proactive nature of the way the Chamber of Commerce was run. Unfortunately, the president of that Chamber of Commerce recently passed away, and he had been very active in trying to get closer to the youth. I am just wondering—and perhaps this is not to you, Inspector, but to others who represent the Chamber of Commerce or other groups—what you think you might be able to do to get to know the people who congregate here. What do you think of it? If you get to know who the so-called groups or gangs are, perhaps this would reduce potential crime and fear in people.

Mr Nicolson—I would like to quickly ask a question of the committee: is the committee speaking with any representatives from the local Safer WA committee?

CHAIR—Yes, we are. We have someone here who is about to take up their place at the table.

Mr Nicolson—The reason I ask that question is that the local Safer WA committee, which the police have some input into, has put up some proposals in relation to providing some activities and interaction with youth, which you were just talking about. The local Safer WA representative could probably give you some more information about that. It is called the Hype program, which has worked very successfully in Perth.

CHAIR—They will be here in about 10 minutes, we hope. Would others like to say something?

Mr CADMAN—I would like to hear from Mr Beardman. What about the location of this nightclub in the middle of the CBD?

Mr Beardman—I know that it is a problem area. I am at the other end of the mall, so we do not have that problem as such. My major concern with the handling of any problem at the moment—and this is not levelled as a criticism of the police because we know that their hands are tied in lots of areas—is that, as I mentioned earlier, there does not seem to be, between the city council, the police and the community groups or whatever, any single method of handling it. You can sit down at a restaurant on a corner in the CBD and watch them coming through in groups of three, four and five and joining up until you end up with about 20, and then they start walking the streets. Surely there is a way for the groups who are in charge of the city to have a move-on policy or something. I do not care if you put them in the back of a truck and take them somewhere, but they just have to be removed from the areas where they are causing the problems.

Mr CADMAN—Why don't you send them down to the PCYC? What do you think?

Ms Finlay—Unfortunately, removing young people from the CBD is only very temporary because, as soon as you turn your back, they are back down in the CBD. They want to be there.

Mr CADMAN—You mean your programs will not hold them?

Ms Finlay—We are resourced to run to about 8 or 9 o'clock most nights. We find that the juveniles who are engaging in antisocial behaviour do not want to be there; they want to be in the CBD.

CHAIR—Mr Graham, would you like to comment on how you feel about this?

Mr Graham—I was in local traffic with city councils for 15 years and worked very closely with police. I can appreciate what they are up against, because I have seen it when I have gone out with them at different times in Boulder, in Kalgoorlie, down the south-west and in Moora. I cannot emphasise enough how much this situation is upsetting the seniors of the district, to the extent that they have shifted out of their homes because they think it is safer to be with a group. Now—the other night—two doors have been kicked in at one of the retirement villages. This is going on all the time. I could take up a whole day getting these people before you, and they would astound you with the stories they would tell you about the harassment that is going on. We tried to run bowls the other night in the city centre to get people out of their homes again. We got 23 people—23. I will say this for the police: I rang the station before I went down that night and asked them to patrol our area when they were doing their runs and they did so, for

which we are very thankful. We are not blaming the police, but the situation is starting to isolate people and it is bothering us.

Our membership was 250 and is getting on for 300. The main reason we started this group—and it has been going for 19 years—was to allow people to get out once they retire or when something happens to their husband or wife. Our object to was to get them out into the community and start living again rather than be locked up behind four walls. Now, even if you have all these fancy gadgets to put on your doors and windows, you cannot believe it—they are ripping them off. So what do you do? You become a prisoner in your own home. I do not know what the answer is; I would not have a clue. The nightclubs come back to me. It is only since they got started—and that is where the kids are—that we have started to find them keeping these hours, and then on the way home they smash telephone boxes. I do not know what they are on, but I can tell you it is pretty potent. Where they are getting it from I do not know.

CHAIR—Are you saying there was no problem before the nightclub came on the scene?

Mr Graham—There was a lot less of a problem than there is now, because they used to come home—

Mr CADMAN—Do you have any statistics to prove that? We ought to have police statistics on assaults, robberies and people making nuisances of themselves. You record all that, Mr Fuller. Is it worse now than it was before?

Snr Sgt Fuller—There has been a steady rise in the numbers of tasks that we attend each year in this city. From the data I have, in 1999 our staff attended 11,504 complaints; in 2000, 11,401; in 2001, 12,074; and already this year, 11,185. So it is quite significant. Of all the statistics that we have from the last five years, the figure that has been steadily rising is that for offences against the person—assaults and that type of offence. Offences against property have remained consistent at about 4,000 every year. Offences against the person have gone from 394 in 1997 to 459 in 1998, 455 in 1999, 513 in 2000 and 617 in 2001, and this year we are probably heading to 600 as well. Those are financial years. So there has been a steady rise in offences against the person. That is also the experience statewide.

CHAIR—Mrs James-Wallace, would you like to comment on the increase in offences against the person?

Mrs James-Wallace—We certainly seem to have represented a lot more people in assault matters. I do not know the reason for that, but I can confirm that in relation to crime outside the various nightclubs, we represent a lot of people on disorderly conduct charges. Without fail they are heavily intoxicated and they quite often cannot remember exactly what happened. I think that is a large part of the problem.

CHAIR—Would you say there has been increased use of something like amphetamines which makes people far more aggressive?

Mrs James-Wallace—Perhaps. I am not sure.

Mr CADMAN—You would not necessarily know that, would you? They would not necessarily tell you that.

Mrs James-Wallace—Not necessarily, no, and it is probably not something that would be disclosed in a plea mitigation, but levels of intoxication certainly are.

Mr CADMAN—Constable Munro, you have heard what Jim Graham said about senior citizens being too scared to come out. Is that you experience and, if so, how do you solve it? Is the threat they feel perceived or is it real?

Const. Munro—There is a perception with some seniors. My role, if I could give you a broader outlook on what I do, includes liaising with senior citizens. I try to find out what their perceptions are on crime within Geraldton and what their individual concerns are, because, let's face it, everybody has different opinions about crime. In saying that, I have spoken with senior citizens about their concerns with nightclubs. Earlier it was mentioned that people simply do not go down to the CBD at night-time. A lot of the senior citizens do go out to restaurants and, as Senior Sergeant Fuller said—I echo his words, as I have actually patrolled the areas at the time—10.30 at night is actually quite quiet.

When I speak with senior citizens, their concerns relate more to their homes, their individual security in their homes, walking downtown, their own personal property such as their motor vehicle getting broken into and how they can secure their personal property. So I deal mainly with their personal protection, so to speak. I do not actually link that together with the nightclubs.

Mr CADMAN—If I may interrupt, I think Jim Graham said that they are afraid to come out. Is that a perceived concern that they have turned into a reality or are there real problems?

Const. Munro—I do not think there is actually that problem. It is more of an issue within their own homes. I do not see that there is a great problem there at all with our seniors and the CBD. I might be incorrect.

Mr CADMAN—Okay, Jim—you say they are worried and the constable says they needn't be.

Mr Graham—We at different times have various organisations come to lecture our people. We have had the police before and we would welcome the police again at any time. I will set a date for you. I will arrange it for you and you can talk to individuals and, believe me, your perception may well alter.

Const. Munro—Sure. If I can add to that, most of the Neighbourhood Watch members within Geraldton are senior citizens, so they do raise their issues at the monthly meetings that I hold. There are four meetings that I hold in Geraldton. A lot of the issues that they raise, as I said, are issues related to their personal property: 'How do we secure our homes? How do we secure our motor vehicles when we are in the CBD, because we have heard that there are groups that go out and vandalise. Is this true?'

In answering you, Jim, yes, I would be more than happy to attend a meeting. Absolutely, that would be wonderful, because the meetings that I have been holding on a monthly basis are purely directed at security within the home and any antisocial behaviour that they may come across when walking down to the delicatessen.

Mr CADMAN—If they are long-term residents, they are probably not used to locking doors, putting burglar alarms on their houses and locking their cars when down in the main street, and that change is frightening. That change is the factor that frightens them rather than whether there is any real threat.

Const. Munro—Sure.

CHAIR—If you are locked away, you are probably less liable to be subject to that threat. Jim Graham, do you agree with that assessment?

Mr Graham—Yes and no. That assessment has been reached by the fact that, as their president, they have approached me and told me all these things that are going on. That is not just something that is in the mind; it comes about because of what they have experienced—their homes being broken into and their handbags being snatched. And it is going on all the time. As I say, it is not something that is perceived to be the case; it is what is the case. Once you are an elderly person, you become very vulnerable to attack or whatever. A lot of them have been through this. Some of the stories that they have told me are pretty horrific and, if I did not, as the president of the group, try to bring this to the fore, I would be remiss. It is not a fallacy; it is something that is actual. As I said, I will work with everybody and anybody at any time. One of the things that struck me the other night was that, with nearly 300 members, we got 23 to an evening bowls event. When we asked around, those were the reasons that were given.

Mr CADMAN—Is that the reason why they didn't come to bowls?

Mr Graham—That is why they didn't come.

CHAIR—Was there concern that someone might break into their home while they were away or that they might get mugged on the way?

Mr Graham—Not so much mugged on the way, but that they would not be safe. It is a funny thing, but younger people can look after themselves. An older person has to be a little bit more careful than the average because they are very vulnerable to anyone who might attack them—they cannot do anything about it.

CHAIR—I have to tell you that young people cannot really look after themselves: they constitute the greatest number of victims as well as the perpetrators. Both Mrs Karen Godfrey from Safer WA and Mrs Charmaine Yeates from Yamatji Patrol are involved in trying to make the community safer. Karen, would you like to make a contribution here on the things we have been discussing?

Mrs Godfrey—I was here this morning and heard what was said, so excuse me if I go over anyone's area in the last half an hour. We have had quite a renewed interest in addressing some of the issues concerning what is happening at the moment in Geraldton through Safer WA, because we have had some increased criminal activity that borders on the very serious and, in particular, concerning the streets near the nightclubs. One of the issues that seems to be screaming out for attention from every area is that the police and the Aboriginal groups identify that there is youth congregating in areas, but they are legally not able to pick them up. They have all said that they would like to legally pick them up and take them home—and, sometimes, if the particular environment that they were to take these children home to were unsafe, then we

would need to have a place like a youth refuge, as we have refuges for women. Let us try to protect our youth.

We have heard that the Yamatji Patrol and the Aboriginal street workers are taking home some of the younger kids, as young as 11 and 12, but they just do not want to go home because they are subject to abuse. They just do not want to return home, so they are congregating downtown, and there is nothing for them to do. There is no legal right for the police or the street workers to pick up these children and take them home or, if not home, to a safe environment. That is one thing that has been screaming out in the last month for the youth. It seems to be that the youth is the problem we are addressing at the moment through that committee.

Mr CADMAN—Is all the crime in the area being carried out by eight-year-olds?

Mrs Godfrey—No, apparently they are between 11 and 15.

Mr CADMAN—Is that age group responsible for the bulk of the crime, or are they just getting the most public attention?

Mr Nicolson—It would be a fairly accurate assessment to say that that age group is responsible for the bulk of the crime.

Snr Sgt Fuller—That age group stands out, but, as I said before, the offending group still goes well and truly into the mid-20s. The eight- to 15-year-olds on the street late at night are the ones who stand out.

Mrs Godfrey—I have been talking to our Safer WA committee in Mullewa, and they said that their main problem is five- to 10-year-olds.

CHAIR—Five! Where?

Mrs Godfrey—In Mullewa, which is 100 kilometres east of Geraldton. I phoned them because I wanted to bring more evidence to this committee of the wider scope of the problem. Geraldton seems to be faced with the problem of eight- to 15-year-olds, but Mullewa said it is five- to 10-year-olds there, and they are having a lot of problems with glue sniffing.

CHAIR—Problems with what?

Mrs Godfrey—Glue sniffing. I have heard several complaints from business owners in the CBD of disorderly conduct by the youths in their shops. It is as a result of glue sniffing, but as glue is not an illegal substance there is nothing that the police can actually do. Apparently glue sniffing has quite a severe reaction on their personality. That is what we have found in the last month.

Mr KERR—The thing that worries me about much of this discussion is that it seems to treat everyone who might be between the ages of eight and 15 or 20 who is wandering around the streets as if they are some kind of criminal. It just seems to me that if you were writing a book, a dystopia, about how the world will end horribly, it would be about when the adults gang up on their children. It really does seem to me that we are having a crisis of war about how to attack

our children, who are the enemy. It is a very puzzling conundrum that we have got ourselves into a situation now where we have people expressing fears about two or three kids walking together who might join other kids.

CHAIR—I think it is more like kids declaring war on a few of their parents and, more particularly, grandparents.

Mr KERR—It is dystopia; it is horrible if you are really conceptualising your society in this way.

Mrs Godfrey—Do you think it is acceptable for a group of 15 or so youths between the ages of eight and 15 to be congregating on the street at two o'clock in the morning?

Mr KERR—I am not certain whether it is acceptable, but I am not certain that locking up people for wandering in the streets is going to be a particularly acceptable outcome either. I just wonder whether somewhere in Geraldton a bit of wisdom can emerge to allow the kinds of community projects that people were seeking to put in the centre of the city to deal with some of these issues, for community projects to actually be physically located here and for the council to remove its veto on that; that people actually respond to the problem in a realistic way. It just seems to me that everybody is blaming everybody here.

CHAIR—I would not agree with that.

Mrs Godfrey—Last month we actually sought advice from every circle in town to try to identify solutions to this issue. We are not blaming one particular group of people at all. We have all be proactive in trying to identify solutions and in trying to prevent the crime from continually occurring. I disagree with you. We have groups coming to Safer WA saying, 'We want to take our kids off the street and we cannot because we are not legally able to.' I believe that, at two or three o'clock in the morning, the street is an unsafe environment for an eight-, nine- or 10-year-old. I believe they are corrupted by that.

Mr CADMAN—You can hardly say that it is a trouble for the cops.

Mrs Godfrey—No.

Mr CADMAN—These are little kids who should be at home with their parents.

Mrs Godfrey—Yes.

Mr CADMAN—What are you doing about getting them home with the parents and getting their parents off their backsides to come and get their kids?

Mrs Godfrey—I will hand you over to Charmaine. She might be able to help you.

Mrs Yeates—I work with the Yamatji Patrol. We deal with antisocial behaviour—domestic violence and antisocial behaviour on the streets. Take into account that we do not have any powers. We cannot order people to get into our vans. We try to talk to them and convince them that the appropriate thing to do is to get into our vans and we will take them home. We take

home a lot of children. Sometimes it is not a safe environment. The kids come to the streets because, to them, that is a safer environment.

Mr CADMAN—Safer than being at home?

Mrs Yeates—Safer than being at home. They know the people who work with the patrol. We do not change our shifts so, to them, we look like a parent figure. If they do have a problem, they know that they can come and talk to us. It is the same with the street workers who are on for two nights a week. The kids know that they are there and that they can talk to them. The alcohol and the drugs are bought for the kids by older people.

CHAIR—By which older people?

Mrs Yeates—Probably someone from their own race. Maybe they pay a taxi driver or someone—a passer-by—going into a hotel $5 or $10 to get them some alcohol. It is a thing that we cannot monitor. It is a thing that the police can deal with only if they catch them in the act. So we are restricted there. I would disagree that there are about 20 youths walking around in gangs. I would say there are maybe about five or six, or at the most 10. You have to take into account that they are friends and they might not be drinking or behaving in a disorderly conduct or manner; they are just down the street. They have every right to be down the street if they are conducting themselves in an appropriate way.

CHAIR—There is something quite menacing, particularly from an older person's or woman's point of view, about a large group of young aggressive men. Does that happen?

Mrs Yeates—I have not come across them. I am on the streets every night. If they are aggressive, we have probably not singled them out or spotted them. But I would say no, we have not got any.

Mr MURPHY—Do you think it would be helpful, given particularly the concerns of senior citizens, if you were able to increase the numbers of the Yamatji Patrol group? How many do you have now? Is it four?

Mrs Yeates—Nine.

Mr MURPHY—Okay, nine.

Mr CADMAN—How many are on patrol each night? Nine?

Mrs Yeates—No. We operate two shifts so we overlap. We used to have a day shift that worked from 10 til six; then the night shift used to come on. In that nine, we have an office worker who works as a patroller, and me. I attend meetings throughout the day and work on the street at night. I am actually getting first-hand information because I am out there dealing with it.

Mr MURPHY—How do the kids respond when you approach them during the night as part of this patrol? Do they see you as intruding by trying to persuade them to maybe break up or go home?

Mrs Yeates—They do, but they are also very understanding kids. They are understanding once we tell them what the consequences could be, the hours we work, and that we are only there to try to protect them. I would agree that some of them are heavily intoxicated and sometimes, yes, we have to be heavy-handed. We have to say, 'You will get into this van, we will take you home and then speak to your parents.' That does happen; we do take them home and speak maybe to their mum. Some of the mothers were unaware that they were actually down the street. They thought they were at a cousin's place.

Mr MURPHY—Mr Graham mentioned earlier that he had an experience in Hutchison Street of a car being smashed and that that was very frightening to the people who live in his area. That is not that far from Cathedral Avenue; it is almost in the heart of the town. Is it part of your job to educate the groups that congregate about, or make them aware of, the fears that the elderly citizens in Geraldton have about their antisocial behaviour particularly, I presume, when they are drunk? From your experience, is there indiscriminate violence when the groups are not considered to be affected by alcohol, or would you say that it is largely a result of having too much alcohol?

Mrs Yeates—I would say it is a result of alcohol and drugs.

Mr MURPHY—If drugs and alcohol are at the heart of this problem, what do you think you can do to reduce the level of drug or alcohol intake so as to minimise the crime and thus the fear that the citizens might have here in Geraldton?

Mrs Yeates—If at any time the kids are arrested and taken in for disorderly conduct, part of their program through the courts would be counselling. I do not mean two weeks or three weeks; I reckon about six months. The drugs are freely received by young children. We could say that they are getting them from somebody, but we could be wrong.

CHAIR—Do you think you know who it is?

Mrs Yeates—If we know who it is, that might be an asset to us, but it is like when you have premises selling alcohol: you have to be 100 per cent sure; you have to make sure that you actually see the alcohol in the process of changing hands.

CHAIR—Inspector Nicolson, would you agree that giving children alcohol and drugs is illegal—

Mr Nicolson—Absolutely.

CHAIR—and if they are parents or uncles or aunts, or whatever they are, they ought to be prosecuted?

Mr Nicolson—That is true. However, I should clarify that by saying—and it has been mentioned earlier—that catching them doing that is the very difficult part for the police. We know that it happens, but seeing it happen is entirely different from arresting and prosecuting people. It is very difficult.

CHAIR—One of the things that is becoming very apparent in this inquiry is that deterrence seems to be effective where the person thinks they are going to be apprehended, not because they might go to jail, that they will get a sentence. If there is a real fear that they are going to be apprehended, they will not do it. Have there been any instances at all of adults being arrested or charged with supplying alcohol or drugs to children? If you had quite a few of those that might get the lesson across that they are going to get caught if they do it.

Mr Nicolson—Yes, that is true. I would say that there have been very few charges of that nature. This applies particularly to alcohol. Drugs are perhaps a bit of a different story. There have probably been a number of people charged with supplying drugs—that is relatively common, I would say. But on the alcohol side of things I would say it was quite a rarity. For those reasons I mentioned earlier it is very hard to prove that particular offence.

Snr Sgt Fuller—There have been four prosecutions—my list shows between July and September, but I believe it might have been a little bit before that—where licensees were prosecuted for offences in their area. I listed 12 infringements and 10 cautions issued for the July to September quarter, which is quite low for a population of this size.

Mr CADMAN—Were those 10 cautions for the same person?

Snr Sgt Fuller—No, this was for the city of Geraldton. There is very little cooperation in gathering evidence against the person who sells. People who receive will rarely disclose where they got their alcohol.

Mr CADMAN—Is that because they will not get it again?

Snr Sgt Fuller—That is one of the reasons, yes.

Mr Nicolson—Or it is a family member perhaps.

Mr MURPHY—Mr Graham, is it the perception of the community that it is largely the Indigenous population that is the problem?

Mr Graham—Yes, I am afraid that I would have to say so. Where they come across from Rangeway, which is one of the areas where quite a lot of the Aboriginal people live, there is a footpath or a pathway, if you like, that runs right down into Geraldton. This is where they all seem to be coming from. At night-time—I cannot emphasise this enough—we are kept awake all night. At 2 o'clock this morning the noise and the language going up the street was absolutely incredible. Bottles are broken there at different times which I have got to clean up. It went right on until 3 o'clock, when we were woken up again. They are not content to walk home and be quiet.

Mr MURPHY—Do you ring the police at that time of night to report that behaviour—when you hear glass breaking?

Mr Graham—I have rung the police on different occasions and they have responded, yes. This particular road—Hutchison Street—goes right down through to the highway, and that goes over into Rangeway. They can come through there and, if anybody is chasing them, with the

bush that is over there they are completely lost—they can disappear into that in minutes. We have had the four-wheel motorbikes patrolling out there—they are marvellous, they can go anywhere—and that put a stop to it for a while, but it is back now and is there all the time. I do not know what to do about. The perception that we get from it is that if they are doing it at eight and 10, God help us when they get a bit older. This is what bothers us at times.

CHAIR—Mr Chandler, you are someone who has dealt with the aftermath of people who have been convicted.

Mr Chandler—If I might make some comments. Earlier Geraldton was mentioned in relation to other regional centres. In 1999-2000, UWA—the University of Western Australia—the police and the Department of Justice produced a crime mapping report. Geraldton had the highest high-risk factor in the whole of the state in relation to the risk of offending by juveniles and adolescents. Further to that, you asked earlier on what was being done to address it. In actual fact, Geraldton not only leads the state, it leads the country in some of the initiatives to combat those causal factors that lead to offending behaviour.

Mr CADMAN—But the initiatives are not getting results, according to the figures.

CHAIR—Please let Mr Chandler finish.

Mr CADMAN—Sorry.

Mr Chandler—The Geraldton Aboriginal Cyclical Offending Program was instigated about six years ago. You will not see any tangible results for at least another 10 years, because it is about a pre-primary attack to address the causal factors. As Charmaine said earlier, a lot of kids leave their homes because they feel safer down the street. What has not been mentioned here today in any account whatsoever is that most of the abhorrent and unacceptable behaviour is learned: learned from their parents, their peers and their relatives.

I mentioned the Aboriginal Cyclical Offending Program. There are eight government agencies which have signed local service agreements and a framework agreement witnessed by the Attorney-General at the time, Peter Foss. Those government agencies are committed to a pre-primary address of those causal factors, which brings in domestic violence, poor education and employment. The federal government has agreed for federal agencies, such as Centrelink and DEETYA, to become involved in that project. In fact, a handbook has recently been produced as a template for the whole of Australia by consultants hired by the federal government. In addition to that, you have heard mention of Safer WA. Safer WA in this region, from the district to the various local committees, actually led the state in some of the initiatives, and that has been recognised by awards throughout this region.

In addition to that, 16 regional domestic violence project committees, set up by the state Liberal government and then endorsed by the Labor government, continue. Again, because of the commitment by the government and the non-government agencies, the mid-west region has the best result in addressing domestic violence issues and improving the lot of victims. So it is not all doom and gloom. There has been an increase in various offending rates. Certainly violence is on the increase. One can conjecture whether that is because of media exposure or whether it is because of learned behaviour—which I am a strong believer of—from parents and

friends. There are long-term strategies to address that, but you will not see results for a long time. So where do we go with the short-term strategies?

Safer WA committees have done some stuff, the police have put some additional resources on the street, but it does not last for very long because they are underresourced in the first instance. You still get the stuff that Jim Graham has been talking about, and there is validity in what he is saying, but there is also a greater perception than reality actually produces in evidence. You could look at some of the statistics and some of the anecdotal evidence which the Geraldton-Yamatji street patrol have kept religiously. For example, I know one of the private employers who has one of the major shops in town. If there is a problem with people in his shop, the first people he calls are the Yamatji street patrol and the second people are the police. The Yamatji street patrol will get there first. So that might tell you some things about the respect for some of the stuff.

I think that there is also a need to mention that the publicity by the media outlets in this town might not be blameless. Some crimes get a hell of a lot of coverage but the good work gets very little. I am sure Charmaine will support me on that and even Ken Nicolson. The police get criticised but they do not get the raps when they do good things. So there is that as well.

CHAIR—All of us at some time or another complain about the way the media report. Mr Smith, when he was giving evidence this morning, did not disclose that it was a relative of his who had been getting into a taxi, had been king-hit and cracked onto the floor. He received 15 stitches, and that may have repercussions as to the rest of his life. He was an ordinary, abiding citizen and someone simply hit him—he said that it was a young woman.

Mr KERR—It might be a bit extreme, though, to propose capital punishment for people who did not obey an instruction to move on. It is one of his written submissions. It is rather beyond the norm.

CHAIR—I did not mention anything that was extreme. I said that there is some sympathy for someone who said that this had occurred.

Mr Chandler—Those things happen, but not every day of the week.

CHAIR—What do the hospital records say of victims?

Mr Chandler—Has Health given evidence before the committee?

CHAIR—No, they have not. I would be most interested to see those statistics. Victim records often tell you a lot more because such a small percentage of crime is reported.

Mr Chandler—One other thing which I believe this committee needs to know—and certainly some of the people here would not know about it—is that the resident magistrate, who has been in this town just under two years, has introduced therapeutic jurisprudence through the Geraldton Alternative Sentencing Regime.

CHAIR—Yes, we heard from him this morning.

Mr Chandler—Charmaine says that people on bail should be on a program. That is happening. They are getting charged, and the magistrate is giving them the opportunity to go on a program. He cannot force them onto one. He can certainly make it a condition of bail, but they have to consent, otherwise they go into remand and custody. There are some real positive indications that that works but, like the Yamatji street patrol, they do not get funded any great deal—which I am sure Charmaine did not mention. I think they get about $70,000 a year. So their nine patrollers are CDEP and they work 12-hour shifts through the night. Those are blasted good rates.

The Geraldton Alternative Sentencing Regime was not funded any more than what was normal funding through my department at the time. I committed my budget, but I did not get additional resources. So we had to go to Safer WA funding—and you have heard from them. It is an absolute crime that people's welfare and safety in the community have to be organised by individual community agencies and they have to seek external funding—though I must admit that a lot is from the federal government. It is appalling. I can say that, now that I am retired.

Mr CADMAN—It is okay to say that, but it seems to me that it is only the community that is getting a feel for what needs to be done. Everybody else is following their own particular track of thought in a departmental sense, and the community is drawing it together. That makes a lot of sense to me.

Mr Chandler—I did not mention that there is an extremely high level of collaboration between government agencies. They talk to one another now—at least, they did before I left in July. They listen to the community, because it is the community that needs to have its say in respect of solutions for local needs. That is happening.

CHAIR—Charmaine said that at some stage you might have to say to one of these children, 'Come on; get in this van. I'm taking you home'. If a policeman did that, he could end up on a charge.

Mrs Yeates—That is a possibility.

CHAIR—The police have a good deal of difficulty in law enforcement these days because, what you are doing as a civilian, and what is probably considered acceptable to you and used to be acceptable for police, is no longer acceptable.

Mrs Yeates—I think we are so fortunate because we have built up a bit of a respect with the community.

CHAIR—Are you saying that the police do not have respect?

Mrs Yeates—They do, but the people respect us for what we do and because they know we are out there trying to work with them and help them. To our people—with their education and their families, and going back generations—a person in a uniform probably has a different effect. We see a uniform, we see arrests and we see deaths in custody. That is what we look at.

CHAIR—The problem with that is that the number of deaths in custody for white people in jail is the same or a bit higher on a per capita basis. I think the message got a bit skewed. All deaths in custody are bad, but we only pay attention to some of them.

Mrs Yeates—That is right.

CHAIR—I do not think you can use that as an excuse not to respect the police force.

Mrs Yeates—Some of them do respect it, but they just see a person in uniform in one way and they look at us in a different way. In addition, we are their own people; they can relate better to us.

Mr MURPHY—Charmaine, what type of education program do you have to help those people who are at risk of committing crime?

Mrs Yeates—It is pretty hard to say we have an education program in place, because we mainly deal with those children on the streets. Even though we try and encourage them with family involvement, it is pretty hard because they do not have a family involvement. They look at us and we try and put that into place. We work closely with street workers; they have a lot of programs in place for juveniles.

Mr Chandler—They were better off when they were in town.

Mrs Yeates—They were better off when they were in town, yes.

CHAIR—What is the legal status of your patrol? Where does it fit?

Mrs Yeates—Where does it fit in the community?

CHAIR—Yes.

Mrs Yeates—We assist the police wherever we can. We deal with the antisocial behaviour. So we try to get there and stop any fights that could flare up as a result of antisocial behaviour.

CHAIR—You are a volunteer group; you are a non-government agency—what are you?

Mrs Yeates—We are an Aboriginal organisation that has only just secured funding from the state government. That has only just happened as part of Labor policy.

Mr KERR—Were you CDEP funded before?

Mrs Yeates—We are all CDEP funded. All our patrollers are on CDEP. That is $370 a fortnight, which is not very much for the amount of hours—voluntary hours—that go into it.

Mr Chandler—And stress.

Mrs Yeates—In relation to the stress level, we have lost three patrollers who are now mental health patients because of the level of stress. We are less fortunate than the police. They can do their eight-hour shifts, go home and rest, and tomorrow is a different day. Unfortunately, we deal with an issue and we go home with it. If we are family—and probably most of us are—that issue follows us home too. So we are dealing with it 24 hours a day.

Mr KERR—There almost seems to be two conversations happening here. One conversation says, 'We're trying to put in place things that will assist people through their troubled adolescence, to work their way through this and come out as unscathed as possible.' The other conversation is that these young people congregating together in the centre of the city are frightening particularly the older citizens. The reaction to that second thing is that the council has made a decision not to facilitate some of the things that the first group think should be in the centre of the city in order to make the problem less difficult to manage. What response of, say, the business community and the older citizens would help you and help the police? Perhaps the police have some views about things that would be constructive in this situation. The two conversations seem to be almost parallel; they do not seem to be coming together.

Mrs Yeates—The businesses could be more supportive and not very negative. We only hear negative things, but we have a lot of positives too. People say you have got 20, you have got 30; I have been with the patrol for 10 years, and I have seen a great decrease in some of the issues that I dealt with five or 10 years ago in Fitzgerald Street.

CHAIR—What sorts of issues?

Mrs Yeates—Probably six years ago you would go down Fitzgerald Street, where the nightclubs were, and you would think, 'Where are we going to start?' There is a lot of exaggeration about how many people we have down there. You have to go down there and see it for yourself. Going by hearsay is not the answer.

Mr CADMAN—We have taken evidence from street workers, and they expressed concern about numbers.

Mrs Yeates—But some of those numbers are adults who do not have the money to go into the nightclubs so they sit outside. They are not all juveniles.

CHAIR—We realise that.

Mrs Yeates—They have a right to be down there. They are adults; they are 18 years of age. We cannot move them. If their conduct is disorderly, the police can arrest them for that. They have a right to be there. We do not have any powers, street workers do not have any powers and, if people are conducting themselves in the appropriate manner, the police do not have any powers.

CHAIR—One of the things that has been said is that the areas where they congregate are dark and that it would be much better if there were some lights. Is there any reason why lights could not be erected?

Mrs Yeates—That is being addressed through Safer WA and the Aboriginal communities. That is already in progress now.

Mr CADMAN—Do you mean it is going to happen next week?

Mrs Yeates—Some of it has happened. They have fixed the lights that were out, so it has become a lit area. The nightclubs have put extra lighting on the vacant block opposite. It is moving.

Mr CADMAN—So it is solved?

Mrs Yeates—It is not solved 100 per cent, but it is getting there.

Mrs Godfrey—According to the Institute of Criminology, if you increase lighting in problem areas, the problem does not necessarily solve itself; it may shift. These people do not congregate in lit-up areas.

Mr CADMAN—You heard the evidence we were given this morning. What you are saying seems a bit contradictory.

Mrs Godfrey—There is very bad lighting in the area that we have problems with at the moment.

CHAIR—Is that on the vacant block of land that we have heard about?

Mrs Godfrey—Yes. I had a meeting at lunchtime, and the owner of the nightclub opposite the block has put a big spotlight on that particular block. The increased patrol in the last four weeks has extensively decreased the criminal activity along that area. We have had quite a few initiatives where street workers have talked to a couple of the businesses that operate after hours in that area. All of them have said that they have had a successful four-week period compared to the period before that. But we cannot continue the street patrols because the police do not have enough financial support or manpower.

CHAIR—Have they run out of overtime money?

Mr Nicolson—To some extent, that is part of the problem, yes.

CHAIR—But if you are there, you reckon the problem is solved?

Mr Nicolson—As I said earlier, if the police provide a presence in the troublesome areas, the problem goes away. But it does not go away forever and it may crop up somewhere else.

Mr CADMAN—That is right.

Mr Nicolson—It shifts the problem to some extent.

CHAIR—So you find that that problem activity shifts?

Mrs Yeates—Yes, I do.

CHAIR—Where does it shift to?

Mrs Yeates—Rangeway.

CHAIR—Is that where they live?

Mrs Yeates—Not all of them.

Mr MURPHY—What about Karloo?

Mrs Yeates—No, Rangeway, I would say; they congregate in Levy Park.

CHAIR—Is that a built-up area? Are there businesses? Does it concern anyone?

Mrs Yeates—It is a residential area. It is just housing.

CHAIR—Does it concern the residents who live there?

Mrs Yeates—I would say so. We used to have phone calls if there was a problem out there. We have not received anything, so perhaps they just meet and then go home. I do not know whether the police have been called out to that area a lot. I know we have not.

Mrs Godfrey—Another initiative we are looking at for these youth is to set something in place so that they are busier during the day, instead of sleeping and being out all night. One of the initiatives is bringing the Gerard Neesham Football Academy out here and getting these kids into sporting clubs where if you offend you are off the team but if you keep straight you are on the team. It is under negotiation. I am not 100 per cent sure whether his academy will be coming here, but I believe it would be a great success for Geraldton to get something like that up.

CHAIR—Would that be good, do you think?

Mrs Yeates—I do. But you must look at the fact that it is not only Indigenous people but also some of the white community who are causing the problem. The Gerard Neesham academy is Indigenous so, fine, tackle that. What are you doing to put in place for the white people? That would be interesting.

CHAIR—Good question.

Mrs Godfrey—The particular issue that Safer WA was addressing was a group—confirmed through reports and through a victim—of 10 to 15 youths congregating. We were addressing that particular problem, and that is why we were suggesting initiatives. We are addressing each issue as it occurs. We are putting in place initiatives so that this particular group—and I am not saying that they are the root of all of our problems at all—will have incentives during the day to keep their minds and bodies active then rather than at night.

CHAIR—Charmaine, you said that Indigenous people and non-Indigenous people are involved. Do they congregate together or separately?

Mrs Yeates—At night, together.

CHAIR—In what sort of proportions?

Mrs Yeates—Maybe 10 and their friends. That is not to say they are causing a problem. It concerns me that we are looking at some of the issues but we are also labelling a lot of good kids in the same category.

CHAIR—Five- to10-year-olds out at two o'clock in the morning is a problem.

Mrs Yeates—I have not come across a five-year-old yet.

CHAIR—A 10-year-old out at two o'clock in the morning is a problem.

Mrs Yeates—Eleven and 12 o'clock, yes, but never at two o'clock in the morning.

CHAIR—It is still a problem.

Mrs Yeates—It is.

Mr Campbell—I have been listening to everybody saying different things. I affirm what Charmaine was saying: it is not an Aboriginal problem; it is an antisocial problem across the board. It amazes me that to try to fix this we have bandaid measures, and I will call them bandaid measures because everything starts in the home. When are we as a society going to be serious about looking after these kids in their homes? When as a society are we going to say to these parents: 'You have the responsibility. Look after them'? When is that going to happen? Are we going to let this cycle continue forever?

CHAIR—With respect, you can say that until the cows come home. If you have parents at home who are alcoholic and bashing each other up and the kids feel they are safer on the streets, it is not much good saying to the parents, 'You have to behave responsibly,' is it?

Mr Campbell—That is right. But if that is the case, then the state should take those children away from those parents, no matter what colour those children are. Let us be honest: our main aim is to look after these kids. They are no good on the streets. They are no good in a violent household. We have to put them in a better place.

Mrs Green—We did that years ago, and look what we are doing now. I was one of those kids you are talking about.

Mr CADMAN—You have turned out to be real bad person!

Mrs Green—I'm terrible!

Mr Campbell—All I am saying is that we have to do something. Where we are at is nowhere.

Mr CADMAN—Can I ask couple of foundation questions to help me get things square. How many people have you got in your PCYC?

Ms Finlay—Actual paid members or people who come through the door?

Mr CADMAN—How many turn up each night?

Ms Finlay—Probably about 100 every night. We get about 20,000 people through the door every year for different reasons.

Mr CADMAN—What proportion of those are Indigenous?

Ms Finlay—Probably about a quarter of the general population who come through the door. We also work one on one with repeat offenders, half of whom are Aboriginal and half of whom are white. That has been supported by statistics.

Mr CADMAN—So can the court make them come to PCYC?

Ms Finlay—No; our police officers actually make contact with targeted juveniles. They speak to them and ask them if they would like to attend the program. Most of the time they are quite happy to come along, because they are just happy to have a bit of attention.

Mr CADMAN—In your opinion, what is the best thing that happens in this town for young people?

Ms Finlay—Positive adult attention.

Mr CADMAN—Can you point to examples where it is really working well? That is what I am asking: what is the best thing that happens—not can happen but does happen?

Ms Finlay—When adults, such as Charmaine, and police officers encounter young people on the streets they do not automatically assume that they are engaging or going to engage in antisocial behaviour. They just speak to them and they get to know the individual rather than grouping them altogether.

Mr CADMAN—Sarah, have you any idea—and you may have—from a justice point of view, what is the best thing that happens in town for young people?

Mrs James-Wallace—It would be very hard to say. I know that there are a number of church groups that run youth groups. I do not think the kids are aware that these kinds of opportunities are available. There is a lot out there, but there is just not the awareness that they can participate in it.

Const. Munro—I tend to support what Anne said. Our youth do tend to lead towards the roles of people like Charmaine and the police officers. The assumption is that every time a police officer deals with our youth they are going to be arrested, but that is not the case. For example, I was working on Friday night around the nightclubs. If I could just bring to the committee's attention that the majority of the people around the nightclubs were not youths aged under 18; the majority were adults. There was a combination of Aboriginals and people from the white community.

Mr CADMAN—That means that, if they are adults and they are mucking up, you can move in on them, can't you?

Const. Munro—Absolutely. But in saying that, if there is a juvenile there and we have a concern, we can take the young child back to their home or to a place which we believe is safe for that child. We have a duty of care to do that.

Mr CADMAN—You have all probably read this stuff written by Malcolm Smith about the problems and the solutions. He has a paper here that he claims is a couple of years old. Have you read this stuff?

Mrs James-Wallace—No.

Mr CADMAN—The paper was as a result of a meeting that took place between Mayor Phil Cooper, John Sewell, Sandy Davies, Gary Cox, Peter Money, Peter Chandler, Phil Nichols, Bob Cocking, Murray Willock, Charmaine Yeates, Debbie Woods, Malcolm Smith and Chris Johnson. That meeting was held a couple of years ago, and the results of that meeting were things like additional policing, the Yamatji Patrol, more assistance and dealing with the parental problem. Nobody has read that, so there is no point in asking if you agree with it. But what do you really want—a combination of all of those things? Charmaine, if you could have one wish, what would you wish for?

Mrs Yeates—I have one wish—and I was at that meeting. One thing we did say at the time was that the Chamber of Commerce should support the patrol. Also, included in that, we should have a staff of 32. That would mean we could operate 24 hours a day, seven days a week. Out of that meeting nothing came about. There was no feedback to the patrol from Malcolm Smith. So that meeting was one area and that was it.

Mr CADMAN—Jim, if you could have one wish, what would it be?

Mr Graham—If I had one wish, one of the things I would like to see happen—and it may sound a bit far out, I suppose—is for a couple of the Aboriginal elders and two of our prominent citizens to sit down and try to work together. At times, it looks to me like we are working against each other and that is where the problem comes from.

Mr CADMAN—There was an attempt a couple of years ago—and only one person seemed to be aware of it—so it is time to do something maybe. Anne, if you had one wish, what would it be?

Ms Finlay—I have to concur with the statement by the gentleman over there about blanket programs—they do not work. We have to recognise that, to assist these young people to break the offending cycle, you have to work one-on-one. You cannot expect that one program will work for all kids; you have to identify individuals and work with individuals.

Mr CADMAN—Sarah, one wish?

Mrs James-Wallace—I would like to see more reinforcing of positive parenting.

Mr CADMAN—Brian, one wish?

Mr Beardman—Whilst I recognise the fact that long-term solutions have to be found—and that is the only true answer for any of the problems we are talking about—my major wish at the moment is for there to be much more proactive action where the trouble is. It is not only around the nightclubs—and that has been hammered to death here—but right throughout the city. My wish is for there to be one policy in place so that every time these things happen people would know that they would get slammed.

Mr CADMAN—Zero tolerance?

Mr Beardman—Basically.

Mrs Godfrey—An Aboriginal girl came into my office last week pleading for help. She said that she had never come across such disrespect from young Aboriginal children anywhere. She actually said that they should bring back Aboriginal law here as things are not working—the children are not so disrespectful up north and the problem is fixed because they respect their elders and they are quite scared of their law. I think I agree with that. If there were Aboriginal law that they respected—because our law does not seem to go in that area—that would be helpful.

Mr CADMAN—That is very interesting. Inspector Nicolson, more cops on the job?

Mr Nicolson—More cops, yes. I was not going to say that actually, although I could if I were going to be selfish. I guess we have talked a bit today about family values, poor parenting and things like that. I know that there is one government department in this town that could do with a lot more resources to address those particular problems, and that is the Department of Community Development. So I guess that my wish would be that they receive more resources by way of funding and staff.

Mr MURPHY—Inspector, I want to ask your views about the work of the Yamatji Patrol. Have they been a help to you?

Mr Nicolson—They have been a great help to the police from time to time. They work in reasonably well together—most times—and it takes a lot of our work away because they take the people out of town.

Mr MURPHY—Much better than the white man's culture?

CHAIR—Charmaine has to go and there are just a couple of things I want to ask her, and I really do not want to see us go down the road of pitting cultures against each other. Charmaine, it seems from your comments that you have gained their trust and that they will listen to you—which is a very important statement. You say that if you could have 32 people—

Mrs Yeates—If I could have 32 patrollers, we could operate 24 hours a day, seven days a week. With sufficient funding, it would be excellent because our people on the patrol and also our street workers are able to communicate with these people. Trust is not just given; you have to earn trust, and we find that is a very vital factor.

CHAIR—How many patrollers have you got now?

Mrs Yeates—Nine, and that includes a 15-year-old who comes in at night and does our bookwork for us and operates our two-ways.

CHAIR—How do you interact with the street workers who we heard from this morning—with Merrilyn, Gordon and Priscilla?

Mrs Yeates—We work in well together because they have a bus on Thursday and Friday nights, which takes a lot of pressure off us. We put a patroller in that bus with a two-way, so they have continuous contact with us and, if they have problems, with the police. Also, our patroller helps encourage the kids to get on the bus. It is probably better for us to do that than the street workers.

CHAIR—I thank you very much for being with us. You have given us tremendous insight into the work you do, and I hope you get your 32 people.

Mrs Yeates—I hope we get the federal funding to be able to support that, because we do not get any funding federally.

Mr CADMAN—Yes, you do.

Mrs Yeates—We get a little bit.

CHAIR—What does it amount to?

Mrs Yeates—Our whole patrol runs on $70,000 a year, which is not really much when you come to think about it.

CHAIR—And that comes from the federal government?

Mrs Yeates—No, from the state government.

CHAIR—What about the CDEP money?

Mrs Yeates—I would say that must be federal.

CHAIR—Yes, it is.

Mrs Yeates—It is about $370 per fortnight. If we can work on CDEPs and get them, plus be able to give them a top-up, I think we would have a great community.

CHAIR—Is there any reason why you cannot expand your CDEP?

Mrs Yeates—We could, but it is limited. If we lose a CDEP participant, we have to try and get one into their place, but then we have to wait to see if there is a vacancy in their number of figures.

CHAIR—So there is a cap for the region?

Mrs Yeates—There is a cap for the region, though it is for individual programs.

CHAIR—You have heard the discussion that has been going on. Would you both like to make a contribution at this stage, perhaps Mr Jefferies first.

Mr Jefferies—First of all, my apologies for not being available earlier and, unfortunately, I have not heard all the conversation that has gone on. Basically, there is a huge number of groups that are working towards trying to solve these issues, and part of the problem, in my belief, is that they do not have the resources that they need. The community patrol is a good example, street workers that work with youth is another good example, as well as the police and community development. In my mind, the most important thing is that Geraldton needs a targeted program to look at the issues in a holistic way, and there must be a long-term commitment and support to resourcing it so that we do not get, with government changes, existing programs thrown out or rebadged or resources taken away from them. We need to work out a program that will work in Geraldton, as best we can, and have a long-term commitment to try to achieve those outcomes. One of the things that has been demonstrated very recently is the problem we have had with nightclubs—which obviously you discussed earlier. The police presence and emphasis to deal with that problem has, in my mind, proved very effective. For me, that begs the question that they do need the resources to target these problems when they come up.

CHAIR—Mr Robb, you are a councillor, I think.

Mr Robb—While I am a city councillor, I am not here representing the council—only Rob, as our CEO, can do that, or the mayor in her position. I am here as an individual, and I thank you for the opportunity to talk to you. I only heard about this inquiry hearing on the radio this morning, so please forgive me if I am not prepared, but I felt that some of the issues that I want to put forward are quite important. I am wearing two hats today—as a victim and also as someone who has had a career in the administration of justice, or the penal system, if you like. I was a prison officer for 13 years, seven of those were in Pentridge in Victoria and about 6½ in the local prison here in Geraldton. So the opinions and perceptions I give you are from that career, and also as a victim. I have had my house burgled recently and, last year, someone tried to enter my house by smashing a window in the middle of the night and trying to climb into the house. That was a terrifying experience and, unfortunately, it turned out that I was just in the wrong place at the wrong time and the offender had the wrong house. So I have dealt with crime and offenders on both sides of the fence, if you like.

One of the things that I would like to put forward to you today is not about anything specific to Geraldton itself. I believe we are grabbing the whole issue with the wrong end of the stick; I think we need to be looking at a broader scale. The issues we are facing today are not specific to Geraldton. They are happening all across the country and, more likely, all across the world. The answer, in a lot of ways, is education of our young people. I feel that our education system is letting us down. If some of the costs that we are incurring at the moment from employing police, judges, prison officers et cetera could be put into the education system, I think they would outbalance the costs that we have of looking after these people, their families and their victims in the long run. At lot of the things that we are doing now are very much bandaid measures. They are reactionary and they lack long-term vision. I think a lot of politicians in this country—federal and state—have lacked that long-term vision to look to the future to see how we can turn this thing around. We seem to have—

CHAIR—I have got to speak up for the politicians. I do not think that is true. I think everybody wants to solve the problem. You are part of it. And nobody wants to see it continue, so let us just get rid of the shibboleths.

Mr Robb—I am trying to do my best to put this forward. We appear to have this 'lock 'em up' mentality and, as a prison officer, I can assure you it is not working. It creates more problems; we have got to get past this 'lock 'em up' mentality. The programs that prisoners do inside a prison—anger management and so on—do not work. They are simply doing them so they can get parole. I will not go into it, but that is one point that I really want to emphasise. These prison based programs do not work; they do not attend these programs with any initiative or enthusiasm. They are doing it only so they can get parole, as they have no chance of getting parole unless they are deemed to be addressing their offending behaviour. That is a real issue, and this concern is shared by a lot of people within the Ministry of Justice.

There are a couple of other things I want to touch on. Privatisation of prisons does not work. Unfortunately, we are a bit slow and we have not seen what has happened overseas where a lot of the private prisons have been taken back by government or state departments. Private prisons, making money out of locking people away, do not work. They are solely derived from making money out of locking people up. If you have a look at any of the statistics or the prisons themselves, at this point in time the cream of the prisoners have chosen to go to private jails so we are keeping a lid on the old boiling pot. Any problem prisoners go back to the state prisons so that the private prisons do not have to incur penalties for any conflict or assaults or anything that is a breach of their contract. Private prisons just are not the go.

One of the programs that I was involved with over in the prisons in Victoria placed young offenders in jail for a day. I tried to instigate it here, but the department in this state was not interested. That had a huge success rate of educating young offenders before they got involved in the system and a life cycle of crime. I know I am branching out here a bit, but I think it is very important that we teach juveniles to teach some respect and show them that jail is not a breeze. What happens on numerous occasions now is that when these young people come to visit their uncles, fathers, brothers, cousins in prison they say, 'Oh, jail's a breeze; jail's a breeze!' I have seen it happen. I have worked for years and I have seen it happen on a daily basis in visit centres. These programs use long-term prisoners who have come to adjust themselves and their lifestyle to their environment and who do not want to see young people go down the pathway that they have gone down. These prisoners are specifically trained, totally voluntarily, to address these groups of young offenders. They say: 'Look, this is reality. This is what your life will become if you don't start making some better choices. You'll end up like me, you'll end up like this. This is the reality of jail: this is how bad it is'. I think that is one way of turning around young offenders, and making them realise that jail is not a breeze, because a lot of them go in there thinking that it is.

I was listening this morning to some of the comments Magistrate King made about drugs and drug related offences. This gets back to my initial point. We have this 'lock 'em up' mentality about drugs. I do not care whether it is, as he stated, alcohol, amphetamines, marijuana, prescription drugs or whatever. Looking at the overall, long-term, broad spectrum, what we have to ask ourselves—and no-one seems to be asking this question, which frustrates me no end—is why young people are taking drugs. The ABC reported this week that in England a million young people are taking ecstasy every weekend. We have to stop thinking, 'Let's lock these drug users away—out of mind, out of sight.' We have to start asking questions. Why are

they taking drugs? Why are people sniffing solvents? There is something missing in our society. Why are we as a community happy to accept it? We have got to start asking these questions rather than talking about bandaid reactive measures like locking them up.

CHAIR—Paul, the statistics tell you with regard to heroin use, for instance, that at the time harm minimisation came in we had 70,000 users. We now have over 200,000 users. When you get people on ABC—government sponsored—radio stations talking about recreational drugs, why are you surprised?

Mr Robb—I do not want to argue about statistics and who said what. I was just using that as an example. I really think we should be looking at why young people are turning to drugs nowadays. There is something missing. Something is not being provided in their lives, either by their families or by their communities, and I feel that a lot of it has to do with respect. A lot of these people end up committing crimes against property and people because they do not have respect in their own lives and so they do not have respect for other people.

Mr CADMAN—What are you, as a council, doing about it? We have not heard one thing today from any witness that your council is doing in this area.

Mr Robb—That is a very good question, and you have put me totally on the spot. I cannot answer that on the spot.

Mr CADMAN—We have just heard a lady say that if she could get another 23 helpers she would have a great program in this community. She said, 'We want it from the federal government.' You were sitting right behind her when she said that. It seems to me that, if local government were serious about coordinating community activities rather than passing the buck, you would be right in there coordinating the outcomes for your community.

CHAIR—Finding a few more workers.

Mr Robb—For sure. I have no problem with that. I think it is not so much a case of passing the buck; I think that federal, state and local governments all need to work together. It is a very good point.

CHAIR—That is another one of those shibboleths, isn't it? We are. That is why we are here. The bottom line is that she said, 'If I could have 32 workers I could make a big difference.' You are the local council. Can you give her some more workers?

Mr Robb—But that is getting back to the point that I was making. What she was referring to—what she is dealing with—is a situation that already exists. That is a bandaid or reactionary measure to something that already exists.

Mr CADMAN—How do you know? You have not looked at the figures.

Mr Robb—We have to look years down the track and say, 'Why have we got to this situation? What can we do now?'

CHAIR—Brian Beardman put his finger on it. He said, 'That's terrific. Let's look at the long term, but right now we've got to do something about what is happening in kids' lives now.'

Mr Robb—That is right—and kids' lives in the future and how we can stop them from getting to that stage? Sure, we have to deal with what is happening now, but we also have to look at the future and try to prevent it from increasing.

CHAIR—They are not mutually exclusive. Can you find her some workers?

Mr CADMAN—Tell us about what your council has done or its strategies. You have not been uninvolved. Tell me about what is going on.

Mr Jefferies—I have been here for two years, so I am only just starting to get an understanding of this issue. We participate in the Geraldton Aboriginal Reference Group, which has a meeting of the regional managers. We participate in the Safer WA committee at both a local level and a district level. They are the groups I am aware of that are working with these issues. As to what the city is doing, it is a bit difficult to say where you draw a line. We provide a whole range of community based services. We provide recreational facilities like skate parks, we light streets—we do a whole range of things.

Mr CADMAN—Would you like the powers to do low-grade policing in cooperation with the state police?

Mr Jefferies—I would certainly be happy to examine that. There has been consideration of using rangers to help patrol. Rangers, as they currently sit, do not have the training, the skills or the legal right to take an active role. Some local governments around the nation employ security patrols, and that is something that we will consider with the redevelopment of our CBD and foreshore area. On the plan behind you, we are considering video camera and closed-circuit TV arrangements and whether they would be linked into the police station. We are progressing that with the police department at the moment in our design work. Townsville, which is probably the redevelopment we have modelled our foreshore redevelopment project on, have some local laws and use security with some powers that rangers would normally have. That is relatively effective, but I believe the most effective way is for the people on the street to be police officers.

CHAIR—What do your rangers do? Do they do the parking fines?

Mr Jefferies—They do parking, they look after dogs and they do limited work within coastal reserves. Their work would have to be expanded as we go into that foreshore redevelopment project.

Mr KERR—Earlier today we heard that there have been a number of applications to develop facilities for young people in or close to the CBD—all of which have been resisted by council. What is your response to that? It may have been before your time.

Mr Jefferies—Those instances were before my time. I have only heard them mentioned over the last couple of weeks myself. In our foreshore redevelopment project we are looking at providing a youth zone as well as playground areas. The youth zone would be specifically designed to deal with the age group that seems to be under discussion at the moment.

Mr KERR—When we talk of places that people enjoy, we are talking about conviviality and the opportunity to share in a community. Much of this debate is how to prevent some components of the community coming into the CBD. It strikes me that people ought to reflect on how we can have the kind of dialogue—Jim Graham has suggested this—that needs to happen between those who are currently fearful of young people and the young people themselves. We should try to develop more convivial and safe spaces. Ultimately, if you drive people out, as the police and others say, they will just go somewhere else and then you will have another set of problems. You need a place where people can, broadly, behave in a way they enjoy. Some people want to be out at one o'clock in the morning, which we may think is not very nice, but older people have never been able to change the way young people behave. You can try to make it more convivial and less confronting to those who are frightened of it.

There will always be troublemakers in any society and the police need to crack down on them. I suspect the majority are just out for a good time. How do we allow people from different groups to have a good time? It seems to be Aboriginal and non-Aboriginal, but there does seem to be some concession that it is not as simple as that. How can we make the city a pleasant place for everybody to share?

Mr Jefferies—Geraldton needs its own purpose-built program where it tackles its problems. A range of things are addressing that now. Some people are doing fantastic work in Geraldton. The Community Patrol is one. When they see people who are perhaps not in an appropriate state or young people who are out at an unsuitable hour—all those sorts of things—they take them in hand and move them on. Streetworkers go hand in hand with that.

You need to create the environment. As part of our redesign approach we are adopting crime prevention through urban design principles and to incorporate that into our CBD area. We need to encourage residential development in our CBD area. In my view, the community needs to claim back some of its areas. The foreshore is a prime example: the average person would not go for a stroll along the foreshore in the evening. Hopefully that will change.

Mr CADMAN—What are you saying? This is a great spot for kids to hang out at night. There are no lights down there; it is a great place to have grog and a party. It is a nice green area away from adults. You say this is a solution, but I do not know. It is screened by trees—out of sight, out of mind.

Mr Jefferies—No, it will not be screened by trees.

Mr CADMAN—That is what it looks like.

Mr Jefferies—Yes, I know that is what it looks like. The plantings there will be open so that you can see through them; there will be Norfolk Island pines that you can see under. Essentially, we need to create activity in that area. One of the discussions going on at the moment is whether there should be some commercial operations occurring on that side of the street. Some of our CBD people would prefer that not to happen and would prefer to keep business contained to the other side. But you need to have people moving through the area and make it attractive to a broad cross-section of the community. If you attract them down there, it will help control the elements in the same way residential premises do, by having passive surveillance. Again, we are looking at the potential for video camera surveillance in that area as well.

Mr CADMAN—What are you doing about the nightclub problem?

Mr Jefferies—There have been a number of meetings over the last three or four weeks. I think the various players involved are reacting quite responsibly to that. In my view, the police have been the main turnaround in that issue. The city has been asked to look at lighting. We have done an audit of it in conjunction with police officers who are familiar with the problems there, youth workers and people who deal with some of the kids in those areas, and we have identified where lighting needs to be upgraded. That report went to a council committee last week and will go to council next week for endorsement, so we will be spending money in upgrading the lighting there. We will also be approaching landowners who have vacant property or poorly lit alleys where the kids can hide or congregate and asking them to upgrade their facilities. We are here to play part of the role and we are doing that. The City could jump in, start another committee—in addition to this committee, that committee and the other committee, which are already operating—and say, 'We are going to fix this.' I believe the City is far better placed to play its part on the existing committees and get behind them and support them if they need assistance. Then when we are asked to play a role—whether it is addressing lighting, skateparks or other facilities—we can come and play our part. In recent times we have done that.

CHAIR—Clearly the young adults who congregate outside this nightclub want somewhere to go and want to be included. How far away is your youth club?

Ms Finlay—It is approximately four kilometres from the CBD.

CHAIR—Does the council have anything else to which Anne's group could run an extension program in the CBD so that, instead of hanging around outside the nightclub saying, 'We'd like to go in there but we can't, so we're going to cause hell for those who are in there,' they could go somewhere that is not four kilometres outside the CBD?

Mr Jefferies—I do not know what decision making went on to locate the PCYC out where they are. Personally, I would not have supported that, but that is history now. The City has very limited buildings and facilities it could make available, but we would certainly be prepared to discuss it and progress it. It would be logical to have some sort of branch, if you like, of the PCYC located in that area. I think we have to bear in mind that not all kids are attracted to a PCYC environment.

CHAIR—Absolutely, and there are lots of kids in the system who just like to be agro. What is the top age limit that you deal with?

Ms Finlay—As an agency, we deal with the entire community. But, as a target, we deal with 12- to 17-year-olds.

CHAIR—It is quite clearly that that 17- to 25-year-old group can be a troublemaker anywhere. It does not matter which part of the country you are in, it is that group that contains both the major perpetrators and the major victims. And that seems to be the group that is outside the nightclub, rather than the very young ones. Isn't that right?

Const. Munro—It is the group that tends to hang around the nightclub at that time. There is a large number from that age group because obviously they can go to the nightclub. We are led to

believe that they go from the taverns, when they close at midnight, on to the nightclub. Charmaine mentioned earlier that they get the younger groups on the buses and home. It is the older age group of the 17- to 25-year-olds that do tend to—and I use the word very lightly—'loiter' around the nightclub before they actually move in.

CHAIR—Do they actually go in?

Const. Munro—Yes, they certainly do. They sit on the outskirts for a whole, have a chat, wait for their friends to catch up and then move in. When I say that they are around the nightclub, it is just for a short time before they move in.

Mrs Godfrey—I would like to repeat an incident that happened about six weeks ago. It was on a Thursday evening. There were five blokes who had a bucks night, and they were going from a pub to the nightclub. And this is where it is happening—from the pubs to the nightclubs, at the point when it is past pub hours and the victims are so inebriated that they cannot retaliate properly. These five blokes walked from the pub to the nightclub. They thought that, because they were five big blokes, they would not have a problem. A youth pulled aside one of the guys from that group of five, started yapping to him and got him away from the mainstream group. Another couple of youths came out—and this was behind the building—and this was a premeditated attack. Then a couple of the others came back to the group, and at that point the guy was kicked so severely in his leg that two of his bones were broken. There were 15 or 16 youths—and this was after 12 o'clock, because it was after the pub had closed—who came out from behind a building. They are not just standing around waiting for a bus or looking for something to do.

CHAIR—No, that is gang activity, by any definition.

Mrs Godfrey—Someone got very hurt. That is a particular group who operate between the pubs and the nightclub.

CHAIR—Are there more examples like that?

Mrs Godfrey—There were three very serious examples in seven weeks.

Mr Nicolson—That particular incident and perhaps two others that we know about have occurred in the last five or six weeks. I have to say that, from the police services point of view, I honestly believe the community of Geraldton, to some extent, have overreacted to those few incidents. Whilst they have been serious assaults—and we recognise that—it is not something that happens every Thursday, Friday or Saturday night in Geraldton.

Mr KERR—One of the things I would be really interested in—and I am not sure whether you disaggregate your statistics so that you can do this—is the statistics on crimes against older citizens in Geraldton.

CHAIR—They lock themselves up; they are not out and about.

Mr KERR—Some no doubt are, and they are during the day. The Australian Institute of Criminology data shows a pattern that the older you get—

CHAIR—You remove yourself.

Mr KERR—the lesser the likelihood of a crime being committed against you. It would be very interesting to look at those statistics in terms of some of the balances we have here, because at an earlier stage somebody making the case as to why older people were frightened was talking about someone who had been king-hit. But presumably these are youths out at one o'clock in the morning, and there are very few people aged 65 or 70 out in the streets at one o'clock in the morning—not because they are locking themselves up, mind you, but because these are not hours when most people who are 60, 70 and 80 years old tend to want to inhabit the streets anyway.

CHAIR—Mr Graham, would you like to comment on that?

Mr Graham—Yes, I certainly would. That is a great observation, I suppose, but let me put it to you that the problem is not that the people themselves are outside—they are respectable people who go to bed at a reasonable time. The problem is with the number of break-ins and everything that is going on. We are not talking about the threats to older people who are walking around at three in the morning but about the threats to them in their own houses. Let us get this one sorted out.

Mr KERR—That is what I was saying—it would be nice to see the statistics on that.

Mr Graham—I would like to see them too, but I reiterate that I could take you down to meet all these people. It happened again the other night—twice. And that is only the one that I have heard of. They are not out walking the streets; they are respectable people going about their business. They are being preyed upon by—I am trying to find the right word without offending someone, but you know what I am saying.

CHAIR—It is interesting, too, that the Institute of Criminology data shows that single people are more likely to be victims than couples. The determining factor is that people who are out and about, particularly late in the evening, are more vulnerable; they expose themselves to a greater degree of vulnerability. If you go to other forms of crime, the victims are more likely to be single women in bars who get their drinks spiked, rather than couples where someone is looking after someone else. If you drew up a profile of victims, it is the fact that they are out and exposed.

Mrs Godfrey—I can give you one more example. When I was involved with Safer WA through my work, a constituent phoned me up. We had all sorts of different people wanting to put items on the agenda for our Safer WA meeting and we wanted to stick to one particular point, which was the Fitzgerald Street area. This constituent had been broken into 19 times in three months, in one street. He has a 15-year-old daughter and a 13-year-old daughter, and he is scared. He went out for half an hour, and when he came back his windows and door were smashed again. He said, 'What do I do?' That is 19 times in three months.

Mr CADMAN—Can I ask you a question about your observation of—I cannot ask the police this—the limitations on their policing by policies or politicians being politically correct and by society's expectations. Do you think there are limitations on the way in which our police can operate?

Mrs Godfrey—Yes. To further support that, if you approached the local businesses in the CBD at the moment, the majority would say the same thing: they do not report eight out of 10 crimes occurring inside their shops because they do not think that it is effectual. Even if the police do something, nothing goes past the judge: the children are out the next hour or the next day or whatever. They do not feel that there is any reason to report the offences. That is what is happening at the moment in the CBD. I asked the question at lunchtime, 'Why aren't you reporting it?' and they said that they have lost faith. They have lost faith in the perpetrators actually being rehabilitated. Nothing happens.

Mr CADMAN—Brian Beardman appeared to refer to zero tolerance. I used the words 'zero tolerance', and he agreed that that was what he was describing. Do you think that is sensible? Just make it consistent. Sure, make it harsh, but make sure that people understand there is a set of rules and that they know where they are going with those rules.

Mrs Godfrey—I would say that 100 per cent of the business community in Geraldton would definitely agree with that.

Mr CADMAN—Would that work on the ground, though?

Mrs Godfrey—I could not say because it is not proven.

CHAIR—You have the example of where you patrol the areas and you have the backup the problem goes away.

Mr Nicolson—I did not mention this earlier, but in the last few weeks the police have been running operations in a particular area of the CBD and their approach has been, to put it simply, one of zero tolerance. That has certainly had a significant effect.

Mr CADMAN—But your limitation on applying that generally might be just capacity to handle all the instances that come to your attention. Would that be right?

Mr Nicolson—The problem is that the area of Geraldton and its outskirts is quite large and we only have so many people on shift. That is what it really boils down to. The tasking that we get—day, afternoon and night shift—is not just in the CBD. It covers a much larger area than that, and so we have other problems to respond to.

CHAIR—Laurie Campbell, you have not really had much of a go. Would you like to make a comment?

Mr Campbell—I have been listening to what has been said by those around the table on the matter of a wish list. I have a wish: if there were greater tolerance and understanding across the board and everywhere, we would be a lot better off. I think that is what is sadly missing. Aboriginal, non-Aboriginal or whatever—if we do not understand it, we do not tolerate it. I think there is a lot of ignorance out there in the community. If we could break down all those barriers, people would understand a lot more.

CHAIR—Would you like to be more specific? We very often talk in terms of 'Everyone's in favour of tolerance'. What is it that you would like to be more tolerant of?

Mr Campbell—Tolerant of everybody's right to be around where they are. I would like to hear people say that it is their right to be down the street at 8 o'clock at night, or 12 o'clock at night if they are an adult. It is their right. At the same time it is everybody else's right to walk down that street as well. So if both people down the street are tolerant of each other there is no problem. It is only when there is intolerance for whatever reason that it becomes a problem.

Mr CADMAN—Would you then go as far as saying that, if they have a right, you ought to define their responsibilities?

Mr Campbell—Yes, across the board. But it just goes around and around. I think we can nail it on a couple of points and then build from that, but I am not quite sure that zero tolerance is the answer. We have to put our hat on something and run with it. I am with Rob Jefferies when he says we have to formulate a program and a plan and say, 'This is what we are going to do, and we are going to come out winning at the end of it.'

CHAIR—It is interesting that we argue logically and we expect all the reactions of people to be logical, but really we are emotional beings. Would anybody else like to make a comment?

Mr Robb—Can I follow on from Laurie's comments. Laurie makes an excellent point about acceptance and tolerance. It ties in with what I was saying earlier about respect. I emphasise strongly that that comes from educating people. If we know more about other cultures and about how other people act, we can be more accepting of the fact that people think differently. We have to accept that someone else will come up with a different idea from ours. We have to accept other people's ways of thinking so that, when they say, 'This is what I want to do,' you can understand how they went through the cognitive process of getting to that point. We have to understand that people think differently and have different ways of doing things.

CHAIR—Yes. We all think differently to each other.

Mr Robb—Yes, that is right. It is all about learning to respect the different ways that people think and act and having mutual respect for each other, which is what Laurie was saying.

CHAIR—Yes; all within the confines of the law.

Mr Robb—Exactly right. That should be coming through our schools and our education process, but it is obviously not.

CHAIR—I go back: when you start to talk about recreational drug use from figures of authority, we have a problem, haven't we?

Mr KERR—Madam Chair, there is a very big division in our community which cannot be disguised. Whether we like it or not, half of the Australian population has undergone recreational drug use of an illicit nature and two-thirds or three-quarters drink or smoke. That includes me as a drinker and a smoker.

CHAIR—That is legal.

Mr KERR—But 50 per cent of our population smokes marijuana at various times.

CHAIR—I am afraid I do not accept that figure.

Mr KERR—All the statistics are there. It is a very substantial component of our society, whether we like it or not. If we were talking about a tiny minority, we would not be confronted by this. Most people use recreational drugs because they enjoy them, and they are introduced to them by other people who say that these are fun things to do. These are the realities.

CHAIR—Duncan, the front page of the newspaper the other day reported on the case of Gary Ablett giving drugs to a 20-year-old girl and abusing her, and she ended up dead. I do not think that is a very good example.

Mr KERR—A lot of people have ended up dead by drinking legal drugs and smoking legal products. This argument will go on and on—

CHAIR—Yes, it will, because you and I think differently.

Mr KERR—If we had a single view as a community, it would be much simpler, but regrettably we do not.

CHAIR—But we do have laws.

Mr KERR—Many of which are ignored by most people, as we know.

Mr Jefferies—I would like to add something about what the City is doing. Currently we are in the process of developing a strategic plan for the community of Geraldton. That plan is based on sustainability, and obviously an important part of that is social and cultural sustainability. The City is certainly open to the redefinition of its role in dealing with these issues. The main thing I want to point out is that we had an approach about 12 months ago from Family and Community Services offering us a grant to develop a family and community strategy. We have amalgamated those two processes, so we will be working hand in hand. The emphasis will be on the social side, because of the grant funding, and a direct outcome will be a family and community strategy. So the City's way forward is still being redefined at this point in time. I thought we should add that into the equation.

CHAIR—If there are no other questions or comments, I thank everybody for their participation. I think it has been very good. The cross-fertilisation of ideas is both useful for you and for us. Again, I thank you for your attendance and for your participation.

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

That the *Law & Order* document submitted by Malcolm Smith be accepted as an exhibit.

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

That this committee authorises publication, including publication on the parliamentary database, of the proof transcript of the evidence given before it at public hearing this day.

Committee adjourned at 3.58 p.m.