



Western Australia Police Submission to the Senate Select Committee Into Regional and Remote Indigenous Communities.

Introduction

I am the acting Regional Commander for Regional Western Australia, based in the Office of the Assistant Commissioner for Regional WA, Police Headquarters, Perth.

I have been attached to the office for four years and my primary roles have been the Regional Operations Manager and Project Manager of the Multi Functional Police Facility (MFPP) program.

Also present are Mr Robert Skesteris, Manager of the WA Police Indigenous & Community Diversity Unit, Detective Inspector Darren Seivwright of the Sex Crime Division (SCD) and Detective Inspector Steve George of the Licensing Enforcement Division.

Regional WA consists of seven districts being the Kimberley, Pilbara, Mid West-Gascoyne, Wheatbelt, Goldfields-Esperance, Great Southern and the South West.

The Western Australian (WA) Governments approach to improved service delivery to indigenous communities is built on the foundations of systemic reform as a result of the Governments response to the Gordon Inquiry (2003).

The goal of improved safety for children and families is the fundamental driver to reform in Indigenous Affairs in WA. WA Police supports this agenda and is a key strategic stakeholder in this process.

This submission specifically addresses the key areas where WA Police are presently involved in delivering policing services to regional and remote indigenous communities being:

- National and State Agenda on Indigenous Justice issues
- Remote Service Delivery Project – Remote Police facilities
- Oombulgurri Police Post Initiative
- Indigenous Safety Task Force
- Cross Border Justice Scheme
- Liquor Licensing, and
- Aboriginal Justice Agreements

National Agenda on Indigenous Justice Issues

WA Police have supported the broad principles of program and initiatives at State and National level that demonstrate a capacity to advance policy, programs and service delivery to Indigenous people.

Remote Service Delivery Project

The Remote Service Delivery Project (RSDP) undertaken by WA Police has been an important component of the Western Australian Government's response to the findings of the Gordon Inquiry into Family Violence and Child Abuse in Remote Aboriginal Communities.

One of the most successful reforms of the Gordon Inquiry response was the Multi Functional Police Facility (MFPPF) Initiative which co-located, for the first time, Police and Child Protection workers on a permanent basis in some of the most remote Indigenous communities in the State.

These new co-located services work closely with Indigenous communities to build trust and confidence so that disclosures of child sexual abuse and family violence would be acted upon.

WA Police provides an innovative staff attraction package that includes Brevet Ranks, preferential transfers and additional leave and allowances. A Salary loading of 40% is also included in lieu of on call and overtime to provide a flexible service capacity that reflects the style of policing required.

Improved interagency mechanisms at the local level mean that State Government agencies are communicating more effectively with each other and responding in a timely matter.

The introduction of mandatory reporting of children with sexually transmitted infections also gave the Police and Child Protection agencies important intelligence to investigate alleged perpetrators of these crimes. This resulted in the much publicised and effective police prosecutions in the Kimberley region over 2007/08 resulting in the conviction of perpetrators of child abuse and family violence.

All nine sites identified in Stage One are completed and fully operational, being:

Kimberley District

- Kalumburu
- Warmun
- Balgo
- Bidyadanga
- Dampier Peninsula

Goldfields Esperance District

- Warburton
- Warakurna
- Kintore – Northern Territory

Pilbara District

- Jigalong

Whilst the construction and asset process was an important phase, the focus of the program was to better address the issues facing Aboriginal communities in relation to family violence and child abuse.

These were identified as being:

- strengthening responses to incidents of child abuse and family violence;
- strengthening support for vulnerable children and adults at risk;
- meeting community safety needs; and
- meeting the longer-term needs of future generations of Aboriginal children through building sustainable communities.

The establishment of the MFPP's have allowed police to stabilise communities and provide safety for other government agencies to provide their core services in the communities. Previously this was difficult due to the degree of instability in communities and inconsistency of a police presence.

The MFPP's have provided the environment to commence a 'whole of government' approach in targeting child abuse and family violence matters.

Police officers and Department for Child Protection Remote Community Child Protection Workers are co located within the MFPP.

Service delivery is coordinated at each MFPP through a tailored Service Delivery Model (SDM) detailing community history, policy, agency roles and responsibilities.

Related areas include dedicated Family Protection Coordinators (Police Officers) who provide monitoring on a District level of domestic violence type offences and child protection issues in consultation with other government agencies to ensure a whole of government approach.

The MFPP approach has resulted in police being able to provide an immediate and consistent response to unlawful behaviour and community safety, offender apprehension, and more particularly family violence and child abuse matters.

WA Police are maintaining the roll out of the MFPP program in partnership with the Department for Child Protection, Department of Corrective Services, Department of the Attorney General and several other related agencies

In 2006 the Project produced a report for Mr John Valentin (former Deputy Commissioner – Northern Territory Police), to assist with the Commonwealth Government Audit of Policing in Indigenous Communities.

The Commonwealth responded by providing funding of \$20M to contribute toward the development of a further three MFPP's, staff housing and Relieving Officers Quarters (ROQ's) at

Burringurrah, Looma and Blackstone. Additional ROQ's have been placed at existing sites to improve the capacity of police to deploy additional and specialist staff.

The State and Commonwealth have entered into a Memorandum of Understanding that identifies the Commonwealth's contribution of \$20M and the purposes for which their contribution is to be directed.

Oombulgurri Police Post Initiative

In addition to the MFPF's currently operating, a Police post has been established at the remote Aboriginal Community of Oombulgurri. A permanent police presence of two police officers has existed since April 2006. The decision to provide a permanent presence was based on several factors:

- A cluster of suicides that occurred in the community over a 12 month period (included a 16 year old boy and 15 year old girl and two adults)
- Anecdotal evidence of systemic child abuse
- Evidence of significant Domestic Violence
- Evidence of general violence and antisocial behaviour
- Alcohol abuse (a major contributing factor in the community's dysfunction)

The State Government endorsed the commitment of \$1.5M to establish the Oombulgurri Police Post and transportable style accommodation.

The Police Post and accommodation became fully functional in October 2008. The Department for Child Protection (DCP) have allocated a Remote Community Child Protection Worker for Oombulgurri that operates from the Police Post.

Alcohol consumption in the Oombulgurri Community was excessive, despite efforts by police and other agencies to reverse the trend through community engagement and conciliation.

Section 175 *Liquor Control Act* restrictions were implemented in late 2008 restricting Oombulgurri as a "Dry" community, with a review to be conducted after 12 months.

Since the introduction of a permanent police presence and the liquor restrictions, the incidence of violent behaviour in the community has been considerably reduced and safety and security significantly improved.

This initiative was the first time WA Police implemented such a strategy to intervene in a community that was experiencing a widespread law and order crisis. The ability to initiate such a strategy again in the future would be greatly enhanced by the capacity to permanently procure transportable accommodation and police facilities that could be deployed expediently.

Indigenous Safety Task Force

The Indigenous Safety Taskforce commenced in April 2007 when Detectives from the Child Abuse Squad assisted Kununurra Detectives to investigate child abuse allegations in the community of Kalumburu. Since this date the Child Abuse Squad has completed a further 26 operations in the Kimberley Region.

Over the ensuing period 132 persons were charged with a total of 601 offences. Arrest data showed that:

- 96% of persons charged were male.

- 70% of those charged were adults.
- 91% of the victims were female.
- 61% of charges preferred related to offences upon children over the age of 13 years but under 16 years. The remainder, 39% related to offences against children under the age of 13 years.
- Of these reports 30% were of a historical nature. Reports considered historical were reported as occurring prior to February 2006.

The operations were conducted in Kalumburu, Halls Creek, Balgo, Fitzroy Crossing, Derby, Oombulgurri, Bidadanga, Kununurra and Broome.

By working closely with our external partner agencies, such as DCP, Health, Education and the DPP, we have significantly streamlined and improved our approach with far better outcomes for the child victims and their families.

The SCD has focussed on improving service delivery to Regional WA. Funding has recently been received to provide regional response to child abuse and an additional 21 FTE will join the division in 2009 to provide the much needed human resources required to deliver the service.

With respect to Mandatory Reporting, unsworn resources have been deployed to SCD to enable WAPOL to comply with the new legislation, however no additional sworn resources have been deployed to investigate the additional reports. An increase in reported child sexual abuse of 118% has been experienced in the first 9 months of 2009. This increased workload will substantially impact on the ability of SCD to provide a consistent and timely regional response.

Regional Response – Community Engagement and Capacity Building

The Child Abuse Squad (CAS) has commenced a project to map and collate information in relation to each of the Indigenous communities throughout regional Western Australia. This project will collect data holdings for communities in a comparative database and enable the early identification of known risk factors for child abuse in remote and regional communities.

Additional resources were placed at CAS in March 2009 to enable the development of a regional response capacity. In response to Department of Health (DoH) representatives at the interagency sexually transmitted infection (STI) monitoring group a preliminary review was conducted of communities in the Eastern Midwest Gascoyne (Murchison) region.

A review was also conducted of the crime statistics for the Midwest Gascoyne and the following communities were evaluated for suitability for a coordinated regional response.

- Mullewa
- Mount Magnet
- Meekatharra
- Cue
- Yalgoo
- Sandstone

The review of crime statistics considered the rate of reporting for general assaults, sexual assaults, domestic assaults and property offences.

The evaluation of crime statistics and population data identified an apparently low rate of reporting and detection of child abuse within the nominated communities.

This proactive initiative in the Mid West Gascoyne has been active since March 2009. Thus far, it has resulted in 9 arrests for a variety of child sex offences with several ongoing investigations underway. Deployments will continue until March 2010.

A similar initiative has recently commenced in the Pilbara towns of Roebourne and Wickham. This proactive intervention has been underway since July 2009. One arrest for a child sex offence has resulted so far with a number of investigations ongoing.

Cross Border Justice Scheme

The Cross Border Justice Scheme (CBJS) will facilitate the delivery of effective justice services to communities in the region where the borders of WA, South Australia (SA) and the Northern Territory (NT) meet. The scheme will enable police, magistrates, fines enforcement agencies, community corrections officers and prisons of one jurisdiction to deal with offences that may have occurred in another of the participating jurisdictions.

Aspects of the CBJS have been under consideration and development by Governments since 2003. The NT, SA and WA signed the Cross Border Justice Inter-Governmental Agreement in November 2007 and the cross border justice scheme will now commence on November 1, 2009.

Service Level Agreements

Ministers endorsed the use of service agreements between agencies with respect to court services, police services and

corrective services for residents of the cross border region. Service Level Agreements (SLAs) have been negotiated to cover:

- Fines enforcement;
- Courts;
- Community Corrections;
- Prisons;
- Police; and
- Juvenile Justice.

It is anticipated that the new laws will provide improved justice outcomes for the residents of the cross border region and remove the ability of violent offenders to move between jurisdictions to avoid apprehension.

Liquor Licensing Enforcement

The misuse of alcohol is a significant contributing factor to a wide range of health and social problems including crime and anti social behaviour. Although the majority of Aboriginal people are non drinkers, those who do drink alcohol, drink at levels of high risk.

The impacts of the misuse of alcohol are magnified in rural and remote Aboriginal communities which are characterised by limited government service provision, poor access to services and endemic social disadvantage. There are also worrying indications that the use of illicit drugs such as cannabis and amphetamines has increased in these communities.

Alcohol related health conditions are disproportionately evident in Regional WA, particularly the Kimberley Health Region. For example, during the period 2002-06, and prior to the introduction

of liquor restrictions, the Kimberley Health Region constituted 21% of total country hospital alcohol related admissions in WA, despite its low population.

During this period the Kimberley Health Region had the highest number of alcohol related admissions for assault in comparison to *any* health region state-wide¹, including the metropolitan area. More than 40% of all rural hospitalisations in WA during 2002-2006 occurred in the Kimberley Health Region.

SUCCESSFUL INITIATIVES

Police have worked closely with the Department of Racing Gaming and Liquor (DRGL) and Aboriginal community groups in remote WA to develop strategies to restrict the supply of liquor and illicit drugs and to address sly groggin' and the movement of people between communities in search of alcohol.

Successful examples include:

- In collaboration with DRGL, Police consulted with the Wangkatjungka Aboriginal community regarding use of the *Liquor Control Act 1988* to have the community declared a restricted area to prohibit the import and possession of liquor in their community. The regulation came into effect on 23 April 2008 and has resulted in a decline in crime and anti social behaviour in the area.
- In 2007/08 Police provided advice and assistance to the Director Liquor Licensing and Aboriginal community groups at Fitzroy Crossing concerning the imposition of conditions

¹ Please note that this precedes the introduction of restrictions upon the sale of packaged liquor with an alcohol content on more than 2.7% from the Crossing Inn in late 2007. This measure resulted in significant declines in alcohol related crime, alcohol related hospital admissions etc.

on the liquor license of the Crossing Inn in that town under s 64 of the *Liquor Control Act*.

Following consultations the Director Liquor Licensing prohibited the sale of take away liquor in excess of 2.7% for a trial period and subsequently for an indefinite period.

An evaluation of the impact of these measures at Fitzroy Crossing concluded that the restrictions led to significant reductions in alcohol related crime during the trial.

Police analysis indicates that during the 17 months after restrictions were imposed at Fitzroy Crossing in late 2007 there was a 41% reduction in calls for police to attend domestic/disturbance/assault incidents.

In addition there have been significant declines in the range of other crimes associated with the misuse of alcohol.

The declines in crime and anti social behaviour which have resulted from tighter liquor restrictions have generated strong interest from other remote Aboriginal communities interested in similar initiatives to address alcohol related harm.

In support of other regional and remote Aboriginal communities, LED, the Department of Indigenous Affairs and the Department of Health conducted an audit of all regional towns experiencing alcohol related harm. As a result of this work, a submission was submitted proposing additional restrictions at Laverton, Leonora, Leinster, Kookynie, Agnew and Menzies, which have now been implemented.

BARRIERS

There are three significant barriers to the effectiveness of measures to reduce the incidence of crime and anti social behaviour in rural and remote Aboriginal communities. These are:

1) The need to adopt a regional alcohol and other drug management plan

Liquor restrictions in isolation will not be effective in reducing alcohol related harm and crime.

The most effective approach is likely to be the development of a coordinated interagency plan to address alcohol related harm based on consistent restrictions across a region which have been developed in consultation with the communities involved, strong and consistent policing and regulation in support of these measures and additional whole of government support targeted at the factors which cause the misuse of alcohol and illicit drugs.

2) Lack of access to alcohol and drug treatment services

In remote areas of WA access to treatment services for drug and alcohol problems and related issues such as mental health treatment is extremely limited and in many instances non existent.

3) Lack of good quality research into drug and alcohol use by Indigenous people particularly in rural and remote areas

There is a lack of reliable research data about this and the level of alcohol and other drug use are significant barriers to understanding poly drug use patterns in remote areas and the development of strategies to address these issues.

Aboriginal Justice Agreements

The Western Australian Aboriginal Justice Agreement (AJA) supports a framework that underpins cross Government approach to incorporate improvements in the delivery of justice related services and outcomes for Aboriginal people.

The AJA process is supported through the formation of Local Aboriginal Justice Forums throughout the State including the metropolitan and regional areas which WA Police are an active participant.

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