

YOUTH DETENTION — INQUIRY

697. Ms M.J. DAVIES to the Premier:

The WA Inspector of Custodial Services, Eamon Ryan, has said that a summit is “a positive step”, but that “a broader conversation” is crucial and should involve all players: representatives from various departments, such as the Department of Health, the Department of Education, the Mental Health Commission, the Department of Communities and the Department of Justice; community representative organisations; and, most importantly, First Nations representatives, advocates and families.

- (1) Why is the Premier ignoring experts who are calling for a broader conversation and inquiry about youth justice in Western Australia?
- (2) Will the Premier reconsider his refusal to instigate an independent inquiry to assist all stakeholders to share their solutions in an open and transparent forum?

Mr M. McGOWAN replied:

- (1)–(2) I will be hosting a meeting of a number of interested parties who have publicly expressed views about these matters. It will be this week or next week, I expect. One of the representatives is Indigenous, and I have invited another person from an organisation with an interest in the matter, and they are Indigenous, as well. Hopefully, they will both be able to attend. I will seek practical and sensible ideas from this group about what can be done in addition to what is currently in place. It is a very difficult issue, as the last government found when it was in office and moved 70 young people into Hakea Prison. That was when the current Leader of the Opposition was a minister.

We currently have 10 or 11 detainees in unit 18 at Casuarina Prison. In order for a detainee to get to Banksia Hill, they will have been in the justice system for a long time and committed multiple offences. Because of the way the Young Offenders Act is structured, the courts will inevitably try to divert them if their offence is not extremely serious. They will be given some sort of community order or be released without penalty. They might get a work order. They might get some sort of supervision and welfare checks on them. Those sorts of things will occur. Inevitably, that happens multiple times, but if people keep offending, particularly with aggravated burglaries, robberies, stealing cars or serious assaults, or worse—significantly worse, on occasion—they will eventually end up in some form of custody.

The custody we have is Banksia Hill. It has been around for 20 or so years. It is undergoing \$25 million worth of improvements. We currently have 85 young people there and 10 or 11 at unit 18. The 10 or 11 at unit 18 are there because of their behaviour at Banksia Hill. When they destroy their cells, we do not have anywhere to keep them at Banksia Hill. We have to move them somewhere else, and the only place we have had to move them to is unit 18 at Casuarina, where they are not in view of the adult prisoners and they cannot see the adult prisoners.

It is not an easy situation, but we are doing our best to deal with it. I think there is a lot of misinformation out there. There was a column in *The West Australian* this morning, quoting Dr Adam Tomison and explaining all the recreational programs, the music and education programs, the welfare and the psychologists that are on offer at Banksia Hill to provide support to the detainees there. It is all there.

As I said yesterday, the number of youth in detention has halved over the last 10 years. Ten years ago, when members opposite were in government, there were twice as many young people in detention as there are now. That decrease has happened because we have put in place a range of diversionary programs, such as the Target 120 program to intervene in families that are troubled, to try to deal with the situation. Eventually, though, if people commit crimes and their crimes are serious enough, they are going to end up in custody, and that happens for a number of reasons.

Firstly, there needs to be a consequence for people who repeatedly commit crimes, particularly serious crimes. If people do not have consequences, how do they learn, particularly young people? With children, there has to be a consequence for bad behaviour. Secondly, we need to protect the public, the victims. Once someone is in custody and undergoing rehabilitation, we are actually protecting the public. Victims matter. Thirdly, if people keep breaking into someone’s home or shop, they are eventually going to get hurt. If they are 13-year-olds, 14-year-olds or 15-year-olds, or whatever age they are, eventually something bad is going to happen to them. At least if they are in custody, that cannot happen.

This is all very unfortunate. Any child being in custody is a sad thing, but in many cases it is unavoidable because of their behaviour.