

**SELECT COMMITTEE ON THE
RESERVES (RESERVE 43131) BILL 2003**

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
ON WEDNESDAY, 10 SEPTEMBER 2003**

SESSION 1

Members

**Hon Peter Foss (Chairman)
Hon Robin Chapple
Hon Jon Ford
Hon Louise Pratt
Hon Derrick Tomlinson**

Committee met at 7.00 pm

CLARYSSE, SERGEANT JAMES
Supervisor, Kiara Police Station,
examined:

The CHAIRMAN: Thank you very much for coming to the committee today, Sergeant. On behalf of the committee, I welcome you to the meeting. You have signed a document entitled "Information for Witnesses"; have you read and understood that document?

Sgt Clarysse: I have.

The CHAIRMAN: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record and please talk into the microphones; they are not actually for amplification; they are for recording purposes. Your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. Premature publication or disclosure of public evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege. You have given us a statement.

Sgt Clarysse: I have.

The CHAIRMAN: Do you confirm that the statement is true and correct?

Sgt Clarysse: To the best of my knowledge, yes.

The CHAIRMAN: One matter that has been raised quite regularly with other witnesses is that you appear to have a reasonably good relationship with the Swan Valley Nyungah Community. Do you know why that is and why other people do not enjoy quite the same relationship?

Sgt Clarysse: No, I do not know really. It is probably because I persist in trying to establish a relationship in such problem areas. It is not only in the Swan Valley Nyungah Community that we have established a relationship. There are other areas around the place that I work in. I persist in trying to establish a rapport with the people there so that we can work and go about our business without fear of any retribution or any violence or anything like that.

The CHAIRMAN: Do you feel that you have made some progress over the years in your relationship?

Sgt Clarysse: Yes, I do. As I have stated in my statement, I think it is fairly well outlined that I have.

The CHAIRMAN: How many other Aboriginal communities come within the area that you deal with?

Sgt Clarysse: In our particular subdistrict there is only the Swan Valley community, or there was. - on the border is the one at Cullacabardee and, of course, within our district we have Saunders Street. We are a district resource, so we go anywhere. Although they are not directly under our control, they are part of our district.

The CHAIRMAN: Were you involved with any other departments with regard to implementing the access of government departments?

Sgt Clarysse: Yes.

The CHAIRMAN: And in implementing the Gordon report?

Sgt Clarysse: Yes.

The CHAIRMAN: How were you involved?

Sgt Clarysse: We had an interagency committee and it is still going with other departments. We just meet once a month basically with the Department for Community Development, the Department of Indigenous Affairs, the Department of Education and Training and the Minister for Justice. That's about it, I think; maybe a couple of others.

The CHAIRMAN: Who are the people who are actually involved in that committee, the individuals?

Sgt Clarysse: With DCD it is Irene -

The CHAIRMAN: It is a memory test now.

Sgt Clarysse: Yes, you have got me. Irene Thomas. From the Department of Indigenous Affairs it is Bev Rebbeck, who is mainly the facilitator in meetings along with David Pedler. The Department of Education and Training swap and change a bit, so I do not know who that is. Chris Harling from the Department of Health comes too. Good on you, I am glad you gave me that memory test. That was good. They turn up at the meetings and say, "Good day. How are you?"

The CHAIRMAN: You would know their faces if you saw them?

Sgt Clarysse: Yes, I know their faces.

The CHAIRMAN: Do you recall the removal of the classroom from the site?

Sgt Clarysse: Yes.

The CHAIRMAN: Did that come from a recommendation of your committee?

Sgt Clarysse: No.

The CHAIRMAN: How did you learn about it?

Sgt Clarysse: We were told that it was going to happen and we were instructed to go down and ensure there were no breaches of the peace when it was taken out. We were given a time and a date that it was coming out.

The CHAIRMAN: Do you know whether there was any reaction from the community to that decision?

Sgt Clarysse: I guess there was a reaction but there was no evidence of any violent reaction when the classroom was coming out. In actual fact Mr Robert Bropho assured me that there would be no breaches of the peace while it was coming out, although they were saddened to learn that it was going, of course.

The CHAIRMAN: Did they indicate to you what their views were of the action that was being taken?

Sgt Clarysse: I do not think they were very happy, but they did not indicate fully their views.

The CHAIRMAN: When the decision was made to close the camp through using legislation, how did you first learn of that?

Sgt Clarysse: I was summoned to meetings and I was informed in that way.

The CHAIRMAN: Did it in any way derive itself from your particular group making a recommendation?

Sgt Clarysse: No, it was not a recommendation from our group. Our group was primarily set up to try to foster safe and expedient entry and exit from the campsite so that the various departments

could go about their lawful business. We did not have any problems as a Police Service. We had already established that; it was just the other departments.

The CHAIRMAN: Were there any other groups that met with regard to dealing with the Swan Valley Nyungah Community? Did you have any different level group meetings? Your level obviously met; were there any other groups?

Sgt Clarysse: Our level met at the coalface because we were members of the agencies, the frontline operators so to speak, and I guess there were also, of course, managers and other executives who met. I was privy to only a couple of those meetings, but we went further up the line.

The CHAIRMAN: Superintendent Parkinson is your superior.

Sgt Clarysse: He was but he is not now; not superior - senior officer. I would just like to clarify that.

The CHAIRMAN: Did you ever give him any briefing on the Swan Valley Nyungah Community?

Sgt Clarysse: Yes.

The CHAIRMAN: Were you aware that he went to a meeting on 21 March with Pedler, Bayman from DCD, Egan of DHW, Douglas of Housing, Price and Griffiths of DET, Rebbeck of DIA and Ron Villaflor? Were you given any briefing before you went to that meeting?

Sgt Clarysse: I do not recall it. I know there were meetings around about that time. I think I was at one of those meetings, but I cannot remember whether or not it was the one on 21 March.

The CHAIRMAN: You mentioned in your statement a meeting you had with Hon Derrick Tomlinson in which you raised a number of incidents. I think they were the ones that had been mentioned in the House during the course of debate. Is that your understanding of the ones he was referring to?

Sgt Clarysse: Yes. My understanding is that it had been raised in the House.

The CHAIRMAN: It was about a person who had broken legs and another girl who had been removed from the site. What is your understanding of those particular matters? Were you able to put your finger on which particular incidents might have been referred to?

Sgt Clarysse: I think we clarified that although some of those actual incidents were about people who had previously resided at the campsite, were not residing there at the time, and the incidents occurred away from the campsite. I do not think it was a broken leg; I think it was a broken arm. It is a bit like Chinese whispers; it was a broken leg one day and a broken arm the next. I think we were battling to establish what the break was.

The CHAIRMAN: Even the gender of the person seemed to change from time to time.

Sgt Clarysse: It did, yes; it was male and then it was female. That incident, we believe, occurred in Midland and it was completely divorced from the campsite.

[7.10 pm]

The CHAIRMAN: And the 13-year-old girl who was removed?

Sgt Clarysse: That was a request that Bayman made to me to accompany him down there to a house, as I understood it - we had a little trouble with this girl as she was a regular missing person - am I on the right track?

The CHAIRMAN: We might pause at this stage. We will be taking some of your evidence in private, so rather than going into detail now, we might ask that of you in private. However, you think you can identify that particular incident?

Sgt Clarysse: Yes, if it is the one that we discussed on that day. Is that the one?

Hon DERRICK TOMLINSON: Yes.

Hon JON FORD: I presume that you have had dealings and worked with Cullacabardee and other communities in the Swan district. Have you observed any difference in how either you or agencies could access those places compared with accessing the Swan Valley Nyungah camp at Lockridge?

Sgt Clarysse: I will speak purely about our agency. We did not. There were problems in the beginning - a few years ago - with accessing the Swan Valley community, but that has since changed. When I transferred to Lockridge, we changed that aspect of it, because it is a waste of resources taking two or three vehicles into a community to talk to somebody about a particular matter. My experience when I was at Midland was that sometimes the Saunders Street community was not a very good area to access with one vehicle and at other times it was quiet and everything was okay. It appeared to be a fairly unstable community at one stage. There were a few transient people there, but that has stabilised now and it is pretty good to get in there. There are no major dramas. I have not had any major dramas. I can speak only for myself.

Hon JON FORD: What about requirements for escorts for other agencies?

Sgt Clarysse: From time to time we have escorted to the community - I will speak about the Swan Valley community because that is the most prevalent at the moment - other agencies that have been a bit timid about going in on their own and we have taken them down there and introduced them. I am a great believer that if there is an office at a particular community, you knock on the door and say that you are there to go about some business. If you are refused your business, it is like being refused entry to a normal house, so you leave. State your business first and then go about it. It has always worked and there have been no major dramas.

Hon JON FORD: You said that they were timid. In your view is that because they were new agency workers or because they had difficulties with their relationship with the community?

Sgt Clarysse: I cannot answer that question. I would only be assuming and I cannot make that assumption. In some cases, yes, you are right; they would be new agency workers and probably not used to dealing with Aboriginal communities. I am only making an assumption. It may be because there is a stigma that you do not go into these communities without a police escort or police help. It may be for that reason. When they have asked for assistance, we have given it to them.

Hon JON FORD: You mentioned in your statement that there was a bit of trouble before the Gordon inquiry and the incidents that led to that inquiry, but there was no difficulty in gaining access after the inquiry. Were you called on to escort agencies more before the Gordon inquiry and less afterwards or were you called on more afterwards, or was it about the same?

Sgt Clarysse: No, very few. In my time at Lockridge, we have not had a great deal of call from agencies to assist. We have had a couple now and again. It is not as though it is once a week or twice a month or something like that. It is fairly spasmodic and I would be battling to recall exactly when they were. Either they do not go or they go in on their own.

The CHAIRMAN: I can remember a time when people said that the police would not go into Cullacabardee. I do not know whether it was true, but that was the reputation it had. Whether it was a deserved reputation, it conjured up the view that it was a dangerous place to go. Were you aware of Cullacabardee ever having a reputation like that?

Sgt Clarysse: Yes. All those communities have had a reputation at one time or another, and it has been because the person or persons living there at the time have been a bit on the violent side and police have had to go in with a backup vehicle.

The CHAIRMAN: I imagine there are also some houses around the area that you go to with a little caution.

Sgt Clarysse: Yes, and they are not necessarily Aboriginal houses either.

The CHAIRMAN: People will get a reputation for violence and the word gets around that people should be careful if they go to that house because they are likely to get attacked.

Sgt Clarysse: That is right.

The CHAIRMAN: It is hard to justify or not justify, but people respond in any event.

Sgt Clarysse: That is right.

The CHAIRMAN: Would you have rated the Swan Valley Nyungah Community camp as one of the more difficult places for you to go to? How would you rate it on an overall scale of places and how would you approach it?

Sgt Clarysse: When I first moved to Lockridge and when I was at the station at Midland -

The CHAIRMAN: Can you give us a time for that?

Sgt Clarysse: I was at Midland from 1992 to 1998. I have driven the backup vehicle from time to time for police to go into the Swan Valley community and yes it was a violent place - violent as in there were some very agro people living there. However, since 1998, and more prevalently in 1999, I worked on the fact that why take X number of vehicles to go there; let us get known to the people at the community and go about our business lawfully without fear of being impeded in doing our business. That is what I strived to do and that is what I have achieved in the long run. It is not really down to me; I have just laid the groundwork. The guys at the station have helped work it out, too.

The CHAIRMAN: You are not aware of any officers at your station having a problem going into the Swan Valley Nyungah Community camp?

Sgt Clarysse: Over the past two years we have had no problems. The boys have gone down there and as long as they have announced themselves as the Kiara police, or the Lockridge police as we used to be - we have a brand new station now, just in case you did not know -

Hon DERRICK TOMLINSON: Courtesy of the previous Government.

Sgt Clarysse: Is that right? We would like to think that. The people at the community have gotten to know the various staff members as members of the local police station. There have been no major dramas about their going in and going about their business. The only times they have had a few hassles is when a person has been either drunk or affected by solvent, and that could be anywhere; it does not necessarily have to be at that community.

The CHAIRMAN: It is not something that is particularly attributable to that community.

Sgt Clarysse: No.

The CHAIRMAN: You can get that anywhere.

Sgt Clarysse: Yes, you can get that anywhere.

The CHAIRMAN: The question was, how would you rate it? It has been singled out as a particularly difficult place to go to, where there was a very negative reaction to government agencies. From your point of view, how would you rate it?

[7.20 pm]

Sgt Clarysse: Now and prior to it closing, the community was a very easy community to go into and access. For two years prior to 13 June, for argument's sake, perhaps it was bit longer than that, it was very easy for us as a police agency. We could park in the parking area, go to the office, speak to the people concerned and if we were looking for somebody we could ask them if such and such was there, yes or no, and go about getting our business done. At night-time if we happened to go chasing someone there was never any major drama.

The CHAIRMAN: Did you regard going to the office as a major imposition? Do you think it was unreasonable?

Sgt Clarysse: No, that is courtesy. I spent three years in Laverton where we had four or five communities in the central reserves. It was courtesy that if you pulled up into that community, you went to the office to announce your arrival and to go about any business with the person in charge of the office, whether it be the leader of the community or just an administrator.

The CHAIRMAN: Since the Swan Valley Nyungah Community camp has been closed, are you aware of any problems that have arisen out of it? In other words, has the removal of the people from that particular location caused difficulties elsewhere?

Sgt Clarysse: Yes.

The CHAIRMAN: I will not ask you about the detail of that now, we will do that in a private session, but can you tell us where? Has it been generally around the place or at one particular location?

Sgt Clarysse: I have had dealings with two locations.

Hon DERRICK TOMLINSON: I would like some information about your career as a police officer. How long have you been a police officer, when did you join the Western Australia Police Force and what stations and locations have you served at in Western Australia?

Sgt Clarysse: I joined the Police Force in 1974. I served in the Police Pipe Band. I have also served at the Central, Kalgoorlie, Laverton, Menzies, Port Hedland and Midland Police Stations, and I am working in an office at the Kiara Police Station.

Hon DERRICK TOMLINSON: When did you become a sergeant at the Kiara Police Station?

Sgt Clarysse: At the end of 1998.

Hon DERRICK TOMLINSON: From 1998 to the present you have been sergeant-in-charge or just -

Sgt Clarysse: Just second sergeant.

Hon DERRICK TOMLINSON: That is, second sergeant at the Kiara Police Station. When outlining your service you talked about Kalgoorlie and Laverton. Have you had much experience in dealing with Aboriginal persons?

Sgt Clarysse: All those places have Aboriginal personnel and quite large Aboriginal populations. Laverton is a highly populated area with a lot of tribal Aboriginals in the central reserves. We were doing regular patrols out there in the days when I was there. Kalgoorlie has a big population of Aboriginal people out along the transline and in amongst Kalgoorlie. Menzies has its own population of Aboriginal people living within the town and the surrounds. Port Hedland also has a large population of Aboriginal people. So, yes, throughout my 29 years of being a police officer I have had a lot of dealings with Aboriginal people.

Hon DERRICK TOMLINSON: I might also suggest that you have had a distinguished career that has been recognised in the past couple of years has it not?

Sgt Clarysse: Yes, it has.

Hon DERRICK TOMLINSON: In what way has it been recognised?

Sgt Clarysse: In 2001 I was Police Officer of the Year and on Friday I pick up my Australian Police Medal.

Hon DERRICK TOMLINSON: Which was awarded at the Queen's Birthday honours this year.

Committee members: Congratulations.

The CHAIRMAN: I think you got a Centenary Medal too did you not?

Sgt Clarysse: No, I did not.

The CHAIRMAN: I beg your pardon. Perhaps you should have done!

Sgt Clarysse: I missed out like you!

Hon DERRICK TOMLINSON: Given that comprehensive experience and particularly the experience you have had with Aboriginal communities, would you rank the Swan Valley Nyungah Community as being, as you said, fairly easy to deal with?

Sgt Clarysse: Yes, I found it fairly easy. Having the experience with Aboriginal communities that I have had it was not a major drama to me. It was just a matter of sitting down with the people who were running the community, talking it over with them and working together, and that was established.

Hon DERRICK TOMLINSON: I think you once described it to me as building bridges.

Sgt Clarysse: No, I think Mr Bropho described it as building bridges, and I concur with his remarks.

Hon DERRICK TOMLINSON: What does that mean from your perspective?

Sgt Clarysse: A comment like that is a great compliment because it means that we are trying to bridge the gap. There has always been that stigma between police and Aboriginals since the start of Australia. It has built a gap between the two bodies and a comment like that certainly helps.

Hon DERRICK TOMLINSON: I think Mr Bropho said that we have come from our side and you have come from your side and you have met in the middle.

Sgt Clarysse: That is right. We have had a few arguments in the middle though but we got there.

Hon DERRICK TOMLINSON: Yes, I do not think any of these things are ever arrived at easily. In the inquest into the death of Susan Taylor, evidence given by police officers from Lockridge indicated that before 1999 relations between the Swan Valley Nyungah Community and the Police Service were not harmonious.

Sgt Clarysse: No, they were not. That is true.

Hon DERRICK TOMLINSON: Since the inquest into the death of Susan Taylor you have worked assiduously to build those bridges.

Sgt Clarysse: I have tried.

Hon DERRICK TOMLINSON: Successfully?

Sgt Clarysse: I believe I have been fairly successful at it, yes.

Hon DERRICK TOMLINSON: You have described it as a community that you have had no difficulty working with. What about the prevalence of domestic violence or physical violence in that community?

Sgt Clarysse: There has always been a prevalence of underlying tones of violence there, and there have been the odd - it would be probably be more than the odd - reports of domestic violence that we and other sections of our agency have addressed, and the odd assault has occurred.

Hon DERRICK TOMLINSON: When you or officers from your station have been called to Lockridge Swan Valley Nyungah Community, have there been any real difficulties in achieving some peace in those violent situations?

Sgt Clarysse: Earlier there was a little bit of difficulty but after 1999 and just after the death of Susan Taylor - to use that as a benchmark, which I am loath to do - it has been a lot easier to deal with the situation and get a result out of it, whether somebody is charged or it has been recommended that they have counselling for domestic violence.

Hon DERRICK TOMLINSON: Let us use the Gordon inquiry report as a benchmark, which might be less uncomfortable. Since the Gordon inquiry, what would be your assessment of the prevalence and nature of domestic violence? Is it greater in similar communities or -

Sgt Clarysse: I do not know. I have never measured it with other communities but it would probably be the same or less than possibly a lot of other communities. Some of the violence in the communities in the central desert is fairly horrific with the tribal people, albeit for domestic or other reasons - basically it is domestic. However, without looking at statistics I would assume that it would not be greater or less than other communities. I would hazard a guess that if you were to look at a statistical graph you would probably find it would be less.

Hon DERRICK TOMLINSON: What about the incidence of violence causing bodily harm since the Gordon report was brought down?

Sgt Clarysse: Without looking back and doing some statistical number crunching on that one, I could not give you any figures. They are not very great. There would only be one or two instances that involved bodily harm.

[7.30 pm]

Hon DERRICK TOMLINSON: Since the Gordon report, have there ever been any incidents causing wounds such as broken limbs?

Sgt Clarysse: No, not at the community.

Hon DERRICK TOMLINSON: Not at the community. What about the prevalence of substance abuse in the community?

Sgt Clarysse: Yes.

Hon DERRICK TOMLINSON: What do you mean by "yes"?

Sgt Clarysse: There has been a prevalence of that. At one stage, there were quite a few younger members of the community who were substance abusers and they were creating some problems for other members of the community and for us. They were disrupting the community. They were very disruptive.

Hon DERRICK TOMLINSON: Were those substances alcohol?

Sgt Clarysse: No, they were paint or glue.

Hon DERRICK TOMLINSON: Were they sniffing solvents?

Sgt Clarysse: Yes.

Hon DERRICK TOMLINSON: Has there been any change in that behaviour in recent years?

Sgt Clarysse: Yes, there has. Those substance abusers have left the community and moved elsewhere. However, when they came back, if they came back - some of them came back from time to time - it would start up again and we would have problems with them being under the influence of solvents.

Hon DERRICK TOMLINSON: Is it correct to say that it is more a problem with the transients rather than the longer-term residents?

Sgt Clarysse: Yes, it was the transients and the younger people who were abusing them.

Hon ROBIN CHAPPLE: In terms of those occasions where there was substance abuse, how did you find out about it? Did the community contact you?

Sgt Clarysse: In a lot of cases, yes.

Hon ROBIN CHAPPLE: Was it not something that caused you to go to the community? Invariably, was it the community that called you out?

Sgt Clarysse: Yes. There were other instances when we would pick up people from the community who were affected by a substance and we would take them back to the community with the idea of getting them some guidance and help to keep them inside to keep them out of harm's way.

The CHAIRMAN: Did you see that as a solution rather than a problem?

Sgt Clarysse: It was a solution to take them back to the community and give them to somebody who could look after them. You must bear in mind that somebody who is affected by substance abuse - it is a bit like a drunk - wants to get out. We have had instances where we have taken younger kids back who have been all over the road in Lord Street with the likelihood of getting run over. We have taken them back to the community and asked members of the community to keep them inside for God's sake so that they don't get run over. Five minutes later, they have run away from the community and are out on the road again. We did not have any facilities around the place to take these kids. We were relying on somebody - a responsible adult - at the community to take them on board and to look after them.

Hon LOUISE PRATT: In your statement, you talk about having had meetings in order to build up a rapport with the community. Who were the key people that you built those relationships with in order to feel you had that rapport? Were there particular individuals in the community?

Sgt Clarysse: The main people we met with were Mr Robert Bropho and his two sons, Herbert and Harvey and also one of Robert's daughters, Bella. They were the main people I spoke to there.

Hon LOUISE PRATT: Could you characterise your relationship with other people in the community as well?

Sgt Clarysse: Yes.

Hon LOUISE PRATT: How would you characterise your relationship with the other members of the community?

Sgt Clarysse: They knew me as a regular member of the Police Service. I went down there and had meetings; they knew me. Whether or not I spoke to them, I knew them from either previous dealings with them or through having processes to serve on them or other actions, or I had cause to talk to them for other reasons. I did not necessarily have meetings with other members of the community.

Hon LOUISE PRATT: Okay. You spoke about times when you accompanied officers from other departments to the community. You said that you would visit the office as a courtesy. Would you explain what would happen after that? Would you characterise those kinds of visits and whether you accompanied the officers or whether you would go about other business on the side? Did it vary?

Sgt Clarysse: The nature of the visit and the business determined whether I stayed around to assist that person from the agency or whether I talked to somebody else that I might want to talk to at the community while the department officers were there. Depending on who it was, I let them go about their business.

Hon LOUISE PRATT: If you accompanied an officer and stayed with him, where would you meet? Would you meet in an individual's house?

Sgt Clarysse: It would depend on which agency it was and what the meeting was about. In some cases, we met at the office and other times we met outside the office in the open area. Sometimes we met at an individual's house.

The CHAIRMAN: Was there no pattern to that?

Sgt Clarysse: No. Everything was taken on its own merit at the time.

Hon LOUISE PRATT: How would you deal with issues if something was of a confidential nature? Would you absent yourself from those meetings?

Sgt Clarysse: For argument's sake, if it was the Department of Community Welfare - or the Department for Community Development as it calls itself now - and the matter was of a private nature, I would drift away and talk to somebody else. I was not privy to their meetings.

Hon LOUISE PRATT: In your statement, you said that minor assaults were reported but that you would find out about other matters from other sources, which were then passed on to the local detectives. Would you characterise why that was the case and why you think they were not being reported directly?

Sgt Clarysse: I don't know why. In a lot of cases in the past there have been some fairly serious assaults that needed to be dealt with by detectives because of the seriousness of their nature. Sometimes we would not necessarily learn about them through the person that was assaulted but by another party, so to speak. We would then act upon that information, given that that person wished to be a complainant. We all know that without a complainant, we cannot go any further.

Hon ROBIN CHAPPLE: Thank you sergeant. I have a few questions. I hope I do not tie you down too much. In March, *The West Australian* revealed that at least nine deaths had been linked to the camp. Is that your understanding? Were nine deaths linked to the camp?

Sgt Clarysse: They would have to go back a heck of a lot of years to amount to that number. Who released that?

Hon ROBIN CHAPPLE: That was reported in *The West Australian*. I am just asking -

Sgt Clarysse: In the time that I have been there, I would not say there have been nine deaths. However, if you went back over the years - how long has the camp been going for? Has it been there since 1977 or 1978? I can't answer that.

Hon ROBIN CHAPPLE: When you went to the Swan Valley Nyungah camp, did you always advise when you would go there, or did you just roll up?

Sgt Clarysse: Now and again I would ring up, but nine times out of 10 I would just drive in and arrive.

Hon ROBIN CHAPPLE: Was there ever an issue with that?

Sgt Clarysse: No.

Hon ROBIN CHAPPLE: Was your relationship with members of the Swan Valley Nyungah camp, including the office workers and other people, always fairly cordial? Was there ever any antagonism other than if you were there for an incident or some other -

Sgt Clarysse: There were instances when the community was not very happy with the things that the police might have been doing. You can count those instances on one hand. Basically, we went in and did our business, whether or not we did it cordially, we always got it done. We might have had a little bit of an argument before then, but it was always done. Nine times out of 10, we went about our business fairly cordially and it was okay.

Hon ROBIN CHAPPLE: Did the DCD or other agencies that went to the camp always ask for your assistance or did they operate individually?

Sgt Clarysse: I don't recall them asking for our assistance on a great number of occasions. As I stated before on a number of occasions, with the recommendations of the Gordon inquiry, the DCD attended the campsite with us. That is only recently. Prior to that, I can only think of a couple of instances where DCD - I could be wrong here. There could be other agencies that have requested police assistance to go down there, so, no.

[7.40 pm]

Hon ROBIN CHAPPLE: Do you have any views on the occasions that you accompanied DCD about how the officers integrated or operated with the community? Obviously, you had a good relationship. Was their relationship as good?

Sgt Clarysse: The times I have been down there, they go down there with fairly confidential issues to talk to people. I have never really been privy to that. It is not our role to be privy to it. As far as I know, they have spoken to the person they needed to speak to, and gone about their business without any major dramas.

Hon ROBIN CHAPPLE: Did they express any fear?

Sgt Clarysse: They did one time when I was down there recently. I think that was the inexperience of the person there.

The CHAIRMAN: Is that the one where Mr Bropho started haranguing the fairly youngish DCD operator?

Sgt Clarysse: Yes. It was Mr Bropho junior. No, it was Mr Hayward Jackson who was doing that. Mr Bropho harangued me, but that was okay.

Hon DERRICK TOMLINSON: Our understanding was that you accompanied the DCD officer to the community. You went about your business on one side the community, and she went about hers on another side the community. When walking back to the office, Mr Bropho and Mr Hayward Jackson returned to the vehicle and she felt intimidated when Mr Bropho asked what she was doing there. Is that the same incident?

Sgt Clarysse: Yes.

Hon ROBIN CHAPPLE: Do you think it was particularly confrontational or down to inexperience?

Sgt Clarysse: My answer to that would be yes, inexperience. I do not think it was particularly confrontational. I personally would not take it as confrontational. It is just my personal view. In the end, it would have been a lack of experience, but it is hard to say.

Hon ROBIN CHAPPLE: On 4 December 2002 when you had to accompany a number of people to what was referred to as the audit -

Sgt Clarysse: Yes.

Hon ROBIN CHAPPLE: Do you know who established that audit or raid? Was that DCD?

Sgt Clarysse: Who orchestrated it?

Hon ROBIN CHAPPLE: Yes.

Sgt Clarysse: I do not know.

Hon ROBIN CHAPPLE: You were basically rung up to go down there.

Sgt Clarysse: No. I was rung up and asked to accompany my superintendent to a meeting. It was then discussed that they were going to go to the camp site as an interagency platform and have an audit there. We were going along. It was my superintendent who suggested that we pay the courtesy first of going in and alerting the people at the community that people were coming, instead of a whole group of people coming in and getting people's backs up. We went in first.

Hon ROBIN CHAPPLE: In terms of that audit, although you would not know the nature of everything, what would you say happened on that day from your experience?

Sgt Clarysse: It was basically DCD doing the talking to the community, mainly to establish some ground rules to enable all the agencies to go into the community unimpeded and to be able to go about their business.

Hon ROBIN CHAPPLE: Prior to that, they were doing that anyway.

Sgt Clarysse: As far as I know they were but - I think they will tell you that they were - but we had very little knowledge of them coming in and having any problems there. They certainly did not ask us on a regular basis to accompany any of them down there. It was spasmodic that we ever accompanied anyone else.

The CHAIRMAN: Would that be recorded anywhere?

Sgt Clarysse: I doubt it.

The CHAIRMAN: It was not an incident - just a request.

Sgt Clarysse: It was just a request, and probably written off as a patrol.

Hon LOUISE PRATT: Further to that, in terms of DCD or other department's access to the community, what responsibility did you feel to ensuring that access, or was it was a responsibility that belonged to you and the Police Service to do that?

Sgt Clarysse: If someone makes a request that we accompany them somewhere because they feel there may be some form of danger, it is our duty as police officers to ensure that they go there and there are no breaches of the peace. That is the reason we went there.

Hon LOUISE PRATT: Other than access in terms of people's sense of safety, could you distinguish between why other departments might have a different sense of rapport with the community from that of the police?

Sgt Clarysse: I am not going to go there. What other departments' feelings are has nothing to do with me. I am a serving police officer and I can only give my views as a police officer, and how our agencies have had access. I am not even going to speculate why they did or did not go - if you do not mind.

Hon LOUISE PRATT: That is fine.

Sgt Clarysse: We have not got our 15 per cent pay rise, so -

Hon DERRICK TOMLINSON: If we give you 20 per cent, will you cough?

Hon JON FORD: Sergeant, going down this path with your work with the other agencies, I refer to when they make a request of you to escort them down for a particularly stressful matter. I am talking generally, not about this specific community. If you get a request from DCD when they take a child into custody, which must be fairly stressful for everybody, do they brief you on why they are going in and provide background information?

Sgt Clarysse: They do. If it is for something like that, yes, we are fully briefed on what their intentions are and why.

Hon JON FORD: What about in cases of domestic violence? Do they go into details, although not necessarily the nitty-gritty detail, on the background and the history and why they called you?

Sgt Clarysse: They give some of the background but not the complete picture. It depends. It depends on who it is, of course, and whether we have knowledge of that person ourselves. If it is something we do not have knowledge of, they will give the basic details, and leave it at that.

Hon JON FORD: I am going to ask you for an opinion. Is there any formal protocol; and, if so, do you think it is adequate? Has your experience been that you get enough protocol between the two of you to assist you in doing your job properly?

Sgt Clarysse: In most cases. They have areas of confidentiality that they do not want to share with us, and we respect that. There are things we will not share with them. I think they tell us basically that they are going to do this, this and this. You must remember that we are only there to make sure there are no breaches of the peace. There is a duty of care that they come out safely. We have to care firstly about the police officers who will be there, and about people we are going in with and there is the community to consider too.

[7.50 pm]

We have to assess that. The risk factors have to be assessed before we go in. They have to be assessed fairly broadly. Therefore, we need to know enough to be able to assess those risk factors so that we are not going to end up in a situation where we have got to back off very quickly. In the instances that I have been there, they have briefed me enough. None of our staff has complained about any other instances or that they have not been briefed. If that was a common problem, we would address that departmentally with their seniors.

Hon JON FORD: It is exactly that point I am trying to explore. I suppose it is very difficult for you if you are not briefed about a certain situation. You find yourself in there -

Sgt Clarysse: They do not simply ask us to escort them down to the camp site because they want to do a job down there. They brief us on what they want to do, where they are going and things like that. We have enough knowledge to know what is going on and why they are there. In some instances we have had to go along to the people who run the camp and say that these people are coming and that they want to talk to A, B and C regarding certain matters.

Hon JON FORD: What is the position in law, from your perspective, about complaints by agency workers that they are going to a place to interview a person confidentially but that a third party sits there and monitors that conversation?

Sgt Clarysse: No, we do not. That is a different scenario altogether. If they are going to talk confidentially to some person, we pull out. We get out of the way.

The CHAIRMAN: Have members of the community not stayed on?

Sgt Clarysse: Are you talking about us or the community?

The CHAIRMAN: The community. The complaint was that members of the community insisted on being there.

Sgt Clarysse: That is certainly not a problem that we had. I can talk only about that. I do not know about the other agencies. We certainly have not had that problem.

Hon JON FORD: If an agency worker said to you that he wanted to talk to this person and did not want those people present, have you got a position under law to fix that?

Sgt Clarysse: It is a very grey area. I really cannot give you an answer without consulting an authority. Peter Foss is probably the expert.

Hon JON FORD: I am talking about from an operations perspective.

The CHAIRMAN: If you were complained to, would you feel free to talk to Mr Bropho about it? If they said that Mr Bropho or someone from the camp is staying when they want to interview someone privately, would you speak to Mr Bropho?

Sgt Clarysse: I would.

The CHAIRMAN: Had anyone made that sort of complaint to you?

Sgt Clarysse: Never to me. I have never had that situation in which I have had to ask members of the community to stay away from a situation.

The CHAIRMAN: Is it your expectation that if you went and asked them to stay away, they would cooperate?

Sgt Clarysse: I would have to say yes to that because I have never had that situation, so I do not know.

Hon JON FORD: It is hard.

Sgt Clarysse: It is a hard one. I wish you had not asked that now!

Hon DERRICK TOMLINSON: Hypothetical.

Hon JON FORD: Your answers have got my mind wondering.

Hon ROBIN CHAPPLE: I have a couple of questions that I would like to ask in closed session, so I will leave those for the moment. Did you have problems in any relation to Herbert Bropho?

Sgt Clarysse: Have I had specific problems?

Hon ROBIN CHAPPLE: Yes, and if they were, how did you deal with them?

Sgt Clarysse: I have had a few problems with Herbert over the years, but I have dealt with them through my experience and working Herbert out.

Hon ROBIN CHAPPLE: Okay. Do you believe Herbert Bropho had genuine concerns for the community or is that beyond the scope of your answer?

Sgt Clarysse: I think yes. Herbert did in a Herbert sort of way. I think he did have genuine concerns. I know he had concerns about the solvent abusers being there. He was very concerned about that, but he had a funny way of showing it. His way of dealing with it was not according to the law.

Hon DERRICK TOMLINSON: What was his way of dealing with it?

Sgt Clarysse: A big stick and chasing them around the campsite. I do not think that is the correct way to go. It may have worked a few years ago but nowadays it does not. That was his way of dealing with it.

The CHAIRMAN: Who was he chasing? Was it the people using it or the people supplying it?

Sgt Clarysse: The people who were using. I guess if he could have got hold of the people who supplied it, he would have chased them too. That was not the way, and we had to point out the error of his ways and that he needed to talk to us about it. I guess deep down he did have concerns, and he had a genuine concern, firstly, for the community and, secondly, for the health and welfare of these people. I hazard that guess, but I am only speculating. It appeared to me that he did.

Hon ROBIN CHAPPLE: Thank you. I asked you previously about solvent abusers. Sometimes you used the camp as a way of putting them there for mentoring and looking after whilst they were under the influence of solvents. Did you ever any take any other people there who may not have come from that community?

Sgt Clarysse: No, they were members of the community or relatives of the people who lived there.

Hon ROBIN CHAPPLE: Thank you. You might not want to answer this. Given your experience over many years in dealing with Aboriginal communities, would you have carried out the audit in a manner that it was undertaken?

Sgt Clarysse: No, I cannot answer that.

Hon ROBIN CHAPPLE: Okay.

The CHAIRMAN: Can I come in there? Were any things done at any time that you would have thought did not help with building bridges?

Sgt Clarysse: A lot of things have been done over the years that have not helped our cause a lot. Again, they have been out of my control.

The CHAIRMAN: You have observed them occur.

Sgt Clarysse: Yes.

The CHAIRMAN: Did you think the audit could fall into that category?

Sgt Clarysse: No, I think the concept of the audit was a thing that should have been done, although maybe not as forcefully as it was done that day.

The CHAIRMAN: More finesse.

Sgt Clarysse: It could have been done with a bit of decorum.

The CHAIRMAN: It is a personal thing.

Sgt Clarysse: It is only a personal thing and not an environmental thing. It did not hurt our cause as a Police Service at all because we spoke to the people first and said what was going to happen and left it at that. We did not play any part in it at all. It was nothing to do with us.

The CHAIRMAN: What about the removal of the classroom? Did you see that as being conducive to or undermining the building of bridges?

Sgt Clarysse: Again, it was done by another department, and we were only there -

The CHAIRMAN: I realise they are not your bridges. I am speaking generally about between the community and that community.

Sgt Clarysse: I do not think it helped anything, for sure. I believe it could have been dealt with in another way, but who am I to question?

Hon ROBIN CHAPPLE: Thank you. When there was a necessity to accompany an officer to the camp, they approached you. Did anybody specifically from DCD ring you or did the individual officer ring and say he was going down there?

Sgt Clarysse: In the latter stages it was a person by the name of Roley Bayman, who was very good and helpful as far as we were concerned. He kept us in the loop about what he was doing and was very good at his job. I do not know where he is now. He is still with the agency but -

Hon ROBIN CHAPPLE: Not in that area.

Sgt Clarysse: Irene Thomas is a manager now. She rings me from time to time when there is a need to attend. I think they established that rapport with the community and attended on their own volition. Basically, the manager of the section rings me anyway.

[8.00 pm]

Hon ROBIN CHAPPLE: I am not sure whether this question was asked previously, but are you often required by the Department for Community Development to attend other properties in the metropolitan area?

Sgt Clarysse: They are very few and far between. Now and again it crops up, but it is not a regular thing.

Hon ROBIN CHAPPLE: About the same?

Sgt Clarysse: Yes. If it was just a household property. We have had calls to attend or accompany them to different households when they believed that the person would be a bit violent, but it is not a regular thing. I guess we would get more calls from the psychiatric people than the DCD.

Hon ROBIN CHAPPLE: Thank you very much indeed.

Hon JON FORD: Apart from suicide, what would be the worst incidents that you have seen at the Lockridge camp?

Sgt Clarysse: The worst would have to be the death there.

Hon JON FORD: You are an experienced police officer. How many incidents over the past two years would you rate in your own mind as being very, very bad?

Sgt Clarysse: The only ones I consider to be really bad are the deaths that have occurred there. They are the only ones. There were assaults, but you learn to live with assaults. We get used to them. They happen. Some of them were a bit serious in the past, but they were not life threatening.

Hon JON FORD: What about the proven incidents against children? How many of those would there have been over the past two years?

Sgt Clarysse: What type of incidents are we talking about?

Hon JON FORD: Violent assaults, injury to children - I am talking inside the camp - both physical and sexual.

Sgt Clarysse: I will not comment on the sexual assaults because that is dealt with by another section of our agency and not by us. Any violent assaults or evidence of child abuse is again dealt with by another section of our agency, so I will not comment on that if you do not mind.

Hon JON FORD: No, that is fine.

Hon ROBIN CHAPPLE: Following on from that, could you advise us of the agency or officers who might deal with that?

Sgt Clarysse: The child abuse unit deals with child abuse assaults, and the sexual assault section deals with them.

Hon LOUISE PRATT: With respect to the assaults you have just mentioned, would they be of a domestic violence nature? Would they be of a variety of different natures? Would they be between different male persons in the community, or between males and females, or females and females?

Sgt Clarysse: Both.

Hon LOUISE PRATT: So both domestic violence and other forms of violence?

Sgt Clarysse: Yes.

Hon LOUISE PRATT: Do you perceive that if the Police Service says that you obviously understand and get used to assaults, DCD might have a different view about getting used to assaults? They are common; you are used to them happening.

Sgt Clarysse: Depending on the nature of the assault, of course. We deal with minor assaults every day of the week. For whatever circumstances, they happen. There is a varying range of assaults. I guess you never get used to children being assaulted or really violent assaults - you will never get used to those. As police officers we deal with the range of assaults, from a slap in the face to somebody being shot. The term "getting used to it" means that it is a common, everyday practice for us.

Hon LOUISE PRATT: I understand that. I was not trying to reflect otherwise. What about the role of the Police Service in terms of preventing such assaults? Could you comment on that?

Sgt Clarysse: What are you asking me? Can we take steps to prevent it?

Hon LOUISE PRATT: I presume that the role of a department like DCD is that it would be seeking to prevent such incidents. Obviously, it is the role of the police to enforce the law when people commit crimes.

Sgt Clarysse: Exactly. One of the preventative measures that we take nowadays - it has been going on for some time - is that if a couple are having a domestic argument, so to speak, and an assault occurs from that, we put in a domestic violence report. We have domestic violence officers who deal with that. They take steps to take it further and have these people spoken to and counselled. They recommend that those people have counselling for domestic violence. They deal with it that way. That is the modern analogy. That never happened a few years ago. People just used to get it.

Hon LOUISE PRATT: Have you ever had any knowledge of people who were leaving the camp and not choosing to return because they were subject to assaults?

Sgt Clarysse: I do not have any personal knowledge of that but I have heard that it has happened. It has been mentioned to me a few times in the past few months that people left that camp because of domestic or other violence. They certainly do not come via our door and say that they are leaving the camp because they are sick of getting belted up. We go looking for them and learn that they have left the camp for whatever reason.

The CHAIRMAN: We will move on to the private session. The people who are in the gallery will have to leave for that period. We will have another witness after this witness, and we will reopen the session then.

[The committee took evidence in private]