The John Curtin Institute of Public Policy

Public Policy Forum

Misspent Youth - Opportunities for Juvenile Justice

Address by

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Misspent Youth: Opportunities for Juvenile Justice[1]

It is a pleasure and an honour to have been invited to address this breakfast forum organised by the John Curtin Institute of Public Policy. I would like to commence my remarks by acknowledging the traditional owners of the lands on which we meet, the Noongar people of south-western Australia, and by acknowledging my respects to their Elders past and present.

I have chosen juvenile justice as the topic of my address this morning. I have chosen that topic mainly because of the obvious importance of public policy relating to juvenile justice, but also because these issues have a connection with the person in whose honour the Institute of Public Policy, and the University have been named - John Curtin. Curtin was a strong advocate for the rights of women and children. In 1927, he was appointed by the Commonwealth government to serve on a Royal Commission appointed to inquire into child endowment or family allowances. Curtin, together with another commissioner, Mildred Muscio, wrote a strong minority report advocating the introduction of a national child endowment scheme.

There are many clichés to which one could turn to emphasise the importance of public policy issues relating to children, such as "children are our future". However, the proposition is so trite that it needs no embellishment by cliché.

[1] I am indebted to Dr Jeannine Purdy for the research and data presented in this paper. Responsibility for the conclusions drawn and opinions expressed is, however, mine.

Children are by nature undisciplined and unruly. The techniques appropriately applied so as to condition children to life in an organised society governed by the rule of law have been the subject of earnest attention ever since humans started living in organised societies. As my colleague, Judge Denis Reynolds, President of the Children's Court has pointed out, each of Plato and Socrates made observations about the need for society to deal with unruly and unmanageable youth. As long ago as 1664, Samuel Butler penned the famous line:

"Spare the rod, and spoil the child."

More extreme views on the desirability of disciplining children have been expressed from time to time. Edgar Allen Poe wrote:

> *"Children are never too tender to be whipped. Like tough beef-steaks, the more you beat them, the more tender they become."*

Don Marquis (the American humourist, not the philosopher of the same name) wrote:

> *"If a child shows himself to be incorrigible, he should be decently and quietly beheaded at the age of 12, lest he grow to maturity, marry, and perpetuate his kind."*

W C Fields was not noted for his rapport with children. He observed that *"Children should neither be seen, nor heard from - ever again"*, although he also protested *"I like children. If they're properly cooked."*

There is nothing novel about public attention being focused on juvenile justice. There have been times within recent memory in which the Children's Court has been the centre of protracted public controversy

culminating in marches on Parliament. Happily, now is not such a time. However, recent times have seen increasing public disquiet about the levels of juvenile crime fuelled, at least in part, by the prevalence of visual images of juveniles engaging in unlawful behaviour published by the electronic and print media. The prevalence of closed-circuit television, and the ubiquity of the cameras which most people carry in their mobile phones have dramatically increased the availability of such images, and consequently the extent of media reports of criminal behaviour.

I do not mean to suggest that public concern about child offenders is unjustified. The data suggests that while juvenile offending in relation to some types of crime has decreased (notably burglary and car theft), trends in the data relating to offences against the person and acts intended to cause injury are less clear. Judge Reynolds has advised me that he and his colleagues at the Children's Court are very concerned at the increasing levels of violence which they are seeing in the cases coming before that court, sometimes associated with substance abuse.

The increasing levels of violence inflicted by some juveniles, usually on another juvenile, are matters of great concern, not only to the courts and to executive government, but also to the community. The measures adopted by the government and the courts to address juvenile offending must be aimed at protecting the community, and particularly vulnerable juveniles who are often the victims of these offences. The aim of this paper is to review current patterns of juvenile offending and the measures that we, as a community, are taking in response to that offending, and which we might take in the future.

The vast majority of kids are good

Because my address is directed at juvenile justice, there is a real danger that my remarks might create the erroneous impression that a significant proportion of our kids regularly breach the law. Let me dispel that illusion immediately. Following an inquiry into juvenile justice, the Auditor-General reported (in 2008) that in the five years leading up to 30 June 2007, just over 1,000 young people had more than 10 formal contacts with police. That is out of a relevant population of about 225,000. Further, 80% of our kids complete their childhood without having any formal contact whatever with police. The significant majority (80%) of those who do have formal contact with police, have only one or perhaps two, such contacts and go on to live perfectly law-abiding lives. Offending behaviour is directly correlated with age, and many 15-19 year-olds who do silly (and unlawful) things mature and simply grow out of their offending behaviour.

Although, as we will see, Aboriginal young people are, tragically, grossly over-represented in those who have formal contact with police, the great majority of Aboriginal kids complete their childhood with no formal contact with police whatever, just as the vast majority of non-Aboriginal kids do.

Returning to the Auditor-General's report, over the period analysed by the Auditor-General, while around 800 Aboriginal young people had more than 10 formal contacts with police, that figure has to be compared to the relevant population of 11,000. So, although it can be seen from these figures that Aboriginal children are disproportionately represented within

the juvenile justice system, it would be a serious mistake to conclude that a significant proportion of Aboriginal children are regularly falling foul of the law.

In the year ended 30 June 2008, there was an average of 164 young people in custody in Western Australia each day. This is the second highest rate of juvenile detention in Australia (the Northern Territory has the highest rate - mainly due to its much greater proportion of Aboriginal population). However, that figure must be viewed in the context of there being about 235,000 young people between the ages of 10 and 17 in Western Australia during that year. So, while each and every one of the 1,000 kids who spent time in custody over the year represents a problem that our community must address, those kids represent a miniscule proportion of the total population.

The Auditor-General concluded that a small number of persistent offenders were responsible for most of the effort invested by government agencies in the courts in the area of juvenile justice. I have mentioned that he found over the period studied, that about 1,000 young people had 10 or more formal contacts with police. Of those, only 120 had 25 or more formal contacts. It is this group of persistent offenders which poses the greatest threat to other juveniles and to the safety of our community. It is obviously appropriate that most government resources are directed at that group.

Children as victims

While this paper is directed at juvenile offenders, it is important to remember that many juveniles are also victims. Contrary to what is often

assumed, it is juveniles who are victimised more frequently than older people, and who have been found to be the most vulnerable group to violence. The most common category of offence committed against juveniles is the category of offences against the person. The most common of those offences is assault, and the second most common, sexual assault. Female juveniles represent a significantly higher proportion of victims of offences, than they do of perpetrators.

By contrast, across Australia, juvenile offenders typically come into contact with police in relation to property crimes, rather than crimes against the person. In most jurisdictions, about 20% of alleged juvenile offenders' contact with police stemmed from alleged offences against the person, whereas a majority of juvenile victims were the victims of such offences. These figures lead to the conclusion that while our children do commit offences against the person, they are more likely to be the victims of offences against the person committed by adults.

However, the national data relating to the offence of robbery runs somewhat contrary to this trend. Juveniles are disproportionately represented amongst the perpetrators of that type of offence (which is often associated with substance abuse).

A profile of young offenders in WA

Before looking at the data which provides a picture profile of young offenders in Western Australia, a general observation about the analysis of that data is appropriate. Often the data is collected by reference to a characteristic of the case, such as whether the case was initiated by arrest or by summons, or by reference to the disposition of the case. In the area

of juvenile justice in WA there are essentially three methods of disposition - caution, referral to a juvenile justice team, or laying of a charge in court. When analysing the data, it is important to look carefully at the data set because, for example, the profile of those arrested is likely to be quite different to the profile of those proceeded against by way of summons, and different again to those who were cautioned or referred to a juvenile justice team, rather than brought before the court.

The data from which I draw for the analysis below is the data published by the Crime Research Centre (CRC) for 2005. It may be a little out of date, although the profile has probably not changed dramatically.

Gender

The gender breakdown of juveniles having formal contact with police in Western Australia varies between those who were cautioned, those who were referred to a juvenile justice team, and those who were arrested. Perhaps predictably, the more serious the police response, the greater the proportion of males. Of those cautioned, 64% were male, of those referred to a juvenile justice team, 74% were male, and of those arrested, about 80% were male.

Age

Amongst those juveniles arrested in Western Australia, 25% were aged between 10 and 14, and the remaining 75% were aged between 15 and 17.

Region

About 40% of the arrest and summons of juveniles in Western Australia took place in the South Eastern (Kalgoorlie), Central (Geraldton), Pilbara

and Kimberley regions. Almost 20% of the juveniles arrested and summonsed were Aboriginal young people from these four regions.

Offence type

41% of juveniles arrested in Western Australia were arrested in relation to offences against property, 33% in relation to offences against the person, and 26% in relation to "other" offences. The figure of 33% looks high compared to the national figure of around 20% to which I earlier referred in relation to assaults against the person. However, the figure of 33% is the percentage of arrests, whereas the figure of 20% is the percentage of contacts with police. A young person suspected of having committed an offence against the person is more likely to be arrested than dealt with in some other way (for example only 7% of cautions issued were for these offences), so it is not possible to draw any meaningful conclusion from a comparison of those percentages.

Indigenous over-representation

As I have already mentioned, the data establishes the gross over-representation of indigenous offenders within the juvenile justice system of Western Australia. The Auditor-General has estimated that about 75% of the persistent group of offenders who are responsible for most government effort within the juvenile justice system are Aboriginal, and a significant number of those are resident in regional Western Australia.

Looking at the CRC data for 2005, the percentage of Aboriginal juveniles compared to non-Aboriginal juveniles having formal contact with police varies depending upon whether the matter was dealt with by way of

caution, referral to a juvenile justice team, or brought to court. As with gender, the more serious the police response, the greater the percentage of indigenous representation. In the data set analysed, Aboriginal children comprised 29% of those cautioned, 33% of those referred to juvenile justice teams, and 50% of those arrested. These percentages are to be compared to the fact that Aboriginal juveniles comprised only about 5% of the total population of juveniles during the relevant period.

In relation to offence type, dealing only with those arrested, Aboriginal juveniles comprised 50% of those arrested in relation to assault, 58% of those arrested in relation to sexual assault, 59% of those arrested in relation to robbery, 66% in relation to those arrested for burglary, 61% of those arrested in relation to motor vehicle theft, 39% of those arrested in relation to receiving/handling proceeds of crime, 19% in relation to fraud, 32% in relation to property damage, and 45% of those arrested in relation to disorderly conduct.

Aboriginal juveniles are more likely to be convicted than non-Aboriginal juveniles. For males, 82% of Aboriginal juveniles were found guilty (after trial or on a plea), compared to 76% of non-Aboriginal males, whereas for females, the relevant proportions were 79% for Aboriginal, and 66% for non-Aboriginal females.

Aboriginal juveniles were also more likely to receive a custodial sentence than non-Aboriginal juveniles. During the year under analysis, 22% of the Aboriginal juveniles dealt with were given custodial penalties, as compared to 9% of non-Aboriginal juveniles. Conversely, non-Aboriginal juveniles were more likely to receive a fine (35%) than

Aboriginal juveniles (15%). So, very roughly speaking, Aboriginal juveniles are twice as likely to receive a custodial penalty, whereas non-Aboriginal juveniles are twice as likely to receive a fine. However, when assessing these figures, allowance should be made for the fact that non-Aboriginal children are more likely to be dealt with for traffic offences than Aboriginal children, which is likely to skew outcomes for non-Aboriginal children towards fines.

Disproportionate disposition also occurs within the same offence type. For example, within the offence of assault, 26% of Aboriginal juveniles sentenced received a custodial penalty, compared to 17% of non-Aboriginal juveniles. For the offence of burglary, 31% of Aboriginal juveniles received a custodial penalty, compared to 18% of non-Aboriginal juveniles.

During 2007-08, about 65% of the 2,000 young people under criminal justice supervision were Aboriginal. Again, that figure of 2,000 needs to be viewed in the context of a relevant population of around 235,000 young people between the ages of 10 and 17.

In comparison with other jurisdictions, the rate of supervision of Aboriginal young people in Western Australia was almost double the national average.

This month, Aboriginal children represent about 65% of those in custody on remand (52 out of 80, made up by 43 males and 9 females), and about 68% of the sentenced population (56 out of 82, made up by 55 males and 1 female).

Of course, the raw data does not permit any conclusions as to why Aboriginal juveniles tend to receive more serious dispositions than non-Aboriginal juveniles. It is clear from the data relating to offence type, that Aboriginal juveniles tend to be more over-represented in the more serious offence categories. Because each offence category covers a wide range of offending behaviour (eg assault), before any meaningful conclusion could be drawn from the data within such an offence category, a qualitative analysis of the cases, identifying such things as the gravity of the offence, the impact of the offence on the victim, the circumstances of the offender, including his or her prior record, etc, would have to be undertaken before any meaningful conclusions could be drawn from the data.

What is, however, clear from the data is that the disproportionate representation of Aboriginal juveniles within the juvenile justice system, is greater than the disproportionate representation of Aboriginal people within the adult criminal justice system. For example, the percentages of Aboriginal children in custody in August 2010, to which I have referred, can be compared to approximately 40% of Aboriginal prisoners within the adult criminal justice system. This is a very poor portent of the future, although happily, the proportion of Aboriginal children among those in custody in WA appears to have reduced in recent times (although it is difficult to tell if this is a trend). These reductions may reflect the positive impact of recent improvements in the resources and facilities available to the juvenile justice system in Kalgoorlie and Geraldton, to which I refer below.

Judge Reynolds is much better qualified than I to comment on the causes of the disproportionate representation of Aboriginal children within the criminal justice system of Western Australia. He has drawn attention to the following factors:

- Adverse impact of colonisation - disempowerment, disconnection from land, cultural dislocation etc,
- Greater proportion of broken families
- Poor parenting skills
- Exposure to neglect and abuse - physical, mental and sometimes sexual
- Children are more likely to be subjected to, or witness domestic violence
- Substance abuse and violence are more common
- Death and grief within the family are more common
- Foetal alcohol spectrum disorder
- Poor school attendance rates
- Poor self-esteem
- An overwhelming sense of hopelessness
- Lack of self-respect
- Unstable or inadequate accommodation
- Mental health issues are more prevalent
- Poor life skills, literacy and numeracy, minimising employment prospects

In other words, in his view, which I share, the causes of the gross over-representation of Aboriginal children in the juvenile justice system

are the multi-faceted interactive aspects of disadvantage suffered by the Aboriginal community generally. If that view is correct, it follows that unless and until we successfully address those various aspects of Aboriginal disadvantage, we are unlikely to make a significant impact upon the over-representation of Aboriginal children in the juvenile justice system. It also follows, given the disproportion of Aboriginal children amongst that group of persistent offenders who consume much of the resources of the juvenile justice system, that we are more likely to succeed in protecting the community by reducing the prospect of their reoffending if we focus upon the causes of their offending.

Diversion

As I have mentioned, the data establishes that the majority of young offenders will have only a couple of formal contacts with the juvenile justice system, and then simply grow out of their offending behaviour. That is why the structure created by the *Young Offenders Act* focuses upon mechanisms which can encourage that process of maturation without impeding the general development of the young person. The adverse consequences of labelling a young person as a criminal, in terms of their self-perception and self-esteem, and putting young people through a possibly traumatic court process, and requiring them to mix with other young offenders are well known. In some cases, injecting a young person into the juvenile justice system can do more harm than good.

The processes of caution and referral to a juvenile justice team provided by the *Young Offenders Act*, and to which I have referred, are generally know as "diversion" because they involve diverting a young person away

from the court system, and the penal process. The Auditor-General concluded that the diversionary processes provided by the *Young Offenders Act* had been well utilised shortly after their introduction in the mid-90s, but that, in recent years, their use had diminished. He found that over the last 5 years or so, police were more likely to lay a charge, and take a young offender to court than had been the case in previous years. It seems likely that this may have been the consequence of changes to certain road traffic offences, making these scheduled offences and therefore not open for diversion, and police dissatisfaction with the resources available to supervise young offenders within the community, through the juvenile justice team process. The Auditor-General recommended that greater emphasis be placed upon diversionary mechanisms.

It is very gratifying to note that the Auditor-General's recommendations have been enthusiastically embraced by the Department of Corrective Services and police, with the support of government. The Department of Corrective Services has very significantly restructured its model for the delivery of juvenile justice services. In the metropolitan area, the premises from which those services are delivered are now completely separate from those in which services are delivered to adults. Over time it is hoped to physically locate other relevant agencies, such as Child Protection, Health and Education within these premises, providing a "one-stop shop" for families with kids in trouble. This is a great initiative.

WA police have also reacted very positively to the Auditor-General's recommendations. The Heads of Courts in WA recently received a

briefing from the Commissioner of Police and his senior team in relation to the steps that are being taken to increase police use of diversionary alternatives for young offenders. It was clear from that briefing that the Commissioner and his senior team have enthusiastically embraced a philosophy of encouraging diversion in appropriate cases, and are committed to infusing that cultural approach through all levels of WA police. Again, I would respectfully commend the Commissioner and his team for this important strategic approach.

Detention

As I have mentioned, WA has the second highest rate of juvenile detention per head of juvenile population in Australia. This is largely the consequence of the percentage of Aboriginal juveniles in detention, which I have set out above. Although the Northern Territory has a higher rate of juvenile detention per head of population generally, its rate of detention per head of Aboriginal juvenile population is significantly lower (less than half) that of Western Australia.

Because the numbers of young people in detention are relatively small, there can be significant fluctuations in those numbers, and the rates of detention in different periods. Caution must therefore be exercised when attempting to extract trends from the data. However, it is fairly clear that the rate of detention per head of population has, generally speaking, declined in Western Australia over the last 30 years, with the rate in 2007 being about 30% lower than the rate in 1981. There are, however, peaks and troughs. For example, in August 2005, there were only 91 juveniles in custody, made up of 37 on remand and 54 sentenced, whereas in May

2010, the number peaked at 220, made up of 120 on remand and 100 sentenced.

Although a longer time sequence shows a declining rate, more recent years have shown a trend toward increasing numbers. In May of this year, the Department of Corrective Services acknowledged this trend in its forward estimates of juveniles in custody by revising those estimates upwards for coming years (for example, from 199 to 256 for 2020). The upward revisions made by the Department in respect of those juveniles subject to community-based supervision have not been as significant (for example, from 921 to 1,087 for 2020). It seems from these estimates that the Department is planning on the assumption that greater use will be made of detention than of community-based orders in the coming years. I am not aware of the reasons why that assessment has been made.

On any given day, children in custody will comprise two groups - those in remand and those who have been sentenced to detention. The relative sizes of each group has also shown volatility. Over recent years there has been a general trend across many Australian jurisdictions for the proportion of children remanded in custody to increase relative to those in detention. This may be due to changing practices relating to bail, such as stricter monitoring and enforcement of bail conditions by police. That trend has been apparent in WA, although it has been offset in recent times by increasing resources and facilities in Kalgoorlie and Geraldton, which has significantly reduced the number of children from those regions remanded in custody. That trend has also been mitigated by the resources that have been applied to the supervised bail programme. In August

2010, there were 65 young people on bail under that programme, whereas in 2002 there were less than 10.

The effectiveness of detention

Sometimes a custodial sentence is the only reasonable disposition of a case involving a juvenile offender. That may be because of the seriousness of the case, or because the offender and the community need the protection of the offender being in custody (for example where the offender has serious substance abuse problems associated with violent behaviours). While such offenders are in custody, obviously they cannot perpetrate offences against the general community.

However, except in the case of homicide offenders, all juvenile offenders must be released at some time. It would be a mistake to think that placing such offenders in custody significantly reduces their risk of reoffending. In 2004, the Australian Institute of Criminology released a report which addressed reoffending studies amongst juvenile offenders around the world. That report noted that in North America the recidivism rate for young people leaving custody had been reported to be as high as 96%. In another study, 88% of British males between 14 and 16 years reoffended within 2 years of release from custody.

In Western Australia, the Attorney General tabled recidivism rates for juvenile offenders released from custody in answer to a parliamentary question in June 2009. The percentages quoted are based upon exits from detention and returns to detention or adult prison by the same person. For male juveniles, of those who exited custody over the 10 years ending 30 June 2008, 75.45% had returned to custody before early May 2009,

and for male Aboriginal juveniles, the figure was almost 80%. For female Aboriginal juveniles, the figure was a little lower, at 64%. No data was provided for female juveniles generally.

Taking a shorter term view of return to custody, namely, return to custody within 2 years of release, the quarterly figures produced during 2009 varied between 46% and 61%. So, about half of those released from juvenile detention returned to custody within 2 years, and if a longer term view is taken, the percentage returning to custody is significantly higher, being around three-quarters. It can safely be concluded from these figures, that custodial sentences are not particularly effective in modifying behaviour or reducing the risk of reoffending.

Another study conducted by the Australian Institute of Criminology in 2009 concluded that there was no significant difference between juveniles given a custodial penalty and those given a non-custodial penalty in terms of the likelihood of reconviction. In the same study, the authors pointed to the possible long-term effects of a custodial sentence on a juvenile offender. One study cited suggested that incarceration produced a significant negative effect on future employment prospects, even after adjusting for the effects of ethnicity, human capital and intelligence. They pointed to another study conducted in relation to adult Aboriginal offenders, which suggested that arrest records reduced the likelihood of employment, after adjusting for other relevant factors. Accordingly, the authors concluded that juvenile detention should be used sparingly, given its possible adverse effects upon the future life prospects of the young offender.

That philosophy is, of course, consistent with the approach taken by the courts. The philosophy of the *Young Offenders Act*, acknowledged in a number of decisions of the Court of Appeal, is directed towards the rehabilitation of young offenders, in the interest of protecting the community. Every Judge or Magistrate who has to determine whether or not to impose a custodial penalty upon a young person knows full well that if a custodial penalty is imposed, the life of that person will be changed forever, and quite probably detrimentally. A custodial sentence is always a last resort, especially in the case of young offenders.

The reoffending rates for young offenders released from custody are not encouraging. However, as I hope I have made clear, young people sentenced to detention represent a tiny proportion of all young offenders. Contemporary programmes of community-based supervision for young offenders are showing positive results in terms of reducing the risk of reoffending. Those programmes can avoid the harm which often accompanies detention and encourage the person to develop into a mature and socially responsible adult.

Studies in the United States have shown that even for the most serious juvenile offenders, effective intervention is possible with well-devised and targeted programs, and these can significantly reduce recidivism both for offenders in the community (by up to 40%) and for those in custody (by up to 30-35%). Whether those results could be achieved in WA, given the particular demographic and ethnic factors which bear upon juvenile offending in this State, is an open question.

Cost

The juvenile justice system of WA is extremely expensive. It costs between $600 and $700 per day to keep a juvenile in custody. Community-based supervision is a fraction of this cost, but if done properly, is still expensive. Some juveniles subjected to intensive, around the clock, community-based supervision cost the State many hundreds of thousands of dollars. The Auditor-General estimated that the 250 children who had the most intersection with the criminal justice system would, between the ages of 10 and 17 years, cost the State of Western Australia, $100 million. That is an average of $400,000 per child. And as I have mentioned, a disproportionate number of those children will be Aboriginal, and a significant proportion of those located in regional Western Australia.

Expenditure on corrective services in Western Australia is increasing at a significant rate. For example, between 2007/08 and 2010/11, the budget allocated to the Department of Corrective Services increased from $473 million to $771 million (an increase of 63%). Inevitably this will have reduced the resources available to other agencies of government. I have suggested on other occasions that government expenditure aimed at alleviating conditions which contribute to the causes of crime may provide more effective protection to the community than spending directed at the consequences of crime.

Where to from here?

It will be apparent from the views I have already expressed that in my view the future direction of juvenile justice should include renewed focus on diversion, proper resourcing of community-based supervision, and

where possible, interagency co-operation which addresses the causes of juvenile offending on an holistic basis in a family environment, and the use of detention only as a last resort. Particular attention needs to be focused upon the small group of persistent offenders who consume much of the resources of the system, many of whom are Aboriginal, and a significant number of whom live in regional Western Australia. In my view, we should continue the emphasis upon protecting and enhancing the community by encouraging rehabilitation and discouraging reoffending through a therapeutic approach, with a punitive response as an absolute last resort.

Happily, these views coincide with views expressed by executive government. In the most recent budget, the WA government announced an allocation of almost $44 million (over 4 years) to be spent on improving the delivery of juvenile justice services in the Kimberley and the Pilbara. In announcing that important initiative, the Minister, the Hon Christian Porter MLA, observed:

> *"It is an unfortunate reality that more than 150 youth from the Kimberley and Pilbara regions spent time in juvenile detention in 2009 at an average cost to the taxpayer of between $600 to $700 per day.*
>
> *While juvenile detention is often necessary, when young offenders can be helped away from offending it decreases the burden on the WA public both in terms of cost to the taxpayer and community safety.*
>
> *Where it is possible to prevent juveniles from entering the formal justice system it can become an effective way of improving a young*

> *person's life opportunities and preventing criminal behaviour in the short and long term."*

The Minister's Parliamentary Secretary, Mr Michael Mischin MLC, made a very similar observation on the benefits of diversion of juvenile offenders when announcing the establishment of the South-West Metropolitan Youth Services office in Yangebup earlier this year.

Because of the pattern of juvenile offending in this State to which I have already referred, the allocation of significant additional resources to the provision of juvenile justice services in the regions is to be commended. The expansion of those services in the Kimberley and the Pilbara follows similar expansions of services in Kalgoorlie and Geraldton in previous years. In those regional centres, facilities have been provided which have eliminated the need to transfer young offenders to detention facilities in Perth merely because there was no safe place for them to stay in their region. Analysis has shown that the provision of these additional resources has had a beneficial impact upon the communities in which they are provided.

I am confident that similar benefits will be realised in the Kimberley and the Pilbara. In the Kimberley it is hoped that the facilities will be opened in the West Kimberley, in Broome, in January of next year, and in the East Kimberley, in Kununurra, in July of next year. The timetable for the roll-out of facilities in the Pilbara is aiming for January 2012. There will be an exponential increase in juvenile justice staff in each region. In addition, Carnarvon and Meekatharra will be serviced from Geraldton, and Esperance and Warburton probably serviced from Kalgoorlie.

These are enormously important initiatives which will achieve a quiet revolution in the way in which juvenile justice services are delivered in the regions of this State, where they are so important. These additional resources, coupled with the restructuring of service delivery in the metropolitan area in the way I have already described, and the development of a police culture which will renew the focus upon diversion give much scope for optimism about the future of juvenile justice in this State.

However, that optimism must be tinged by reality. The hard reality, which I have already mentioned, is that the extent of the social disadvantage suffered by many Aboriginal families within this State is such that unless and until the multi-faceted aspects of disadvantage which they face are addressed, we can expect the children of those families to continue to be over-represented in the juvenile justice system. There is a limit to what can be done within that system, unless and until the multi-faceted aspects of disadvantage are successfully addressed. However, there can be no doubt that all relevant agencies of State and Commonwealth government are well aware of these issues, and are focussed upon addressing them. The challenge for the future is to turn that awareness and commitment into effective service delivery, which I believe will only occur with the active participation of Aboriginal people.