

8. Crime and justice

Interaction with the police, and subsequently with the courts and various custodial institutions, is a pervasive element of Indigenous social and economic life in the Pilbara region. In the 1994 National Aboriginal and Torres Strait Islander Survey (NATSIS), an estimated 18 per cent of Indigenous people aged 13 years and over in the Ngarda Ngarli Yarndu ATSIC Region reported that they had been arrested by police in the previous five years (ABS 1996a: 70). This amounted to some 570 individuals. The equivalent proportion in the Warburton ATSIC Region (the northern half of which falls within the Pilbara SD) was 23 per cent representing some 420 individuals (ABS 1996b: 70). In Western Australia, as a whole, the rate was 25 per cent. Interestingly, in the same survey, 72 per cent of respondents in the Ngarda Ngarli Yarndu ATSIC Region perceived family violence to be a problem in the local area. This was the fourth highest rate of any ATSIC Region in the country and way above the rate in Warburton (35%). In both of these Pilbara ATSIC Regions, the primary reasons given for arrest included (in descending order) disorderly conduct, drink driving offences, assault, and outstanding warrants. In the decade since this survey, little seems to have changed (see Interview segment 57, p. 143; Interview segment 58, p. 143).

A note on data sources

Crime statistics in Western Australia are available from a variety of sources reflecting different stages of interaction with the criminal justice system. The initiating factor, of course, is contact with the police either by way of crime reporting, or via an apprehension (arrest), or a summons. Thus, the profile presented here does not represent all criminal activity, only that processed by the criminal justice system. Nonetheless, such processing yields a range of data concerning the nature of offences and offenders with separate reporting for juveniles (aged 10–17 years), and adults (aged 18 and over). Individuals who are charged with an offence are further processed by the courts (a charge being an allegation laid by the police before the court or other prosecuting agency that a person has committed a criminal offence). Statistics relating to the activities of the lower courts are captured by the Department of Justice CHIPS (Childrens Court and Petty Sessions) database. As for those charged who are found guilty of an offence, imprisonment data are available from the Department of Justice's Total Offender Management System (TOMS), while non-custodial community corrections data can be extracted from the records of the Community and Juvenile Justice division of the Department of Justice. Data regarding those held in police lock-ups are provided via the Western Australia Police Lock-up Admissions System which records all admissions to and exits from police lock-ups across the state.

The Crime Research Centre (CRC) at the University of Western Australia has access to all of these data for analysis and reporting under agreements with the Western Australia Police and Western Australia Department of Justice. Using this access, the CRC produces an annual comprehensive compendium of crime and justice statistics for the state – *Crime and Justice Statistics for Western Australia* – detailing the nature and pattern of offences and sentences, and the characteristics of offenders and those sentenced. Among the characteristics explored is ethnicity, and the basic ethnic classification employed by the CRC in its reporting is Indigenous/non-Indigenous. However, the manner in which Indigenous status is determined varies between police and courts data. In the Police Offence Information System (P49), ‘ethnic appearance’ is a term used to describe the visual appearance of victims and offenders. The field is completed on the basis of the attending police officer’s subjective assessment of the person’s appearance, and is recorded for operational purposes only. As the CRC cautions, given the subjective nature of the assessment upon which these data are based, it is possible that a person attributed to a particular group does not belong to that group. Data from the lower courts presents far greater difficulty in terms of establishing Indigenous participation in the criminal justice system since in Western Australia as a whole the Indigenous status of defendants is unknown in 85 per cent of cases (Loh & Ferrante 2001: 20).

Reported crime

The most common crimes reported to police in Western Australia are classified as offences against property (including burglary, property damage/arson, and motor vehicle theft), and offences against the person (including assault, sex offences, and robbery). Other less commonly reported crimes include drug offences, fraud and receiving, and good order (mostly trespass and vagrancy), while other sundry offences (mostly offences against justice procedures) make up the remainder (Fernandez & Loh (2001: 10–12). Table 8.1 shows the relative distribution of offence rates by type of offence for the total population of each of the Pilbara Shires in 2003. Clearly, the highest overall crime rates occur in Port Hedland Shire, and this is so for the individual categories of property offences, and other offences such as justice procedures and good order. East Pilbara records relatively high rates of offences against the person, especially assault, while Roebourne stands out for property offences. The lowest rates, for all types of offence are recorded in Ashburton (see Interview segment 51, p. 129; Interview segment 52, p. 142; Interview segment 53, p. 142; Interview segment 55, p. 142; Interview segment 56, p. 143).

Table 8.1. Reported offence rates^a by type of offence: Pilbara Shires, 2003

	Port Hedland	Roebourne	Ashburton	East Pilbara	Total Pilbara
Against the person					
Homicide	0.3	0.0	0.2	0.0	0.1
Assault	30.0	15.1	6.7	26.0	19.5
Sexual offence	4.5	3.3	1.2	4.3	3.0
Robbery	0.9	0.4	0.2	0.0	0.3
Other	0.5	0.2	0.2	6.1	2.6
Sub-total	36.1	19.0	8.5	36.4	25.5
Property					
Burglary (res)	40.7	16.6	13.3	9.4	18.1
Burglary (non-res)	13.0	14.2	11.4	8.0	13.0
Vehicle theft	11.3	3.1	2.8	3.8	7.1
Theft from vehicle	23.2	16.1	8.0	6.4	14.5
Other theft	83.1	67.2	41.0	46.1	58.9
Damage	44.3	31.5	25.3	28.9	30.0
Sub-total	215.5	148.7	101.7	102.5	141.5
Drug offences					
Sub-total	7.4	8.3	5.4	10.2	9.4
Other offences					
Justice procedures	5.1	2.4	0.5	2.6	3.0
Good order	10.0	8.4	2.6	3.6	5.4
Sub-total	15.1	10.8	3.5	6.2	8.4
Total	274.1	186.8	119.0	155.4	184.9

^aRate per 1000 persons.

Source: Western Australia Office of Crime Prevention, Community Safety and Crime Prevention Profile.

If we break these offences down into more detailed characteristics, the spatial pattern becomes more varied (although Port Hedland still stands out with the highest rates), and a clear difference in rates emerges between Indigenous and non-Indigenous residents of the Pilbara. Table 8.2 shows the rate of property offences for different urban locations across the Pilbara SD according to the Indigenous status of the victim. A consistent pattern across the Pilbara is that non-Indigenous people are far more likely to report property offences than Indigenous people. This is especially so in Karratha and Wickham where the rate of property offences against non-Indigenous people is twice that against Indigenous people.

Table 8.2. Property offence rates^a by Indigenous status: Pilbara SD, 2001

	Indigenous	Non-Indigenous	Ratio
Karratha	33.6	60.5	0.56
Marble Bar	11.1	15.0	0.74
Newman	55.1	65.8	0.84
Pannawonica	0.0	5.3	0.00
Paraburdoo	11.6	16.8	0.69
Port Hedland	83.3	120.2	0.69
Roebourne	34.3	129.4	0.27
Tom Price	50.7	55.7	0.91
Wickham	25.6	64.6	0.40

^aRate per 1000 persons.

Source: Fernandez 2003.

By contrast, the more likely victims of violent offences are Indigenous people (Table 8.3). In Newman, the rate at which Indigenous people report violent offences is four times the non-Indigenous rate, while in Port Hedland it is three times as high. In the latter case, the actual rate of violent offence reporting by Indigenous people is by far the highest in the Pilbara, involving as much as 10 per cent of the Port Hedland Indigenous population.

Table 8.3. Violent offence rates^a by Indigenous status: Pilbara SD, 2001

	Indigenous	Non-Indigenous	Ratio
Karratha	18.5	14	1.32
Marble Bar	17.5	8.5	2.06
Newman	83.7	20.2	4.14
Pannawonica	0.0	2.4	0.00
Paraburdoo	11.6	5.5	2.11
Port Hedland	104.4	35.8	2.92
Roebourne	52.0	58.1	0.90
Tom Price	20.3	9.2	2.21
Wickham	41.0	18.2	2.25

^aRate per 1000 persons.

Source: Fernandez 2003.

When it comes to arrest rates, the dominance of Indigenous people within the regional criminal justice system becomes overwhelmingly apparent. Overall in the Pilbara, in 2001, a total of 898 distinct Indigenous people were arrested (Loh & Ferrante 2001: 16). This represented 14 per cent of those aged 10–18 years, and 23 per cent of those aged 19 and over. Within the Pilbara, these rates varied considerably according to offence type with the highest Indigenous arrest rates for property offences reported in Port Hedland, although compared to non-Indigenous rates the greatest relative difference was reported from Wickham where the Indigenous arrest rate was 74 times greater, albeit derived from a small base (Table 8.4). The lowest rates were reported in Pannawonica and Paraburdoo.

Table 8.4. Arrest rates^a for property offences by Indigenous status: Pilbara SD, 2001

	Indigenous	Non-Indigenous	Ratio
Karratha	53.8	4.3	12.5
Marble Bar	28.6	0.0	n/a
Newman	106.1	2.7	39.3
Pannawonica	0.0	0.0	0.0
Paraburdoo	7.7	5.2	1.5
Port Hedland	128.5	6.8	18.9
Roebourne	81.6	18.8	4.3
Tom Price	87.8	2.7	32.5
Wickham	82.0	1.1	74.5

^aRate per 1000 persons.

Source: Fernandez 2003.

If we focus on relative arrest rates for just two other types of offence, we can see that Indigenous people are arrested for violent offences at a consistently higher rate than non-Indigenous people in all parts of the Pilbara (Table 8.5), especially in Newman and Tom Price, while arrest for good order offences is mostly focused on Newman, Marble Bar and Port Hedland (Table 8.6), with the latter recording very high rates for Indigenous people (34% of the population).

Table 8.5. Arrest rates^a for violent offences by Indigenous status: Pilbara SD, 2001

	Indigenous	Non-Indigenous	Ratio
Karratha	15.1	3.3	4.6
Marble Bar	17.5	0.0	n/a
Newman	67.4	2.2	30.6
Pannawonica	9.3	1.8	5.2
Paraburdoo	7.7	3.2	2.4
Port Hedland	70.3	4.3	16.3
Roebourne	44.9	18.8	2.4
Tom Price	50.7	2.0	25.4
Wickham	25.6	2.2	11.6

^aRate per 1000 persons.

Source: Fernandez 2003.

Table 8.6. Arrest rates^a for good order offences by Indigenous status: Pilbara SD, 2001

	Indigenous	Non-Indigenous	Ratio
Karratha	42.0	7.6	5.5
Marble Bar	58.7	0.0	n/a
Newman	193.9	5.2	37.3
Pannawonica	18.5	4.4	4.2
Paraburdoo	3.9	1.9	2.1
Port Hedland	343.9	9.2	37.4
Roebourne	41.4	33.4	1.2
Tom Price	40.5	3.7	10.9
Wickham	25.6	11.4	2.2

^aRate per 1000 persons.

Source: Fernandez 2003.

Contact with the police

Contact between the police and the regional population is recorded as persons are apprehended by the police (either via arrest or summons), or are diverted (as juveniles) through the cautioning system and referred to juvenile justice teams. Apprehensions data are derived from the police P18 form and describe offences charged by police either via arrest or summons. According to data reported by the CRC, Indigenous people accounted for 73 per cent of all apprehensions by police in the Pilbara in 2003 (Fernandez et al. 2003: 49). In terms of distinct Indigenous persons, this amounted to a total of 979 arrests, with 750 of these among adults (aged 20 years and over) and 229 among youth (aged 10 to 19 years). These figures represented 23.6 per cent of all Indigenous adults and 18.6 per cent of Indigenous youth (Fernandez et al. 2003: 50).

The Office of Crime Prevention (OCP) also provides data on the number of unique offenders arrested. In the Pilbara as a whole, a total of 1740 unique persons were arrested in 2003 and the OCP reports that fully 60 per cent (1047) were Indigenous, with males accounting for 78 per cent of these (Table 8.7). To put this in a regional economic context, the total number of Indigenous people arrested is almost equivalent to the total number of Indigenous people aged 15–54 estimated to be employed in the regional mainstream labour market in 2006 (1378). Indeed, if we narrow the focus to consider particular cohorts, the full potential economic impact becomes even more apparent. Thus, a total of 482 Indigenous male individuals aged 18–34 years were arrested at least once during 2003. This comprised as much as 49 per cent of the 2001 ERP in that age group which is exactly the same proportion as those employed in the 15–34 age group. Indeed, cross-reference to the relatively poor labour force status of Indigenous people between the ages of 15 and 34 (see chapter 3), suggests the likelihood that high arrest rates are a major barrier to regional participation. This is not

surprising given the disruption to labour market engagement that contact with the police and its subsequent consequences are likely to imply.

Table 8.7. Unique offenders arrested by sex and Indigenous status: Pilbara SD, 2003

	Males	Females	Total
Indigenous	813 (58.6) ^a	234 (66.5)	1047 (60.1)
Non-Indigenous	575 (41.4)	118 (33.5)	693 (39.9)
Total	1388 (100.0)	352 (100.0)	1740 (100.0)

^aPercentages in parentheses.

Source: Western Australia Office of Crime Prevention, Community Safety and Crime Prevention Profile.

Examined by sub-region within the Pilbara (Table 8.8), we can see that the number of individual offenders varies quite markedly between the different Shires, especially among males, with Port Hedland Shire displaying the largest number of individuals arrested and by far the highest male rate with as much as 43 per cent of Indigenous males over age 10 arrested at least once in 2003.

Table 8.8. Unique Indigenous male and female offenders arrested as a proportion of population aged 10 and over: Pilbara Shires, 2003

	Males		Females		Total	
	No.	% of 10 + population	No.	% of 10 + population	No.	% of 10 + population
Port Hedland	353	42.8	108	11.6	461	26.3
Roebourne	189	23.9	40	5.9	229	15.6
Ashburton	69	23.1	20	7.4	89	15.7
East Pilbara	202	32.6	66	10.4	268	21.4
Total	813	32.1	234	9.3	1047	20.8

Source: Western Australia Office of Crime Prevention, Community Safety and Crime Prevention Profile.

Data on admissions to police lock-ups in different parts of the Pilbara also provide for a more detailed examination of the geographic spread of contact with the police. Reasons for admission to lock-ups include arrest (apprehended and charged by police but not sentenced), drunken detainee, fine default, remand, sentenced, and held under a warrant. Receptions for public drunkenness have typically accounted for a large component of all lock-ups for Indigenous people, although this has declined steadily in Western Australia as a whole since 1996 (Loh & Ferrante 2001: 35–6). At face value, the data shown in Table 8.9 might suggest some link between alcohol misuse and admissions to lock-ups. This is revealed by the very low number of admissions indicated for Port Hedland where Saggars and Gray (2001: 49) find a strong association between the growing use by Indigenous people of services provided by sobering-up shelters and the numbers admitted to police lock-ups. Having said that, they also note the same relationship in Roebourne (Saggars & Gray 2001: 45), but this does not seem to be reflected in Table 8.9. Equally, the low numbers at Port Hedland lock-up are more than compensated for by the very large intake at the South Hedland lock-up. Clearly, South Hedland stands out as having the highest number of

Indigenous admissions to lock-ups, while Newman displays the highest ratio, with Indigenous admissions there almost seven times higher than for non-Indigenous people.

Table 8.9. Admissions to police lock-ups in the Pilbara SD, 2001

	Indigenous	Non-Indigenous	Ratio
Karratha	172	218	0.8
Marble Bar	73	1	73.0
Newman	341	50	6.8
Paraburdoo	3	15	0.2
Port Hedland	6	15	0.4
Roebourne	189	71	2.7
South Hedland ^a	1430	351	4.1
Tom Price	28	10	2.8
Total	2243	731	3.1

^aSouth Hedland figures supplied separately by John Fernandez, Crime Research Centre, University of Western Australia.

Source: Fernandez 2003.

Lower Courts data

Data were obtained from the Western Australia Department of Justice regarding the number of adjudicated cases from the Children's Courts and Courts of Petty Sessions in the Pilbara for the years 2000 to 2003 inclusive. A major drawback for the analysis of these data for the present exercise is the lack of a process in court reporting of ethnic self-identification. As a result Indigenous status is unrecorded for 22 per cent of distinct persons appearing before the lower courts, and for 13 per cent of those before the Children's Court in 2003 (Fernandez et al. 2003: 75, 107). However, given the arrest rates described above, it can be reasonably assumed that the majority of these unrecorded cases refer to Indigenous persons. Net of these 'not stateds', Indigenous people accounted for 23 per cent of all individuals appearing before the Courts of Petty Sessions in Western Australia in 2003, and 40 per cent of all juveniles before the Children's Court.

Table 8.10 shows the distribution of offences heard by the children's courts and courts of Petty Sessions in the Pilbara between 2000 and 2003 according to the type of offence. By far the largest number of offences (27%) in the Children's Court were for unlawful entry/burglary and break and enter, followed by offences against justice procedures. In the Lower Courts, road traffic and motor vehicle regulatory offences predominate followed by public order offences and offences against justice procedures (see Interview segment 54, p. 142; Interview segment 55, p. 142). If just these three categories were eliminated, then the number of offences heard in the Pilbara by the Courts of Petty Sessions would be reduced by 55 per cent. Of course, road traffic and motor vehicle offences are of particular significance as they have the potential, in the form of suspended licenses or

outstanding fines, to exclude many Indigenous people from employment in mining and other sectors that involve driving.

Table 8.10. Annual average distribution of offences heard in the Children's Court and Court of Petty Sessions by offence type: Pilbara SD, 2000–2003

ASCO Division	Children's court		Petty Sessions	
	No.	%	No.	%
Abduction and related offences	1	0.2	1	0.0
Acts intended to cause injury	30	9.0	241	9.7
Dangerous/negligent acts	25	7.7	396	15.9
Deception and related offences	1	0.2	29	1.2
Homicide and related offences	1	0.2	2	0.1
Illicit drug offences	9	2.8	105	4.2
Miscellaneous offences	2	0.5	51	2.1
Offences against justice procedures	52	15.7	441	17.8
Property damage	17	5.2	81	3.2
Public order offences	33	10.0	421	17.0
Road traffic/motor vehicle regulatory offences	22	6.5	507	20.4
Robbery, extortion and related offences	2	0.5	1	0.0
Sexual assault and related offences	2	0.6	18	0.7
Theft and related offences	44	13.2	112	4.5
Unlawful entry/burglary, break and enter	89	27.1	45	1.8
Weapons and explosives offences	2	0.5	33	1.3
Grand Total	329	100	2481	100

Source: Western Australia Department of Justice.

As for the findings of court proceedings in the form of penalties (sentences), these can be grouped into four broad categories: custodial, non-custodial, fines and dismissals. According to the ABS sentence type classification (ABS 2003: 71), custodial orders involve custody in a correctional institution as life imprisonment, imprisonment with a determined term, or periodic detention. They also include custody in the community under an Intensive Corrections Order or home detention. Suspended sentences also fall under custodial orders. Non-custodial orders include a variety of community supervision or work orders and community service orders, as well as probation and treatment orders. Other non-custodial orders include good behaviour bonds and recognisance orders, while monetary orders basically refer to fines or recompense to victims as well as licence disqualification/suspension/amendment and forfeiture of property.

As non-custodial sentences are the most common it is worth defining some further aspects of these. For example, Community Based Orders (CBOs) allow the court to order an offender to be managed by a Community Corrections Officer for the purposes of any one or more requirements of supervision, community service of between 40 to 120 hours, and/or programs aimed at the offender's behaviour. Intensive Supervision Orders (ISOs) are similar but provide for longer and more stringent supervision including curfews. Work and Development Orders (WDOs) are the last option prior to imprisonment for people who are in

default of a fine. The order requires that the offender perform a specified number of hours of community work and personal development.

In the Pilbara, as in all remote Indigenous communities in Western Australian, these non-custodial orders are carried out under the Indigenous Community Supervision Agreement which offers communities a key role in the decision making about offender management. As Parriman and Daley (1999) point out, communities decide themselves whether to accept an offender under supervision, they determine the most appropriate person to administer the supervision order, and they are largely responsible for determining the supervision regime. One consequence has been a tendency on the part of the courts to make greater use of community-based sentencing (Parriman & Daley 1999: 3), and this is reflected in the sentencing data.

Table 8.11 shows the distribution of penalties awarded to convicted charges between 2000 and 2004 by the Children’s Courts in the Pilbara according to the type of penalty awarded. By far the largest number of convictions in the Children’s Courts (57%) attracted a community-based order, with a monetary fine in almost one-fifth of awarded cases. The actual number of custodial orders served is relatively small. This is not the case in the lower courts as shown in Table 8.12. Almost 13 per cent of cases (350) attracted a custodial sentence or suspended imprisonment order, with community based orders far less prevalent. However, monetary fines were by far the largest single penalty awarded.

Table 8.11. Annual average distribution of court penalties awarded in Children’s Courts: Pilbara SD, 2000–2004

Outcome	No.	%
Custody	12	4.6
Suspended Imprisonment Order	1	0.4
Community Based Order	148	56.7
Fine	49	18.8
Good Behaviour Bond/Recognisance	21	8.0
No Punishment	25	9.6
Adjourned	5	1.9
Total	261	100.0

Source: Western Australia Department of Justice customised table.

Table 8.12. Annual average distribution of court penalties awarded in Courts of Petty Sessions: Pilbara SD, 2000–2004

Outcome	No.	%
Custody	212	7.7
Suspended Imprisonment Order	138	5.0
Community Based Order	434	15.8
Fine	1719	62.5
Good Behaviour Bond/Recognisance	141	5.1
No Punishment	31	1.1
Adjourned	75	2.7
Total	2750	100.0

Source: Western Australia Department of Justice customised table.

Working out the impact of these court penalties on the Indigenous population of the Pilbara is no easy task given the lack of self-identified Indigenous status in court reporting. However, between July 2001 and June 2002 a total of 286 distinct Indigenous persons (84% of them males) who were received into Western Australian prisons indicated that the Pilbara was their usual place of residence (Western Australia Department of Justice 2002: 8). Over the same year, a total of 571 distinct Indigenous persons from the Pilbara (73% of them males) were also served with Community Corrections Supervision orders by the lower courts. At any one time, however, the numbers actually in detention or serving such orders was much lower than this. For example, the Department of Justice Census of Prisoners indicated that a total of 88 Indigenous prisoners who were in custody on the night of 30 June 2002 had a prior usual address in the Pilbara, while this also applied to 95 Indigenous individuals on supervision orders (Western Australia Department of Justice 2002: 20, 44).

This prison figure is interesting as it is considerably lower than the total of 157 Indigenous persons with a usual residence address in the Pilbara that was recorded as enumerated in a prison (anywhere in Australia) at the 2001 Census. This figure amounted to 4.6 per cent of the census population aged 18 years and over. If we apply this same proportion to the projection of the population 18 years and older for 2006 we can produce an estimate of some 200 Indigenous persons currently in prison at any one time. If we then add to this an estimate of 113 Indigenous adults in 2006 on community supervision orders at any one time (using as a guide the 2002 figure from the Department of Justice reported above) then overall around 313 adults may currently be detained in some form. Of course, this is simply the stock, whereas as the flow through custodial/non-custodial sentencing over a given year would be much higher. Clearly, the impact on simple availability to participate in the regional workforce is substantially hampered by this enforced withdrawal of labour, to say nothing of the lingering negative effects of incarceration. There may, of course be positive impacts of rehabilitation, but these are unquantified here. Once again, it is useful to place these estimates against the likely breakdown of the working-age

population by labour force status as shown in Figs. 3.7 and 3.8. On this reckoning, almost one-fifth (18%) of those not in the labour force are under custodial and non-custodial sentences, a proportion that is likely to be much higher among males.

Indigenous perspectives

Interview segment 52

Alcohol abuse is the main issue towards people going to jail, and drugs, and that will push them towards stealing because they want another fix. People around here don't leave their keys in the car because otherwise they'll have no car, and they break into your home, they start doing it in broad daylight now. Stealing from people while they are out working.

Interview segment 53

Well there's been some trouble here with that young couple over there. He bashed her and now the police are here. They staying with her grandmother and she just can't take it and they are damaging her house and when she kicks them out they go and stay with the other nana's house, and now the nana's fightin' too, one sticking up for the woman and one sticking up for the man. A lot of young fellas bash their women to look tough, that's what it's all about, image. And he's been gettin' away because he hasn't got family here and all the men they haven't been sortin' him out and they should be, but they all growl at him and stuff but he's just not listening to anyone. And it's her fault as well, she has to press charges, and she hasn't done that, so might be this time she will but we don't know. So if the woman gonna keep going back to her husband then we can't help her out. It's also jealousy, you know jealousy, run in families here. Man want thing he'll be watchin' the woman's eyes where she looking and that, you gotta be careful of that stuff.

Interview segment 54

Lot of local mob locked up in that Roebourne jail. There aren't enough visits to communities by the cops. You know when there are changes to road rules and things like that? They never send anyone out, or any information out. Lot of people end up in trouble for speed, and vehicle related offences.

Interview segment 55

Lots of young people get into trouble with the police. Most of them going for dd [drink driving], no licence, unregistered motor vehicles, and then not turning up for court, usually they are somewhere else.

Interview segment 56

Well I tell ya, might be drink drink drink, and they go with somebody else and somebody else might be telling them do this one do that one, stole a motor car or something, and then they get in trouble. Take this young fella now. He been assault that same woman. My grandson, police came around this morning and picked him up, and I asked what's he done and they said 'oh, just some problem'. But I want to know because I'm his guardian. I told him you know, 'I want to know what's going on I'm his guardian, bad or good'. 'Oh we just take him to police station and talk with him there.' They didn't tell me why. That's the feelings that hurt me, you don't know what the police going to do down there, I'm thinking all them things, you gotta think about all them things and I tell 'im I might as well ring his father, they said, 'no he's adult now', and I said, 'no way, Aboriginal got a different feelings.'

Interview segment 57

There are multiple reasons for people to end up in the criminal justice system. We've got a society who has gone from being a really good working force, in the past I'm talking, to a society of people who have gone into dependency in the welfare system. And on top of that, you got the substance abuse, you know alcohol and drugs. The loss of discipline, the loss of identity, basically in terms of their background, like law and culture. Loss of identity is not caused by an offending behavior. That identity loss is prior to all that I believe, and part of the cause of offending behavior. Law and culture were things that were very close to the heart of the old people who were probably mostly illiterate, but they were the hard workers, if you compare them to our society today. We have populations of Indigenous people who have grown up with welfare support, which hasn't then produced a workforce attitude or mentality. With that goes alcohol and drugs, and gambling and stuff like that, and during that period the parenting is not happening with the kids. So there is no boundary setting, discipline or skills being passed on to the young people from the parent home. It's a broken parent home.

Interview segment 58

We don't have a program that is suitable for keeping juveniles out of detention, like they have in some other places. We have JJ (juvenile justice) officers who work with juveniles on a one-to-one basis. They don't carry out a specific program as such with them, they either put them into counselling, or place them in a centre to do community work, or centres where they can get involved in an art group or something like that. There is no specific program they can be put through. You have to offend before you can access these services. I haven't seen a program that actually works for people, but there are the requirements of the court and the department. It's not fair to say that they aren't coming up

with ideas too. But I know where the problem lies, the problem is here, in the person's heart. Those people who sit in the prison system have been through so many programs that they could probably run an alcohol rehabilitation workshop better than people like us! But when they come out they don't apply it through the processes of the heart. It comes down to personal responsibility.