

REPORT OF PROCEEDINGS BEFORE

SUB COMMITTEE OF
THE STANDING COMMITTEE ON LAW AND JUSTICE

INQUIRY INTO COMMUNITY BASED SENTENCING OPTIONS

Public forum at Brewarrina Community Hall
on Thursday 16 June 2005 at 1.45 p.m.

PRESENT

The Hon. C. M. Robertson (Chair)

The Hon. G. S. Pearce
Ms L. Rhiannon

Corrected

ALSO PRESENT:

Ernest A. Gordon; Jeanette Barker; Cynthia A. Moore; Brad Steadman; Charlie McHughes; Bill Palmer; Les Darcy; Joyce Dode; and Les Doole.

ERNIE GORDON: I welcome you on behalf of the Ngemba people.

CHAIR: We have been doing this inquiry for about a month. We get terms of reference, which are what we are supposed to be asking questions about. People come and give us their opinions or ideas or interests or facts on that issue so that the parliamentary committee can work through where it should go with those issues. This one is about community-based sentencing, which means when the judge as a decision to make about what happens to people when they are proven guilty of committing a crime, they can make a decision that the person goes to gaol, that the person may get a community service order or that the person may get a good behaviour bond.

Apparently, from the information we are receiving, country people, Aboriginal people and even people with mental illness, do not get equal access to community-based sentencing. So, often when the judge has to make a decision there are not enough resources or help for people to stay in the community instead of going to gaol. Although, we heard from a man yesterday or the day before that sometimes the sentences are smaller because community service orders cannot be given out. What we are hoping to do is have an open discussion with you people for you to tell us exactly what you think should happen. The reason we have these microphones around the place, it would be impossible for us to record all the information, and the information that you give, unless you tell us, we will use as part of our evidence for our inquiry. If you want your information to be private, you tell us and we will make sure that is exactly what happens. We have seen a lot of people so we need information written down so we do not lose any information. I start by introducing myself. I am Christine Robertson, the chair of the Committee.

The Hon. GREG PEARCE: I am Greg Pearce, the deputy chair.

Ms LEE RHIANNON: I am Lee Rhiannon, and I am also on the inquiry.

CHAIR: We are all members of the upper House of Parliament and we are all from different parties. So we are not here with any final view on this issue. Do people think that community-based type sentences are a bit of a soft option, not as hard as going to gaol, or do not matter?

BILL PALMER: Maybe I could start by letting you know what is established in Brewarrina. We have two court days every fortnight. Brewarrina is a pilot site for circle sentencing. Maybe shortly it will become a pilot site for intensive court supervision as well. Three or four people have passed through circle sentencing. It does add a slightly different flavour to the situation in Brewarrina that we have a pilot circle sentencing program running here.

CHAIR: We also need to know a bit more about the circle sentencing process. We were not really interested in the circle sentencing process at the beginning because it is not necessarily in our terms of reference, but we have now realised that our terms of reference influence the ability of the circle sentencing process. The people in the circle sentencing process need to know as many options that are available as possible when they are advising magistrates on what the penalties could be. The circle sentencing seems to be influencing the support structures that can happen for the person after the sentencing is done. The people who are involved in circle sentencing tend to know more about what has happened. So, I go back to my question. I just want to get a

picture from the people about whether they think community-based sentences are hard or soft or do they think they are nothing, or do they work?

The Hon. GREG PEARCE: We are talking about community service orders, having to go to work on community service.

CHARLIE McHUGHES: That is what it would be better for them to do. I had a bit of an experience with my young fella. Since he was in gaol he came out angrier. He has probably never seen the sun come up yet through sober eyes. He never drank that much until he when into the place and now he drinks a lot more. I do not know what it is. Is it the place that makes them that way or what is it?

CHAIR: So if more people in Brewarrina got community orders or whatever, are there community structures here to help it work?

CHARLIE McHUGHES: I do not know. Say with circle sentencing, how would that work? That would probably work the same way, would it not? I do not know.

JOYCE POOLE: My idea about circle sentencing, it was set up because magistrates have not got an understanding of the ways of Aboriginal people, their culture, but the people who are sitting on circle sentencing know more about these people. You give the magistrate a piece of paper and he reads from the piece of paper. My idea about circle sentencing and what it should be is that the elders of this community should have more input into circle sentencing because they know these young people. They know where they come from. They know their whole background, their history.

CHARLIE McHUGHES: But even with the circle sentencing, you cannot do anything until the judge says these people can go to circle sentencing. So, you do not have a say until the judge tells them. So, you have no control over what the judge says. I had experience with my young fella. I was asking about circle sentencing. He did not get a chance to go there. Why is that? That was the first time he had been into the big gaol and we asked the judge why is he not able to be circle sentenced. You are only there if they pass them on to you, yes, but what about at the beginning? That is where the trouble is, at the beginning.

JOYCE POOLE: The court should know.

CHARLIE McHUGHES: It is not with the circle sentencing, it is about getting there to the circle sentencing. That has to come from the judge in the first place, if he is able or if he is not able. With the circle sentencing, the people who do the judging know them and what the judge gets is just a record of what the police write up, and what they write up is what they do, nothing else. All that is written up is just all bad. If they go to circle sentencing the people who are sitting there know them and know the family, all the way back. They know what that person is capable of, but he is just getting judged by a piece of paper, what is written on a piece of paper in front of them. That is what they get judged on.

CHAIR: Without letting too much out, because we do not want to do too much identifying, how long was your son sent to gaol for?

CHARLIE McHUGHES: He has been in there for nearly six months now and it still never solved anything.

CHAIR: He is still there?

CHARLIE McHUGHES: No.

CHAIR: He is out?

CHARLIE McHUGHES: Yes, he is out but you have got to make a choice now and why could he not be put towards circle sentencing?

CHAIR: So, he got a short sentence, really, if it was six months?

CHARLIE McHUGHES: Well, I do not know. He was in there for six months.

LES DARCY: He was not sentenced, he was in there on remand.

CHARLIE McHUGHES: Like I say, he pleaded guilty to it and they still remanded him. Why is that?

CHAIR: So, it is a complicated one.

CHARLIE McHUGHES: Yes. If he has pleaded guilty there is nothing more you can do. He cannot go any further than that, if he is pleading guilty. So you have to give him the punishment for pleading guilty.

LES DARCY: They have to plead guilty to come to circle sentencing.

CHARLIE McHUGHES: They are going to plead guilty to go to circle sentencing anyway.

JENNY BARKER: But he never went to circle sentencing.

CHARLIE McHUGHES: But he did not and he would not. Why? That is what I want to know.

CHAIR: We will ask these questions.

ERNIE GORDON: Some community service orders do work. Some do not work. It all depends on the individual. We do a fair bit of work with the community service orders. Myself and a few other people from the CDEP. They do work. The community service orders work but some do not. It all depends on the individual. Some of the kids or the people who come through the community service orders are good; they will come and do their work. But some, you have to go and find them and pick them up. So some of them are really good and some of them are not really good.

Ms LEE RHIANNON: Is it because you are suggesting that the program that is offered to them is not appropriate or because the people themselves just do not get into it?

ERNIE GORDON: We have not got much to choose from as far as programs for them to go into.

Ms LEE RHIANNON: Can you tell us what they are?

ERNIE GORDON: We usually go and clean up the yards or we go and clean up the tip or we go and mow lawns or things like that.

JENNY BARKER: Just labour-intensive programs. They do not get the opportunity just to go into the offices. There should be a choice. If they do not want to go and sweep the street or mow a lawn there should be other programs in place where they have a choice to want to go and try out and that is not in place at the moment. The only place that does most of the community service orders is the CDEP. All the businesses in the community should be offering because after all it is their community and they should be participating in the community issue because it affects them. But at the moment that is not happening. We know gaol is not the answer to our people's problems. Like Charlie says, some of them go in there and come out 10 times worse than when they went in. It is good that we can have these alternative things in place to try to help our people.

CHARLIE McHUGHES: And also in doing that, remember the time when we had air spraying. Where did they learn it from? They did not learn it in this community. People who went into the institutions came back and learnt these people in this community how to do it and how to use it.

Ms LEE RHIANNON: How to do what?

CHARLIE McHUGHES: Sprays and all that. They did not learn it in this community. They brought that back from the institutions and into the community. So what are they learning in gaol? What are we going to give them to learn?

CHAIR: Is there any access in places like Brewarrina to things like anger management and drug and alcohol?

JENNY BARKER: This is what I was just going to say. A lot of that is needed. They need it brought right back on them because a lot of them are very angry but we cannot have access to it on a regular basis. I think we get it once a month or something. They come in here from Bourke. That is no good to us. We need it every day. We have a lot of problems with our people.

CYNTHIA MOORE: We need it as soon as possible.

LES DARCY: Every community should have one.

JENNY BARKER: That is right but we cannot seem to get a permanent person here for our community. We have to share with Bourke and then it is not on a regular basis.

CHAIR: When we went to Bourke there were a lot of Aboriginal people at the meeting who had masses of training to be welfare officers and support officers and stuff like that, but all the programs had been short term. Do you know what I mean?

JENNY BARKER: All the programs are no good—

CHARLIE McHUGHES: All the programs are no good here.

JENNY BARKER: If you are going to bring pilot programs into these places, don't bother. They are just a waste of time and money. We need long-term strategies to try to address the issues that we are trying to address at a community level. It is the same as when they go into gaol. They go in there and do their time. They come out and there are no support mechanisms in the community for them. They are plonked straight back into the same environment where they were doing those things.

CHAIR: What is your answer to that?

BILL PALMER: If I could offer a solution—the solution actually came from Lauren Coffy—I need to give you a bit of a background to it. Particularly with young people in this town, there is not a lot of infrastructure and there is not a lot of money for infrastructure. There is a football field, a swimming pool, and a youth centre but not much else. What is often occurring is that the young people are getting into trouble because there are insufficient activities for them to participate in. They are leaving school early. They are not moving into vocational training. They are not finding jobs. Jobs is probably one of the critical pieces here. In essence, one of the primary law and justice issues in Brewarrina is actually the diversion of young people into either gainful work, gainful employment or gainful training.

One of the things that has also impacted Brewarrina is that the Western Aboriginal Legal Service up until fairly recently had been fairly limited. There are two solicitors operating out of Walgett. It would mean that people's cases could be deferred up to six months before they were sentenced. They have now appointed two from Bourke and Brewarrina is serviced by the Bourke Western Aboriginal Legal Service. So the time delay is not so long, but what used to occur was that young people were bailed out of town, to another town. In essence, that did not help the other towns that they were bailed to and people were bailed from Tamworth to Brewarrina, for example. People from Brewarrina were bailed to Goodooga. Essentially, in a small town like Brewarrina, it forced our crime statistics up because the people who were out of town had a lot more knowledge of doing break and enters. They were more sophisticated is an easy way of saying it.

The solution that Lauren put up was based similar to the model at Yetta Dhinnakkal, which is based on trust, honour and respect, is like a bail farm where there is an opportunity for those young people to start experiencing potential occupations, such as shearing, fencing, being a farmhand. Being located out of town so they do not have access back into the community and with the appropriate support structures such as Juvenile Justice's Journey to Respect program. Access to counselling to see what is driving these antisocial behaviours and some career guidance so that they can be directed into employment that is worthwhile for them. Certainly from Lauren's point of view, she is facing the same issues with her own sons. She knows they are good kids.

We all know that they are good kids in town. They just need diversion. What goes with diversion is that there needs to be those employment outcomes at the end—not employment outcomes but at least employment opportunities at the end, traineeships or whatever.

CHAIR: So this is an issue of bail.

BILL PALMER: Yes.

CHAIR: I will start this discussion because recently there has been an experiment, which we discovered when we were in Inverell, of a bail hostel for young people. It was placed halfway between Inverell and Tingha because the community of Inverell insisted on it not being within the town and it has just been closed down. Does anyone know about that?

JENNY BARKER: No.

The Hon. GREG PEARCE: It was just a house though.

CHAIR: It was a statewide facility as a young people's bail hostel.

LES DARCY: Moree had one. Take them out of the night, about 10 miles out of the township.

CYNTHIA MOORE: They would walk back into town here.

CHAIR: Is it a good solution for the troubled youth to be taken out of the community?

CHARLIE McHUGHES: Depends on how far out you want to take them. That is the problem.

CHAIR: It is a question. I want to know what you think. Is it a good idea?

CHARLIE McHUGHES: If you are going to put them somewhere, if you are going to take them from out of their environment and put them somewhere else, they would not want to learn. Similar thing as we put them into the big joints down there. They do not want to learn. We just make them more angry.

CYNTHIA MOORE: There must be a solution around this area that we can use, like a property, like Yetta, but they have to work. They are going to muck up in town, take them out there and make them work. But they get paid for it. That is the thing. They have got to be paid for working. These kids are so lost in this town.

CHARLIE McHUGHES: Then we have to be careful. If we are going to pay them to work what about when they leave from there to come back in town and they do not get work?

CYNTHIA MOORE: Hopefully we will have a thing in town that they can go straight to.

CHARLIE McHUGHES: That is the problem here and with rehabilitation too. They were in the same circle. We have to get something going for those people.

CHAIR: They might go away for rehabilitation to dry out but when they come back there is no support.

CHARLIE McHUGHES: There is nothing here.

JENNY BARKER: They are plonked right back in the same environment they were taken from and naturally it is only going to take a few days and they are going to be back doing the same thing they did before they went in there. That is human nature.

JOYCE POOLE: I take kids into town for bail. I work with kids and I have a lot to do with kids on the street. We had an incident where this 16-year-old boy was bailed in Bourke. The family lives here. He came over here and he was spotted by the police and was taken right back. It is terrible to see these kids going through all of these emotions. There has to be somewhere for them. I take kids home and five or 10 minutes later they beat me back to town in the bus. There is just nothing.

You have to look at their family life, where they come from and how they live. There are a lot of social problems in this community and nobody is really addressing it. They are raving on at the moment about mental health. People in this town have been crying about mental health for years. This is an old circle. It has not really stopped. It is just going round and round and our younger children are getting into it at a younger age. There are things kids who are only seven or eight years old are learning because they have not got good teachers out there. It is not a joke anymore. If people in this community and government heads do not sit up and take notice, we are going to have a disaster.

I see it coming here in Brewarrina. I have been on the street for seven years. I have seen Charlie's kids grow up; I have seen them come through. I have seen the young son that he talks about but there is nothing for him to do. I think he could make a good go of it, but these kids have problems. We talk about rehabilitation for grown-ups and everything for grown-ups, but we do not seem to have anything in place to look after our younger children before they get to that age. There's Orana over there, but to me it is teaching them and saying that, "It's okay for you, but when you get about 17 or 18, I've got just the place for you to come in." To me, that is what it looks like.

CYNTHIA MOORE: So what is the solution?

JOYCE POOLE: I think it belongs to the parents who have the children.

CYNTHIA MOORE: That is right.

CHARLIE McHUGHES: Also with that, I see that this is what they learn in institutions. I know of one fellow who went in there who got a TV game and an Xbox put in front of him, but when he came home his parents could not afford that. So what did he do? He went and got one. So what do they learn in there? Instead of that, you should say, "Right, if you want that, this is what you've got to do. You've got to earn it. Let's give you a job to earn it." Maybe that is one of the solutions, to stop him going and doing something wrong.

JENNY BARKER: I get abused on the bus. I get called a fat, white, old so-and-so every day of my life and that does not offend me. But I do penalise those kids when they come forward and want me to give them a ride home at 12 o'clock or half-past 11. I say, "No, you're banned on this bus until you respect me and you respect the drivers in Brewarrina. Then you can come on the bus". And they do it.

CHAIR: Do you drive the bus to help kids get back home?

JENNY BARKER: Yes, it is a granny's patrol.

CHARLIE McHUGHES: How are you going to help those people if they want something? You have to get them some job or incentive to get a job so that they can get what they want, to stop them from going and pinching what they want. You say, "If you want this, so and so will give you work up there and someone else will give you work down here. By the end of three or four months, that's yours".

CHAIR: Will that really work?

CHARLIE McHUGHES: One of the biggest problems here and probably everywhere else is jobs.

JENNY BARKER: But it is just not one issue. There are a number of issues and one department cannot fix it. All the departments have to work together because you have family breakdowns involving kids and unemployment, where they are seeing two and three generations of people not working.

CHARLIE McHUGHES: Let us look at some of the business fellows too. Let them come halfway; let them sponsor something. Let them say, "Right, we will donate this for you. Here it is." Let us get them to work for them. They have to come to the party too because all they are doing is crying about the crimes being done, but they do not try to stop them going on any further. Maybe they have to come to the table too to say, "Let's see if we can do something too. We will donate this for this month", and then someone else will donate something. Maybe that is a way out of it. It is better to give one shoe away than losing 1,000.

CHAIR: Yes. One of the issues is that if they increase more bonds, community service orders and community-type penalties, how can the resources be increased for the people of Brewarrina to have the same access as those in the city. You brought up the mental health issue. If people are not coping, there must be support structures. You cannot just be expected to do the job. You must be given other chances to grow.

JENNY BARKER: That is exactly right, but we do not have access to that at the moment.

CHAIR: So there is no access right across country New South Wales to appropriate mental health services because they have all gone.

JENNY BARKER: Yes.

CHAIR: You cannot get them in the west of New South Wales. Does anybody remember in the olden days that there used to be mental health workers or welfare workers?

JOYCE POOLE: Yes, those mission managers.

CHAIR: No, not that long ago.

JOYCE POOLE: That is what I remember.

CHAIR: No, nearly every service had a person who worked with people. Do you remember them or have they gone?

JOYCE POOLE: Everything has gone.

CHAIR: So no-one had anything to do with them.

JOYCE POOLE: No.

CHAIR: There were people who had some mental health and welfare training, but they were not mental health professionals. If someone got really sick, they would have had to get some help in, but could do support work for mental health. If people were not coping and there were someone like that in the town, would that be helpful?

JOYCE POOLE: Yes.

JENNY BARKER: Yes, it would work but the problem is so great that you would need three or four, not one. The thing is that you burn people out with the load of work that is required in this community. One person cannot do it because it is just too great, but yes, it is a start. You burn people out with the problems we are suffering at the moment. I do not know how we are going to overcome those, but they are the things that we need.

LES DOYLE: The days of charity work are almost gone.

CHARLIE McHUGHES: But like Bill was saying, this might be the spot because kids do not know what career they want. Let us get them out there, show them and they will find their way. They do not know what they want to be, so they just let it be or if they see what it is, they think they cannot do it—and they are not given the opportunity to do it.

CHAIR: Yes, that is a cause-of-crime issue, isn't it?

CHARLIE McHUGHES: Yes. We are trying to stop that circle.

CHAIR: During our hearings we have heard a lot about cause-of-crime issues. The questions we are trying to answer today relate to when the crime has been committed and what is the best sentencing option that will mean people do not commit more crimes when they get out. You hit the nail on the head when you said they are sent to gaol and then they come home angry.

CHARLIE McHUGHES: Yes, they come back a lot angrier. They go in with a little crime and when they come out, they then go back with a greater one, because they get no feed and they do not care. They get it in their head that they are going to gaol and when they go to the court, they are in not given any opportunities to try to get out of it so they say, "I don't give a stuff."

JENNY BARKER: The different sentencing methods are good but they are not solving the problem because there are no support mechanisms in the community to address those issues after what they have done. They go straight back into the environment where they are creating all this and we need to prevent those things from happening.

CHAIR: When the anger management people come to town, do they come just once a month and talk to people?

JENNY BARKER: I do not know anything about it. I have never seen them.

CYNTHIA MOORE: I have never seen them. Just the mental health come once a week or twice a week.

CHAIR: So they do not come.

CYNTHIA MOORE: Well, they do come but we do not see them out on the street. There are too many people in this town for one mental health worker.

BILL PALMER: There is one mental health worker twice a week

JENNY BARKER: And there is not enough communication to let the community know what is available.

CHAIR: Community health is a bit of a mystery, is not it?

JENNY BARKER: Yes. They do not come and sit around the table with us and let us know what services they can offer to the community. Unless we know them and ask ourselves or take a client, we do not know anything.

CHARLIE McHUGHES: If you put someone here, at least they can transfer them because when you go for an appointment they say, "Well, we have to assess you first." If you have someone in the community who is already doing that, they can just make the appointment to go and see him because they are waiting so long and they only come once a week.

CHAIR: So you do not actually have someone in the health sector as an organising group to get everybody together?

CHARLIE McHUGHES: No. We have got no-one walking around here, seeing anyone.

CHAIR: What does the community health nurse do?

JOYCE POOLE: We need the medical centre to be given back to us.

CHAIR: An AMS.

CYNTHIA MOORE: We have got it straight across the road there.

CHAIR: So you have an AMS.

JOYCE POOLE: It is run by Walgett two days a week. That is no good to us, but that is another story.

CHAIR: You do not have your own one?

CYNTHIA MOORE: No.

CHAIR: You have the visiting service but no person here to put everything together?

CYNTHIA MOORE: That is right.

JOYCE POOLE: If you tell people that they have to go up to community health at the hospital, it is a big "no" straight away.

CHAIR: Do they feel that they cannot use the service?

CHARLIE McHUGHES: We need someone here to cover the whole community.

JOYCE POOLE: No, I think it is a matter of the way people treat them.

CHAIR: That is what I was asking.

JENNY BARKER: People at the hospital see the sick people and the advice they were given was not to take community service up there but to leave it at Tamworth. Now they get no-one up there because it is out of the way and people only go to the hospital when they are sick.

CHARLIE McHUGHES: And even then they do not go there.

CHAIR: Do the drug and alcohol people visit?

CHARLIE McHUGHES: I am a drug and alcohol worker.

CHAIR: And you are based here?

CHARLIE McHUGHES: Yes and no; out of town about 49 kilometres that way at the rehabilitation centre.

CHAIR: Is that your base?

The Hon. GREG PEARCE: It is the rehabilitation place where we visited.

CHAIR: From Walgett.

CHARLIE McHUGHES: Orana Haven, which is the rehabilitation centre out there, but it is not just for Brewarrina; it is for the region. It is always full. I am supposed to be based in here but I am out there because this is not open or not running properly.

CHAIR: You have lots of resources coming into town in bits but nothing is joining them together, is that what is happening?

BRAD STEADMAN: Yes.

CHARLIE McHUGHES: Yes.

JENNY BARKER: No-one is talking to each other.

CHAIR: Is there any chance of negotiations with Walgett AMS for someone to be located in the AMS all the time?

JENNY BARKER: It needs to come from government, not from the community. These decisions need to be made at a government level and then they will do it.

CHAIR: You need just the one interference in order for it to happen?

JENNY BARKER: At the government level, that is exactly right, not to leave it up to the community where nothing happens. That is what has been happening. It has been gone for nearly two years.

CYNTHIA MOORE: No, longer—over three years.

CHARLIE McHUGHES: Yes, because I have been out there.

JENNY BARKER: We need the Government to intervene to make these things work for us at a community level.

CHAIR: You have circle sentencing, but it does not seem to be able to tap into other resources at the moment?

JENNY BARKER: That is exactly right. We make recommendations for this and this. We say go and get anger management but there is nothing there for them. They agree to it but they are out there and nothing is happening. They are really crying out for help, they really are. There is no structure unless they go away, and they do not want to go away.

BILL PALMER: I am trying to establish interagency meetings. We tried for six months. Even though we set up to piggyback Bourke's interagencies, we just cannot get the agencies over here. They just have service providers attending. We already have protocols between our service providers. We needed input from external service providers and they were not attending to work with us.

CHAIR: So, what is the chance of the circle sentencing approach to influence the need?

JENNY BARKER: We were hoping it would happen. It is only in its infancy at the moment. We wanted it in place. When we refer clients to it, it is going to happen. I think the circle sentencing should be able to influence people.

CHAIR: If you people recommend such a judgment—

JENNY BARKER: We were sitting around in a circle trying to do our darndest for our community. Surely to goodness these things should be in place to allow that to happen.

CHAIR: I think Brewarrina is the smallest town we are visiting and you have put up an awful lot more issues in relation to the support structures for community-based sentencing. Do most of your people go to gaol if they commit a crime?

CYNTHIA MOORE: Yes.

JENNY BARKER: I think a lot get a lot of community service orders.

LES DARCY: They do not go straight in. There are two or three things first.

CHAIR: They may get good behaviour bonds?

JENNY BARKER: Yes.

LES DARCY: That is right, and then suspended sentences.

CHAIR: How hard are good behaviour bonds to stick to?

JENNY BARKER: I think most do but they come back again, same situation.

CHARLIE McHUGHES: Some of them are pretty poor with their literacy and that. The solicitor just tells them you are on a suspended sentence but they do not give them a piece of paper and they do not read it to them and tell them what they have to do, what guidelines they have to stay between. That is what happens. They go outside but they do not know they are going outside the guidelines.

JENNY BARKER: A lot of the court jargon they do not understand. They need to be educated on this.

CHARLIE McHUGHES: Yes, they do not understand, and that is where the big problem really is.

CHAIR: So they break the good behaviour bond without knowing it?

CHARLIE McHUGHES: Yes, without knowing they did it, because they do not get the things set between the guidelines to stick to. They do not get the policy of what they are supposed to do or they do not understand it and they do not get it explained to them.

BILL PALMER: And the solicitors are so overworked, they do not get the time to sit down and explain it.

CHAIR: It is not necessarily their job.

BILL PALMER: No.

JENNY BARKER: Some are so stressed out that they are going to gaol, and the stress they are under, you have to see it. They are so relieved when they do not go to gaol that they forget what the magistrate said to them, and they do not understand the jargon that is used.

CHAIR: How many police are in Brewarrina?

JENNY BARKER: Eleven, is it?

CHARLIE McHUGHES: Even with circle sentencing, if they see people round in the community, if they are doing something wrong they—

CHAIR: Eleven to 1,100 people?

JENNY BARKER: It is really good, the circle, because it will talk to them and their families, and will rouse on them like an aunty or an uncle, and they respect that. When we see them in the community obviously they are going well. It is good. It is just that we need more people on the circle.

CYNTHIA MOORE: How many are there on there?

JENNY BARKER: Four of us, and when we our out of town we cannot have it, but it is a really good thing.

CHAIR: Is there any way of encouraging more people to participate? You would have more support for people on community orders, then?

JENNY BARKER: That is it. The girls and guys that come really do accept the circle sentencing.

JOYCE POOLE: It is good for teaching young people respect.

LES DOOLE: If they have the circle sentencing you can talk to them and they understand and we can communicate to them better than a magistrate.

JENNY BARKER: We know their history and we tell them. It is not a soft option to come to because if you do not do the right thing you are going to be punished. You are here to be given a chance to be a good citizen and make good your life.

CHARLIE McHUGHES: And when they are not here: you are under section 135—that is what they do in the courts.

ERNIE GORDON: And the jargon is not understood.

CHARLIE McHUGHES: They would not know what section they are talking about. I do not know myself.

JENNY BARKER: We do have alternatives, which is good, but we need that support structure to help it work. We do the children's conferences. We have community service orders and we have the circle.

CHAIR: If we find different ways to provide support structures, in a community like this your issues are not just about law and justice, are they?

JENNY BARKER: No.

CHAIR: So the recommendation we put forward would not necessarily say someone helps with the court just in Brewarrina in. So, what sort of position would be useful to the community?

JENNY BARKER: I do not know, what do you think? One would be the courts be able to explain.

CYNTHIA MOORE: Court support.

ERNIE GORDON: They need someone there to explain what goes on.

CHAIR: How often does the court sit here?

BILL PALMER: Two days a fortnight.

CYNTHIA MOORE: You need a support person there.

JENNY BARKER: Their job description would be pretty wide, would it not, pretty broad? Because you have to make sure those things are happening, like counselling, anger management, things like that.

CHARLIE McHUGHES: I go in to court myself and they are sitting there talking about us and we do not know what they are talking about. We sit there not knowing what they are saying but you know they are talking about you, but you do not know what they are saying.

CYNTHIA MOORE: You do not understand it largely.

BILL PALMER: There is a need for a youth co-ordinator, co-ordinating services to young people, whether that be careers guidance—

CHAIR: Juvenile Justice?

BILL PALMER: Yes.

CYNTHIA MOORE: There are only two of them.

BILL PALMER: It used to be located in Brewarrina. What we do not have inside the circle are those kids 16 to 18—ICS is 16 to 18 and the circle is after 18. What we do not have is a co-ordinator to ensure that those appropriate things are put in place and picking up from what Charlie has said, and earlier as well, about interagencies, it is not just support for the person who is sentenced in court it is also for the parents, knowing how to access support for their kids so they do not reoffend again.

CHAIR: Sometimes it is total family support?

BILL PALMER: Yes.

CYNTHIA MOORE: What is Lucey's role?

BILL PALMER: Actually co-ordinating, making the circle happen. It is not supporting. There is a lot involved in getting the whole circle going. There is assessment of those kids who are looking to be sentenced.

CHARLIE McHUGHES: We get the circles going but the judge has to say whether we have it or not. So it is still back with them, if they allow it.

JENNY BARKER: If they plead guilty?

CHARLIE McHUGHES: When they plead guilty. But it is still up to them to say okay you can go to the circle sentencing.

CHAIR: We will get the criteria from the judges to make that decision. I understand if the person opted for it they could have it, but we will find out exactly what the criteria are so we know what we are doing.

CHARLIE McHUGHES: I do not know what it is either. You know what the criteria are?

JENNY BARKER: They have to be accepted by the circle too. They have to have a conference with the circle.

CHARLIE McHUGHES: But to get the conference they have to go to the judge first.

JENNY BARKER: They ask can they go to the circle.

CHARLIE McHUGHES: Yes.

ERNIE GORDON: There has to be a certain criteria before the judge will consent.

CHAIR: We need to know and the community needs to know what that is.

CHARLIE McHUGHES: Like you say, you need to get the criteria and let us know too.

ERNIE GORDON: We can find out from the magistrate ourselves.

CHAIR: You can find that out, but we are going to find out for ourselves too. You have given us a very good issue.

Ms LEE RHIANNON: On circle sentencing, it sounds like the business community is not involved at all?

JENNY BARKER: No, not in anything.

Ms LEE RHIANNON: Is there any way of encouraging them?

ERNIE GORDON: We wrote to every businessman in the community, every business person in the community, to contribute to giving the kids a barbecue and not one business person replied. So we got the trainees to pay for it themselves.

JENNY BARKER: The businesses, the non-indigenous people, see it as a back problem, they tell you. There is no black issue, it is a community issue, and you need to be part of the solution. But they believe it is a back issue so they do not want anything to do with it.

JOYCE POOLE: They just sit back and whinge and do not do anything. They live off the Aboriginal community in this town.

JENNY BARKER: I do not know how we are going to overcome that but that is a real problem at the moment.

CHAIR: What we have learnt today is that you do want community-based options for people who are sentenced, and you want crime prevention programs as well, but there is an issue of support and resources for the people who get those sentences to work through to get a proper rehabilitation structure, is that right?

LES DOOLE: The government departments are not putting enough into it.

JENNY BARKER: In saying that, it is not a one-way street. Parents have to be accountable too. We know they are not at the moment. So, we need to be able to do something about that.

ERNIE GORDON: Even our community itself, how many people go to—

JENNY BARKER: That is it. And those families are in need of support. They are young mothers, young fathers. They are not working. It is a really, really big problem.

LES DOOLE: We need the council and everything.

JENNY BARKER: You have got kids growing up in the same cycle and they are going to repeat what their parents are doing.

CHAIR: Do you think the Aboriginal Medical Service and the area health service can work together with you people to get the right sort of support position? It is

not going to be all things to everybody. It could be somebody who could help call in the extra counselling staff when you need it. Would that work?

JENNY BARKER: Yes, it would work. We heard from the Attorney General this morning that there is going to be a position for the young people kicked off in Brewarrina. That is exactly what we need. We can support that person but we need someone to be co-ordinating that when it is happening, and we need help from the council. We need a person who was able to pull those together so people can utilise it and we will support it at community level.

CHAIR: What would be the chances of it being gobbled up by one section of the community and you end up with nothing for the majority of the people? What are the chances of that happening?

CHARLIE McHUGHES: That is a good one. It happens all the time.

CHAIR: I told you I was going to be nasty.

JENNY BARKER: I think you put that in place so that it does not happen. I think we have learnt a lot of the 10 years and we need to have things in place so these things do not happen, what has been happening in the past.

CHAIR: Who would manage it?

JENNY BARKER: It would have to be the health.

LES DARCY: Bill, didn't you mention something about some problems with the control of all the bums coming in?

JENNY BARKER: We need something immediately for those people to be referred to and to start giving them what they need. So we do need that person.

CHAIR: Yes, but our recommendation is about long-term resolutions, not today. I was trying to hear from you where it should go, and I am hearing that it should be with the people. I ask the question and everyone gets worried, can we do it? So it is a huge mire.

JENNY BARKER: I think the AMS is a long-term thing. They are talking about not having it back for at least 12 months. We cannot afford to wait for 12 months to get someone in here to co-ordinate the mental health and counselling.

CHAIR: If they are running it and controlling it, can positions not go in there and they can still run them well?

JENNY BARKER: We thought that was going to happen.

ERNIE GORDON: We thought that was the way it was going to happen but it did not happen that way.

CYNTHIA MOORE: They have one worker over there from Brewarrina, a young girl. She does one day in Walgett. She does two days over here. She does Monday

in Walgett, Tuesday, Wednesday here and the rest up in community health from the AMS. This is her work day for the week. This is her work week. She goes to Walgett on Mondays, two days at the AMS here.

CHARLIE McHUGHES: And they are not full days.

CYNTHIA MOORE: No, they are not full days. Then she does two days at community health.

CHAIR: What does she do?

CYNTHIA MOORE: I do not know. I am being honest with you. I do not know what they do.

JENNY BARKER: Is that Maria you are talking about?

CYNTHIA MOORE: No. It is young Diane Tattersall.

JENNY BARKER: I did not even know she was there.

CHAIR: What is her job?

JENNY BARKER: Is she employed by far west area health or is she employed by the Walgett AMS?

CYNTHIA MOORE: Walgett.

CHAIR: Sometimes they have shared ones.

CYNTHIA MOORE: She is employed here by Walgett.

JENNY BARKER: The Walgett AMS.

CHAIR: The other issue about those sorts of positions is that sometimes they go to the area health service because some families will not use the AMS. Did it start like that?

CYNTHIA MOORE: You tell me how many families in this town will not use the AMS.

CHAIR: I did not say this town.

JENNY BARKER: There is a lot of politics in Brewarrina and I think this is what has been happening, why these things are happening, because of the politics.

CYNTHIA MOORE: It is a little political arena here.

JENNY BARKER: That is not addressing the needs of the people. That is what they have to realise.

CHAIR: I am trying to get some sort of feeling. As much as Brewarrina is very unique, it is very like a lot of small towns and I am trying to get a feel of a recommendation for a sort of support position for communities, for it to make sense. We could come in here like missionaries and go away and say you need six people to come in and work. That is useless because it will not happen. I am trying to get from you what you perceive would be the best way for such a job to be set up and where for it to work.

JENNY BARKER: It should be there to be utilised by the people who need it. Whether it be with far west area health or the AMS, we need that person.

CHAIR: But if it is put up in community health where no-one goes, will it be of use to you?

JENNY BARKER: Can't they utilise the AMS? They have rooms over there, five days a week. After all, it is the Brewarrina AMS. We should be able to utilise those rooms five days a week if we have someone to go in there.

BILL PALMER: Part of the other predicament is the inflexibility of government policy and process. For our DOCS family worker there are only a certain, a highly restricted amount of things that she can do purely because of DOCS policy. That does not necessarily meet the community's needs. The same thing with health or anyone else, it is almost that this position—because of this issue Brewarrina is establishing its own administration centre which will auspice government funds coming into Brewarrina and be the auspicating person for trainees and for this kind of position. It needs to be funding that possibly comes from whole-of-government but the policy and procedure is determined locally as to specifically what their role is because I can guarantee that if it is coming from a specific government department it will not meet their guidelines or policy because the need crosses over a number of different agencies, none of which has the flexibility in the guidelines to allow that person to work on the roles that they need to work on.

CHAIR: I return to my original question: how do you stop this position belonging to one small section of the community?

BILL PALMER: Because the Brewarrina administration centre itself has every component of the community as part of its board.

ERNIE GORDON: A working party set up of all our services in Brewarrina plus our four reserves down here. We have the reserve over there. We have people coming from Billabong to our working party meeting and taking things home to their community where they live and say, "This is what the working party is doing. This is what we're trying to put in place."

CYNTHIA MOORE: We get elected in by the community, the working party.

ERNIE GORDON: It is not that we have a small section where it will not get back out to the community because everybody in our community is on that working party and they take it all back.

LES DARCY: What do you want? Do you want a funded position?

CHAIR: Yes. I am not sure how we will recommend it. The more that we go around looking at the smaller communities, it is very difficult for the communities to have enough skills base and then if they do not have a drug and alcohol worker down the road it is very hard for people to get assistance with their drug and alcohol problems and courses like anger management, which I keep hearing about as though they work, so something has to be organised to help the communities to get these for people if community-based sentencing is to increase and make a difference or even if community-based sentencing is to be an option. There is not much point putting everyone on community-based sentencing to go and mow the edges of the grass and not get any other assistance at all.

ERNIE GORDON: Community service orders work but if you cannot find the work for them what will you give them to do? It has to be the whole of the community of Brewarrina to get the thing going.

LES DARCY: While they are doing community orders I think they should be doing anger management and drug and alcohol counselling with it.

CHAIR: That is right. That is exactly what I am saying. Then we have to try to get the drug and alcohol counselling available.

CHARLIE McHUGHES: What I noticed from a couple of people—

LES DOOLE: It is no good putting a bloke on a pick and shovel all day.

JENNY BARKER: He's going back to the same thing.

LES DOOLE: He should be given some type of management skills.

CHARLIE McHUGHES: I was talking to a couple of lads who have been in gaol. I said to them, "That's no place to be. What are you going back there for?" I am going back there. I can get a certificate for this. I can get a certificate for that. Why can't we do it in our community before they even go there? Again they say, "I've got to go back. I'm going to learn this. I am going to do this in there. I'm going to get that in there." This is what they say to me.

CHAIR: What sort of certificate facilities are in Brewarrina?

JOYCE POOLE: Brick laying, they do a lot of that.

CHARLIE McHUGHES: It is simply things like chain saws. There is a TAFE just over there.

LES DARCY: Any amount of facilities can be facilitated in Brewarrina if they get enough people to participate.

CHARLIE McHUGHES: That is the problem. If they get enough people to participate because if they go to the institutions they get the people there. They aren't going anywhere so they got the people. That is our problem here.

Ms LEE RHIANNON: Are you suggesting that people have reoffended to get back in so that they can get more tickets?

CHARLIE McHUGHES: That is what they tell me.

LES DARCY: That does not happen at Yetta, I can tell you.

CHARLIE McHUGHES: I am going on what people say to me.

JENNY BARKER: But we need to address the problem of why these things happen, not put bandaids on the things all the time. Why are they reoffending? Why are they there in the first place? We know why they are there—because of unemployment, because of the family life that has been broken down where they come from. These are the issues that we need to be dealing with. It has gone on for too long putting bandaids on these things.

CHARLIE McHUGHES: To get those jobs you have to be qualified for this, you have to be qualified for that to get the job, otherwise they don't go there. It is like which came first, the chicken or the egg.

ERNIE GORDON: You have to go back to the Government and say, you have to simplify things for Aboriginal people. We find in our little community of Brewarrina that you have to have an on-site certificate to go onto a building site or to dig a trench you have to have an occupational health and safety certificate. You have to go and do two hours of sitting in a room and training on your occupational health and safety. Our people do not do that. Our people do things with their hands. This is what you have to go back and tell the Government that our people out there can do the work but they do not have to have all these tickets. You get a ticket for this and a ticket for that. Simplify things like they used to be.

JENNY BARKER: We have a beautiful campus around there but take one step outside their box to cater to our needs and the way we want to do things. That is the problem.

CHAIR: Your management committee sounds like it is working together and trying to build stuff up. Is that right?

JENNY BARKER: We have been trying for the five years we have been formed here. It gets very frustrating.

CHAIR: So if you managed to get a bunch of young people together for a specific course would you as the management committee be able to negotiate with TAFE? I realise your frustration about tickets.

JENNY BARKER: We need that person. Like I said, we are busy with our own jobs. We can support them. We need those people to be able to co-ordinate those things just specifically for them. We are doing a million things. We need that person to do those one or two things and that is all.

CHAIR: So you need a person who is a counsellor, a community development officer—

JENNY BARKER: That is what I mean. We have a facilitator who is nearly burnt out because he is doing everything which he is not meant to do. I run the CDEP plus a million other things and I am just about burnt out. This is the problem. So you need that person just to co-ordinate those things and that is how you will get success.

CHAIR: So you have a helper and your management committee has worked up a process and you decide that all these young blokes who were roaming around the street yesterday all need their occupational health and safety ticket. Would you have a situation where you could negotiate with TAFE to get that?

JENNY BARKER: That is not a problem but the kids will not go and sit in the classroom all day because it is not Aboriginal culture to do that. That is what we are trying to say.

CHAIR: I understand the frustration with tickets but the tickets are there. We cannot take them away. So to compete, the people must get a ticket.

JENNY BARKER: These are the changes that we need to be making. Unless we make these changes, we will be talking about this in another five years time. If we don't make changes that we can adapt to we are going to be sitting here and talking about the same thing in 10 years time.

LES DARCY: Who pays for the tickets—the TAFE? The Government?

JENNY BARKER: No. Some of the Aboriginal ones are free and some not.

LES DARCY: Like the ticket to go on building sites.

JENNY BARKER: I had 12 going and we had to pay for it out of my budget.

LES DARCY: I thought they had to pay for it themselves.

JENNY BARKER: That is not the problem. The people on the street cannot understand.

CHAIR: But it is one of the problems. If more people have tickets maybe there are more jobs and maybe people have got them. Do you know what I mean?

JENNY BARKER: So they are on the streets saying, "Give me a job". I say I can't give you a job as a labourer. They are just used to being picked up off the street. You can't do that anymore and they can't understand why that is happening, that they can't get a job on a building site without a ticket and just as a labourer.

CHARLIE McHUGHES: But this is the thing when I saw my mate down at the school. You are giving them a ticket but they are not seeing anything at the end of it. That is what the problem is. They don't look so far ahead. It is like school. We go to school but we do not look far at what we are going to do. It is the same thing with them. They go on to do a certificate but they do not look for the next—

JENNY BARKER: The opportunities just aren't there for that.

CHAIR: For what?

JENNY BARKER: Charlie is talking about at the end of the day.

CHAIR: To get the job.

CHARLIE McHUGHES: Yes but they do not look that far.

CHAIR: Could part of the community service orders be not just anger management and drug and alcohol counselling but some specific training as well?

ERNIE GORDON: You can. If it is possible to do it, it would be a good idea.

CHAIR: So perhaps TAFE could be worked with for that to suit the community.

JENNY BARKER: That is right and to give them a bit of skills and a bit of self-esteem and things like that.

LES DOOLE: There is such a thing as the MERIT scheme in court. It could be along the same lines.

JENNY BARKER: Aboriginal people have been cleaners and labourers all their lives. There is a lot of talent among the Aboriginal people. They can do other things. They do not have to be labourers and street sweepers. We need to send them to this to get these skills and if they move away they have the opportunity to be competitive like other people.

JOYCE POOLE: A lot of the young people, particularly boys, will have to wait a few years down the track to get their licences because they have been driving around in old cars. We need to set up a training RTA computer program in town.

CHAIR: Did you have one before?

JOYCE POOLE: Yes.

CHAIR: Where did it go?

JOYCE POOLE: I think it closed down.

JENNY BARKER: It was good but it had to be shared around the community. It is out at Yetta now. We only had one and it had to be shared with all the organisations.

LES DOYLE: There is an indigenous person in the RTA we could get to come and sit down and talk to us about this.

BILL PALMER: I have spoken to them.

JENNY BARKER: But here we go again. It is no good sitting around talking about things; there needs to be action.

CHAIR: Did you know that the RTA also has a system for people who cannot read and write?

JENNY BARKER: Yes. But it is no good sitting around talking about these things; we need to put them into practice.

ERNIE GORDON: We set up one here about four months and some of the participants could not read. They sat down, had the screen and the tapes and they played them back.

The Hon. GREG PEARCE: Is there any other sentencing option we could look at?

JENNY BARKER: What else is available?

JOYCE POOLE: I think there is a cemetery out there that people could look after.

CHAIR: I would hate to clean a cemetery.

JOYCE POOLE: Charlie last year mentioned a thing that would be really good. Young boys are so much into cars and so many old cars are lying around there and these kids are really good with their hands and tools. If you give them a tool, they know how to use them. He mentioned this really good program last year, that you could get all the old cars and take them somewhere, put up a shed up for them and let them do up the old cars. There are plenty of them down there and they could show what they have done.

JENNY BARKER: It would be very interesting to find out what the gaol statistics for Brewarrina have been over the last 12 months. I do not think it is very high. It would be very interesting to find out because I know a lot of these things are happening, such as community orders, circle sentencing and intensive court support.

CHAIR: We will send them to you.

CHARLIE McHUGHES: Yes, I do not think it is very high. It is not like it used to be.

JENNY BARKER: It would be very interesting to find that out. Other than that, is there anything else besides intensive court support, community orders, circle sentencing and conferencing with the kids?

CHAIR: How would you cope if home detention were introduced?

JENNY BARKER: I do not know anything about it. What is it?

BILL PALMER: They wear a bracelet and cannot leave the house.

CHARLIE McHUGHES: You may as well leave them down there. Don't do that.

JENNY BARKER: They need to do that with the paedophiles, not the kids. That is who you need to do that for. Everyone knows what they are. They are the ones who are ruining our kids.

JOYCE POOLE: The drug dealers and the paedophiles because it is drugs that is setting our kids apart at the moment.

ERNIE GORDON: I do not know that that would work in Brewarrina.

CHAIR: Why not?

JENNY BARKER: If I was a young a kid I would not want a bracelet around my ankle and have to let everyone know where I was and what I was doing, because I was doing a break-in or something minor. They need the support in place to stop them from doing these things. A bracelet will not stop them.

CHAIR: Well, the bracelet is a gaol; they cannot leave the house or the police will come and arrest them.

CHARLIE McHUGHES: That is the trouble, not leaving the house. That would be very hard for our community because we all like to talk together, get together and have a yarn. In this community just about everybody knows everyone, so it would be hard for the person who is doing house arrest.

JENNY BARKER: I personally would not like to see it.

JOYCE POOLE: I can tell you where to put those. If you give them to me I will put them on every drug dealer in this town because that is part of all our problems.

CHAIR: Do you have a lot of drugs?

JOYCE POOLE: My oath. People do not record it but you know who they are.

CHARLIE McHUGHES: That is why the kids do it mainly; so they can afford to feed their habits.

CHAIR: Is it heroin?

JENNY BARKER: No, I do not think that is in town, is it?

CHARLIE McHUGHES: No, it is not too bad.

JOYCE POOLE: But the kids are starting very young.

CHAIR: But they are not using addictive drugs, is that what you are telling me?

BILL PALMER: Marijuana.

CHARLIE McHUGHES: And the legal one too, alcohol. That is the main one.

JOYCE POOLE: Kids are starting as young as five and six and heading up. There is a big increase.

CHAIR: So you do not have much heroin?

CHARLIE McHUGHES: Not much.

JOYCE POOLE: Well, I do not know if that is right, but I know a drug dealer when I see one and they know me.

JENNY BARKER: I think there is a bit of speed and there might be a little bit of heroin, but not much. There is a bit of speed around, the yarni and the alcohol.

JOYCE POOLE: They are using the smaller kids to do their dirty work and you wonder why there are all these break and enters around town. They tell the kids what they can give them.

CHARLIE McHUGHES: And we also have the legal ones, like this place just on the corner, the pub, and the new one down on the corner is just as bad, the pharmacy. Where else do they get their ecstasy and all that from?

LES DOOLE: And they get a commission from selling drugs like that.

CHARLIE McHUGHES: That is to feed their habit. They are addicted to it; that is why they do it.

JOYCE POOLE: Aboriginal people have to stand up and be counted.

CHAIR: People are not getting training to go to gaol for smoking yarni, are they?

JOYCE POOLE: No, I do not think so.

CHARLIE McHUGHES: Probably for their habit, to get it so that they can afford to have their yarni.

JENNY BARKER: But yarni is the reason they are in a mess with the courts. They do not have the money to feed their habits.

CHARLIE McHUGHES: They have to do that to buy it. During the seasonal time of the year it is not so bad because people are working and they have money in their pocket.

CHAIR: You have some seasonal work?

JENNY BARKER: Yes, we see the change when the cotton picking is on.

CHARLIE McHUGHES: Because they have money in their pocket.

JENNY BARKER: And because they are doing something.

CHARLIE McHUGHES: So they are not thieving.

JOYCE POOLE: The parents are home earlier and the kids see them.

CHARLIE McHUGHES: Seasonal work makes a big difference in the community.

CHARLIE McHUGHES: But when it is finished, the same thing happens again and they go back to their drinking and the old cycle starts again.

ERNIE GORDON: Employment is our biggest problem in this community. The rural industry has just about gone. There used to be seven or eight shearing contractors in Brewarrina. There is only about one or two left. There were five or six fencing contractors in town and everybody had a job and money. You do not see that anymore.

JENNY BARKER: Bill was talking about the bail set up. The Aboriginal Land Council own land nine miles out of town, which would be the ideal place if we could get it; to get our kids out there and to have the support they need.

CHAIR: When they opened the statewide one at Inverell, they said they did not have another kids to run it.

JOYCE POOLE: They ought to come down here.

CHAIR: This was statewide. They were from throughout the whole State. We will put that down as an issue.

JENNY BARKER: It could be used even for kids who are not in trouble so that they can go out there. Have the things in place to support them.

CHARLIE McHUGHES: If you take any kids away from Brewarrina, they are as good as gold. It is when they come back to the community they are problem. They can be the nicest kids going in the place but you bring them back into the community and that is where the problem is. It is similar to the fellow who drinks a lot. If he goes away he does not wreck as much, but when he comes back into his own place, you cannot give him enough. That is how they work.

JENNY BARKER: Charlie had no support from anyone with his boy. He had to do it alone. Kids need support. They go to the court, they are given whatever they are given and they are put back out on the street with no support whatsoever. That is what we are looking for; we are looking for a place where we can send them which will have the support to nurture and look after them.

CHARLIE McHUGHES: That is the same with bail conditions. If you take them out of this place, they will be as good as gold, but when they come back—

CHAIR: Is it like gaol in its own right?

JENNY BARKER: You could say that. You know what kids are like when they are left unattended with their mates and no support.

LES DOOLE: You do not want them going to gaol.

CHARLIE McHUGHES: Our community itself is not that much help, the way our policemen talk and the way other people talk. For instance, I have heard them say, "It won't be long before you will be in gaol again". They put pressure on them such as, "How come you are not like your father. Your father never does this". He is comparing him against his father, so what is he going to do. They are putting that in his head and making him feel no good.

JENNY BARKER: I do not think we have any really serious crime with the kids. It is usually break and enter. There are no assault charges, so we are pretty lucky. The kids are not really that bad, like some places where they are carrying knives and attacking people with shovels. We do not have that. If you go and rouse on them, they will take off.

CHARLIE McHUGHES: There are not enough people to talk to them. Those people would rather feed them with drugs than improving them.

CHAIR: We will take information from this session and send it back to those of you who are been involved so that you know what we are considering in relation to our visit. We have got some solid ideas and we can see the spaces a smaller community could well have if we increase community-based sentencing. That is an important thing for us to register when we are writing our report.

CHARLIE McHUGHES: When you do give them something, do not give them something altogether because when they are in a bunch, that is when there is a problem. One will want to be the leader. When he is singled out, he will do what he is told to do.

LES DOOLE: When a young fellow first gets into trouble, why cannot we work with probation and parole or the presentencing people to do some work on that boy then, before he goes further?

CHAIR: I do not know much about the intensive sentencing that Juvenile Justice is doing, but is that not what they are doing?

BILL PALMER: Yes, it is based on the juvenile justice Drug Court in Parramatta. It is not specifically about drugs, but they have taken the concept and they have developed it in that Drug Court.

LES DOOLE: Does it happen out here? We are talking about Brewarrina.

BILL PALMER: It is about to.

CHARLIE McHUGHES: There are three ACLOs out here. I work with them.

JENNY BARKER: But it is still not on the same guidelines as the Parramatta Court because it is 24 hours a day and every fortnight they go back and sit around in a circle. It is excellent and it helps you check on the kid and lets the kid know that you care about them. That is the most important thing.

ERNIE GORDON: Mondays and Fridays is not enough.

JENNY BARKER: No, it is not. That is what I say, it is not to the extent that it should be. Maybe we can work on that. Then we need people to be able to do that, otherwise you burn one or two people out with that intense workload.

BILL PALMER: I hope with the appointment of the community justice group co-ordinator we can expand to people in the community justice group and we can take on that inquiring role.

JENNY BARKER: We need it badly.

Ms LEE RHIANNON: We really want to thank you for your ideas. We can see a real need in Brewarrina. But, as Christine has said, there are many other small towns and we will work to ensure that something comes from this. From what you have given us from Brewarrina hopefully we can make it have application elsewhere. There are only three of us here but we will work hard to do that.

JENNY BARKER: The main thing is that when we do put in things we get the support for the recommendations we put up here. Is that a possibility, can that be taken a step further? We are going for that bail thing out at the mission. We are going to try to get that in.

CHAIR: Okay, thank you very much.

(The public forum concluded at 3:15 p.m.)