

JUSTICE AND CORRECTIVE SERVICES

High growth in adult and children's prison population is increasing pressure on the justice system, particularly in recidivism with 58.2% of children returning to prison within two years of initial release. Western Australia's rate of detention for young people is one of the highest in Australia. Effective through-care and re-integrations is clearly an issue with only 57.1% successfully complete community corrections orders. This continues to place increased pressure on the custodial estate's existing assets and infrastructure, and requires increased expenditure without reducing the likelihood of crime.

The rising prison population is also reflected in increased pressure of the judiciary system, with a backlog of cases awaiting trial approaching 9 and 10 months wait times. Many of those awaiting trial are held on remand, which further contributes to the increasing prison population and demands on infrastructure. The gov. has responded by introducing 2 new magistrates and reforming court jurisdictions, however no increases to legal aid funding, and the lack of law reforms that could promote diversion (such as the alcohol interlocks service and fine defaulting) mean the pressure on the system will likely continue to increase.

This budget shows a promising commitment to contribute to youth intervention programs to divert young people from the criminal justice system, and AOD rehabilitation in prisons; however there needs to be a significantly increased focus on law reform and prevention, reintegration and through-care throughout the system to address the underlying causes of offending and recidivism.

The projected decreases in government expenditure in the areas of justice will not eventuate without a holistic government commitment to justice reinvestment and law reform.

Youth Justice

Target 120

- Target 120 is an election commitment to a coordinated and assertive early intervention program designed to work with high risk juvenile offenders to change their offending behaviours, and make communities safer through the provision of coordinated and timely access to services for 300 young people and their families. A targeted, multi-agency support program, focuses include: substance abuse, housing, FDV, trauma, mental health, schooling.
- To be informed by a data-driven Social Investment Approach, which uses linked government datasets to identify risk factors associated with juvenile crime and evaluate the initiative's impact on social and economic outcomes over time.
- \$20.5 million will be spent over 2018-19 to 2021-22 on the 4 year program. \$2m 18/19 then 3.8, 6.6, 8.1 21/22 (p118). Beginning October 2018, Bunbury first trial site.

Regional Youth Justice Services: East Kimberley And Pilbara

- \$21.5 million (\$5,289, 000 this year) to be spent to 2021-22 to continue the delivery of regional youth justice services in the Kimberley and Pilbara.
- The Regional Youth Justice Services (RYJS) diverts young people from the criminal justice system and support them and their families to make positive choices. Includes prevention and diversion programs supervision of young people on community based orders, and enhanced access to bail and counselling

- The RYJS operates in Geraldton and Kalgoorlie and was expanded to the West Kimberley, East Kimberley and the Pilbara regions utilising Royalties for Regions funding in 2010-11.

OICS

- Budget reflects Banksia Hill Inquiry following increased disturbances and allegations of abuse at Centre.

Judiciary & Policing

Judicial Resources

- \$4.2 million for two additional Magistrates and support staff over 2018-19 to 2021-22 to address current and emerging demand pressures in the Magistrates Court.
- Wait times for trials continue (between 25 and 48 weeks across the four courts), which leaves many individuals in prison on remand, contributing to a population increase .
- \$2,035,000 for an Enhanced Fines Enforcement Team.

Legal Aid

- \$3,203,000 committed Legal Aid, despite actual spend of \$3,761,000 last year
- Unprecedented demand for legal aid assistance continues to place pressure on the court-based services provided by Legal Aid Western Australia, particularly for legal aid grants.
- \$1.3 million for computer hardware and software replacement program through AIP.

Community Legal Centres

- Not reflected in budget, but State Government has approved a \$2 million funding rescue package from the Criminal Property Confiscation Grants Fund to ensure Community Legal Centres continue to provide important legal services across WA.

Law Reform

- Agenda to focus on victims of crime;
 - introduce offences against the non-consensual distribution of intimate images,
 - introduction of a High Risk Offenders Board
 - finalisation of the ALRC recommendations in regards to family violence.
 - Reviewing the Victims of Crime Act 1994
- Reforms to the Courts' jurisdictional boundaries in criminal matters for Supreme, District and Magistrates Courts progressing.
- Department developing initiatives to increase the cost-effectiveness of the criminal justice system by diverting low level offenders away from formal prosecution, reducing court delays and adjournments that lead to avoidable remand, increasing access to rehabilitation services in the community, and strengthening post-release offender management.

Data

- Establishing a Western Australian Crime Statistics and Research Office to provide independent, evidence-based research on crime and justice. Will collaborate with universities, and release a publically-available sentencing database.

Policing

- 57.3 million mainly on police assets; Helicopter Replacement, Armadale Courthouse and Police Complex Development (Completion 2021/22), Drug and Alcohol Bus, Air Conditioning replacement in remote and regional police complexes.
- Election Commitment (EC): \$911,000 for Meth Border Force

Overrepresentation of Aboriginal People in The Justice System

The State Budget states that specific projects are being developed to address:

- Aboriginal persons are in custody due to driver's licence offences or unpaid fines.
- It is noted that these projects were listed in the previous budget, but are yet to be realised, and today a working mother and cousin of Ms Dhu was given no option but prison, despite offering to repay fines.
- The Federal Budgets commitment to deduct fines from welfare payments will further impoverish an already vulnerable group, in WA Aboriginal women are overrepresented.

The WA Council of Social Service maintains that it is not possible to significantly address the overrepresentation of Aboriginal people in the justice system without repealing mandatory sentencing legislation.

Prisons

- Recurrent expenditure grows to \$5.8 million to 2021-22 as a result of adult prisoner growth
- \$260 million per annum on court and tribunal administration in the regions, and operation of the State's eight regional prisons, work camps, and community corrections.
- \$94.6 million is budgeted to be spent on asset investment in 2018-19, including:
 - \$4.1 million upgrade facilities and custodial capacity includes: \$1.4 million to upgrade security and conditions at Broome Regional Prison, and \$2.7 million to provide 212 beds and infrastructure across six facilities in the male custodial estate;
 - Additional 160 beds at Bunbury Regional Prison.
 - Infrastructure projects in progress at Casuarina, Bunbury, Broome, Hakea Prisons to meet expected medium-term demand.

ALCOHOL AND OTHER DRUG (See Mental Health, AOD FACT Sheet For More Information)

- Election commitment: \$5.4 million to establish a female AOD rehabilitation prison at the Wandoo Facility
- \$48 million, as part of the \$96.3 million project to construct four accommodation units (512 beds) at Casuarina Prison. The expansion will facilitate a male AOD facility. (EC)
- \$1,429 Million on Alcohol Interlocks Assessment and Treatment Service. Note that this is post-conviction, considering pressure on judiciary this program could be diversionary.