



Stories from the Inside

presented by:



SOCIAL REINVESTMENT WA
Healthy Families | Smart Justice | Safe Communities

Stories of struggle, of resilience and of healing
from ten Western Australians whose lives have been
touched by the justice system

Presented by:



Coalition members



Introduction

Dear Reader,

Thank you for taking the time to reflect upon the life experiences of real people involved in the justice system in WA. As a community, Western Australia sits at a crossroads. A choice needs to be made between spending more money on prisons and punitive justice or a new path. At Social Reinvestment WA we advocate for a fresh approach to dealing with offending, one which prioritises evidence based policy, and place-based community-led decision making. If we can address the underlying causes of offending before people are incarcerated, we can not only build safer communities but provide support to those who need it most, and generates significant cost benefits by reducing crime and the prison population.

We need to face up to the fact that so-called “tough-on-crime” approaches have not made our communities safer. Instead these reactive policies have only served to further marginalise some of the most vulnerable members of our community. WA has the highest level of over-representation of Aboriginal and Torres Strait Islander people in custody in the nation. Despite representing just 3% of the population Aboriginal and Torres Strait Islander people make up 78% of the kids, over half the women, and approximately 40% of men we send to prison (Social Reinvestment WA n.d.).

This book contains the stories of 10 Western Australians whose lives have been touched by the justice system. They are mothers and fathers, sons and daughters, aunts and uncles. Some are Aboriginal and Torres Strait Islander, some are not. We urge you to read and learn from their stories of struggle, of resilience, and of healing. The issues these individuals have faced are complex and multifaceted but, at their core, these stories show that the way that we currently approach justice is not working.

At SRWA, we advocate for WA to implement policies that are responsive, rather than reactive. Solutions that make social and economic sense, and create a more effective and connected approach to justice by prioritising healthy families, implementing smart justice and creating safe communities for all Western Australians.

Daniel Morrison and Glenda Kickett
Co-chairs, Social Reinvestment WA

If you would like to read more about SRWA you can visit our website:
www.socialreinvestmentwa.org.au

In addition, you can hear more from some of these storytellers in our “Stories from the Inside” podcasts available on iTunes.



Teresa's Story

Theresa is a young Noongar mother whose life has been significantly impacted by her mother's substance abuse and incarceration.

I could write a book about my family, of prison. It starts back in Fremantle prison, that's how long ago. All of my family. My family got involved with stealing mostly to support their habits. Also with just living and supporting the family. It's a survival thing. When you don't have a job and you're getting paid from Centrelink, it's really hard.

Some of my family members that have been to prison are my mother - she goes in and out of prison. Also my oldest brother, even my second oldest brother, my sister and my twin brother as well. Prison is normal to me, even though I haven't been in myself. But going into visit my family, I can remember the look of the prisons, that's how much times I've been in to visit a family member.

My mother's been into prison for burglaries, stolen motor vehicle and aggravated armed robbery. She has a huge problem with methamphetamines which I think, when she was out, destroyed her life. I started taking drugs when my mum went to prison. I guess growing up as a teenager, having someone you look up to as a role model being away is hard.

My mum has 9 kids. Raising 12 siblings, kids, looking after them, it's crazy most of the time. But I guess we

only have each other at the end of the day, and with our parents being in prison, we only have each other. Most of the reason people end up in prison is the way that they grew up, the families that they come from and the support they would have had.

When mum left prison she's never got help on the outside. When you go to prison you might be able to do qualifications and help but when you leave prison how are you supposed to get help when they're just leaving you out in the real world and you're not used to that world. All they do is, when she gets out on parole, she'll just have to go and do urinalysis, that's the closest I've seen her go to the government or the justice system. Not a support person, nothing. They just let you walk out those doors and you're all alone now, there you go, try and figure it out.

I spoke to my mum the other day and she's doing more courses now, she said there's people from Wungening that's gonna help her. And this is the thing that I like, that she actually asked them for help for when she does get out. I hope these people do help her. They said that they're gonna be able to support her when she gets out. So if she gets out on parole, she goes to an outcare house, she's gonna have a worker that's gonna be working with her. I hope that is what they say it is, that's gonna help her so much and help my family as well.

All these years she's been in and out of prison and there was no help but finally there is a little bit of hope,

a light at the end of the tunnel. Hopefully that works, if not, I don't know what time mum will have left to deal with that stuff.

Social Reinvestment WA believes that Aboriginal-controlled services are crucial to addressing Aboriginal and Torres Strait Islander substance abuse issues and offending. Prisoners returning to the community

need to be supported by culturally appropriate programs if the cycle of offending is to be broken. Whilst the Department of Corrective Services has made promising changes in the area of youth justice, long-term commitment to funding and supporting Aboriginal and Torres Strait Islander-controlled services is needed in both youth and adult contexts.

Aaron's Story

Aaron had been in and out of prison for 20 years prior to his involvement with the Aboriginal-led Fairbridge Binjareb project. Through the program he was able to attain employment in the resources sector and break the cycle of offending.

I never ever worked before, I've always just lived a life getting into trouble with the law and then ending up back in the system. I wanted a future like this here, but there's just so many different things that were going to be in my way and then you're going to end up back in prison. So what can help me not to return back to prison? I found that in Fairbridge.

I wanted to turn my life around, but I didn't know how. Then I saw that Fairbridge could be an opportunity for me. They don't treat you like a prisoner out there. That's a big thing in itself. They pretty much tell you, once you start working, when you go into the industry and start working, this is pretty much how it's going to be - and it is.

Learning about your culture, learning about your spirit and fire. Lighting the fire within yourself to be successful. It was there, but the program helped me tap into it. It's about building my life now. Now I can support my family, support my kids, I've got granddaughters, support my granddaughters. It's good just to have money and that to do things. Not money



that you've earned the wrong way, money you've earned a good way.

The Fairbridge Bindjareb is an example of a successful Aboriginal-led Social Reinvestment project. It provides Aboriginal and Torres Strait Islander people with mining industry training and employment opportunities (Fairbridge Binjareb Project 2015). It has had significant impacts on recidivism rates and is estimated to have saved the Western Australian government approximately \$2.9 million in its first 5 intakes (Deloitte Access Economics 2016).

The cycle of incarceration and poverty can be broken through supporting Aboriginal and Torres Strait Islander-led, culturally appropriate programs which focus on addressing the underlying social issues that lead to people being incarcerated.

SRWA calls upon the WA Government to ensure any strategy to reduce Aboriginal and Torres Strait Islander incarceration (as announced by the Premiers Priorities) is designed and run by and with the Aboriginal and Torres Strait Islander community through a true co-design process, self-determination in action. A strategy developed by Aboriginal and Torres Strait Islander people should lead bi-partisan support.

Call to Action





2. Renna's Story

Renna is an Aboriginal mother with lifelong substance abuse issues stemming from a traumatic childhood. She was sent to prison for traffic related offences and resisting arrest following the death of her partner and the subsequent loss of her house and removal of her children.

When my partner passed I lost my house because I just wasn't able to comprehend what day it was because of the trauma. When I lost the house it was only a matter of weeks before DCP allowed his sister, who was very angry at me, to take my youngest daughter out of my care.

About two months later I was driving around in Denmark. I think it was a Sunday night and these two police in an unmarked car pulled me over. They asked me for my license. Because you no longer have rego stickers on the windscreen I had nothing staring me in the face saying your car's not registered. What I also didn't realise was that I hadn't put the transfer papers in either so it was still registered to a man who was imprisoned at the time for murdering somebody.

My brain just went "fuck these guys are going to throw me in the back of that car and kill me". I was in what you would deem psychosis. So I put my foot on the accelerator took off and the door swung and it just missed the cop that was standing next to

the car. I pulled around the corner and realized "shit I need to pull over, what am I doing?" So I pulled over and the cops had caught up with me and obviously the adrenaline was pumping because they just came to my door dragged me out onto the pavement and were holding my arms behind my back. I was screaming at them "you're scaring me, you are fucking scaring me".

They took me to Albany regional which is a male prison and I was kept there for a week.

"I'm telling you, 70 to 80 percent of the women in Bandyup are Indigenous. It was really heartbreaking..."

When it came up to court they refused to give me remand because I had no address which meant that they moved me up to Bandyup. I'm telling you 70 to 80 percent of the women in Bandyup are Indigenous. In jail I realised that for some women it's actually an escape, they get three meals a day, they're housed, they're fairly secure, but they're also not getting flogged by their man. It was really heartbreaking that that there is such a huge population of Indigenous women and overcrowded you know, I'm in a tiny little disgusting cell.

I walked out of that jail with a pair of boots that weren't mine, no socks, no bra. That's what I had left of my life because when they had arrested me they'd also towed my van which had every last precious thing that I could keep safe, they towed it and they crushed it. I've had lots of times in my life where new traumas and old traumas have compounded to put me in a suicidal state, but nothing like this.

I spent six months in rehab at Serenity Lodge in Rockingham, and the first three months I literally couldn't speak. I was that traumatised and that just over life really. After six months of being at Serenity I was able to be transferred up to Cyrenian house and when I moved the sister-in-law allowed Charlie to come back and the courts were happy with that. Rehab wasn't all bad, it learnt me a lot of things that in 38 years I'd never been able to learn about boundaries, about self-care, about gratitude. From the day I got Charlie back... the gratitude.

Charlie who is now 10, she'll tell you that what hurt her more than watching me go through the grief after losing her dad was being separated from me. I know that my life depends upon having my daughter with me. When you're a mother and you're not able to have contact with your babies life is meaningless.

In my experience and listening to my peers quite often people who have been the victims of lots of different things end up being considered the perpetrators or the criminals because there's so much you can take before you kick back, or before your mind breaks and you do something that is completely out of character, completely not you. And we do have an ice epidemic but it's also fuelled by the fact that people keep isolating people because they're criminals or they're not behaving in the right way. The first step in helping

people to heal is hearing them, hearing their stories and validating their experiences and saying actually not only is your voice important but so is your input into building systems that work better for you.

Family violence is a significant factors contributing the disproportionate incarceration of Aboriginal and Torres Strait Islander women. Research has shown that up to 90% of Aboriginal and Torres Strait Islander women incarcerated in WA are survivors of family or other violence (Australian Law Reform Commission 2018).

Provision of adequate housing for vulnerable people, and the establishment and support of properly-funded Aboriginal-led programs which address family violence in culturally appropriate ways is essential to protecting members of our community. These services would help prevent women like Renna from being incarcerated as a result of their exposure to family violence.





Lucas' Story

Lucas' story come to us from youth support service Whitelion, which helped him escape from the involvement with drugs and crime which had characterised his teen years.

My childhood and teen years were very complicated, rough, some would say unpredictable and dangerous, but I was always a person who loved and invested in a family, which helped me make the right turn.

Drugs were always a part of my life. My mother went to jail when I was only 11 for a lengthy sentence on drug charges which really affected our relationship. My dad on the other hand was unable to look after my siblings and me, due to a mental disability caused by his drug use. My eldest brother, who did look after me for a couple of years and cared for me, passed away when I was 13. My brother's passing triggered everything that went wrong in my life because I felt alone. From the age of 13 I was bed surfing, started engaging in crime and had a first VRO against my name. I disengaged from school by the time I reached Year 8 and continued with the "street life".

Met my partner when I was 15 and within few months of dating we were expecting our first baby. The relationship that I had with my partner was very unsteady however her determination and commitment to keeping a family unit was stronger than anything. This led to the birth of my second daughter only couple of years later. I always wanted to have a family as I never had one growing up but my troubled past and drug life somehow always managed to get in the way. At the age of 18 I was in Hakea Remand Centre and I promised myself that I would

never be behind bars ever again. I did manage to keep my promise, not because I got my act together but I guess I was just very lucky.

Whitelion (Dungeon Youth Centre) was always home, somewhere I could go for help, somewhere I felt protected and safe as a child. The centre was a place that had responsible adults that I could depend on and trust, which I did not have access to in my life at that time. The staff were extremely understanding and empathetic of the way I lived my life. However, at the same time they were always trying to support and encourage a positive change, which eventually happened. Welfare started interfering with my family and I was not going to let anyone or anything take them away from me, so I changed. I changed everything; my lifestyle, my habits and my environment.

If I could go back in time, I wish I made better choices for myself, which would have made me a better partner and a better father. I am just glad that my love for my children was stronger than the bond I had with my previous life. Now, I am employed, my partner and I have managed to keep our family together and we are expecting our third child.

Retention in school is critical to preventing involvement in the criminal justice system. Lucas' encounters with the justice system flow directly from his disengagement from the education.

As part of our commitment to healthy families as a central pillar of justice reinvestment, SRWA advocates for effective programs to keep Aboriginal and Torres Strait Islander students engaged in the school system.

Allan's Story

Allan became involved with the justice system as a teenager. Through engagement with rehabilitation and employment programs he has been able to break the cycle of offending and avoid incarceration.

My name is Allan. I grew up mainly in the Koondoola and Nollamara areas of Perth. It was a bit of a rough area but I had the support of my Mother and older brothers as Dad had left us before I was 6 months old. My brothers basically brought me up as Mum was either always at work trying to make ends meet or out and about drinking and smoking dope with her friends. I don't know if it was Mum's influence or not, but I too began smoking cigarettes and dope from the age of 7 years and it just seemed like a fun and normal thing to do with my mates.

I left school during Year 8 as I'd had enough with constantly getting picked on by teachers who would always point out when I was late or looking different. My smoking had increased, and this was also a worry for the school who didn't really want to help and didn't really want me around. After I left school I began drinking alcohol to fill the void during the day but also to fit in with the crew who I was hanging with at the time. Thieving became a common pastime as I tried to sustain my drug habits by breaking into cars and houses looking for money. My addictions led to my criminal behaviour - or perhaps more correctly, my life's emptiness and lack of structure led to my drug use and addiction which then led to my offending.

My first contact with the police and the Juvenile Justice Team was after stealing a motor vehicle. While at Juvenile Justice I was referred to Whitelion where I met the staff. I first came to Whitelion aged 14 years. I was constantly smoking dope and had now started using methamphetamines. I only smoked meth for a while but a friend then introduced me to injecting and meth then became a 3-year problem for me where I had health troubles, conflict with friends and family, and very difficult relationships.

My offending had definitely increased to support my meth addiction but I couldn't see any way out. Most of my offending related to motor vehicle theft and burglaries and it was done in despair as I tried to finance my habits. I did end up in youth detention for a short period and whilst the experience at Banksia Hill Detention Centre was eye opening, I also find some positives in the fact that I was forced to dry out for a while, had access to safe accommodation and had regular meals which was a luxury for me.

Whitelion was however able to support me with the beginnings of change and supported me to attend drug counselling and explore rehabilitation options. Whitelion had programs where I felt comfortable and supported and this helped me stay off the drink and drugs more than anything. I did attend an automotive training program and this really helped my confidence knowing that I had skills and abilities in these areas and made me want to do more.

In the following year I decided to clean up my act and come off the meth. Whitelion supported me within their literacy tutoring program. I struggled with reading and spelling as I never attended much school, but I was surprised that my spelling and reading improved quite quickly and I was pretty stoked at my results. I managed to read a whole novel and even started to read in my spare time. I knew it was time to knuckle down and get my act together because I needed to start looking for longer term work and Whitelion offered me and a few other young fellas an opportunity within their Indigenous Employment Program to work out at Cullacabardee. Some of the jobs included collecting bricks and other project materials, running errands in the van, laying brick paving, landscaping and building outside structures such as pergolas. I was surprised that I was good at brick paving and actually enjoyed doing manual work. I enjoyed it while it lasted and as a bonus I got paid for it too.

At the moment in 2019 I am living with my partner and young family. She has 3 kids and there's always something to do but I love it. It's a struggle as Centrelink doesn't offer any support and I know we often just scrape by week by week. I'm still looking for longer term employment and have opportunities ahead around mechanics or emergency services which look positive. I still drift into Whitelion in Balga and it's good to know that if I need support in the future I can always count on the staff at Whitelion.

The effective provision of rehabilitative and support programs is essential to keeping young people out of prison. Through Whitelion Allan was able to access programs which not only helped him treat his drug issues but also provided skills and education essential for stabilising his life and helping him break the cycle of poverty, addiction and crime.

We must invest in preventative programs which address the underlying issues driving offending, rather than deploying punitive measures against vulnerable people.

Josh's Story

Josh is a young Aboriginal man with a history of alcohol and marijuana abuse issues. He is a survivor of childhood abuse with a long history of engagement with the DCP and the justice system. After spending time in prison for assault, he has resolved to turn his life around and be a better father to his daughter.

I've got a two year old daughter. I live by myself. I've been to jail. I was a DCP kid. I got bashed as a kid, teased as a kid, I don't know my parents. My mom has a disability so she didn't look after me that well. She dropped me off and left and my dad left when I was like two. They gave custody to my grandparents.

"I've got a two year old daughter. I live by myself. I've been to jail. I was a DCP kid. I got bashed as a kid, teased as a kid, I don't know my parents..."

I was getting bashed my grandad, picked me up by my throat and just belt me against the wall, my grandma was pretty abusive too. I ended up in DCP care when I was 14. They didn't look after me because I was a troubled kid, getting kicked out of like every single youth hostel you can think of, trying to fight youth workers and yeah things like that.

I just started drinking a lot I guess because my grandad was a beer drinker and he was always abusive. For me it's about forgetting things, like the emotion that I've been through, the physical pain. I just don't really feel anything when I'm drunk.

I started getting into trouble when I was 18 so that I think like 2011. I got done for assault and possession of a weapon and then they got me again for another assault. That's when I first started getting onto bail conditions and stuff like that. I got Community Service a few times, I got locked up in Hakea on and off, some for a few days, some for a few weeks, two months which was longest.

I was smoking and drinking a lot then, smoking marijuana. I finally got done for another assault on my daughter's mom unfortunately. That's when they put me into Acacia prison for seven months.

In Acacia it's about how long you have to wait for because of how many prisoners there are. If you want to get alcohol and drugs counselling you have to wait

for so long. That's not cool at all. How are people going to go up for parole or how are they going to show that they're changing if they can't get into these support programs? How are they going to even stay out? If they don't learn this stuff in jail, how are they going to learn it on the outside?

You get out and maybe a year or a few months into it to being out you look at it and it's like you got a criminal record, who's going to hire you. Things like that getting your motivation down and just making you a little bit depressed and then you start getting back on the drinks, on the drugs and then you're back in jail.

I'm not a perfect dad. I'm pretty terrible, I need help around that area because I don't have a clue what I'm doing, I'm only 24. When I get a job I want to save up money for when she's 18 so she's at least got a head start. I just want her to know that the world's not bad, like not everyone hates you. I'll try and show her I love her.

I'm not a bad kid. I've just had bad things happen to me and made a few bad choices. I know the world's not the best place but I believe that all bad people can change if they choose to.

A 2008 report found that more than 80% of accused appearing before courts in WA had substance abuse issues (Mental Health Commission 2017), and prison facilities are inadequate for this demand. Whilst recently opened specialised drug treatment facilities at Casuarina prison and Wandoo Rehabilitation Prison are an improvement, these programs do not come close to addressing the needs of WA's prison populations. In 2018, The Minister for Corrections admitted that the number of requested transfers to Wandoo had already been more than double the available beds ("First WA women's drug rehab prison opens in Perth's south", 2018).

Social Reinvestment WA supports the provision of adequate substance abuse treatment not only within the prison system, but also in the community so that vulnerable people such as Josh are able to access drug and alcohol services before these issues contribute to their offending.

Desmond's Story

Desmond has been on and off the streets for the last 16 years, and his whole life has been punctuated by stays in prison. Desmond's offending stems from the poverty he experienced growing up in Port Headland, where job opportunities were limited. Desmond has marijuana abuse issues and suffers from schizophrenia. Poverty, addiction, mental illness and homelessness all contribute to a Desmond's cycle of incarceration.

I have received unfriendly treatment by the police, although the Magistrates and Judges are pretty fair in dealing with cases. Police and shopping centre security are the worst really - they'll follow you from the second you enter a shop, simply because you are Aboriginal, and make you feel guilty just for being there.

Time goes by so slow in prison compared to the outside, where that time has gone by so quickly. Prison is not good for your mental health, your life becomes stagnant.

Even though I passed year 12 there is no straight way into getting a job as I had no job networks,

no paper trail and no ID. Even getting a phone you need 100 points of ID, and not having that I'm often unable to get one when I lose my old one. Then I can't contact anyone.

I have been on pension for 7 years now, due to my mental health. I have changed my life as in my 20s I accepted going to jail as part of my life. But now I want to work to pay back in a small way, to do something worthwhile. We don't choose this path, it's just what happens to you.

In 2016 Registry Week interviewees 73.8% of homeless Aboriginal and Torres Strait Islander interviewees, primarily concentrated in metropolitan Perth, reported having been incarcerated at some point in their lives. More generally, 31% of prisoners nationwide expect to experience homelessness upon release, leading to "a revolving door between prison and the street" (Kaleveld, L et al. 2018).

Better services for homeless and mentally ill Australians are required to halt the destructive cycle experienced by people like Desmond.





Arron's Story

Arron is a young Aboriginal man who was abused in the foster care system, which contributed to his struggles with addiction and crime as a teenager. However, his life was changed by his experiences of fatherhood and through gaining stable employment via Whitelion.

Me and my brother grew up in the foster homes. So yeah I was taken away from my mum when I was 8 months old. We were in fosters homes til 2001. We used to get visitations with our mum on weekends, but I never knew my dad. My mum, she was in domestic violence relationships and was abusing drugs and alcohol.

Growing up in foster homes was tough. Me and my brother, we were abused by our foster parents. We used to get bashed and abused by them. Me and my brother, when were at school at Guilford Grammar, we ran away after school, ran to DCP. And we told them that they were hurting us and that we didn't want to be there, and they didn't believe us. They placed us straight back. We copped a hiding and that for running away, got told no-one would believe us.

I started to take drugs around the age of 13. It's just my escape from reality. I felt like nothing mattered when I was under the influence. It's my way to get away. I was living back at my mum's, well really it was just me and my brother at the house



cause my mum was out with her partner doing drugs so it was mainly just us there and we'd only see our mum when it was our Centrelink payment, she'd come, collect rent, not put it on food she'd just collect money and take off back to her partner's. So that's when me and my brother we had to start stealing money and that as well so we could eat as well, cause we'd have to give our rent money to mum.

When I went into Juvenile I was still under the influence of ecstasy so they just had me in the holding cell area and the just had the nurse coming in and checking on me every few hours and that. They tried to get me to go to drug and alcohol counselling and that when I got out and was put on an ISI order but as I said I don't really like talking to counsellors and stuff like that. I broke it cause I didn't go to counselling.

The birth of my two daughters helped get my life back on track. Naomi and Aleisha, I love them. I want to be there with my kids, give them a fun, happy childhood. Play games with them, take them to the park, to the movies. Spend family time with them. Not the childhood that I experienced.

I would have loved DCP to have actually believe me and my brother. That was the biggest thing, was if they had have believed us, and actually listened to us, you know? They would have been able to take us out of that situation. Because of that, me and my brother don't talk anymore, he refuses to talk to me.

Arron's path to incarceration had its roots in the abuse he and his brother suffered in the foster care system. In 2017, 54.3% of children in out of home care were Aboriginal or Torres Strait Islander (Department of Communities 2017).

SRWA advocates for culturally appropriate support for families in favour of removals, and in the case that removal might be deemed necessary, the preferential placement of at-risk young people with family members. The government and service providers need to listen to Aboriginal and Torres Strait Islander communities and engage them in building strong, healthy families. In this way we as a state can work together to reduce alienation, addiction and incarceration.

SRWA calls for a commitment to resolving these underlying issues by the WA government through investing in building healthy families and safe communities instead of new prisons by:

- Supporting and investing in community designed Justice Reinvestment initiatives and sites.
- Committing to invest \$190 million of the next state budget (the same amount spent on Casuarina expansions) to early intervention and prevention measures, above and beyond existing budgetary commitments.

Call to Action





3. Verna's Story

Verna is an Aboriginal woman who, like many of her peers, first came into contact with the justice system through driving offences.

I'm Verna Rose Anderson. I'm 27, I have one child of my own, I look after three of my second oldest brother's kids, two of my eldest brother's kids and one of my brothers.

I'm the second oldest and my mom's got nine kids. Out of nine kids, only four of us are out, the rest are all in jail. We grew up with our Nan because our Mum was in and out of jail most of our lives. So our Nan read us up and I think just she passed the tradition down to me! I helped her out a lot. So yeah when she left us, I had to stand up and take over.

My Nan basically showed me everything that I know to this day. She was a very strong old lady. She didn't drink. She did no drugs. Didn't even smoke. I remember the love she showed us, and to fight for who we are and not let anyone stand over us or put us down.

I've been involved with the justice system since I was 15. Where we lived was in a remote area, Cullacabardee, there's no public transport, nothing at all. Mine just started off minor with driving offences, because we had to drop Nan off at the doctor or do shopping for the kids, stuff like that. I didn't have a licence at the time, and

we couldn't afford to taxi it because it's a long way. Then I ran away for a couple of months and then come back and yeah just started stealing and that's how I got involved with them.

Amongst driving offences, driving without a licence is the biggest cause for Aboriginal and Torres Strait Islander incarceration in WA. For Aboriginal and Torres Strait Islander people living in remote and regional WA the difficulty of attaining a licence is such that for people like Verna there are "no practical alternatives to driving without a licence" (The Law Society of Western Australia 2018).

I was looking after the kids and Mum just got out another time from doing time in jail and I just thought I'm gonna have fun now, Mum's out, she's got all the kids so I'm free. So I went drinking with my cousin and

For little petty offenses they can give people you know like suspended sentences or something but these days they are just chucking people straight in jail. And they already know the jails are overflowing.

Cause I went to jail for a year, I lost my licence for four years. They punished me big time, I got two and a half years, plus I went to jail while I was pregnant and my licence suspension started from when I got out of prison. They say that there is support out here to help when they get out of jail but there is nothing. You're left to fend for yourself. You got a criminal record, no-one gonna hire you.

Before my Nan died she made me promise to keep the kids, get them off my mum. I haven't given up because she would never give up. It's gonna be hard but it's worth it.

"I went to jail while I was pregnant and my licence suspension started from when I got out of prison. They say that there is support out here to help when they get out of jail but there is nothing. You're left to fend for yourself."

her boyfriend and ended up drunk behind the wheel and didn't stop for the police and ended up in a high speed chase and crashed.

Prison was bad because I went in there pregnant. Yeah I was very disappointed in myself because I'd never been to prison in my life. I'd only been to Rangeview (Remand Centre) and to go in there pregnant you know. I hated myself. Because I said to myself I'd never go there. And to be pregnant and to have my kid in there made my life miserable to be quite honest.

We need a whole-of-government commitment to early intervention in the case of at risk families such as Verna's, and interventions that are place based, and co-designed by the at risk communities they serve. The families of incarcerated parents need proper support from our welfare system in order to avoid falling into an intergenerational cycle of offending and addiction. Harsh penalties such as incarceration and licence suspension only serve to make their role as parents and carers more difficult.





Jen's Story

Jen's son, Nathan, came close to incarceration due to unpaid fines. Nathan had substance abuse issues and had let his payment plan lapse due to unemployment. Fortunately, his mothers' knowledge of the justice system helped him avoid being locked up, however, his story shows "it can happen to anyone's son or daughter".

Nathan was pretty much a goody two shoes kid, he wore very thick glasses. He was in a gifted and talented program. He played the cello and was in a youth orchestra. My husband and I divorced when Nathan was at university and he became angry that his world had been turned upside down. Drinking became a really big issue but he wasn't living with me so it was really quite difficult to do anything.

The first inkling I had that he really had major issues was when he rang me one night about five years ago and told me that he had had communication with the police and had been informed that there was a bench warrant out for him. He was really frightened and his first instinct was to run. I asked him what he thought maybe he had done wrong. The only thing he could think of was that he had owed money on fines. We had put a payment plan in but he had lost his job and as a consequence he had let the fines repayment arrangement lapse.

I didn't realise the magnitude of the money that he owed. I mean it was something like 16 000 which seems extraordinary to get in fines but because of interest it just

builds up really quickly. It started with small fines. I know he was working in a place where he had to park near his workplace because they needed the van constantly to take off to go and do jobs but there was no easy parking around so he accrued lots of fines with that. He then wasn't working for a while so then he couldn't pay any of the fines then interest was added.

"He was immediately locked up, which was a first for him, and then he was transported in a police car to the court and kept in lockup there. He talks about how the smell stays with him, old urine and vomit... overlaid by disinfectant."

My advice to him was that he needed to contact the police the next morning go there and turn himself in. He was immediately locked up, which was a first for him, and then he was transported in a police car to the court and kept in lockup there. He talks about how the smell stays with him, old urine and vomit and all of that kind of thing overlaid by disinfectant. The duty lawyer came out and saw me and that's when I became aware of how serious it was. She said that there was a chance that depending on who the judge or magistrate was that he may be sent to prison. It was shocking for me to think that this could have happened to one of my children and just I just remember thinking, God I'd do anything to stop it from happening. Sell the house, whatever. Just pay whatever and make it right.

He was well-dressed and clean and polite and utterly terrified. He got lucky. The magistrate gave my son an absolute lecture on how irresponsible he'd been and how if he didn't get his life together he would end up in prison, and that's not the life that he thought my son really should have. He got a real lecture but he was let off. He just had to put a payment plan in place and pay off the fines.

Had he not phoned me, it's possible he would have just ignored even this last sign. Had I not talked very strongly to him, he could have run and it could have been worse. He would have been picked up. He wouldn't have been seen as being co-operative and he probably would have gone inside.

It was utterly a turning point in his life I think he realized that he had a choice around what kind of life he wanted. So he was very lucky, but not all people get that lucky. It can happen to anyone's son or daughter and we don't want to criminalize our youth. Let's find a better way for them to work off the fines rather than adding interest so that it becomes overwhelming and then incarcerating them at further cost.

In the 2017 – 2018 financial year the Western Australian Department of Justice imprisoned 820 people solely to repay fines at a rate of \$250 per day (Department of Justice 2018). Fine defaulters are overwhelmingly imprisoned for less than a week. A 2016 Office of the Inspector of Custodial Services report notes that "short stays of up to a week cost around \$770 per day" (Office of the Inspector of Custodial Services 2016). SRWA advocates that the Western Australian government implement alternatives to incarceration for fine defaulters, helping them address the complex issues underlying their lapses, rather than imprisoning them at great cost. No other state in Australia currently imprisons fine defaulters.

SRWA calls to end the imprisonment of vulnerable and disadvantaged persons who belong in the community:

- **MPS can make a start on this by voting for fine default reform to end imprisonment of individuals for unpaid fines including:**

The introduction of a Work and Development Permit Scheme; Enabling options for people struggling to declare hardship and postpone repayments; Ensuring imprisonment can only be used to punish unpaid fines after appearance before a magistrate.

Call to Action



Conclusion

These stories show us that our whole approach to justice, punishment and incarceration in Western Australia is flawed. Instead of treating symptoms, we need to focus on addressing the root causes of crime and supporting the most vulnerable members of our communities.

Western Australia desperately needs Social Reinvestment strategies to make our justice system better for families, better for communities, and fairer for all Western Australians.

We are calling for an effective and connected approach to justice, one which makes economic and social sense for Western Australia. We need a smart justice strategy that responds to the underlying social issues that lead to crime, and builds healthy families and safe communities; rather than reactionary policies which do not create sustainable change.

The first steps to doing this are:

- 1. SRWA calls upon the WA Government to ensure any strategy to reduce Aboriginal and Torres Strait Islander incarceration (as announced by the Premiers Priorities) is designed and run by and with the community through a true co-design process, self-determination in action. A strategy developed by Aboriginal and Torres Strait Islander people should lead bi-partisan support.**

Examples such as the Fairbridge Bindjareb project show the value in Aboriginal and Torres Strait Islander designed programs in reducing Aboriginal and Torres Strait Islander incarceration. The principles of community consultation and social reinvestment which underpin projects like Bindjareb need to be applied to any state-wide justice reform.

- 2. Investing in healthy families and safe communities instead of new prisons by:**

- Supporting and investing in community designed Justice Reinvestment initiatives and sites.
- Committing to invest \$190 million of the next state budget (the same amount spent on Casuarina expansions) to early intervention and prevention measures above and beyond existing budgetary commitments.

The story of someone like Renna is a prime example of the ways that money spent on incarceration might be better invested in healthy families and safe communities. Had Renna – a vulnerable single mother and survivor of family violence – been provided with even a modicum of support prior to the point at which she was arrested then she could have easily been treated and supported in the community. We need to invest in our communities and families in order to reduce incarceration.

- 3. Ending the imprisonment of vulnerable and disadvantaged persons who belong in the community:**

- Supporting fine default reform including the introduction of a Work and Development Permit Scheme; Enabling options for people struggling to declare hardship and postpone repayments; Ensuring imprisonment can only be used to punish unpaid fines after appearance before a magistrate.

Incarceration should be saved for those who pose a genuine danger to the community. Locking up fine defaulters like Jen's son Nathan is a counter-productive and expensive strategy. We need more effective and constructive ways to deal with fine defaulters and those convicted of minor driving offences.



References

- Deloitte Access Economics (2016), Cost benefit analysis of the Fairbridge Bindjareb Project; Benefits of offender rehabilitation and training. Available from: www2.deloitte.com/au/en/pages/economics/articles/fairbridge-bindjareb-project-reducing-offender-recidivism.html [28/02/19]
- Department of Communities (2017), Department of Child Protection and Family Support Final Report 2016/17. Available from: www.dcp.wa.gov.au/Resources/Documents/Annual%20reports/Annual%20Report%202016%202017%20Online.pdf [07/05/2019]
- Department of Justice (2018), Annual Report 2017/18. Available from: www.department.justice.wa.gov.au/files/annual-reports/DOJ-Annual-Report-2017-2018.pdf [28/02/19]
- Fairbridge Bindjareb Project (2015), An overview of the preliminary review of program processes and outcomes.
- "First WA women's 'drug rehab prison' opens in Perth's south", WAtoday, August 6, 2018. Available from: www.watoday.com.au/national/western-australia/first-wa-women-s-drug-rehab-prison-opens-in-perth-s-south-20180806-p4zvuu.html [28/02/19].
- Kaleveld, L, Seivwright, A, Box, E, Callis, Z and Flatau, P (2018), Homelessness in Western Australia: A review of the research and statistical evidence, Government of Western Australia, Department of Communities. Available from: www.csi.edu.au/media/Homelessness_in_WA_Report_Web.pdf [28/02/19]
- Australian Law Reform Commission (2017), Pathways to Justice—An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples. Available from: www.alrc.gov.au/sites/default/files/pdfs/publications/summary_report_133_amended.pdf [07/07/2019]
- Law Society of Western Australia (2017), Issues That Contribute to the Incarceration of Aboriginal and Torres Strait Islander Women in Western Australia. Available from: www.lawsocietywa.asn.au/wp-content/uploads/2015/10/2017OCT06_LawSociety_BriefingPapers_IssuesContributeIncarceration_ATIPWA.pdf [07/05/2019]
- Mental Health Commission (2017), Western Australian Alcohol and Drug Interagency Strategy 2017-2021. Available from: www.mhc.wa.gov.au/media/2048/wa-alcohol-and-drug-interagency-strategy-2017-2021-consultation-draft-august-2017.pdf [29/02/2019]
- Office of The Inspector of Custodial Services (2016), Fine defaulters in the Western Australian prison system. Available from: www.oics.wa.gov.au/wp-content/uploads/2016/05/Fine-defaulters-Review.pdf [29/02/19]
- Social Reinvestment WA (n.d.), Social Reinvestment WA Snapshot Data. Available from: www.socialreinvestmentwa.org.au/the-issue [07/05/2019]



Stories
from the
Inside



SOCIAL REINVESTMENT WA
Healthy Families | Smart Justice | Safe Communities

T: (08) 9420 7222 E: srwa@wacoss.org.au W: www.socialreinvestmentwa.org.au