

Justice

Funding for justice initiatives in this budget have been mixed; characterised by a lack of big picture thinking and little to address the urgent crisis in youth detention. Investment in diversion services such as the In-Roads Therapeutic Program at the WA Children’s Court are highly welcome and are an opportunity to provide intensive support and interventions to change circumstances and behaviour long-term. Unfortunately, continued investment in additional policing has not been matched by programs to address community contexts. This was a missed opportunity for the WA Government to get behind initiatives such as co-investment in the Federal Justice Reinvestment Grants Program, which aims to create generational change.

A high-security detention facility to replace Unit 18 (inside maximum-security adult prison) was announced in 2023, but exists only as a business case in development. The ongoing Coronial Inquiry into the death of a teenager inside Unit 18 has begun highlighting major issues in the management of youth detention and identifying areas in need of immediate investment – particularly in workforce transformation and mental health. A joined-up approach to justice is needed to end cycles of crime and improve outcomes in the community before crime occurs. It is important to note that no additional funding has been provided for community-based legal assistance services. This is a sector experiencing high demand, and there is great need particularly in regional areas of WA.

Initiative	Reforms to Mental Impairment in the Justice System (BP3, P96, P130)
Investment	\$69.9 million over four years
Description	<p>Funding for additional demand and an uplift in services resulting from the <i>Criminal Law (Mental Impairment) Act 2023</i> which comes into effect on 1 September 2024. Key reforms include limiting terms for supervised persons who are currently on indefinite custody orders and enhanced statutory advocacy.</p> <p>Investment includes:</p> <ul style="list-style-type: none"> • \$26.1 million for mental health support services • \$20 million to accommodate expanded court services and establish the new Mental Impairment Review Tribunal • \$14.4 million to legal services on behalf of the State • \$7.9 million for additional disability justice services • \$1.4 million for ICT upgrades and accommodation.
Implications	This is welcome funding to support the reforms from the <i>Criminal Law (Mental Impairment) Act 2023</i> . These reforms were much needed in WA, with criticism from human rights, mental health, and disability advocates regarding the practice and lack of oversight in indefinite detention. It is unclear how much of the funding for mental health support services is

	being allocated to increasing the number of beds in the Franklin Centre and forensic beds, in comparison to other mental health services and supports.
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Initiative	Therapeutic Approaches in the Children’s Court (BP2, V2, P421 & BP3, P131)
Investment	\$13.3 million over two years
Description	This includes funding for two programs in the WA Children’s Court: <ul style="list-style-type: none"> • \$8.8 million for In-Roads, a diversionary program of intensive support and clinical interventions for young people who would otherwise be sentenced to youth detention. \$1.8 million has been provided for the Health Navigator Pilot. • \$5.1 million has been allocated to continue the Dandjoo Bidi-Ak Court, which provides culturally-safe court services, legal assistance and family support services for Aboriginal young people and their families involved in protection and care proceedings.
Implications	Funding for diversionary programs is highly needed in WA, and this investment provides some security for pilot programs inside the Children’s Court. With a crisis in youth detention, initiatives to provide therapeutic care and services to children and families can prevent children from entering detention.

Initiative	Support for the Overhaul of Firearms Laws (BP3, P128)
Investment	\$16.6 million over four years
Description	An overhaul of WA’s firearm laws was announced in 2023 in response to high-profile incidents involving firearms. This funding will go towards the development of a new Firearms Licensing and Registry System, as well as additional funding towards the voluntary buyback scheme.
Implications	A welcomed part of this overhaul’s proposed changes will see serious violent offenders, like family and domestic violence perpetrators, prohibited from holding or retaining a firearm licence. Significantly, these laws will be applied retroactively – meaning firearm holders who have been previously convicted of a serious offence, will have a disqualifying period imposed and could lose their firearms licence.

Initiative	Continuation of Operation Regional Shield (BP2, V2, P406)
Investment	\$23.4 million over two years
Description	Operation Regional Shield provides additional police officers as a response to youth crime and anti-social behaviour in regional WA. This funding will support between 25 and 35 additional police officers in regional area, primarily in the Kimberley region.

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Implications	Successive state budgets have increased investment into frontline policing, with no drop in community crime to correspond. Increased policing may lead only to an increase in arrests and increase the number of young people involved in our justice system. Targeted investment in community-based prevention and intervention projects such as Justice Reinvestment is needed to improve community safety in a sustainable manner by addressing the underlying socio-economic causes of crime.
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Initiative	Expansion of WA Police Community Liaison Officers (BP2, V2, P406 & BP3, P129)
Investment	\$6.2 million over four years
Description	This funding will increase the number of Community Liaison Officers by 10 FTEs across key regional and metropolitan locations. The Community Liaison Officers aim to encourage positive engagement and collaboration between police officers and local communities.
Implications	<p>This investment is linked to Closing the Gap Outcomes 10 and 11 and reduce Aboriginal overrepresentation in the justice system. While it is positive to see continued investment in this area, little details are available on this program.</p> <p>Community Liaison Officers work best when they employ genuinely local individuals and are supported by frameworks that ensure they deliver on the outcomes they are projecting. Detail is needed to understand how this project will ensure cultural safety.</p>

Initiative	Contemporary Funding Model of Aboriginal Community Connectors Program (BP3, P138)
Investment	\$3.1 million over three years (from 2025-26)
Description	The Aboriginal Community Connectors Program supports street present Aboriginal people in regional areas of WA to access services. This is an ongoing initiative and this funding will go towards implementing a contemporary funding model across the 13 service locations of the program.
Implications	This follows \$14.05 million provided to the program in the 2021-22 State Budget. This program predominantly employs Aboriginal people, which can help people get culturally safe access to supports and has a positive economic impact particularly in regional communities.

Initiative	New Young People's Directorate in Department of Justice (BP2, V2, P421)
Investment	\$2.2 million over four years
Description	Previously under a combined portfolio of Women and Young People, this funding will establish a Youth Directorate with its own Deputy Commissioner. This funding appears to provide for FTE to staff this unit.

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Implications	The decision to split the Women and Young People directorate was made in 2023, following the death in custody of Cleveland Dodd inside Unit 18 in maximum-security adult prison. Experts have called for a transformation of youth detention and a closure of Unit 18. While this may allow for a dedicated focus on young people's needs, it is important to note this budget did not contain funding to provide immediate relief to the young people in detention who are experiencing poor conditions, including high rates of self-harm attempts and suicide attempts.
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Initiative	Roebourne Regional Prison Air-Conditioning (BP2, V2, P422 & P434)
Investment	\$16.8 million to be spent in 2024-25
Description	To install air conditioning in every cell at Roebourne Prison in the Pilbara region, where temperatures have exceeded 50 degrees in the summer. Last budget allocated \$14.5 million to install air conditioning in 2023-24, however installation has not commenced and is expected in the 2024-25 financial year.
Implications	We are disappointed to note the installation of air conditioning was not completed in the last financial year, meaning prisoners may have to experience another hot season without climate control. Completion is sorely needed to ensure the safety and health of prisoners inside. High maximums in the Pilbara region and prison overcrowding risk a potential death in custody. However, we note the funding allocated to this is slightly higher than previously budgeted.

Initiative	Police and Community Youth Centres SafeSPACE Programs (BP2, V2, P406)
Investment	\$2.3 million in 2024-25
Description	SafeSPACE is a diversionary program for children and young people at-risk of contact with the justice system, operating outside school hours.
Implications	Investment in diversionary programs is positive, however WA needs a considered approach to ensuring diversion programs are available in each community – and when and where they are most needed. Diversion programs also need to be accessible to diverse young people, including ensuring options are culturally appropriate. More detail is needed on how this additional funding will be used and it is uncertain if this will scale-up the program to expand its reach or improve its operations.

Initiative	Casuarina Prison Alcohol and Other Drug (AOD) Unit (BP2, V2, P421)
Investment	\$6.95 million in 2024-25
Description	An election commitment under the Methamphetamine Action Plan. This investment is to support the treatment and rehabilitation of male

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	offenders at Casuarina Prison through the Alcohol and other Drug program.
Implications	Funding for this unit was allocated in last year's budget to be spent in 2023-24, and we note with disappointment this does not appear to have been spent. However, an additional \$972,000 has been allocated to this important service.

Initiative	Disability Advocacy and Referral Diversion for Young People (BP2, V2, P31 & BP3, P127)
Investment	\$870,000 for two years.
Description	This is part of an ongoing initiative which provide advocacy and case management support to young people under the age of 25 in the courts system, delivered by Legal Aid.
Implications	It is unclear what this additional funding will achieve; however, additional advocacy support for people with a disability in the justice system is a positive, as are diversionary programs that can provide appropriate support outside of the justice system and avoid entrenching systemic harm.