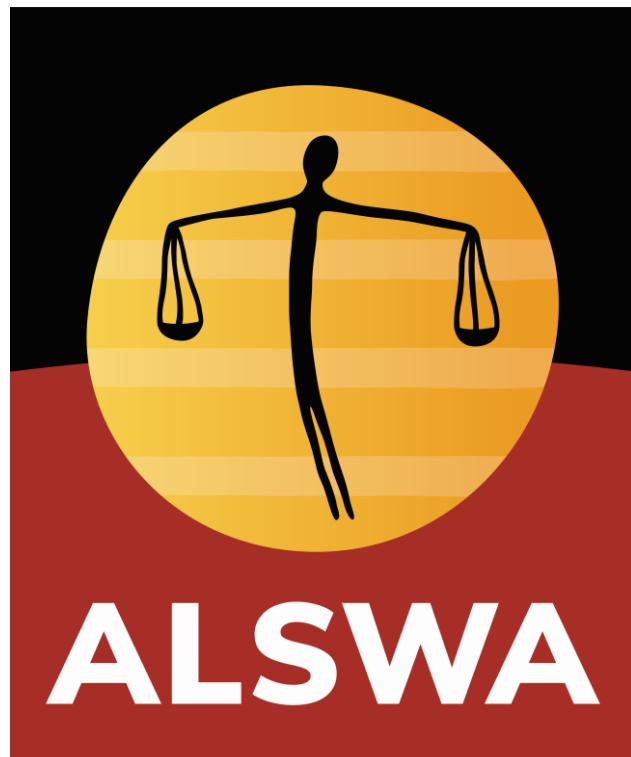


## Aboriginal Legal Service of Western Australia Limited



## Australia's Youth Justice and Incarceration System

*Submission*  
19 December 2025

*The Aboriginal Legal Service of Western Australia Limited acknowledges the Traditional Custodians of the land on which we all live and work, and pay our respects to their Elders past, present and emerging. We acknowledge and respect the continuing culture and contributions that our First Nations Peoples make to the life of this state and country.*

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## 1. EXECUTIVE SUMMARY

The Aboriginal Legal Service of Western Australia Limited ('ALSWA') is grateful for the opportunity to provide a further submission to the Inquiry into Australia's youth justice and incarceration system ('the Inquiry').

In Western Australia, Aboriginal and Torres Strait Islander<sup>1</sup> young people continue to be grossly overpoliced,<sup>2</sup> less likely to be diverted from the justice system than non-Indigenous youth,<sup>3</sup> and overrepresented in youth detention populations.<sup>4</sup> Available statistics indicate that the majority of charges in the Children's Court of Western Australia are brought against Aboriginal young people,<sup>5</sup> many of whom have complex neurodevelopmental and social vulnerabilities.<sup>6</sup>

While some progress has recently been made towards improving conditions for young people in detention, this progress is fragile and significant work remains to be done.<sup>7</sup> ALSWA reiterates the concern expressed in our previous submission that, historically, conditions in youth detention have gone through periods of relative stability before deteriorating again.<sup>8</sup>

Notably, earlier this year, the Western Australian Government indicated that Unit 18—which has continuously<sup>9</sup> housed a number of the State's most vulnerable young people since July 2022—is likely to remain open for at least another three years.<sup>10</sup> Concerningly, despite a recent coronial finding that Unit 18 should be closed as a matter of urgency,<sup>11</sup> this stance remains unchanged at the time of writing.<sup>12</sup>

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<sup>1</sup> Throughout this document, ALSWA uses 'Aboriginal' to refer to Aboriginal and/or Torres Strait Islander people.

<sup>2</sup> Custody Notification Service ('CNS') performance reports (unpublished) indicate that, during the 2024-25 financial year, Aboriginal young people were arrested or apprehended by the Western Australia Police Force ('WA Police') and taken to a police station on 6,649 occasions. This represents an increase in police contact compared to the 2023-24 financial year period (6,448 occasions).

<sup>3</sup> Australian Productivity Commission, *Report on Government Services 2025: Justice Part C* (Report, 4 February 2025) 26 [Table 6.2].

<sup>4</sup> As a June 2025 the rate ratio for Aboriginal young people aged 10-17 in detention in Western Australia was 25 times that of non-Indigenous young people: see Australian Institute of Health and Welfare ('AIHW'), *Youth Detention Population in Australia 2025* (Web Report, 10 December 2025) [Figure 2.4].

<sup>5</sup> See *Report on Criminal Cases in the Children's Court of Western Australia 2018-2019 to 2022-23* (Court and Tribunal Reports Western Australia, 2024); *Report on Indigenous Defendants in the Children's Court of Western Australia 2018-2019 to 2022-23* (Court and Tribunal Reports Western Australia, 2024).

<sup>6</sup> See, eg, Australian Human Rights Commission ('AHRC'), 'Help Way Earlier!': How Australia Can Transform Child Justice to Improve Safety and Wellbeing (Report, 2024) 43-7.

<sup>7</sup> See, eg, Office of the Inspector of Custodial Services Western Australia ('OICS'), *Review of Youth Custody: Follow-Up to 2023 Inspection (Part 2)* (Report, November 2024); Grace Burmas and Lauren Smith, 'Detainees Involved in Rooftop Protest at Banksia Hill Detention Centre Moved to Unit 18', *ABC News* (online, 25 November 2025)

<https://www.abc.net.au/news/2025-11-25/banksia-hill-youth-detention-roof-protest-fallout/106049434>; Keane Bourke, 'Experts Urge Minister to Do More to Support Youth Detainees After Banksia Hill Disturbance', *ABC News* (online, 26 November 2025) <https://www.abc.net.au/news/2025-11-26/banksia-hill-disturbance-shows-how-much-work-remains/106052906>; Ruby Littler, 'Wala Kooral-bi Juvenile Justice Facility Opens in Northern WA', *ABC News* (online, 28 November 2025) <https://www.abc.net.au/news/2025-11-28/wala-kooral-bi-juvenile-justice-facility-opens-in-northern-wa/106057316>.

<sup>8</sup> ALSWA, Submission No 179 to the Senate Standing Committees on Legal and Constitutional Affairs, Parliament of Australia, *Australia's Youth Justice and Incarceration System* (10 October 2024) 47.

<sup>9</sup> Western Australia, *Parliamentary Debates*, Legislative Council, 10 December 2025, 5312 (Matthew Swinbourn).

<sup>10</sup> Keane Bourke, 'New WA Youth Detention Centre Likely Three Years Away, Documents Show', *ABC News* (online, 17 September 2025) <https://www.abc.net.au/news/2025-09-17/new-wa-youth-detention-centre-is-years-away/105782632>.

<sup>11</sup> See Part 5 of this submission.

<sup>12</sup> Rebecca Peppiatt, 'A Coroner Wants Unit 18 Shut "Urgently": Roger Cook Says It's "The Best Solution We Have at the Moment"', *WAtoday* (online, 8 December 2025) <https://www.watoday.com.au/national/western-australia/reminiscent-of-19th-century-jails-coroner-wants-unit-18-shutdown-after-child-s-suicide-20251208-p5nlsr.html>.

ALSWA submits that the youth justice system in Western Australia (and across Australia) continues to require urgent Federal intervention.<sup>13</sup> As noted in *The State of Australia's Children Report 2025*:

Youth justice systems across Australia continue to favour punitive approaches over diversionary and restorative models, despite clear evidence that incarceration causes significant and often irreparable harm to children. Children as young as 10 years old—one of the lowest ages of criminal responsibility globally—are detained, often while awaiting sentencing. These practices contravene international child rights standards including the use of detention of children only as a last resort and fail to address the underlying causes of youth offending.<sup>14</sup>

Virtually all state and territory governments maintain 'tough on crime' stances, introducing legislation which risks further criminalising Aboriginal young people in contact with the justice system and bringing others into contact with it for the first time.<sup>15</sup> These stances are reactionary and actively undermine the ability of evidence-based, culturally safe, and trauma-informed diversionary programs to meet their objectives.<sup>16</sup> Notably:

Punitive responses are also ineffective at stopping recidivism, and lack a focus on healing and rehabilitation. It is often the children and young people experiencing the greatest disadvantage who are likely to be in detention, when instead diversion and restorative practices are needed.<sup>17</sup>

This submission supplements ALSWA's submission to the Inquiry into Australia's youth justice and incarceration system in the 47<sup>th</sup> Parliament ('the previous Inquiry'),<sup>18</sup> and provides further evidence of the effectiveness of culturally safe diversionary programs for Aboriginal young people who are at risk of encountering, or already in contact with, the formal youth justice system.

## 2. ABOUT ALSWA

ALSWA was established in 1973 and is an Aboriginal Community Controlled Organisation. ALSWA is the lead provider of specialist legal advice, support services and advocacy for Aboriginal people in Western Australia. ALSWA works in collaboration and partnership with communities and key government and non-government partners to rectify legal policies and practices that impact adversely and disproportionately on the legal and human rights of Western Australia's First Peoples.

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<sup>13</sup> See generally ALSWA (n 8).

<sup>14</sup> Megan O'Connell et al, *The State of Australia's Children 2025* (Report, UNICEF Australia and Australian Research Alliance for Children and Youth, 2025) 25 <<https://www.unicef.org.au/the-state-of-australia-s-children>>.

<sup>15</sup> Recent examples include legislation to criminalise 'posting and boasting' in New South Wales, Queensland, Victoria, South Australia, Western Australia, and the Northern Territory, which predominantly targets young people, and 'adult time, adult crime' legislation in Victoria.

<sup>16</sup> See, eg, Giovanni Torre, 'WA Police Target Indigenous Youth Rehabilitation Event, Arresting Three Boys in Front of Other Children', *National Indigenous Times* (online, 14 November 2024) <<https://nit.com.au/14-11-2024/14868/wa-police-target-indigenous-youth-rehabilitation-event-arresting-three-boys-in-front-of-other-children>>; Courtney Withers, 'Corrective Services Minister Says Some Children Accused of Kununurra Crime Spree "Belong in Detention"', *ABC News* (online, 29 October 2025) <<https://www.abc.net.au/news/2025-10-29/wa-corrective-services-minister-kununurra-youth-crime-spree/105947842>>.

<sup>17</sup> Megan O'Connell et al (n 14) 63.

<sup>18</sup> ALSWA (n 8).

ALSWA uses the law and legal system to bring about social justice for Aboriginal peoples as a whole. ALSWA develops and uses strategies in the areas of legal advice, legal representation, legal education, legal research, policy development and law reform.

ALSWA is governed by a Board of Directors, who are all Aboriginal. ALSWA is a company limited by guarantee registered with the Australian Securities and Investment Commission and a public benevolent institution registered with the Australian Charities and Not-for-Profits Commission.

ALSWA provides legal advice and representation to Aboriginal peoples in a wide range of practice areas including criminal law, civil law, family law, child protection and human rights law. Its services are available throughout Western Australia via 11 regional and remote offices and one head office in Perth.

ALSWA also provides several additional wraparound services to support clients, including the Bail Support Service and Prison In-Reach Legal Service, the Custody Notification Service, the Custody Wellbeing Service, the Work and Development Permit Service and the Youth Engagement Program. ALSWA also leads the justice reinvestment program, Old Ways New Ways, along with Wadjak Northside Aboriginal Corporation, Stephen Michael Foundation and Hope Community Services. In addition, ALSWA works in partnership with Hope Community Services and other organisations for the delivery of the Waullo Dawn Healing Service and Koolark Healing Service in Armadale and the Mara Pirni Healing Service in Kalgoorlie.

### 3. BACKGROUND TO THE INQUIRY AND TERMS OF REFERENCE

On 28 October 2025, the Senate referred a renewed Inquiry into Australia's youth justice and incarceration system to the Legal and Constitutional Affairs References Committee ('the Committee'). The terms of reference are:

- (1) That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 31 March 2026:

Australia's youth justice and incarceration system, with particular reference to:

- (a) the outcomes and impacts of youth incarceration in jurisdictions across Australia;
- (b) the over-incarceration of First Nations children;
- (c) the degree of compliance and non-compliance by state, territory and federal prisons and detention centres with the human rights of children and young people in detention;
- (d) the Commonwealth's international obligations in regards to youth justice including the rights of the child, freedom from torture and civil rights;
- (e) the benefits and need for enforceable national minimum standards for youth justice consistent with our international obligations; and
- (f) any related matters.

- (2) That, in conducting the Inquiry, the committee:

- (a) engage with and seek input from young people with lived experience in the youth justice system; and
  - (b) seek evidence of effective alternative approaches to incarceration for young people, including diversionary programs.
- (3) That the committee have the power to consider and use the records of the Legal and Constitutional Affairs References Committee appointed in the previous parliament.

#### 4. SCOPE OF ALSWA'S SUBMISSION

This submission primarily focuses on clause 2 of the Inquiry's Terms of Reference by providing the Committee with evidence of effective alternatives to incarceration for Aboriginal young people. In responding to this clause, ALSWA also relies on the information and case examples provided in our submission to the previous Inquiry regarding the Youth Engagement Program ('YEP').<sup>19</sup>

Our submission is informed by ALSWA's extensive experience in both representing Aboriginal people throughout the state of Western Australia, and providing culturally secure non-legal support to Aboriginal children and adults in community and custody settings.

Wherever possible, ALSWA incorporates the views of young people with lived experience of the youth justice system into this submission, and refers to examples of our own work to provide evidence of the views expressed. ALSWA lawyers and program workers with extensive experience supporting young people involved in the justice system have provided these examples.

While the examples discussed in this submission provide insight into the support needs of Aboriginal young people in Western Australia, ALSWA notes that these needs are not unique to Western Australia and highlights the importance of both the Federal and State/Territory governments ensuring that ongoing funding is provided to support services and programs across Australia.

In responding to clause 1 of the Inquiry's Terms of Reference, ALSWA relies on our submission to the previous Inquiry. Notably, in that submission, ALSWA referred to the Inquest into the Death of Cleveland Dodd. ALSWA appeared as an interested party during the Inquest and, as the proceedings were ongoing at the time of our previous submission, we did not provide any comment in relation to them. However, on 28 November 2025, Coroner Urquhart handed down his findings. As such, ALSWA commences this submission with our comments on these findings and the Western Australia Government's initial response to them.

#### 5. FINDINGS OF INQUEST INTO THE DEATH OF CLEVELAND DODD

Cleveland Dodd was a 16-year-old Yamatji boy who took his life while in detention.

At the time of the incident leading to his death, Cleveland was held in Unit 18 of Casuarina Prison, where he had been detained for 87 days. Casuarina Prison is a maximum-security adult

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<sup>19</sup> ALSWA (n 8) 13-17.

male facility. Unit 18, which was originally designed to house 128 adult males, was repurposed in July 2022 to house boys between 10 and 17 years of age. As at 8 December 2025, the youngest age at which a child has been detained in Unit 18 is 13 years old.<sup>20</sup>

Cleveland died in hospital on 19 October 2023, seven days after he was found unresponsive in his cell at Unit 18. The Coroner ultimately found that Cleveland's death was preventable and not only predictable but had been predicted, including by ALSWA.<sup>21</sup>

The Inquest heard evidence about Cleveland's detention at Unit 18, as well as evidence about how it was that Unit 18 came to house young people. The Inquest heard that young people in Unit 18 were housed in 'squalid conditions'<sup>22</sup> and subject to 'solitary confinement for extended periods reminiscent of 19<sup>th</sup> century jails',<sup>23</sup> with the Coroner noting:

Prolonged periods in solitary confinement, isolation, intense boredom, eating all their meals by themselves, and lack of access to mental health services, education, and even running water had sadly become the norm for Cleveland and his fellow detainees.<sup>24</sup>

The Coroner found that:

- Unit 18 did not have enough staff to provide the minimum entitlements to young people held there, including access to activities, education, and socialisation;
- The Department of Justice WA ('the Department') failed to provide appropriate resources to enable detainees to have access to adequate mental health services (noting that, despite requests, Cleveland was only seen by mental health services on three occasions during 87 days of detention);
- Some cells, including Cleveland's, did not have running water and were in a 'disgusting'<sup>25</sup> state;
- The Department fell substantially short of providing Cleveland with the opportunity to access an adequate level of education (noting that, over the 66 available school days during his last period of detention, Cleveland had attended education for a total of just 7 hours 40 minutes, and that 1 hour and 25 minutes of this time was a teacher communicating with Cleveland through his cell door); and
- Unit 18 was unfit to adequately care, treat, and supervise detainees at high risk of self-harm and suicide.

Some of the most harrowing evidence at the Inquest related to the Department's use of solitary confinement.

In the 10 months leading up to Cleveland's incident, confinement orders were used daily in Unit 18. This meant that the Department only had to provide young people with one hour out of their cell in a 24-hour period. The Coroner found that 'the Department inappropriately used

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<sup>20</sup> Western Australia, *Parliamentary Debates*, Legislative Council, 9 December 2025, 5214 (Matthew Swinbourn).

<sup>21</sup> *Inquest into the Death of Cleveland Keith Dodd* [2025] WACOR 49, [788].

<sup>22</sup> *Ibid* [75].

<sup>23</sup> *Ibid* [77].

<sup>24</sup> *Ibid* [1651].

<sup>25</sup> *Ibid* [270].

confinement orders as a routine measure whenever a lockdown was required because of staff shortages'.<sup>26</sup>

Cleveland was locked in his cell for longer than 22 hours per day on 74 of the final 87 days he spent in detention.<sup>27</sup> By the generally accepted international definition of the term, this equates to solitary confinement. The Coroner was satisfied that this treatment was inhumane,<sup>28</sup> and the Director General of the Department at the time accepted in cross examination that by September and October 2023, detainees in Unit 18 were being subjected to cruel, inhumane, or degrading treatment.<sup>29</sup>

Much of the evidence that was uncovered at the Inquest would not have come to light if Cleveland had not died. It should not take the death of a child for the inhumane treatment of children by a government to come under scrutiny. As His Honour concluded the Inquest by saying:

It is now time to realise that tinkering at the edges is not going to solve the long-standing problems that exist with youth justice in Western Australia. There is a compelling argument that wholesale reform and a complete reset is necessary.<sup>30</sup>

The Coroner ultimately made 19 recommendations, including that Unit 18 should be closed as a matter of urgency,<sup>31</sup> that a special inquiry should be held to investigate the manner in which Unit 18 came to be Western Australia's second youth detention centre,<sup>32</sup> and that a forum should be created to consider whether youth justice should remain entirely within the Department of Justice's responsibility.<sup>33</sup>

Less than three hours after the publication of the Coroner's findings, both the Minister for Corrective Services (WA) and the Corrective Services Commissioner (WA) disagreed with these recommendations, advising that Unit 18 will remain open for at least another three years, that a special inquiry as recommended by the Coroner would not uncover anything that had not been identified by the inquest, and that there was 'no evidence' to suggest that moving youth justice out of adult corrections 'would be a better outcome'.<sup>34</sup>

Most recently, delegates of the United Nations Working Group on Arbitrary Detention ('WGAD') were denied access to both Unit 18 and Banksia Hill Detention Centre ('BHDC').<sup>35</sup>

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<sup>26</sup> Ibid [378].

<sup>27</sup> Ibid [614].

<sup>28</sup> Ibid [379].

<sup>29</sup> Ibid [375].

<sup>30</sup> Ibid [1656].

<sup>31</sup> Ibid [1603].

<sup>32</sup> Ibid [1467].

<sup>33</sup> Ibid [998].

<sup>34</sup> Keane Bourke, 'As the Cleveland Dodd Inquest Calls for a "Complete Reset" in WA Youth Detention, What Are the Next Steps?', *ABC News* (online, 9 December 2025) <<https://www.abc.net.au/news/2025-12-09/cleveland-dodd-inquest-analysis-next-steps-for-wa-youth-justice/106117732>>.

<sup>35</sup> United Nations Working Group on Arbitrary Detention, 'Preliminary Findings from its Visit to Australia' (Press Statement, 12 December 2025) 7 <<https://www.ohchr.org/sites/default/files/statements/20251212-eom-stm-australia-wg-arbitrary-detention-en.pdf>>.

ALSWA notes that WGAD has described Australia's youth justice system as a 'stain on Australia's reputation'<sup>36</sup> and, relevantly, has called on Australia to:

[T]ake urgent action to address the remand crisis, end the gross overrepresentation of First Nations peoples in detention, raise the minimum age of criminal responsibility to at least 14 [and] prohibit the solitary confinement of children...<sup>37</sup>

ALSWA echoes this call and reiterates our submission that urgent Federal intervention is essential to achieving these reforms.

## 6. OLD WAYS NEW WAYS

### 6.1 Overview

Old Ways New Ways ('OWNW') is an Aboriginal-led innovative justice reinvestment initiative designed to break the cycle of youth offending in the Metropolitan Area and is currently funded under the Federal Government's National Justice Reinvestment Program ('NJR') until 30 June 2026.

OWNW was developed and is delivered by a consortium of culturally secure and experienced community-based organisations—ALSWA, Wadjak Northside Aboriginal Corporation ('Wadjak Northside'), Hope Community Services, and Stephen Michael Foundation—and supported by Aboriginal Elders and community members. OWNW is designed to improve outcomes for Aboriginal young people, including reduced contact with the criminal justice system and reduced incarceration rates in line with Closing the Gap Target 11.

The key component of OWNW is the establishment of trusted and culturally secure relationships with young people and their families in order to increase access to practical supports, engagement in prosocial activities, increased connection to culture, increased therapeutic support, and increased family wellbeing. This seeks to address the underlying causes of offending behaviour, lead to improved wellbeing, and reduce offending behaviour. Through ongoing collaboration and co-design of program elements and activities both between the Consortium Members and with other Aboriginal organisations, OWNW contributes to a strong and sustainable Aboriginal community-controlled sector. The long term intended impact of OWNW is to reduce the overrepresentation of Aboriginal children in the justice system and for Aboriginal children to be happy, healthy, and safe.

OWNW provides culturally secure, holistic, wrap-around support via case management, mentoring, educational activities, cultural activities (including on-Country camps), and community throughcare supports for Aboriginal young people in the Perth Metropolitan area. Educational Activity Courses—teaching leadership skills, respect, teamwork, life skills and culture as well as providing cultural activities and overnight camps—are held in each school term in two locations in suburban Perth (Balga and Armadale), with separate weekly sessions for young males and young females.

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<sup>36</sup> Lillian Rangiah, 'United Nations Delegation Warns of Australia's Treatment of Prisoners, Detainees and Breach in Human Rights', *ABC News* (online, 13 December 2025) <<https://www.abc.net.au/news/2025-12-13/united-nations-warn-australia-prison-detention-human-rights/106136950>>.

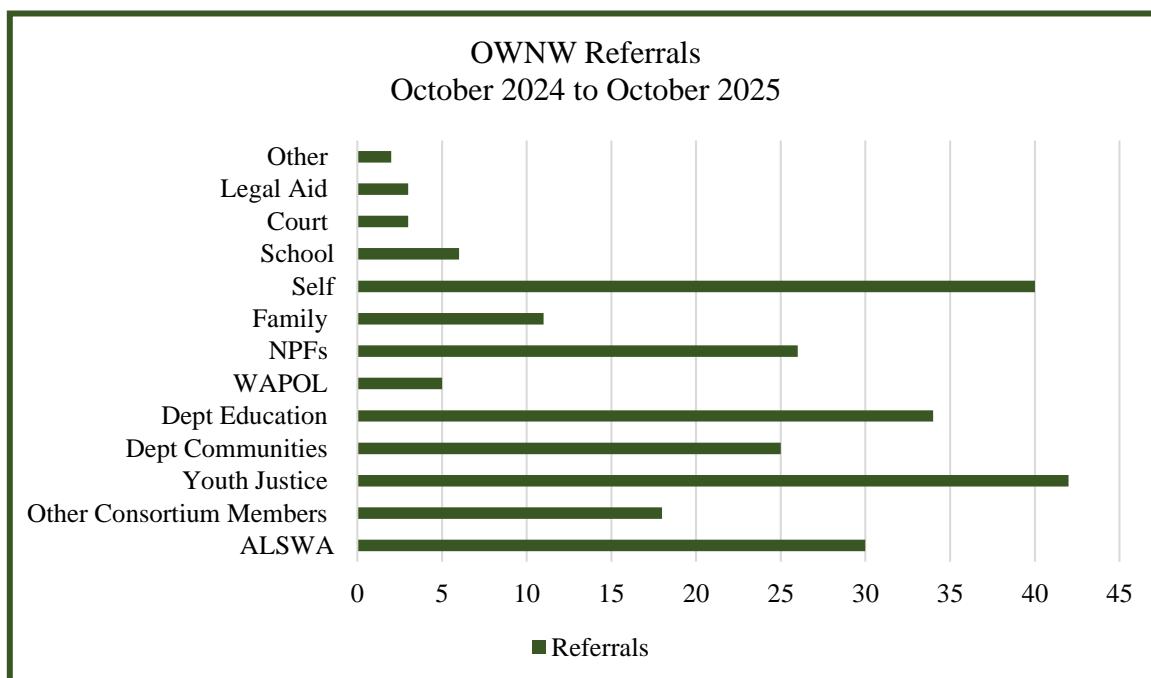
<sup>37</sup> United Nations Working Group on Arbitrary Detention (n 35) 11.

The program is available to Aboriginal young people under the age of 18 who are already involved in the formal criminal justice system (i.e. charged with an offence) or at risk of becoming involved in the justice system (e.g. disengaged from education, experiencing homelessness, apprehended by police but uncharged). OWNW is also able to provide support to family members/caregivers of participants for the purpose of maximising positive outcomes for the participant.

## 6.2 Impact

OWNW commenced operations in October 2024 with a six-week pilot Activity and Wellbeing Course (including an on-Country overnight camp) with one session each week ('the Pilot'). Twenty-eight (28) young Aboriginal male participants attended at least one session, and 67% of participants (19 young people) attended three or more sessions. During the Pilot, OWNW also conducted over 40 house visits. In early 2025, OWNW commenced its full program, offering case management along with educational courses during each school term.

From October 2024 to October 2025, OWNW received a total of 245 referrals. The majority of referrals came from Western Australian government agencies/organisations (46%). In terms of individual referral sources, however, the second highest number of referrals (44) were self-referrals from Aboriginal young people themselves. ALSWA submits that this is a testament to the dedication of OWNW staff, the effectiveness of the program and Aboriginal young people's willingness to not only engage with, but actively seek out, support services that are culturally safe, trauma-informed, and provide opportunities to improve their connections with others.<sup>38</sup>



<sup>38</sup> See generally AHRC, “*Do Things with the Information We Tell You*”: Supporting Quality Engagement with Children (Report, 2023).

During the first year of OWNW's operations:

- 143 distinct Aboriginal young people (94 males and 49 females) participated in at least one OWNW Activity Day, with many attending regularly;
- 84 Aboriginal young people received case management support from OWNW; and
- 40 distinct Aboriginal young people (30 males and 10 females) attended at least one OWNW Cultural Camp.

Further, OWNW supported:

- 16 participants in re-engaging with school/educational programs via assistance with enrolments, transport, and advocacy with school/program staff;
- 15 participants by taking them on cultural day trips (outside of the OWNW Activity Courses);
- 14 participants in attending Try-a-Trade courses via enrolments, transport, and clothing/uniforms;
- 12 participants in attending the NAIDOC Youth Ball in October 2025;<sup>39</sup>
- Five (5) participants in obtaining their learners licence;
- Three (3) participants to enrol in TAFE courses in 2026; and
- One (1) participant to complete a hairdressing course.

Notably, OWNW has also employed two (2) OWNW participants as peer mentors, while a third participant is currently being prepared to take on a peer mentor role now that he has turned 18 years old.

### 6.3 Outcomes

In its first year of operations, OWNW has demonstrated an ability to improve outcomes for Aboriginal young people, whether they are at risk of entering the youth justice system or have already had significant involvement with the youth justice system in the past. In addition to improving young people's ability to comply with court obligations and to access education, work, and recreational activities, OWNW has notably contributed to:

#### i. Reducing young people's contact with police

ALSWA receives notifications regarding Aboriginal people in police custody via the Custody Notification Service ('CNS'). State legislation requires the Western Australia Police Force ('WA Police') to contact CNS every time an Aboriginal person is arrested or detained in police custody.

As of August 2025, 87% of active participants who commenced with OWNW before 1 June 2025 (65 individuals) had less CNS notifications—and therefore less contact with police—after commencing participation in OWNW.

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<sup>39</sup> See the NAIDOC Youth Ball case example within Part 6.4 of this submission.

ii. Improving young people's connections to friends, family, and culture

In a survey completed by 21 OWNW participants:

- 81% reported that their health had improved since commencing OWNW.

*‘Physically **feel good, think clearer.**’*

*‘**Happier, more energy, help is there for us.**’*

*‘**Staff made us feel like we are ok.**’*

*‘**I have felt refreshed.**’*

*‘**Learning new things and have been happier.**’*



*OWNW participants engaging in sporting activities.*

- 86% reported improved relationships with their family members since commencing OWNW.

*‘**Good less arguments. Staying at home.**’*

*‘**My mum is happier that I am doing stuff with you and not running around.**’*

*‘**Connection to my family and culture.**’*

- 91% reported improved relationships with their friends/peers since commencing OWNW.

*‘**Thought I might be shame but made good friends.**’*

*‘**Stop hanging around with fake people. Going down a better track.**’*

- 95% of participants reported that their connection to culture had improved since commencing OWNW.

*‘Staying close to my ancestors, **sense of belonging**.’*

*‘Made me feel **more confident in myself and my search for cultural connection**.’*

*‘**I appreciate my culture more**.’*



*OWNW participants taking part in an on-country camp.*

Notably, family members had not only observed these improvements in the wellbeing of young people, but experienced improvements in their own wellbeing as a result.

*‘Doing more stuff around the house and **more supportive with the younger siblings**.’*

*‘It has made me feel that I am not solely responsible... **there is now a village to learn from**.’*

*‘**I feel safer** knowing they are staying home more and can **sleep better**.’*

Further, in a survey completed by 33 stakeholders:

- 82% agreed or strongly agreed that OWNW has contributed to increased attendance at educational/training activities

*‘The fact that [OWNW] have been able to get the young people in the door is impressive...  
**getting them to come back week in week out has been outstanding**.’*

- 88% agreed or strongly agreed that OWNW has contributed to improved justice outcomes

*‘Young people who attend the activity day feel **more empowered and confident to achieve their personal goals** and leave the day **inspired for change** whilst also **connecting socially with their peers** becoming more **connected to their community**.’*

- 100% agreed or strongly agreed that OWNW has contributed to improved social and emotional wellbeing

***‘Children are engaged and have a purpose in the community. Their case workers/mentors have real relationships with their clients and have become some, if not the only stable relationship in their life.’***

***‘This program gives its participants and families hope for the future and a new purpose in life. Permanent ongoing funding must be considered!’***

ALSWA notes that other stakeholders have shared similarly positive feedback about OWNW, emphasising the importance of the program to the community more broadly.

***‘Without [OWNW], our job is 10 times harder because they have the trust, they have the relationship, they have that cultural connection that we, despite all best intentions, don't have with the young people.’*** - Janelle Wallace (The Y School, WA)

***‘We really owe it to the young people themselves, as well as the community, to make sure that we are getting rehabilitation right, that we are identifying young people who are in need of intervention as early as possible, and that we are diverting them out of the justice system through these programs.’*** - Magistrate Alana Padmanabam (Children's Court, WA)

ALSWA submits that the views of young people, their families, and stakeholders strongly support the need for both the Commonwealth and State/Territory governments to ensure the longevity of programs such as OWNW and others like it through the provision of adequate, ongoing funding.

### iii. Reducing young people's entries to, and time in, detention

Through analysis of OWNW administrative data, OWNW has identified significant potential cost savings to the Western Australian Government via improved justice outcomes. These are *minimum estimates* based on known justice outcomes.

The cost savings that have been identified within four of the case examples provided below total \$1,505,271.<sup>40</sup> In addition to these cost savings, OWNW has identified the following further potential financial savings:

- Four (4) young people were directly assisted to hand themselves into the Children's Court to cancel arrest warrants. If these participants had been arrested after approximately 2 pm, they would have been detained overnight at BHDC for at least one day, at a cost of \$17,148.
- Five (5) young people were directly assisted to achieve bail (e.g. location of responsible adult to sign bail where none identified by other agencies; transport of responsible adult to sign bail and support letters to the court outlining engagement with OWNW,

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<sup>40</sup> See Annexure A.

including early listing in one instance due to OWNW involvement). To calculate cost savings, OWNW has calculated the number of days from release on bail until the next court date – these successful bail outcomes saved approximately 79 days, at a cost of \$338,673.

- Two (2) young people were sentenced to JCROs, and these orders were completed, due to support from OWNW. Combined, these JCROs had 11 months' detention attached. If these participants had been sentenced to immediate detention instead of a JCRO (or breached their orders), they would have likely served 5.5 months' detention at a cost of \$717,179.

Therefore, in just 12 months, OWNW has identified likely detention cost savings of *at least* \$2,578,271.

ALSWA notes that actual savings attributable to OWNW assistance are likely to be higher, bearing in mind that this estimate is conservative and does not include the likely cost savings for police, courts, legal services, youth justice services and/or others. Further, at least 24 OWNW participants have successfully completed at least 33 separate court orders, including 15 Youth Justice supervision orders (i.e. Youth Community Based Order, Intensive Youth Supervision Order, Conditional Release Order).

#### 6.4 Case Examples

##### Case Example A

On 15 October 2024, a 16-year-old Aboriginal boy was referred to OWNW by his enrolled Vocational School for participation in the Pilot in October 2024.

At the time of his referral, the boy was a participant in the Perth Children's Court In-Roads therapeutic program.<sup>41</sup> He had a diagnosis of a language disorder and was undertaking assessments for ADHD and neurological conditions. The referral noted that the boy had complex behaviours resulting from childhood trauma and, although he had struggled to reduce his recidivism, the boy had expressed motivation to make positive change. He had been attending an alternative school on a modified timetable (despite not attending formal schooling for more than three years prior) and had expressed an interest in learning more about his culture.

OWNW is aware the boy had a long history of interaction with the youth justice system, including time remanded in custody at BHDC, as well as demonstrated difficulty in complying with court orders. OWNW is also aware that the boy was at the point of serving a term of detention, given he was an In-Roads participant. The boy was in the care of the DCP and was residing in an unendorsed placement with extended family members. The boy's mother was serving a term of imprisonment, and his father is not able to return to Australia.

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<sup>41</sup> In-Roads is a program available to young people aged 10-17 years old who are facing a term of immediate detention: see 'In-Roads', *Children's Court of Western Australia* (Web Page, 4 September 2025) <<https://childrenscourt.wa.gov.au/I/inroads.aspx>>.

During October and November 2024, OWNW staff visited the boy often and supported him to attend the Pilot; he attended five of the Pilot's six sessions, including the overnight camp at Fairbridge Pinjarra.

Unfortunately, while attending the Pilot, the boy was arrested by police<sup>42</sup> and charged with new offences that had occurred earlier that month. Police refused bail because the boy was in a Schedule 2 position.<sup>43</sup> OWNW workers, including a respected Noongar Elder, attended the Perth Children's Court in-person the following day to support the boy. They spoke to the boy's positive and encouraging engagement in the Pilot, and he was granted bail with a 24-hour curfew condition. Given his next court date was four days away, this resulted in detention cost savings of at least \$17,148.

During his involvement in the Pilot, OWNW provided the boy with two tickets to the AFL Indigenous All Stars match (donated to OWNW), and the boy attended with an adult approved by Department of Communities, being his Aunty.

At the conclusion of the Pilot, the boy was keen to continue attending the OWNW Activity and Wellbeing course in the new year and, in a client survey, reported the beginning of positive change. The boy stated that:

- His attendance at education activities '*got a lot better*' and that he was '*Staying out of trouble, went to school more*';
- His connection to culture '*got a lot better*' in that he '*appreciate my culture more*' and '*found out a little bit of where my family is from*';
- The three most important things his experience at the overnight camp taught him were: '*Listen, respect elders*', '*Be a leader*', and '*Yarn with Elders*'; and
- He felt '*very supported*' by community organisations and/or workers as well as '*very happy*' with how connected he felt to culture.

The boy successfully completed the In-Roads court program and was sentenced to a Youth Community Based Order ('YCBO') for 4 months, with 50 hours of community service work ('CSW') only. His positive engagement with OWNW was noted as a significant reason why he was graduated from the In-Roads court program. ALSWA conservatively estimates that if this boy had not engaged well with OWNW, and had therefore not successfully graduated from In-Roads, he would have been sentenced to detention and served at least three months, equating to detention cost savings of \$391,188.

In the new year, the boy asked to continue attending OWNW Activity Days, but was not initially placed on OWNW case management as he had a number of community support organisations involved at that time.

In February 2025, the boy was charged with further offences of steal motor vehicle and aggravated burglary, and was refused bail by police. OWNW workers attended court and spoke

<sup>42</sup> Giovanni Torre (n 16).

<sup>43</sup> Required to show exceptional circumstances in order to be granted bail as he had been charged with committing a serious offence while on bail for another serious offence: see *Bail Act 1982 (WA)* sch 1 pt C cls 3A-3B.

with the boy in the holding cells, where he stated he was keen to do the right thing moving forward. Bail was granted with a 24-hour curfew condition, but included an exception for the boy attending OWNW or school.

OWNW became aware that the boy was eligible for NDIS support, but that he was not sure how to engage with NDIS funded supports. OWNW assisted the boy by referring him to an NDIS coordination service in Perth in March 2025. The boy subsequently engaged well with this service and has benefited from their supports.

The boy proceeded to sentence in March 2025 for the new offences, and OWNW provided a letter in support of his sentence. The YCBO he had previously been sentenced to was allowed to continue, and the boy was sentenced to an additional Intensive Youth Supervision Order ('IYSO'). These orders were to run concurrently for eight months, and the boy was required to complete an additional 15 hours of CSW on top of the hours remaining from the YCBO.

Wadjak Northside worked with Youth Justice Services ('YJS') to become an approved community service provider. This was approved in April 2025. The boy then completed the majority of his CSW hours at Wadjak Northside during the OWNW Activity Days, as well as the other community sessions hosted at Wadjak Northside on Mondays and Wednesdays weekly, being Men's Group and Elders' Group. The boy completed tasks such as garden and yard work, supporting the community groups, and cleaning up the community centre.

It became apparent that the boy required additional support in community because he was experiencing significant housing instability, moving between various family members and suburbs on a weekly basis with no place to call home. This instability made it difficult for the boy to maintain school attendance or to complete his CSW hours. Further, while the boy had attempted to engage in positive pro-social activities (such as enrolling in a local Football Club and considering enrolment at a senior school) he was unable to engage with these options due to this housing instability.

OWNW spoke with the boy, and he agreed to be allocated to an OWNW case worker. He was allocated to an OWNW case worker in April 2025. Despite housing instability also making it difficult for the boy to continue attending OWNW Activity Days regularly, he attended 10 sessions between Term 1 and Term 4 of 2025 including the Kings Park Cultural excursion, cultural day-camp at Yanchep National Park, and the overnight cultural camp at Boshack Outback ('Boshack').

OWNW liaised with YJS, the Department of Communities, the boy's NDIS support and other supports in community to ensure that the boy was supported in the best way as a collective. OWNW supported the boy to attend Centrelink, NDIS appointments, Department of Communities, and court hearings. OWNW also provided through-care family support (including food hampers) to the various extended family homes at which the boy was residing, Department of Housing advocacy, and assisted to identify grants available for funeral expenses when the Pop of the family passed away. OWNW also supported the boy with essential needs such as emergency meal support, clothing, and a SIM card. In May 2025, with support from his school and OWNW, the boy returned to attending his scheduled school and, to his credit, nearly completed the requirements for his White Card.

In June 2025, OWNW spoke with the boy about enrolling him in a bricklaying course set to commence in August 2025. The boy was very interested in this opportunity for training towards work readiness, and OWNW progressed a referral to an employment service. Regrettably, at an inter-agency meeting, it was determined that the boy's overall interests were best served by him focussing on completing his CSW hours so that his youth justice orders could be completed. As such, his enrolment in this course was withdrawn at the behest of his guardian at Department of Communities.

From August to September 2025, the boy suffered an injury to his leg, as well as an injury to his dominant hand which required surgery. These injuries impacted his ability to complete normal CSW. OWNW liaised with YJS and arranged for take-home CSW packs to be completed by the boy while he was healing from his injuries. The boy did not wish to retain possession of the take-home packs, sighting his residential instability and fear of losing the take-home packs. As such, OWNW retained possession of the packs and facilitated safe spaces for him to complete the take-home pack tasks.

In October 2025, the boy proceeded to sentence in Perth Children's Court for new offences of steal motor vehicle and burglary offences. OWNW provided a letter of support for sentence, detailing the boy's engagement, difficulties complying with justice requirements, and personal efforts made.

While the boy was facing an immediate term of detention, it was determined by the court that the boy had completed 59 out of the total 65 hours of CSW required from his Youth Orders and engaged with OWNW, his NDIS supports, and his leaving care mentor. As a result of this, and due to the boy's history of significant disadvantage, trauma, and disruption, there was no further action taken on the YCBO. The IYSO was cancelled and, for the new charges, the boy was sentenced to a Juvenile Conditional Release Order (JCRO) with the detention period specified at five months. This outcome resulted in cost savings of at least \$325,990, as the minimum period the boy would have been required to serve if the court had imposed an immediate period of detention was two and a half months.

During this sentencing, the Magistrate queried where the boy was to live, given his recent housing instability. While the boy's Department of Communities leaving care mentor has organised for him to have a placement at a transitional house for young adults in the care of the Department, this placement is not until he turns 18 years old and, unfortunately, the boy was left to his own resources to find suitable accommodation until his birthday. The boy firmly resisted any suggested of a group home and said that he had previously been placed in a group home and it was not good for him.

Unfortunately, the boy was charged with new offending shortly after the JCRO was received (possession of a balaclava, pepper spray, and a smoking implement), and he received a further JCRO for five months. Since this time, OWNW and the Department of Communities have supported the boy to comply with his order requirements, and he has attended his post sentence meeting and maintained his attendance at supervision appointments. The boy also indicated that he wants to get back on track with education or a training pathway, and to work towards attaining his learners permit. As such, OWNW liaised with the Department of Communities and arranged for the Department to pay off the boy's outstanding Public Transport Authority

fines, making him eligible to apply for his Learner's Permit. OWNW will support the boy to attend the next available Open Justice Day or Licensing Day at Wadjak Northside to achieve this goal.

The boy has also agreed to a referral to an equine-based therapeutic program, and OWNW are in the process of organising an interview with the program for the boy. A referral to another employment service for a transition to work program has also been progressed. OWNW continues to liaise with the Department of Communities and the boy's NDIS support network to ensure that all supports are on the same page and the boy has the best chance to succeed.

OWNW has continued to communicate with the boy on a daily basis and provide essential support, as well as throughcare support to the family members he is residing with, and will continue to support the boy with his move into the transitional accommodation offered by the Department once he turns 18 years. Once he achieves housing stability, OWNW will support the boy to achieve his goals of obtaining a Learner's Permit and pursuing appropriate education or a training pathway.

#### Case Example B

A 17-year-old Aboriginal girl self-referred to OWNW in May 2025, after she spoke with OWNW workers while they were conducting a home visit to sign up another young person for the program. She asked if she could be provided with case management support, engage in OWNW Activity Days, and attend cultural camps. At the time, the girl was extremely vulnerable: she had not engaged in any form of education for years, was regularly using substances, was experiencing homelessness, and was in and out of custody due to ongoing offending and non-compliance with multiple sets of bail conditions.

OWNW workers were aware from prior experience that justice agencies had found it almost impossible to engage with the young girl for several years. Initially, OWNW struggled to locate the girl, and she remained on the OWNW waitlist. However, by June 2025, OWNW were able to locate the girl and commence building a relationship with her. OWNW spoke with the girl and her identified responsible adult at length about the OWNW program and completed a comprehensive intake assessment on 6 June 2025, followed by a Case Management Plan on 14 June 2025.

Since this time, OWNW has assisted the girl to attend multiple court hearings and provided a written letter in support of bail following a one-week remand in custody at BHDC. The girl was subsequently granted bail with very strict conditions, including a 24-hour curfew managed through Metropolitan Youth Bail Service ('MYBS'). At an absolute minimum, OWNW's support enabled this young person to be on bail for a one-week period prior to her next court appearance, equating to detention cost savings of \$30,009. However, ALSWA notes that these savings are likely to be far higher in reality, as the girl's significant history of non-compliance with bail suggests that she would very likely have struggled to remain on bail (particularly when subject to strict conditions) without OWNW's ongoing support.

Eventually, through her involvement with OWNW, the girl's strict bail conditions were reduced to Responsible Person bail with no curfew conditions. The girl remained in constant

contact with OWNW, and OWNW workers provided the girl with ongoing encouragement, mentoring, and guidance.

This has been a character-building process for the girl; she has complied with all court obligations since mid-July 2025 and demonstrated motivation to achieve better in life. The girl has thrived with access to culture and particularly with Elder connection, noting she has had little to no pro-social positive male influences during her childhood. In addition, the girl's engagement with her case worker is strong; her trust and respect for this worker is a testament to the success of OWNW and the power of connection with young people.

The girl has attended several OWNW Activity Days, where she is loud, cheerful, and always willing to join in positively. Although the girl has needed a little prompting when OWNW workers attend her home to wake her up and motivate her to get ready, once she is in the car she is eager to arrive and, by the end of sessions, she appears to not want to leave. OWNW has also observed the girl speaking with her peers and attempting to motivate them to sign up for the OWNW program, saying they can also 'fix up' their lives like she is actively doing.

Recently, the girl engaged in a three day Try-a-Trade bricklaying program. She attended two days of the program, but was unable to attend the third day because she was required to attend court for her ongoing matters. During the course, she was the only girl present and was highly commended by the trainer for her level of engagement and attention to detail. OWNW workers who were present also noted that this was the most engaged they had seen the girl, considering she had not actively attended formal education for at least two to three years. Given the high level of interest demonstrated by the girl, the trainer recommended that she consider a career as an apprentice bricklayer. OWNW are now actively working with the girl to enrol her in a pre-apprenticeship course, at her request. She is highly motivated to obtain paid employment and her motivation and enthusiasm to achieve this is inspiring.

The girl has also been assisted by OWNW to obtain vital identification and other essentials; this has involved several hours at community identification days, multiple Centrelink appointments, and time spent guiding the girl with reporting to Centrelink on a fortnightly basis so that she can continue to receive her social security payments. In addition, OWNW has assisted the girl to engage with Workskil Australia for employment readiness support, including by providing transport for several appointments. For a vulnerable young person, these settings can be overwhelming and lengthy; however, with OWNW's guidance, the girl has learned how to interact with public agencies and how to conduct herself competently.

Significantly, the girl has recently obtained her Learner's Permit. OWNW supported the girl to attend a community licensing day at Wadjak Northside, and covered the cost of the Learner's Permit. The girl was extremely proud of this achievement, and it was a very special moment to witness her and two other OWNW participants achieve their Learner's Permits.

Despite a significant history in the justice system, there has only been one CNS notification for this young girl since mid-August 2025 and, as far as OWNW is aware, she has only been charged with one relatively minor offence. Prior to this, the girl had had no interactions with police or alleged offending for a period of three-and-a-half-months. Given this young person's

justice history (noting that she was subject to nine CNS notifications between January and August 2025 and has had a total of 28 CNS notifications since 2020), this is a significant period.

#### Case Example C

A 14-year-old Aboriginal boy was referred to OWNW in February 2025 by the Department of Education School of Special Educational Needs: Behaviour and Engagement ('SSEN:BE') for case management support and engagement in the OWNW Activity Days and cultural camps. At the time, the boy had a significant history of interactions with the youth justice system, including periods in custody on remand. Although he was enrolled in a local high school, he had not attended school in a very long time.

The boy commenced his engagement with OWNW in March 2025, attending two OWNW Activity Days in Term 1, 2025. However, it was not until early May that a full assessment was completed and an OWNW case worker was allocated to support the boy with his goals. The case management support plan covered assistance with essentials, support to attend a medical check-up, guidance to reduce cannabis use, and support to reengage in education.

In May 2025, OWNW transported the boy to Perth Children's Court, and he was sentenced to a five-month IYSO. OWNW then dropped the boy at school, as he wanted to talk to staff about returning to school. The following week, the boy's mother advised OWNW that the boy had been attending school all week. Unfortunately, following this initial reengagement, the boy was suspended from school for a brief period. OWNW continued to liaise with the school regarding plans for his return and reminded the boy about an upcoming appointment with the school (that was subsequently cancelled by the school). OWNW is currently supporting the boy with alternative school enrolment options.

During the OWNW Activity Day course in Term 2, the boy engaged well during a presentation from the Motivation Foundation. OWNW has established a strong relationship with the Motivation Foundation, and had invited the organisation to present to OWNW participants about options for training in the civil construction and mining sector. The boy expressed a keen interest in engaging in the Motivation Foundation course. It was explained to the boy that he would need to reduce and eventually cease his cannabis use in order to be able to participate in this program. During the OWNW Nanga bush camp in June 2025, the boy spoke about his goal of completing the Motivation Foundation course and obtaining employment.

In July 2025, the boy (along with other OWNW participants) attended a one-day orientation at the Motivation Foundation (organised by OWNW) and, in early August 2025, the boy attended a three-day Try a Trade course at the Motivation Foundation. At the end of the three-day course, the boy was awarded 'Best Student' for his positive engagement and made a speech in front of others when he received this award. The boy plans to complete the full Certificate II in 2026. OWNW will continue to support the boy to ensure he is ready and prepared for this year long commitment; he has received a scholarship for the fees, and OWNW will support the boy with the purchase of necessary materials for the course.

In Term 2, 2025, the boy attended nine out of ten OWNW Activity Day sessions. His attendance on each occasion was supported by OWNW with transport assistance to and from

Wadjak Northside. The young boy also delivered an Acknowledgement of Country at the start of the Semester 1 graduation ceremony in front of his peers, OWNW staff, and special guests including the CEO of ALSWA and Hope Community Services.

The boy completed a client survey at the end of Semester 1 and stated that:

- His involvement with the justice system had improved 'a lot' and that he had been '*staying out of trouble*' and '*[hasn't] been involved with the bad system*';
- His health had improved 'a lot' and that he had '*good mental health, good focus on my own health*';
- His ability to reduce harm from alcohol/drugs had improved 'a lot' as he had been '*thinking more about AOD and thinking about cutting down*' so that he can obtain work;
- His family relationships had improved 'a lot' as there were '*less arguments*' and he was '*staying at home*';
- His relationships with friends/peers improved 'a lot' as he had '*[stopped] hanging around with fake people*'; and
- His connection to culture had improved 'a lot', noting that what changed was '*connection to my family and culture, staying close to ancestors*'.

When asked about whether OWNW contributed to these positive changes, the boy responded '*yes to a large extent*' and, when he was also asked about the most important things he found out about during OWNW, he responded, '*fun with the boys*' and '*showing up and having a laugh*'.

The boy continued to engage in OWNW Activity Days in Term 3 and attended eight out of ten sessions, including a farewell to a respected Aboriginal OWNW team member. The boy made a heartfelt speech to this worker, thanking him for his support and contribution.

From May 2025 until October 2025, OWNW transported the boy to his YJS supervision appointments on 11 occasions, each time also taking the boy back home following his appointment and, in October 2025, the boy successfully completed his IYSO. YJS confirmed via email that the boy had complied with all conditions of the order and engaged well during supervision with YJS, further noting that '*[he] was open and honest in discussing his prior offending behaviour and identifying protective factors to assist him to make better choices in future*'.

The boy's comment in his client survey that he has been staying out of trouble since commencing OWNW is evidenced by an analysis of his involvement with police via CNS. Prior to commencing OWNW, the boy had been apprehended or arrested by police and taken to a police facility on 12 occasions. However, following his commencement with OWNW, the boy has had only one CNS notification (in May 2025) and he was released from police custody uncharged. As at 12 December 2025, there have been no further CNS notifications, and

OWNW understands that the boy has not been charged with any offences since his court appearance in May 2025. It is highly likely that, without OWNW, this boy would have continued to offend and, given his history, that he would have spent time in detention.

So far, in Term 4, the boy has attended all four sessions and has also attended a cultural fishing day activity with Elders and staff at Moore River. OWNW has also supported the boy to enrol in a Cert II in Building and Construction, and his enrolment has been accepted for the course to commence in February 2026.

The growth of and achievements by this young boy over a period of approximately eight months is remarkable and a testament to the dedication, mentoring and cultural support provided by OWNW.

#### Case Example D

In January 2025, OWNW received a referral from YJS for a 17-year-old Aboriginal girl. The girl was required to engage with YJS as part of a Juvenile Justice Team ('JJT') referral.<sup>44</sup> The girl indicated she was keen to engage with OWNW after an OWNW case worker attended YJS and spoke with the girl about the program. The referral noted that the girl was not engaged in any form of education and was currently residing with her grandmother and other family members. A few days later, the girl and her grandmother signed the OWNW consent forms, and an assessment was completed.

The girl's primary goals were to obtain her Driver's Licence, reduce her cannabis use, and potentially engage in a salon course. In early February 2025, YJS asked OWNW to take over helping the girl with her job provider requirements because they were planning to soon close her JJT referral. The girl attended her first OWNW Activity Day session in mid-February 2025 and she was provided with two tickets to the AFL Indigenous All Stars match (donated to OWNW) at the end of this session. Following this session, OWNW confirmed with YJS that the girl had commenced attending the OWNW Activity Course and, as a result, her JJT referral was completed.

During Term 1, 2025, the girl attended six out of 10 OWNW Activity Day sessions. Throughout this period, OWNW continued to support the girl with her needs. This included providing the girl with information about a salon course, assisting the girl and her family with boxes and tape for moving house, and corresponding with a salon course provider to facilitate the girl's participation.

In May 2025, OWNW transported the girl to a job provider and advocated for the provider to assist with payment for the girl's salon course. Following this meeting, OWNW helped the girl add money on her tap-and-go public transport card. Several days later, OWNW transported the girl to the Department of Transport to assist her to obtain her Driver's Licence. Unfortunately,

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<sup>44</sup> In Western Australia, Juvenile Justice Teams ('JJT') are a means of diverting young people who have committed offences from the Children's Court. A young person may be referred to JJT by WA Police or the Children's Court of Western Australia, provided that the young person has accepted responsibility for, or pleaded guilty to, the offending: see Department of Corrective Services (WA), *Juvenile Justice Teams* (Fact Sheet, February 2010) <[https://www.correctiveservices.wa.gov.au/\\_files/youth-justice/jjt-fact-sheet.pdf](https://www.correctiveservices.wa.gov.au/_files/youth-justice/jjt-fact-sheet.pdf)>.

the girl did not have sufficient identification to apply on this occasion. However, OWNW subsequently provided additional supports to enable the girl to obtain identification.

In mid-May 2025, OWNW transported the girl to an Aboriginal Justice Open Day, where she was provided with a temporary Medicare card. On the way home, OWNW took the girl to the bank to obtain a bank statement to support an application for additional identification. Further supports regarding essentials included helping the girl with an application for her Tax File Number and Proof of Age card. An OWNW lawyer also assisted with correspondence to the Public Trustee regarding access to trust funds after the girl's 18<sup>th</sup> birthday.

In late May 2025, the girl attended her last OWNW Activity Session because she was soon turning 18 years. The girl understood that she would not be allowed to attend after her birthday but appreciated the special treatment she received during her last session, noting in her client survey that, '*my last day at the Activity Day before my 18<sup>th</sup> birthday was made extra special by the team with them getting a cake and made me feel connected*'.

In June 2025, the girl returned to live with her mother and siblings in a regional town. Due to her relocation, the proposed salon course was put on hold. However, OWNW remained in contact with the girl and helped finalise her Tax File Number and other documentation.

While the girl had a limited history in the Children's Court before she commenced OWNW, it is highlighted that she has not been charged with any new offences, nor has she been apprehended or arrested by police, since early January 2025. Before commencing OWNW at the end of January 2025, the girl had eight prior CNS notifications.

In July 2025, the girl completed the OWNW Client Survey. Her responses reveal the significant positive impact of her participation in OWNW, including that:

- Her involvement with youth justice improved 'a lot', with the girl noting that she '*grew up and no longer wanted to do silly things*';
- Her access to essential items improved 'a lot' (she obtained Photo ID, a Tax File Number, Centrelink assistance, and Workskil assistance with the support of OWNW);
- Her health and wellbeing improved 'a lot', with the girl noting '*I feel I can talk to a lot more people now*';
- Her ability to reduce harm from alcohol/drugs improved 'a lot' with OWNW '*by keeping me busy*';
- Her relationships with family improved 'a bit' (she moved in with her mum and sisters);
- Her relationships with friends/peers improved 'a lot', with the girl noting that OWNW '*got me out and meeting people weekly*'; and
- Her connection to, and knowledge of, culture improved 'a lot', with the girl referring to her attendance at Kings Park and Rottnest cultural activities and noting that '*I am learning a lot more everyday about my culture*'.

The girl attributed these changes to OWNW and, when asked what the three most important things that she learned during OWNW were, she responded: ‘**culture**’, ‘**connection with others**’, and ‘**enjoyed communicating with other people**’.

During her participation in OWNW, the girl was identified as a potential peer mentor with the program due to her positive engagement, maturity, and leadership. Her OWNW case worker discussed this with her and, by July 2025, the girl was ready to proceed. OWNW assisted with all onboarding requirements, including helping her complete a Working with Children's Check application, and the young girl commenced as a casual peer mentor with ALSWA in mid-July 2025.

In her first fortnight as a casual peer mentor, the girl worked approximately 19 hours (with similar hours the following fortnight). Feedback from OWNW leaders and external stakeholders demonstrates that this young person is managing her new role extremely well and contributing to positive outcomes for OWNW participants. After observing the girl at the OWNW Activity Days, the OWNW Cultural and Youth Coordinator stated ‘**She is a.... STAR**’. He further commented that she was a huge help, especially with two girl participants who were hesitant to engage at the start of the session, and observed that she naturally connected with the younger girls and was super confident. Other staff noted she had ‘**great yarns**’ with several participants while travelling in the van to and from the Activity Day. Further, an external stakeholder advised that the girl was ‘**an angel**’ and wanted to know where we found her. This stakeholder had transported a young female client to attend an OWNW Activity Day, and stated that the girl was the reason the client decided to stay (and the reason the client wanted to return the following week).

The girl has continued to work as a peer mentor throughout the second half of 2025, and the impact she has had so early in her role as a peer mentor is impressive. The OWNW team will continue to support the girl as a valued team member and ensure that she is provided with guidance and care throughout her journey with OWNW. For example, in recent weeks, OWNW supported the young girl to obtain her Learner's Permit.

#### Case Example E

A 17-year-old Aboriginal boy was referred to OWNW by YJS for participation in the Pilot in October 2024. The referral was completed by the Youth Justice Officer who was supervising the boy on a recently imposed JCRO, and the boy consented to participate in OWNW in mid-October 2024.

During October and November 2024, OWNW staff visited the boy often and supported him to attend the Pilot. He attended five out of six sessions of the Pilot, including the overnight camp at Fairbridge. Unfortunately, the boy was arrested by police at the Pilot<sup>45</sup> and charged with one new offence that occurred in November 2024.

Following the completion of the Pilot, OWNW workers spoke to the boy about whether he wished to continue to receive support from OWNW. The boy was keen to continue with

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<sup>45</sup> Giovanni Torre (n 16).

OWNW and requested additional ongoing support in terms of case management, recreational activities over the school holidays, future education/activity courses, and future cultural camps.

Throughout December 2024 and January 2025, OWNW held school holiday activities once a week. The boy attended all five school holiday sessions, and achieved an award for his excellent participation in an athletics session.

The OWNW Term 1 program commenced in February 2025, and the boy attended eight out of 10 sessions. During this period, OWNW provided the boy with a phone and maintained regular contact via home visits. In mid-February 2025, the boy was sentenced for the new offence from November 2024. OWNW provided a written report for the sentencing court, outlining the boy's engagement in the program and advising that OWNW were in the process of completing an enrolment process with the boy for him to attend an alternative school. The boy was sentenced to a Good Behaviour Bond ('GBB') for three months and his JCRO was not breached by Youth Justice Service, nor cancelled by the court.

In April 2025, an updated assessment of the boy's case management needs was undertaken. OWNW continued to assist the boy with the enrolment process for school and, by May 2025, the boy had commenced school. OWNW has since provided transport assistance on at least seven occasions, and has also provided food hampers to the boy and his family on several occasions. In addition, OWNW obtained a copy of the boy's birth certificate. During the OWNW intake assessment, it had been identified that the boy needed an eye check. This was facilitated by his school and, in August 2025, OWNW took the boy to collect his new eyeglasses.

The boy participated in all 10 OWNW Activity Days in Term 2. During the Nanga bush camp, staff observed that the boy engaged well and demonstrated strong leadership. The boy has also continued to attend Activity Days in Term 3 and Term 4, attending nine out of a possible 17 sessions. The boy aims to commence an apprenticeship in civil construction, and OWNW has referred the boy to Status Employment Services and supported him in attending the initial appointments. OWNW will continue to support the boy in attending the Status appointments and any requirements placed on the boy to transition into an apprenticeship and the workforce.

The boy's youth justice orders were successfully completed, and he has not appeared in court again since February 2025. Prior to the boy's participation in OWNW in October 2024, he had 15 CNS notifications. Since commencing OWNW, he has only been arrested once (during the Pilot in November). Therefore, the boy has not been arrested or apprehended by police and taken to a police station for 12 months.

Although OWNW did not directly transport the boy to YJS (as he was supported by his sister), it is highly likely that without OWNW, this boy would not have completed the four-month JCRO. Through OWNW cultural mentoring and support, this boy did not breach his order by reoffending. Notably, if the JCRO had been cancelled and the boy sentenced to the period of detention specified in the order, he would have served at least two months' detention at a cost to the Western Australian Government of \$260,792.

The boy's responses in his client survey, completed in July 2025, reveal significant growth and development for this young man. His responses indicated that:

- His involvement with the youth justice system improved 'a lot' as he had '***been keeping out of trouble, staying home***';
- His access to essentials improved 'a lot' as he was in the '***process of getting [his] learners***';
- His health and wellbeing improved 'a lot' as he was '***coming out of my comfort zone and being able to drop my guard***';
- His attendance at educational activities improved 'a lot' as he was '***going to [x] school***';
- His relationships with family improved 'a bit' and his relationships with friends/peers improved 'a lot'; and
- His connection to culture improved 'a bit' due to '***being able to know where I come from***'.

When asked what the most important things he found out about during OWNW were, the boy responded: '***knowing where my mob is from***', '***who I am related to***' and '***where my family is from***'.

OWNW is hoping to encourage this boy to take a leadership role with the 2026 OWNW Activity Course, noting he turned 18 years old in November 2025. The boy is keen to engage in a construction course; however, if that does not eventuate, and if he is interested, OWNW will support him to become a peer mentor with the program.

#### Case Example F

A 13-year-old Aboriginal girl was referred to OWNW in January 2025 by SSEN:BE for case management support and engagement in OWNW Activity Days and cultural camps.

The girl commenced attending Activity Days in Term 1, 2025. A full case management assessment was completed that identified several needs, including obtaining a birth certificate, assistance with accessing medical services, and support to reengage in school as the girl was no longer living near the school she had previously been enrolled in.

Throughout Terms 1 and 2, the girl attended 11 OWNW Activity Days including the overnight cultural camp at Boshack. Due to an unfortunate incident where external persons attended an OWNW Activity Day, the girl was reluctant to continue attending. However, it is noted that the girl has recently requested to return to OWNW Activity Days, and this request is currently being initiated.

In July 2025, the girl was supported to attend an Aboriginal Justice Open Day to obtain her birth certificate. However, due to her young age and no responsible adult, OWNW were unable to progress discussions with the Registry of Births, Deaths and Marriages (WA) ('the BDM Registry'). When OWNW later spoke with an advisor from the BDM Registry, OWNW were informed that the young person's birth had not been registered. The BDM Registry advised

OWNW to find evidence of the girl in the community, such as school records, Medicare, or Centrelink.

Due to OWNW having a positive relationship with the girl's family, OWNW were aware of the hospital at which the girl had been born. OWNW requested information from this hospital and, eventually, OWNW received evidence of the girl's birth from this hospital. In addition, OWNW had requested information from the DCP, the Department of Education, and another hospital where the girl had been a patient. The Department of Education provided a report from the girl's previous school and, together with the evidence of the girl's birth, this information was submitted to the BDM Registry. Recently, the BDM Registry has requested additional information about the girl's father. OWNW are endeavouring to find this information as soon as possible, noting that having a birth certificate is vital to gaining essential supports and licences that allow people to thrive and actively take part and engage positively in the community.

In regard to reengagement in education, OWNW liaised with a member of the Student Engagement and Transition ('SET') team and facilitated a meeting with the girl and SET. At this meeting, it was determined that a new enrolment to a school closer to home was the best option for the girl. OWNW supported the girl to attend a school interview and school tour. OWNW also completed all enrolment and permission forms, submitted these to the new school, and provided the girl with a school polo shirt and logo sweatshirt.

The girl's OWNW case worker supported her to attend the school prior to the first day of Term 4 to have another walk around the school and familiarise herself with the layout before the other students returned. The school arranged for a modified timetable at the request of OWNW, and this modified timetable was developed with input from the girl. The girl was transported to school and attended the required classes on a day in mid-October. That evening, the girl tragically lost a close family member in violent circumstances, and she was subsequently excused from returning to school for as long as needed.

OWNW are in regular contact with the girl, and are hoping to support her to return to school as soon as she feels ready. OWNW workers have a close working relationship with the girl's family and have supported them with weekly food hampers, delivered a fridge and beds for the family (donated to OWNW from a charity organisation), and provided the family with clothing for a funeral. OWNW has also supported the girl with attendance at medical appointments and has purchased medical supplies and prescription medication for the girl.

ALSWA understands that, while this girl has appeared in the Children's Court of Western Australia, she has not been convicted of any offences. The girl has had a total of three CNS notifications, with two prior to her commencement on OWNW and the last one in May 2025. The girl was not charged with any offences after the most recent CNS notification.

#### Case Example G

In July 2025, a young Aboriginal boy originally from the Kimberley was referred to OWNW for additional support after moving down to Perth at the end of 2024. The referral came from a youth accommodation support service, following significant life challenges including the loss

of both parents and a history of exposure to family violence from multiple family members. With limited family connections and minimal support systems, the young boy was identified as requiring collaborative and culturally appropriate support to assist with his goals.

The youth accommodation service provided accommodation and case management support, working closely with the OWNW Youth Worker to address the young person's immediate needs and longer-term goals. The partnership focused on achieving key outcomes for the boy such as securing stable and longer-term accommodation, obtaining identification, engaging in education, and strengthening his cultural connection and identity.

The young person quickly became an active participant in the OWNW Activity Days held every Tuesday at the Armadale Hub. Each week, he would return to his group youth accommodation expressing that his favourite part of the week was attending the OWNW Activity Day. The young person attended eight out of 10 sessions in Term 3, 2025. His regular participation supported his social development, confidence, and sense of belonging, and he consistently displayed enthusiasm, respect, and positive engagement with peers and staff by asking questions, attending regularly, and providing positive feedback. During a cultural tour in Fremantle, the young person asked questions and shared stories from his Kimberley country. He was presented with a boomerang by the cultural tour Elder for his active participation.

During his time with OWNW, the boy was given the opportunity to attend the NAIDOC Youth Ball where he represented the program positively. On the night, the boy's excitement and love of the program stood out as he was awarded a \$100 gift card prize, providing him with a memorable moment that reflected his growing confidence and self-esteem. The youth accommodation service told OWNW that he returned '**absolutely buzzing after the ball**'.

More recently, the young boy has commenced his Certificate II in General Education. Due to his new study commitments in an adult learning environment, he has had to step back from attending weekly Activity Days, but remains connected and continues to receive case management support from both OWNW and his new accommodation provider.

Through coordinated support from OWNW, and other community partners, the young boy has now transitioned into a medium-term, 24-hour youth supported accommodation service. OWNW staff have worked collaboratively with his case managers to ensure his individual goals are maintained and his progress continues to be supported. Further, despite challenges around identification and communication access, he has successfully obtained access to a mobile phone enhancing his independence and ability to stay in touch with services, education providers and friendships.

This young person has not been charged with any offences or taken into custody by police since he commenced OWNW (and it is understood that this change commenced well before he started the program). Nevertheless, his involvement with OWNW has contributed to his ongoing and long-term positive future.

Currently, the young boy attends TAFE four days a week independently, demonstrating motivation, consistency, and commitment to his education. While his participation in OWNW Activity Days has paused, he continues to express a strong interest in cultural connection and has personally requested to attend the upcoming OWNW cultural overnight camp, reflecting

his ongoing pride in identity and goals for cultural learning. OWNW will continue to provide case management support to the boy with a focus on cultural immersion experiences.

#### Case Example H

In February 2025, the mother of a 16-year-old Aboriginal girl contacted ALSWA's YEP asking for support for her daughter. The girl had previously participated in YEP in 2021 and 2024. A YEP worker advised the mother that her daughter was not eligible for YEP because she was not being represented by ALSWA for her current court matters, and asked if they would be interested in OWNW. The mother and the girl agreed to a referral to OWNW and the girl consented to participating in OWNW in February 2025.

Initially, the girl was seeking case management support and was interested in attending the OWNW Activity Day course, although she indicated she did not wish to attend overnight camps. OWNW provided the girl with reminders for her upcoming court dates and reminders to attend YJS, as she was facing proceedings for a breach of a YCBO. OWNW also provided the girl with documents for a hairdressing course (given to OWNW by SSEN:BE) and with free tickets to the AFL Indigenous All Stars match (donated to OWNW).

In March 2025, OWNW liaised with YJS to ensure they were aware of the supports being provided by OWNW, and YJS confirmed this information would be incorporated into their report for the Perth Children's Court. A few days later, the girl was sentenced to 'no further action' for the breach of her YCBO, and the court imposed a new four-month YCBO.

During April 2025, OWNW liaised with YJS to request a Centrelink appointment for the girl at their office, and communicated with SSEN:BE to progress the girl's enrolment in the hairdressing course. In addition, tap-and-go public transport cards were handed to the girl for transport to the course, and OWNW assisted the girl in completing paperwork to obtain public transport concession rates.

In Term 1, 2025, the girl attended four out of ten sessions of the OWNW Activity Course. This included an outing to Kings Park in March 2025, where Elder Noel Nannup spoke to the participants about life and culture. In Term 2, 2025, the girl attended two sessions of the Activity Course. While the girl engaged well with the Activity Course, she was unable to attend all sessions because she had commenced the hairdressing course. In May 2025, OWNW were advised that the girl had attended the full first week of the hairdressing course. The course workers provided feedback about the girl's positive engagement, including that she was one of the best students they had seen. OWNW transported the girl to the course approximately one day per week and provided her with several tap-and-go public transport cards, as well as an Uber gift card on one occasion.

Unfortunately, in May 2025, the girl was arrested for a shoplifting offence that had occurred in March 2025. In June 2025, OWNW transported the girl to YJS and provided reminders for her upcoming court date for the new offence.

In July 2025, the girl attended the OWNW Semester 1 Graduation Ceremony, where OWNW staff observed her speaking with other participants about the positive impact OWNW had on

her life and encouraging the other girl participants to make positive choices. At the end of July 2025, the girl was sentenced to a two-month \$100 GBB for the stealing charge.

In a client survey completed in July 2025, the girl reported that:

- Her involvement with the youth justice system had improved ‘a lot’;
- Her health and wellbeing had improved ‘a lot’, noting ‘*I care for myself a lot more now*’;
- Her ability to reduce harm from alcohol/drugs had improved ‘a bit’, noting ‘*I think about the impacts of AOD and focus on my goals more*’;
- Her attendance at educational activities had improved ‘a lot’, noting ‘*I have now completed my hairdressing course, and I am considering studying again. I am focused on my goal of becoming a qualified hairdresser*’;
- Her relationship with family had improved ‘a bit’, noting ‘*I think about how I talk to them and what is important to me*’; and
- Connection to culture improved ‘a lot’, noting that she ‘*learnt about mob, language and more about my connection to country*’.

Due to her previous participation in YEP, ALSWA is aware that the girl had a significant history of involvement in the justice system over several years. Prior to her commencement on OWNW, the girl had seven CNS notifications. Since commencing OWNW, the girl has only received one CNS notification (for the shoplifting offence in May). As such, she has not been apprehended or arrested by the police via the CNS for a period of seven months. Furthermore, her YCBO has now been completed.

OWNW is supporting the girl to complete all her final assessments so she can attain her Certificate II in hairdressing, and will continue to support the girl to achieve her goals. She has two minor practical assessments and OWNW are endeavouring to supervise these assessments directly, as one of the OWNW case workers is a qualified hairdresser. More recently, the girl has expressed an interest in pursuing a career in community and social services. OWNW is supporting her enrolment into TAFE to complete a Certificate in Community Services, and has recently supported the girl to obtain her Learner’s Permit.

The girl has openly stated to her case worker that without the support of OWNW she would still be sitting at home and not engaged in anything. She also mentioned that, if she makes something of her life, it will be due to the support of OWNW staff.

### Case Example I

A youth transition coordinator from SSEN:BE referred a 14-year-old Aboriginal boy to OWNW in December 2024. The boy had a long history of interaction with the youth justice system, including periods where he had been sentenced to detention in BHDC. At the time of the referral, the boy had been remanded in custody. He was in the care of the DCP and living with family members, and had never attended a high school. The boy was referred for

comprehensive support including case management, mentoring, OWNW Activity Days, and cultural camps.

The boy consented to participating in OWNW in mid-December 2024, and attended an OWNW school holiday activity soon after. During the period from January 2025 until February 2025, OWNW focused on engaging with the boy and encouraging him to attend the OWNW Activity Day Course. In Term 1, 2025, the boy attended seven out of ten Activity Days, including the overnight camp at Boshack.

A full assessment and case management plan was undertaken in mid-February 2025. The case management support plan included assistance with essentials, transport and support for court, mentoring around substance use, assistance with engaging with NDIS supports, assistance to engage in education, and support to enhance cultural knowledge and connection. OWNW liaised with the boy's NDIS coordinator and conducted home visits regularly outside of the Activity Day Course. OWNW also transported the boy to court and supported him there in April and May 2025.

In mid-May 2025, the boy was arrested and charged with new offences and, when he appeared in court, bail was refused. OWNW liaised with his private lawyer to ensure she was aware of his arrest (following a CNS notification), and the boy's OWNW case worker spoke with the boy while he was in BHDC. OWNW were advised that the DCP were unable to locate the boy's parents. OWNW subsequently managed to contact the boy's father, and notified the boy's private lawyer that the boy could reside with his father.

A few days after the boy was remanded in custody, OWNW transported the boy's family to court to support a bail application. The boy was granted bail with a 24-hour curfew and conditions that enabled the boy to attend OWNW activities. OWNW liaised with the Department of Communities regarding the bail placement, and the Department signed as responsible adult. On the same day, following his release on bail, OWNW transported the boy from BHDC to his residential address with his father. OWNW have provided transport to court on a further three occasions, and will continue with this support until the boy's outstanding court matters are resolved.

The boy participated in the Term 2 OWNW Activity Course, attending six out of ten sessions including the overnight Nanga Bush Camp. OWNW staff reported that he engaged well at the camp, was talkative, and enjoyed the sport-based activities.

The boy expressed an interest in attending an alternative school, and OWNW completed the application process in mid-June 2025. The boy's OWNW case worker transported the boy to an initial meeting at the school in late June 2025 and again in early August 2025 soon after which the boy began attending the school and completed his enrolment into a Certificate 1 in leadership with the trainer and assessor. The boy aims to attend the school twice a week and also plans to work towards attaining his White Card and completing his Keys for Life. In mid-August 2025, OWNW transported the boy to the school and he engaged well. The boy has attended school intermittently since this time.

OWNW has also assisted the boy to attend two medical appointments, continues to liaise with his NDIS supports, and has provided the boy and his family with food hampers on at least

sixteen occasions. In addition, in July 2025, OWNW transported the boy to attend a full day at Motivation Foundation (organised by OWNW), and the boy enjoyed the experience. He was keen to engage with the three-day Try a Trade and attended the first day of this course but unfortunately, due to an issue with another participant, he decided not to attend the remaining days. The boy attended three OWNW Activity Day sessions in Term 3 and one session in Term 4. Notably, the boy's attendance at OWNW Activity Days has reduced due to his commitments with the In-Roads program at the Perth Children's Court, which he is now participating in.

As far as OWNW is aware, the boy has not been charged with any new offences since he was released on bail in May 2025. An analysis of the boy's interactions with CNS reveals that, prior to his commencement on OWNW, he had accumulated 72 police custody episodes from the age of 10 years over a five-year period. Since commencing with OWNW, the boy has had five CNS notifications. However, the last CNS notification was in May 2025. Therefore, this young boy has had seven months without any police apprehensions or arrests, which is significant given his history of interaction with the justice system.

Without OWNW's support, it is unlikely that this boy would have been granted bail in May 2025 and highly likely that, even if he had been granted bail, he would have reoffended during the past seven months. As a conservative estimate, OWNW has saved detention costs for the 16 weeks between the date of the boy's arrest in May 2025 and his acceptance onto the In-Roads program in September 2025. This equates to \$480,144.00.

At the end of Semester 1, 2025, the boy completed the OWNW Client Survey. His responses indicated that:

- His involvement with the justice system had improved 'a lot';
- His health had improved 'a lot';
- His ability to reduce harm from alcohol/drugs had improved 'a bit', with the boy noting that OWNW gave him '**something to do for the day**';
- His attendance at education improved 'a lot', with the boy stating that OWNW gave him '**fun things to do**';
- His family relationships had improved 'a lot', with the boy stating that he '**doesn't argue with mum as much anymore**'; and
- His connection to, and knowledge of, culture improved 'a lot', with the boy saying that he was '**connecting with the boys and learning about culture**' and '**learning about dance**'.

Further, the boy said that the most important things he found out about during OWNW were '**Not mess around when you go out bush**', '**Show respect to get respect**', and '**Respect your Elders**'.

This case study demonstrates that OWNW has the capacity to change lives, even for young people with significant entrenchment in the justice system and complex needs. The boy is still currently participating in the Perth Children's Court In-Roads program. OWNW will continue

to support this boy to comply with the requirements of the court and to engage with prosocial activities, education, and training opportunities.

### NAIDOC Youth Ball

On Thursday 2 October 2025, twelve (12) young people (eight girls and four boys) supported by OWNW attended the NAIDOC Youth Ball at Optus Stadium.

The event ran from 6:00pm to 11:00pm and was a highlight on the cultural calendar, offering an opportunity for young people to celebrate their identity, achievements and community in a night they will always remember. Tickets to the ball, which were valued at \$30 each, were fully funded by OWNW to ensure that cost was not a barrier. Eight staff members and several volunteers also supported the evening, providing assistance in the lead-up to the event and throughout the event itself.

In the weeks before the ball, extensive preparation took place to ensure that each young person could attend with confidence. Staff sourced over 100 ball dresses, suits, gowns, shoes, accessories, and handbags through Facebook community groups and other local networks. ALSWA lawyers donated suits for the young men, ensuring that they were well-fitted and comfortable, while a community supporter donated a \$200 Priceline voucher to purchase a diverse range of professional make-up supplies for the girls attending. Additional brokerage funds were used to buy items such as deodorant, dry shampoo, mirrors, perfume, lip gloss, mints, and band-aids. These small but important details allowed the young people to feel prepared and self-confident for the evening.

On the day of the ball, the OWNW office was transformed into a studio space. The young women arrived at midday and were supported by staff and volunteers with hair, make-up, and styling. Staff ensured they carried essentials in their bags and helped with final touches to their outfits, creating an atmosphere of care and celebration with a bunch of snacks and music to add to the party. Later in the afternoon, the young men arrived to be fitted into suits and the group was complete. The preparation process was not only about appearance; it was also about reassurance, encouragement, and building confidence with the emotional support of youth workers.

At the venue, an ALSWA volunteer photographer welcomed the group and conducted individual photo shoots, showing the young people how to stand and pose while making them feel like celebrities. These images captured the pride and excitement of the young people, and a moment of trust emerged when the young boys (who had initially declined a group photo with the young girls) agreed to take one if staff joined them. This gesture reflected the comfort and connection they felt with those OWNW staff supporting them.

The evening was not without its challenges. One young boy became overwhelmed just five minutes after entering the ball and expressed his desire to leave. With patient listening, emotional reassurance, and practical support, staff were able to encourage him to return. The young boy remained for the rest of the evening, later enjoying himself alongside his peers and exiting the venue with a huge smile. This highlighted the importance of staff presence, not only as supervisors but as trusted adults who could guide young people through moments of

difficulty. Even if they were not present inside the ballroom, young people knew the OWNW staff would be nearby.

Given the late finish, and the number of young people who chose to stay the entire night, OWNW arranged Cab Charges to ensure the young people's safe return home. The young people were monitored as they travelled back to their destinations; parents and care givers were kept informed of each young person's journey and provided confirmation upon their arrival home. This decision reinforced the priority placed on wellbeing and safety, while also allowing the young people to end the evening with dignity and independence.

The impact of the ball was evident in the feedback received. Families expressed their gratitude with messages such as '*Omg she enjoyed herself n thank you heaps*', '*She can't stop talking about it, thank you so much my girl looked absolutely beautiful*', and '*They had a ball, thank you, they had fun*'.

External stakeholders also acknowledged the event's success, with one service noting that one participant returned '*absolutely buzzing after the ball and winning his award*', while another thanked OWNW for supporting a young person at the last minute, reporting that '*he had a great time and would like to go again*'.

The NAIDOC Youth Ball of 2025 became far more than a social outing. It was an accumulation of weeks of planning, donations and community spirit that ensured young people could attend feeling valued, confident and celebrated. The evening created lasting memories not only for the twelve young people who attended but also for their families and communities, who saw them shine with pride, and the staff, who watched them tip-toe into the venue at the start of the evening and run out full of excitement and confidence by the end. It demonstrated the power of practical support combined with cultural celebration, leaving a legacy of belonging, confidence and joy for those involved.

## 7. YOUNG PEOPLE'S VIEWS ON THE YOUTH JUSTICE SYSTEM

The views of Aboriginal young people involved in Western Australia's youth justice system were sought by OWNW staff during four (4) OWNW Activity Days in November 2025.

OWNW staff devised four (4) questions for the young people who attended these Activity Days to consider when thinking about their experiences of the youth justice system, and provided the young people with background information on the Inquiry.<sup>46</sup> The young people were informed that they did not have to provide responses to the questions if they did not want to and that, if they did wish to participate, this was an opportunity for their views to be heard by the Federal Government.

In total, twenty-two (22) Aboriginal young people with lived-experience of the youth justice system in Western Australia—sixteen (16) young Aboriginal males and six (6) young Aboriginal females—chose to share their views. As noted by the Commissioner for Children and Young People (WA):

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<sup>46</sup> See Annexure B.

It is crucial to understand that [young people's] views reflect their reality. While [these views] may not be an exact description of an event or circumstance, their perception is their truth.<sup>47</sup>

ALSWA's review of the young people's responses identified several recurring themes, which have been used to structure this part of ALSWA's submission. Notably, many of the young people's views on what they find helpful within the youth justice system, what they find unhelpful, and what should be done to improve its efficiency are consistent with those that have been expressed by other young people with lived experience of the youth justice system in Western Australia<sup>48</sup> and across Australia more broadly.<sup>49</sup>

### 7.1 Environments should be therapeutic and engaging

Young people expressed the view that spaces within the youth justice system are often stark and unstimulating.

*‘The rooms at YJS **need more colour**. It was **white and bright**.’*

*‘... you just sit and look at **white walls** while in custody.’*

*‘Rooms at YJS are **too small and boring**. They **need more artwork**.’*

One young person found it helpful that, when engaging with JJT, they were able to access '**sensory toys** like fidget spinners'. Another suggested that they would like to have access to '**[a] PlayStation or games while waiting at court**'.

### 7.2 Processes should be efficient and understandable

Many young people wanted the amount of time they spent waiting for their matters to be heard in court to change.

*‘The **courts take too long**. Too much time.’*

*‘**Half an hour before** [you're] due for court **that's when you need to attend**.’*

*‘**Not waiting in court for hours**.’*

*‘**They make you sit out front for hours**.’*

One young person said they found it confusing that it '**Takes that long for court**', while another expressed confusion in remarking that they were '**Not allowed into court to support my brother**'. Others emphasised that, when their matters were being heard, they found court procedures confusing.

*‘**Didn't understand** the magistrate. **The words are confusing**.’*

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<sup>47</sup> Commissioner for Children and Young People (WA), *Hear Me Out: Inquiry Into Implementation Progress for Banksia Hill's Model of Care Instruction* (Report, 2024) 43.

<sup>48</sup> See generally *ibid*.

<sup>49</sup> AHRC (n 6) 32-52.

***‘Lawyers words they use are confusing.’***

***‘The big words they use in court.’***

Several young people felt that they were not given help to understand the things they found confusing within the youth justice system, nor to comply with their court obligations.

***‘In custody they don’t explain things.’***

***‘Not explain orders.’***

***‘They chuck you an order and you have to figure it out yourself.’***

***‘No consistent approach.’***

***‘Not enough support in all areas.’***

One young person said that they wanted to have ‘***More of a voice in court***’, and several young people said that diversionary methods and therapeutic courts work best for them.

***‘Get a second chance at JJT. I get a clean record.’***

***‘Therapeutic courts work better [than] general court.’***

***‘Going to all the JJT meetings [helps].’***

***‘In-Roads is better – because of the limit of people and they ask you questions and where you are coming from.’***

It is pertinent to note that, in Western Australia, therapeutic courts can only be accessed by young people living in metropolitan Perth. As such, young people living in other parts of Western Australia do not have access to therapeutic courts.

ALSWA submits that the inability to access therapeutic courts outside of Perth inevitably has deleterious impacts on young people living in regional, remote, and very remote Western Australia who come into contact with the youth justice system. Notably, these young people—the majority of whom are Aboriginal<sup>50</sup>—are already significantly disadvantaged by the limited availability of supports and services in their regions.<sup>51</sup>

### 7.3 Treatment should be dignified and fair

Many young people expressed the view that they were not treated fairly and with dignity during their interactions with the youth justice system.

***‘Fish bowl cell – makes you feel like you’re in a zoo.’***

***‘They treat us like dogs.’***

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<sup>50</sup> See, eg, AIHW, *Youth Justice in Australia 2023-24* (Web Report, 28 March 2025).

<sup>51</sup> See, eg, Commissioner for Children and Young People (WA), *Annual Report 2024-25* (Report, September 2025) 5.

*‘They don’t ask me anything or give me options, they make me get into the car.’*

*‘Treated like a 10-year-old at court.’*

*‘They stereotype on last names and young people.’*

Consistent with the views of other young people across Australia,<sup>52</sup> many participants said that their interactions with police, in particular, were negative. They wanted the way the police treated them to improve, with one young person simply stating that if there was something they could change about the youth justice system, it would be *‘The way police speak to me’*.

*‘It’s not good when they threaten to grab you.’*

*‘Handcuffed to the door after being charged...’*

*‘Not taking me out of bed with no bra at 7am to go to [the police] cells, no time to brush teeth or get ready.’*

*‘Even if they have a search warrant, they shouldn’t be allowed to mess/ruin your stuff.’*

*‘Not being [too] intimidating with police having so many officers.’*

Several young people indicated that ensuring a parent or caregiver is present during their interactions with police would make things better.

*‘If they have a search warrant they need a parent there.’*

*‘Not searching the house without nan or mum there.’*

*‘Asking for permission to search you, explaining things and getting adult consent.’*

*‘Only speaking to you with your parents.’*

ALSWA has long advocated for greater independent oversight to ensure police accountability,<sup>53</sup> and submits that this remains crucial to both improving relations between Aboriginal young people and police, and reducing the overrepresentation of Aboriginal young people within the youth justice system.<sup>54</sup>

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<sup>52</sup> See, eg, AHRC (n 6) 47-9.

<sup>53</sup> See, eg, Dennis Egginton and Kate Allingham, ‘Police Investigating Police Complaints: An Urgent Need for Change in Western Australia’ (2007) 6(28) *Indigenous Law Bulletin* 6, 6-8; ALSWA, Submission to the Community Development and Justice Standing Committee, Parliament of Western Australia, *Inquiry into Custodial Arrangements in Police Lock-Ups* (July 2013); ALSWA, Submission No 74 to the Australian Law Reform Commission, *Inquiry into the Incarceration Rates of Aboriginal and Torres Strait Islander Peoples* (11 September 2017); ALSWA, Submission No 8 to the Joint Standing Committee on the Corruption and Crime Commission, Parliament of Western Australia, *An Inquiry into the Western Australian Corruption and Crime Commission’s Oversight of Police Misconduct Investigations, Particularly Allegations of Excessive Use of Force* (22 January 2020); ALSWA, Submission No 20 to the Joint Standing Committee on the Corruption and Crime Commission, Parliament of Western Australia, *What Happens Next? Beyond a Finding of Serious Misconduct* (July 2022).

<sup>54</sup> See, eg, Australian Law Reform Commission, *Pathways to Justice: An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples* (Report No 133, December 2017) 447-84; Vicki Sentas, “Unreasonable, Unjust, Oppressive”: How a Police Program Targeted Indigenous Kids’, *The Conversation* (online, 1 November 2023) <<https://theconversation.com/unreasonable-unjust-oppressive-how-a-police-program-targeted-indigenous-kids-216627>>; Bronte Charles, ‘Advocates Allege Police Are Using Coercive Powers to Target Aboriginal Youth’, *NITV News* (online, 3

#### 7.4 Connections should be nurtured and maintained

Many of the young people indicated their desire to ensure that involvement in the youth justice system did not prevent them from being able to make and maintain connections with family, friends, support services, and culture.

*‘Having **genuine people to speak with.**’*

*‘Having **more access to psych** ... **have someone to yarn too.**’*

*‘Cultural camps – **back to Country.**’*

Unsurprisingly, this is of particular importance to young people when they are being held in detention.

*‘At Banksia there was no **disability supports.**’*

*‘**Playing cards in Banksia.**’*

*‘**More programs in Banksia – treatment.**’*

*‘**Longer phone calls.**’*

*‘**More cultural support** coming into Banksia.’*

*‘**More blackfullas** working in Banksia – **understanding more.**’*

These responses reflect Aboriginal young people’s desire—and need—to maintain their connections with family, community, and Country, as well as to have access to culturally secure, trauma-informed supports. ALSWA submits that ensuring that the youth justice system is able to meet these needs is crucial to the well-being of those Aboriginal young people who come into contact with it.<sup>55</sup>

#### 8. CONCLUSION

ALSWA’s further submission to the Inquiry has primarily sought to provide the Committee with evidence of the effectiveness of culturally safe diversionary programs for Aboriginal young people who are at risk of encountering, or already in contact with, the formal youth justice system.

This evidence has incorporated the views of young people with lived experience of the youth justice system, their families, and stakeholders to further demonstrate that programs such as OWNW and YEP have the capacity to not only change the lives of participants and their families, but benefit communities more broadly. In ALSWA’s submission, the importance of

June 2025) <<https://www.sbs.com.au/nity/article/advocates-allege-police-are-using-coercive-powers-to-target-aboriginal-youth/etn6280px>>; AIHW, *Safety and Justice for First Nations People* (Web Article, 16 October 2025) <<https://www.aihw.gov.au/reports/australias-welfare/indigenous-community-safety>>.

<sup>55</sup> See, eg, Social Reinvestment Western Australia, *Blueprint for a Better Future: Paving the Way for Youth Justice Reform in Western Australia* (Report, August 2022); Luke Butcher et al, ‘Developing Youth Justice Policy and Programme Design in Australia’ (2022) 81(2) *Australian Journal of Public Administration* 367.

both the Federal and State/Territory governments ensuring that secure, ongoing funding is provided to justice reinvestment initiatives across Australia cannot be overstated.

Finally, in responding to clause 1 of the Inquiry's Terms of Reference, ALSWA has relied on our submission to the previous Inquiry and provided our comments on the findings of the Inquest into the Death of Cleveland Dodd. We maintain and reiterate that:

History in Western Australia has shown us that the youth justice system is broken and will inevitably continue to go through cycles of dysfunction and cause irrevocable harm to children and young people. Meaningful action must be taken by the Federal Government to prevent this cycle continuing, including by fully implementing Australia's international obligations with regards to the rights of children and young people. The creation of enforceable national minimum standards for youth justice would go a significant way towards achieving this goal. However, creating these standards should not be the only step taken. A comprehensive national approach to reforming all aspects of the youth justice systems across the states and territories needs to occur, including by introducing greater funding and investment in the development of diversionary and rehabilitation programs for young people. In ALSWA's submission, nothing other than a complete overhaul of the status quo in relation to youth justice will be sufficient to address the human rights abuses that children and young people suffer in Australia on a daily basis. The Federal Government has the opportunity to lead the way and demonstrate, to everyone in Australia and internationally, that it can be a leader in reforming youth justice. But most of all, the Federal Government owes it to our young people to take immediate and urgent action to respect and protect their fundamental rights. We urge the Federal Government to act on these issues as a matter of priority.<sup>56</sup>

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<sup>56</sup> ALSWA (n 8) 50.

Annexure A

*Estimated minimum detention cost savings to the Western Australia Government*

All minimum cost savings have been estimated using the actual cost per day of keeping a young person in detention during the 2024-25 financial year (\$4,287.00).<sup>57</sup>

Case Examples - Estimated Cost Savings		
<b>Case Example</b>	<b>Period of Detention Avoided</b>	<b>Minimum Savings</b>
A	4 days	\$17,148.00
	3 months	\$391,188.00
	2.5 months	\$325,990.00
B	7 days	\$30,009.00
E	2 months	\$260,792.00
I	4 months	\$480,144.00
<b>Total Estimated Minimum Savings</b>		<b>\$1,505,271.00</b>

Further Estimated Cost Savings		
<b>Reason</b>	<b>Combined Period of Detention Avoided</b>	<b>Minimum Savings</b>
Cancelled Arrest Warrant (4 Young People)	4 days	\$17,148.00
Achieved Bail (5 Young People)	79 days	\$338,673.00
Received and Completed JCROs (2 Young People)	5.5 months	\$717,179.00
<b>Total Estimated Minimum Savings</b>		<b>\$1,073,000</b>

<sup>57</sup> Department of Justice, *Annual Report 2024/25* (Report, 2025) 208.

## Annexure B

### *Information provided to OWNW Activity Day participants*

The Australian Parliament is conducting an inquiry into the *Youth Justice System* and ALSWA will be sending a submission to the inquiry (deadline 19 December 2025).

The Inquiry is required to seek input from young people with lived experience of the *Youth Justice System* and look at what type of programs work instead of detention/imprisonment for young people.

The *Youth Justice System* is the system that deals with and responds to offending by young people under 18 years. It includes laws, police, courts, Youth Justice Services and Banksia Hill Detention Centre.

We are going to ask some questions to see what you think about the *Youth Justice System* – your answers will be deidentified i.e. your name will not be provided in the submission to the inquiry.

You don't have to answer the questions if you don't want to. This is an opportunity, if you are keen, for your views to be heard by people in government.

Thinking about the *Youth Justice System* or any part of it (e.g. police, courts, detention, YJS)

1. What works for you?
2. If there was something you could change what would it be?
3. What do you find confusing?
4. How could it be better?