

# TRANSCRIPT

## LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

### Inquiry into Victoria's Criminal Justice System

Melbourne—Tuesday, 19 October 2021

#### MEMBERS

Ms Fiona Patten—Chair

Dr Tien Kieu—Deputy Chair

Ms Jane Garrett

Ms Wendy Lovell

Ms Tania Maxwell

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Mr Enver Erdogan

Mr Stuart Grimley

Mr David Limbrick

Mr Edward O'Donohue

Mr Tim Quilty

Dr Samantha Ratnam

Ms Harriet Shing

Mr Lee Tarlamis

Ms Sheena Watt

**WITNESSES** (*via videoconference*)

Ms Elena Pappas, Convenor, and

Ms Elisa Buggy, Member, Smart Justice for Women.

**The CHAIR:** Welcome back, everyone. We are very pleased to be joined by Smart Justice for Women. With us today we have Elena Pappas, who is the Convener, and Elisa Buggy, one of the members of Smart Justice for Women. Thank you again for your very substantial submission and for joining us today.

I will just let you know that all evidence taken today as part of these proceedings is protected by parliamentary privilege, and that is provided by our *Constitution Act* but also the standing orders of the Legislative Council. Therefore any information that you provide today during this hearing is protected by law. You are protected against any action against you for what you say here today; however, if you were to repeat the same statements outside this hearing, you may not have the same protection. Any deliberately false evidence or misleading of the committee could be considered a contempt of Parliament.

All our evidence is being recorded. We have Hansard sitting in the background of this hearing. You will receive a transcript of today's session, and I would encourage you to have a look at that, have a good read and make sure that we have not misheard you or misrepresented you in any way. Ultimately it will form part of our report and will go up onto the committee's website.

Again, thank you. If you would like to make some opening remarks, we will then open it up to committee discussion.

**Ms PAPPAS:** Thank you. Firstly, thank you, Chair, Deputy Chair and members of the committee, for giving us the opportunity to present to you today. We wish to acknowledge the traditional owners of the various lands on which we meet and pay our respects to their elders past and present. We acknowledge that we live and work on Aboriginal land, land over which sovereignty has never been ceded. In making this acknowledgement, we want to highlight the ongoing impacts of colonisation and dispossession which play out in the disproportionate numbers of Aboriginal and Torres Strait Islander people, and in particular women, who are held in Victorian prisons and caught up in Victoria's criminal legal system. We also acknowledge the strength and resilience of Aboriginal communities and the leadership that they have taken in addressing these issues, and we urge this inquiry to centre the voices and experiences of Aboriginal and Torres Strait Islander people in addressing the current failings of the criminal justice system in Victoria.

As you know, we appear today on behalf of Smart Justice for Women, a coalition of organisations and individuals from the legal, academic and community services sector which are working together to reduce the criminalisation of women in Victoria. We do this by undertaking joint advocacy, sharing knowledge and fostering a collaborative approach to service delivery within the legal assistance and community services sectors.

The starting point for Smart Justice for Women's advocacy is that women have different pathways towards criminalisation and imprisonment to men. The trajectory of this pathway can be told in the following key statistics: between 70 and 90 per cent of women in Australian prisons have been the victims of violence and abuse, in particular sexual violence and family violence. Women in prison have higher rates of mental ill health, substance use and homelessness when compared with men in prison. Women are less likely than men to have committed violent offences, and women are more likely to be criminalised as a result of issues associated with drug use, including drug-related offending, theft and property offences. These issues are exacerbated for women from culturally and linguistically diverse communities and especially for Aboriginal and Torres Strait Islander women, who are imprisoned at 21 times the rate of non-Aboriginal women.

A key concern for Smart Justice for Women has been the sharp increase in the number of women held in Victorian prisons. This number has more than doubled over the past decade, and Aboriginal women have been grossly over-represented in these figures, with their number tripling over the same period. A major driver of this increase has been the number of women held on remand, who now make up over half the women in Victorian prisons. Any period in custody can have devastating impacts for women, interrupting important protective factors in the community including housing, rehabilitation, mental health supports and, crucially,

removing children from their care. This is why we, along with a large number of other organisations presenting to this committee, are calling for the bail system to be reformed to repeal the reverse-onus provisions of the *Bail Act*, in particular those brought in following Coghlan review.

You will have seen from our submission that this is one of the key areas for legal reform advocated by our member organisations. In addition, we are calling for changes to the sentencing regime to increase the focus on rehabilitation, to include a person's Aboriginality and their caring responsibilities as specific factors to consider in sentencing and to increase the availability of therapeutic sentencing practices. We are calling for reform to parole to better support women's rehabilitation and reintegration into the community, including through the availability of secure and stable housing. We call for improvements to policing practices to address the overpolicing of Indigenous and CALD communities, to increase police accountability and to combat the worrying increase in the misidentification of women as perpetrators in family violence incidents. And we are calling for the adoption of a health-based harm reduction response to drug use.

**Ms BUGGY:** Alongside this, there must be much greater investment in the wraparound support services that will help women in the community get back on track and address the underlying issues that have led to their contact with the criminal justice system. The social and health support system can play a crucial role in identifying and responding to issues that lead to criminalisation for women, such as homelessness, poverty, family violence, untreated health problems and drug dependence.

The priority for any support system reform must be ensuring that women can access the support they need at the right time and in the right settings in a way that avoids the ongoing stigma and discrimination that many women face in trying to access these services. Such supports must be responsive at the first risk of criminalisation. They must be accessible and sustained to reconnect with community and prevent ongoing criminalisation and, most importantly, support must be safe and respectful of the specific needs of women. Culturally appropriate wraparound services that are able to deal with the co-occurring needs of women in the justice system and deliver services in a gender-responsive and trauma-informed manner must be adequately resourced. In particular Aboriginal and Torres Strait Islander community controlled organisations and specialist organisations that work specifically with criminalised women must be properly and sustainably funded.

Fundamental to this social support system is the provision of safe, secure and appropriate housing for women. Safe, stable and affordable housing plays a critical role in reducing contact with the criminal justice system and supporting the successful reintegration of people into the community following contact with the system, yet women in the criminal legal system are limited by systemic barriers that prevent their access to affordable and secure housing. Prison further exacerbates those barriers. While it is sobering that one-third of all women entering prison are homeless upon entry, it is even more grave that more than 50 per cent of women exiting prison leave the gates into homelessness. Homelessness is not only a gateway to incarceration for many women, prison in turn is a gateway to homelessness. Women in the criminal justice system require a housing-first approach which makes safe and permanent housing a first priority. A housing-first approach ensures that housing provision is not conditional upon addressing other health and wellbeing issues. We maintain that engagement with support services cannot be a prerequisite to maintaining housing, rather housing should be the first step in empowering women to exercise control over their lives, empowering them to live free from violence, reunify with family and break the cycle of homelessness and further criminalisation.

The criminal legal system is currently failing women, and the increase in the numbers of women in prison is a stark illustration of this. In order to combat this, urgent reform is required that recognises the specific gendered nature of women's involvement in this system. Fundamental to this is recognition of the pervasive nature of family violence, prior victimisation and trauma that have been experienced by the majority of women who are criminalised. Equally important is the investment in preventative measures, including adequate housing, wraparound support and culturally safe services that recognise and build on the underlying strength and resilience of women who are otherwise at risk of criminalisation. Thank you.

**The CHAIR:** Thank you both. My colleagues and I have completed a very long inquiry into homelessness, and you are reaffirming much of what we heard during that inquiry, so I appreciate that.

I might actually just start off with homelessness. As you say in your submission, it is not only a cause of people going into prison but it is a barrier for people leaving prison, and in particular without accommodation parole is often refused. I note one of your recommendations is that that should not be a reason for refusing parole. It is

kind of perverse because if they do not get parole, they are then released into homelessness without any support. How would you see someone gaining parole while ostensibly being seen as homeless? I am just wondering what that looks like.

**Ms BUGGY:** Elena, do you want me to take this?

**Ms PAPPAS:** I am happy for you to take that, and I can jump in if there is anything else to add.

**Ms BUGGY:** Sure; no problem. I think the first thing to say, Madam Chair, is that homelessness should not be a reality at all in the first place. The question should not even exist. If we were adequately funding the housing system and we were truly committing to Housing First—unfortunately it is rhetoric in the most part at this stage—but if we were truly committing to that as a reality for the people who are arguably the most vulnerable in our community, if we were going to put them first, then the question would not need to be asked. I think that is in fact the focus that we need to take. I appreciate that the reality at the moment is something vastly different to that, but I do not accept that that is something that we should just accept. I think that there has been significant funding recently, particularly for women's housing and particularly in relation to women who are in prison, and I think that it is baffling to think that people who would be eligible for parole but are not able to access it because they cannot access a house cannot access that house, given the funding that has already been provided. So my question, I guess, to your question, Madam Chair, would be: where are the houses?

**The CHAIR:** That is right. And I suppose that just goes back to that common thing, that we should not be incarcerating someone because they have not got a home.

**Ms BUGGY:** That is right.

**The CHAIR:** It is a very expensive way to give someone a home.

**Ms BUGGY:** Indeed.

**The CHAIR:** Yes. I have got lots of questions, but can I just turn to your recommendation around abolishing short sentences. It is certainly not the first time that we have heard this. I think you suggest that we refer it to the Victorian Law Reform Commission to consider this. Could you sort of expand on that idea of how we would do it and why we would do it?

**Ms PAPPAS:** I am happy to respond to that. Look, I think what we are finding, in particular as a result of the bail laws as they are at the moment, is that women are spending time on remand in prison where they are unable to access any rehabilitation services or any of the other programs within the prison system. They are spending enough time on remand that then the matters are disposed of by way of a time served short sentence. What that does is really remove any capacity for the system to provide community support that is geared towards rehabilitation. Really, whether they are in the bail context or otherwise, short sentences remove the ability for really dedicated community rehabilitation services, and also they just prolong the question of housing for women who are vulnerable when they are released. So all we are doing is kicking the can down the road in terms of housing and in terms of linking people in with community support, which they will need upon release from prison. Their time in prison is not productive, is not serving any purpose in going to assist in reducing the risk of reoffending going forward. So really it is a waste of time for the individual and for the community.

If instead of short sentences we invest more in really targeted and meaningful rehabilitation and housing services that women can access in the community, then we are benefiting the individual and we are benefiting the community. One of the things that we flagged and a number of inquiries into this have also flagged is the possibility of sentence creep, where someone might be sentenced to a longer period than they would otherwise be, because the decision-maker is trying to get over that hurdle. But there are ways around this. There are protections that could be put in place that would address that risk. So, because of that I guess complexity, our recommendation is that it is referred to the law reform commission so that those issues can be ventilated and properly explored for more angles and a meaningful solution can be reached. So it is really important that along with the abolition of short sentences we have real, meaningful investment in the community services that are going to get the better outcomes down the track.

**The CHAIR:** Thank you, and I guess obviously the bail system at the moment is a significant factor in those short sentences as well, as you mentioned. We will stick to the same circuit, so we will go to Kaushaliya, then Tania.

**Ms VAGHELA:** Thanks, Chair. Thanks, Elena and Elisa, for your time today and for your submission. In your submission you highlighted concerns about the increasing number of women in prison. Can you just take us through these statistics and trends, including in particular cohorts? I know you have mentioned some statistics in your initial remarks, but if you can also talk about other particular cohorts like, say, the CALD community, that is what I would like to know.

**Ms PAPPAS:** Yes, sure. Look, I think the increase overall has been really troubling, and as we have said, at the moment now we have more than 50 per cent of the women in prison on remand. Statistically, obviously, Aboriginal and Torres Strait Islander women are really the most grossly over-represented cohort in those statistics, but there are statistics around increasing numbers of women from the Vietnamese community as well and also in terms of just really changing policing practices in relation to CALD communities, which we know have been a focus of some other submissions. I do not have in front of me statistics in relation to the number of CALD women in prison. I am happy to refer back to the committee in relation to that.

**Ms VAGHELA:** Yes. Now, we are also interested in understanding the social or economic factors that contribute to this increasing criminalisation of women—for example, what role does economic or housing insecurity play in influencing criminal activity and recidivism, and what is your experience of the services that focus on this issue? The Chair already asked regarding housing insecurity, but if you can answer regarding, say, economic insecurity, then it will give us a little bit more information.

**Ms PAPPAS:** Sure. Elisa, are you happy to take that?

**Ms BUGGY:** Absolutely. And thank you for the question. I think one of the most frustrating aspects of the criminalisation of women, and increasing criminalisation of women, is that there are a myriad of factors, as the committee has already no doubt heard through submissions like ours and interviews. But one of the things that I would say is factors like family violence, for example, play an enormous part in the disparity between men and women and their economic stability. For example, family violence is one of the leading factors of women finding themselves in positions of precarious living situations or street based in homelessness, and that of course leads then into the criminal legal system. It is a fairly slippery slope from there. So I think that we cannot look at any of these factors in isolation and in fact need to look at the continuum, which is why in the Smart Justice for Women submission as well as in others there is a focus on all of the factors that contribute, including economic disadvantage—and including between men and women—and particularly specific to women's experiences: being still the primary caregiver of children, if that is something that is part of their circumstance; family violence and then of course homelessness; the lack of opportunity in employment; and the compound nature of those impacts.

I also think, and we have outlined it and underlined in our submission as well, the impacts of trauma are profound, and certainly that is not different across the board for anybody that comes into the criminal legal system, but it ties into also your question, Madam Chair, about shorter sentences and the abolition of those, because of course prison is a trauma-generating place on top of all of the other factors that may have led a woman to be in that situation. If we are not only not addressing the underlying trauma that supports women to get back into the workforce or get into the workforce and find an economic stability for themselves in the first place but we are also then compounding that trauma by sending them through poverty, through family violence, through homelessness into albeit short terms of imprisonment, then we are creating enormous rods not only for the backs of the women that are in that position but our own backs as well. I again refer to the Chair's comments about the seemingly ludicrous cost-benefit analysis that has been done to say that prison would somehow be advantageous from a fiscal perspective, from an emotional and mental wellbeing perspective or from any other community fabric perspective.

**Ms VAGHELA:** Chair, I will come back, if time allows. Thank you.

**The CHAIR:** Thank you, Kaushaliya. Tania.

**Ms MAXWELL:** Thank you, Chair. Thank you, ladies, for joining us today. I would like to send my regards to Lara Freidin too, who I know contributed to this submission. I have got a couple of questions, and

they are probably a little confronting, so I hope you do not mind. But I think we have to draw as much information as we possibly can. So the first one is: why are Aboriginal women over-represented in prison? So what types of crimes are they committing to become incarcerated? Secondly, we have also heard from other witnesses who were talking about supporting those who are incarcerated and allowing them to have early release or to be released with monitoring. If we look at this in a gendered focus, we are talking about Aboriginal women being incarcerated for crimes that they have committed. And we know that a lot of that underlying issue can be trauma, family violence related. How do you then feel about people advocating for those males who may also be incarcerated, who have perpetrated that violence against a woman who is also incarcerated? How do we find that balance? Because what we are hearing in a lot of the submissions is that particularly our women who are incarcerated are not prepared well enough to be released into a safe environment. And you have alluded to that today—there is housing, there is that trauma, there is mental health, there are ABIs. Your submission goes into great detail about those contributing factors to people being incarcerated. How do we find that balance of placing that responsibility on the person who is actually accountable for initiating that violence?

I know that was a very broad question, but for me it is: how do we make this right? Because we have to consider the perpetrators, we have to consider the victims, and we know that often the Aboriginal women can be the victims, as can be any woman, as can be a male. So how do we find this balance?

**Ms PAPPAS:** Perhaps both of us can take turns in terms of unpicking some of those issues that you have raised. Firstly, just that first point you raised about why is it Aboriginal and Torres Strait Islander women who are so over-represented, and then you asked what crimes they are committing. I think part of that question really takes the focus off the reasons. We should not start by asking ‘What crimes are they committing?’, but we should start by saying, ‘What are the structural disadvantages that they are facing that cause them to become criminalised?’. And so of course there are higher rates of poverty and disadvantage within Aboriginal and Torres Strait Islander communities. Aboriginal women are more likely to be facing family violence. They are more likely to be seriously injured as a result of family violence. But they are also more likely to be misidentified as a perpetrator of family violence, and that can be because of the way police interact with Aboriginal women when they attend these incidents. I guess it is not confined to a family violence incident space, but the interaction between Aboriginal women and police is fraught. It has foundations in ongoing colonialism, and it has foundations in generational trauma that Aboriginal communities have suffered, which is being perpetuated continually by interactions with police, and so I do not think we can shy away from that. Because there are higher rates of poverty and disadvantage, then there is a higher likelihood of criminalisation. So there are many layers to that question, but really it is grounded in poverty, disadvantage and ongoing colonial practices, which we see play out in the way that police interact with Aboriginal women and Aboriginal communities in general.

I also just want to make a point that when undertaking this inquiry it is really important that we do not create a dichotomy between victims on the one hand and perpetrators on the other, because in particular when we are talking about women in the criminal justice system, they have both been victims and what we would call perpetrators or people who have been charged with crimes. So if we try to maintain that false dichotomy, we are not going to get to the root of the problems and the issues that will help to reduce criminalisation for women. We need to recognise that they have been prior victims. We need to recognise the histories of trauma that they have. But really I think the solutions lie in the same basic concepts for men and women, and that is investment in community support and early intervention, because that is the way that we can increase community safety.

We know that rehabilitation does not occur successfully in the prison system. We cannot have a carceral system that is trauma-informed—it just does not work. So the investment needs to be in community services, in housing and in early intervention, and in that way we can increase community safety.

I can hand over to Elisa now.

**Ms MAXWELL:** Thanks, Elena.

**Ms BUGGY:** Thanks, Elena. And thank you for the questions. They are really important and really complex. One of the things that strikes me is—certainly when I have done some deep thinking about these issues, which is the whole purpose of this inquiry—one of the most precarious routes we can take is individualising problems, so placing the problem at the foot of the individual rather than looking at the context

within which that individual sits. Because once we do that we are able then to shirk the blame, shirk the responsibility, and we all as a community, if we are to band together as a community and accept that each and every individual as one individual is part of the broader fabric of the collective, have to pitch in together, and I think that it is problematic to really individualise the problem—which is an awkward way to say it. But I would just echo what Elena put forward earlier. I think that actually what we need to be looking to is lifting our gaze to how we properly resource the supports that are needed to be in place to be able to reduce the impacts and the incidents that you referred to in your question. And incidentally, I would also like to shout out to Lara Thank you very much for making the point.

**Ms MAXWELL:** And thank you so much for those answers, because the reason I asked a question with so many complexities in it was so that you could give us this very thought-provoking response—so thank you.

**The CHAIR:** So in actual fact it was a Dorothy Dixier. I do not say that frivolously, because it is incredibly complex, and it goes back to that early intervention, early intervention.

I might just turn to quite a different space in your submission, which was around the parole board, and in particular—and I did not know this until I read your submission—that they are exempt from the charter. Now, I would love to understand what the thinking behind exempting them from the charter was and then more on your thoughts about why they should not be exempt.

**Ms PAPPAS:** Certainly. I am not sure I am the best person to answer the question in relation to the exemption, but certainly why they should not be exempt is that they are a key decision-maker with immense power over the life of an individual. When you have a body that is representing the state, representing the people, and there is such a huge mismatch between the power of the state and that individual whose life is being really determined by those decisions, you need a check on that power through human rights legislation. The charter gives us that in so many different contexts and has done a lot of really good work in terms of managing that power and balancing rights in society, so it seems a huge anomaly that the parole board is not subject to that. So really for that reason, for the fairness of the individual, for better decision-making and more transparent decision-making, we really think it is essential that they be bound by the charter.

**The CHAIR:** And just following on from that section in your submission, when we look at someone who is on parole and then breaches parole, the time they have spent on parole can be considered as time served—I think that is correct—but it is discretionary. Just to clarify that, what you are suggesting is that that should not be discretionary and that any time on parole is considered time served?

**Ms PAPPAS:** Yes, so that you do get that credit for the time you have served, because I think the exercise of that discretion has been damaging in terms of the psyche that people then return into the system with, ‘What’s the point? Why did I do all of that work if none of it is going to give me any credit?’.

**The CHAIR:** Yes.

**Ms BUGGY:** Madam Chair, I think it is probably pertinent for me to point out and declare that I am a community member of the parole board and am certainly not wearing that hat in this particular context. I would not presume to speak for the APB.

**The CHAIR:** Thank you, Elisa. Kaushaliya.

**Ms VAGHELA:** Thanks, Chair. Regarding the intervention strategies and programs, what do you think would work to reduce offending, imprisonment and reoffending? For example, how effective are diversions, or how could they be improved?

**Ms BUGGY:** Wow, I feel I could speak for ages on this. Thanks so much for the question. The first response that I would have to that very, very excellent question is that health and social wellbeing issues should not be dealt with in a justice setting. It is not the place for them. If we were able to shift the lens and start with early intervention and pre justice engagement, obviously that would be ideal. Post that, one of the most effective programs that at least I have had the privilege to be involved in in recent years is the Women Transforming Justice program, which I know you have heard about in various submissions, and that program showed in its final year that by combining a legal representative with an active, assertive outreach support worker at the point of bail application we were able to achieve at least 75 per cent success in bail applications

across that 12-month period. The number could even be higher than that—there was an anomaly in the data that meant that we could not quite bump it over—but 75 per cent is an extraordinary amount of people that otherwise would have been going into the prison system. The reason that that worked, in my view, and I come from a history of working in diversion programs and therapeutic jurisprudence, was because it was responsive in an immediate sense, so the intervention was timely and the support provided was timely; that the support was assertive and that there was enough resourcing—it was not much, certainly nowhere near the cost of prison but it was resourced adequately—that the outreach worker provided was able to walk with the woman through the doors of the court back into the community and support them into gaining access to accommodation, to mental health support, to AOD support and to a range of other things; and thirdly, that there was a relationship between the legal representative and the support worker and for that matter the court, as we were building up and making a name for ourselves in all of these successful bail applications. It is not difficult. It is not rocket science. It is not hard to replicate. It takes a different way of thinking and being able to truly put the activity into assertive outreach—the commitment that that takes.

I think the other thing that was a defining factor as well was that in the Women Transforming Justice project that I am using as an example, but I think there are certainly others—and it comes back to my original point about health responses being provided by health professionals rather than steeped in the justice system—it was an external agency that was not funded by corrections, that did not have the strings and the ties attached or the frameworks that underpin the supervision and other aspects of a corrections outreach program. So there was a quicker ability to build rapport and trust between the woman and their support worker, and they were able to walk truly together, side by side, to create the sorts of agency that member Maxwell was talking about in her question earlier for the individual but being supported by the people that were walking alongside her.

When we are talking about shorter term sentences, when we are talking about people going to remand rather than being bailed, when we are talking about all of the reasons that that is the case and why the court does not have confidence that the risk is sufficiently mitigated to be able to let somebody walk through the front door instead of the back, as it were, it was not that hard to generate that confidence, and it worked.

**The CHAIR:** And it worked. Thank you. Tania, would you like to round off the session with another multilayered—

**Ms MAXWELL:** What can we do better? I will narrow it down: what can we do better in the preventative stages, the early intervention? Ultimately what we have to see is that there is intervention much earlier. We need, I would think, more resources. We need more supports on the ground, people who are not just working 9 to 5, because family violence does not just happen between 9 and 5; trauma does not happen just between 9 and 5. So I am relying on your expert opinions as to: how can we nip this in the bud so to speak, how can we prevent these women from being incarcerated in the first place?

**Ms PAPPAS:** Well, I think what a lot of Elisa said in that previous answer can be applied to that question of: how can we nip this in the bud early on? That is providing resourcing for the community organisations on the ground that are working with people in an early intervention capacity so that we can provide that assertive outreach, we can meet people where they are instead of having service barriers that exist right from the beginning of someone's engagement. Homelessness services and family violence services that might not be associated with the justice system will have barriers there that mean it is difficult for people to access. We have just been looking at service provision in rural communities in Victoria and there are some great services out there, but the connections between those services do not exist, so we need to increase the connection and the integration between these services so that there can be interventions at every step along the way. As you say, it needs to be available at much greater times and spaces that people can access in a safe way. We need services that are not going to baulk at the challenge of assisting a woman who has been criminalised because she does not fit within the narrative of what that service thinks that they can provide.

One key thing I think I have to say is that we need to raise the age of criminal responsibility, because if we are talking about early intervention, an early intervention for a young person is not going to prison. That is not going to help them at all in terms of reducing the risk of criminalisation down the track. So we need to raise that age of criminal responsibility as a priority if we are talking about nipping issues in the bud, because young people, you know, will struggle to access services in any case, but if they are stuck in prison and that is the response they learn the community has for them, then that is all they are ever going to know. So investment in support for young people as well is crucial.



**Ms MAXWELL:** And I think in rural and regional areas it is very difficult to gain the access to those supports when they are required. You know, there are waitlists, and people cannot wait. When they are in need of that support immediately, then that is what it needs to be. I am wondering whether we need in those more remote areas almost a justice facility that can support those people and refer them to the services that they need, and if they are not available, they can provide that intensive case management until that person is—and to be able to prioritise their needs. Because somebody can think they need support for something in particular, but it may be their mental health that is actually driving that behaviour that leads them to being incarcerated, and if that is not being addressed—and people do not want to have to retell their stories. So I am wondering whether, you know, there needs to be sort of a no wrong door—that people can hold people over until they can get into that housing organisation or that psychologist. We seem to be lacking in that. Do you find that that is the case?

**Ms PAPPAS:** Absolutely. Can I just say that in the rural communities that we were looking at, the best examples of those sorts of services are the Aboriginal community controlled health organisations in those regions, because they do provide a holistic service. You know, they provide a space for lawyers to go and engage with the community. They provide referrals to, you know, drug and alcohol rehabilitation. They are very connected to the community, so they actually provide a really great model for other services in those regions to build from. I think we should really be looking at those organisations as providing a great model for us to follow.

**Ms BUGGY:** I think the key in what you have just said, Elena, and the very hopefully quick point that I was going to make as well on top of that, is that they are Aboriginal community controlled, and I really applaud the committee for leaning into asking them, because we can sit at our desks and write amazing programs—I have done it for the last 15 years, and they are brilliant; just ask me—but I think that if we are not actually asking the people that need the services, if we are not engaging with them in the very first instance, if a hub is not a welcoming space to somebody and it is even so unwelcoming that they are not even willing to share that it is unwelcoming, so we do not even know, then we have failed before we have even begun. So if there is anything that I could suggest, my one recommendation would be to speak with the people for whom we are all here in the first place.

**The CHAIR:** Thank you, Elisa. We certainly have spoken to a good number of groups. We will take that on board. I think it is really important. Again, it goes to this point that we are asking our justice system to fix all of these other problems, which our justice system is not established to do. Thank you so much. This has been a really great session, and we really appreciate all the work that you did in bringing all the groups together to create this submission. As I mentioned at the outset, you will receive a transcript of today, so please do have a look at it and make sure that we have not misrepresented or misheard you, because no doubt parts of this session will definitely form part of the report, but your transcript will also appear on our website and in our report. Thank you all. We will take a quick lunchbreak, and we shall return at 1.30. Thanks, everyone.

**Witnesses withdrew.**