

**Submission to the Youth Justice and Other Legislation Amendment Bill 2021**

by Mr Albert Abdul Rahman

Ph: [REDACTED]

The youth who steal cars, break into people's houses and drive dangerously are causing a rift in the Townsville Community. Vehicles are destroyed and people have been injured and killed in the process. There have been a lot of meetings and advocacy as to how to deal with these issues. People seem to want to lock the young people up or take them out of town. There is deep seated anger and frustration.

At the moment the legislation requires that these young people get bail but without any health or psychological assessment. There is no investigation as to why they keep offending. Many (probably most of them) have foetal alcohol spectrum disorders (FASD) caused by their mothers' drinking alcohol or taking drugs during pregnancy. The consequence of FASD is that these children have neurological impairment which in part is responsible for their behaviours and their lack of learning the consequences of their actions.

The only Australian study of FASD gives evidence that 36% of children in detention in Western Australia have FASD. Of that cohort who are Indigenous the figure was 47%\*.

Court System – We used to have the Murri Court in Townsville for adult offenders. This was a group of elders who worked with the magistrates, lawyers, prosecutors and probation officers to determine the sentence. This was a referral to a 12-week rehabilitation program with various agencies. The outcomes were excellent and any person who failed to complete the course was brought back to the courts for re sentencing. It saved a lot of money for everyone. It brought the responsibility back to the person who had offended. We need to have a children's version of the Murri Court which would involve families or carers.

The proposed changes to legislation only focus on amending and strengthening existing laws. This is band-aiding the problem. It does not take into account the sociopsychological issues with offending youth. Nor does it deal with vigilantes who take the law into their own hands. This needs to change. It needs to include the following:

- a. That all children who come before the courts are assessed for FASD and psychological and other health related issues so that sentencing is appropriate;
- b. That funding be available for rehabilitation services provided by professionals, for these young people. This includes working with their families or carers;
- c. That the Murri Court be introduced for young offenders.

**Reference**

Bower C, Watkins RE, Mutch RC, et al. Fetal alcohol spectrum disorder and youth justice: a prevalence study among young people sentenced to detention in Western Australia. *BMJ Open* 2018;**8**:e019605. doi:10.1136/ bmjopen-2017-019605