

Part 6:

Community Safety and Justice

1 Crime Prevention

Community Safety is when it doesn't matter if I go out or if I stay at home.

6 year old, Kidspeak, Waterloo Green

1.1 Overview

The Government has played a key role in managing crime, crime prevention and community safety planning in Redfern and Waterloo. This part of the submission will provide detail on the Government's key strategies that explicitly have crime prevention and crime reduction as objectives, including the development of the Community Safety Plan and the establishment of the Anti-Drug Strategy.

The Government has also implemented strategies that impact on social and environmental problems, as well as crime in the long term. These are outlined in this chapter and include strategies that involve working with families, as well as those that incorporate crime prevention principles into urban planning and development.

The following provides an overview of the community attitudes and perceptions of crime ascertained through extensive community consultation (see Chapter 10 for a detailed outline of the various community consultations referred to below) and a snapshot of the crime statistics provided by the NSW Bureau of Crime Statistics and Research.

1.1.1 Redfern and Waterloo community views

Sometimes my Mum won't let me go out because she does not feel safe for me to go out - 12 year old, Stephanie, Aboriginal young person

In 2002, a series of consultations were held with 129 young people, aged 8-20 years, in Redfern and Waterloo. The Department of Community Services, as part of the Redfern/Waterloo Partnership Project (RWPP), commissioned South Sydney Youth Services (SSYS) to run the consultations.

The consultations were undertaken by a team of young people, community members and social work students. A significant number of young people reported feeling scared at night

and felt worried about outsiders preying on vulnerable youth. The issue of paedophilia was raised and particularly girls and young women expressed anxiety about how much they get ‘hassled’. Young women clearly identified potential violence from adult men as impacting negatively on their feelings of safety. Young men identified other young boys and adult men as an impact on their feelings of safety.

In August 2002, a series of seven community safety audits was conducted by the Government in the Redfern and Waterloo area to involve relevant stakeholders in identifying issues in the environment which impact on people’s feelings of safety. The safety audits involved representatives from the former South Sydney City Council, Redfern Police, Department of Housing, Rail Corporation, local businesses and residents. Major issues identified included poor lighting, inappropriate landscaping, poor maintenance, graffiti, unsafe needle disposal and lack of street signage.

The safety audits were an important initial tool to inform the work of RWPP in relation to the physical environment and its impact on community fear levels and sense of cohesion. All of the recommendations have been taken up by the Community Safety Plan which is outlined in detail at 20.7 below.

Research undertaken by Samuels and Judd for the University of NSW (2002) found that it is unlikely that communities will respond to partnership initiatives unless they experience some tangible physical upgrades in their day to day living and working environments. The Government’s commitment to make improvements in the area has been well received by the community and will have a significant impact on the community. An example of where the Government has made improvements to the physical environment around Redfern Railway Station is provided at 20.4.3.

The high volume of crime, perpetrated by young people, and linked to drug use is seen as the primary problem facing Redfern and Waterloo. The crime is described as opportunistic and low-level, such as bag-snatching, theft, break and enters, and vandalism.

In reporting on community consultations, McCallum (2003) has found that the communities consider there to be a high level of violence (particularly domestic and family disputes) and drug misuse in the area.

McCallum also reported that drugs were seen to be the single biggest determinant of crime. It was recognised that drug misuse is linked to deeper personal issues, or the lack of viable alternatives to anti-social behaviour. The presence of the mobile needle and syringe service on The Block was reported to be seen by some in the community as being the reason why drug use is so prevalent in the area. Others disputed this saying that the service followed drug use, not vice versa.

Young people and problematic behaviours of vandalism, crime, drug use, and loitering emerged in McCallum’s findings as another major area of concern for residents, members

of the non-government and government sectors, and business. McCallum reported that some participants in the study believed that the anti-social behaviour of these young people resulted from complex social issues, including poor parenting; intergenerational use of drugs and alcohol; lack of success in the education, training and employment sectors; poverty; and absence of meaningful and appropriate recreation, sport and entertainment. This information correlated strongly with much of the previous research and other consultations which had taken place in the area.

Participants in the study were reported to be particularly fearful of groups of young people and people showing the influence of drugs and alcohol. McCallum also reported that Aboriginal people around The Block and the railway station were seen to be potentially dangerous and intimidating, and were avoided as a precaution.

Many respondents commented on the ugly physical appearance of parts of the Redfern and Waterloo area, particularly around the public housing areas. Other issues identified included poor maintenance, poor urban design, vandalism and graffiti. The lack of open spaces where people can gather informally was also frequently mentioned in the consultation process. Many people commented on feeling fearful about going out at night. This is significant in that the all-important sense of community is lost when a sufficient number of people recoil from using the built environment.

As part of the RED Strategy (see Chapter 16), community consultations were also conducted throughout the latter part of 2003. Crime and personal safety was the highest priority identified by the community. Bag snatching, illicit drug use, vandalism and intimidating behaviour were the most frequently reported problems.

NSW Police has advised that residents who live in and around The Block report incidents of rock throwing and frequently report incidents of criminal and anti-social behaviour. The following resident quotes have been provided to the police:

Our main problem is the kids and the damage they cause, rocks thrown at people, windows, cars, phone lines cut, graffiti, harassment and intimidation, fire, assault etc The main protagonists are boys of around 10 and teenage girls.

It's only luck that no one has been seriously hurt or worse by children throwing bricks and rocks. Adults will stand by and watch as children smash a car up. There is no parental guidance or very little as the same will be running the streets all hours of the day and night.

Living here gives you a very tough resolve but I feel it does not do my health any good in the long (sic) term as it is a constant problem every day. We do get the odd quiet time but it lasts for such a short time that you feel constantly tested as the trouble comes in waves.

It is difficult to make outsiders to our area aware of the magnitude of this problem, but try to understand that the age of the child is not the issue when you are threatened with a brick, fire, broken bottle or syringe. Projectiles break windows regardless of who throws them.

The Department of Juvenile Justice reports that its staff, with links in the area, has had community members say to them that there is fear of reporting crime in the community due to threats of retaliation.

1.1.2 Crime statistics

On 15 April 2004, the NSW Bureau of Crime Statistics and Research (BOCSAR) released its annual recorded crime statistics for the previous year. These cover data on crimes reported to or detected by NSW Police from January 2001 to December 2003. BOCSAR provides an overview of trends in the most recent two year and five year periods for a selection of serious offence categories, according to Local Government Areas.

BOCSAR has provided the available statistics of interest to this submission relating to the suburbs of Redfern and Waterloo, as well as Zetland, Chippendale and Darlington. The table below shows the major trends related to the number of criminal incidents recorded, with crime statistics generally falling or static over the last 2 years.

Table 32: NSW recorded crime statistics 1999-2002 for Redfern, Waterloo, Chippendale and Darlingtong – Major trends

Number of criminal incidents recorded in postcodes 2016/2017/2008*								
Offence classification		1999	2000	2001	2002	2003	24 month trend ²	5 year trend ¹
Homicide	Murder	4	0	1	0	2		
Assault	Assault	594	681	794	816	657	down 19.5%	
Sexual offences	Sexual assault	23	18	23	32	24		
	Indecent assault, act of indecency, other sex offences	18	24	32	20	40		
Robbery	Robbery without a weapon	262	291	501	410	401		up 53.1%
	Robbery with a firearm	15	2	6	8	11		
	Robbery with a weapon not a firearm	156	118	236	108	75	down 30.6%	down 51.9%
Theft	Break and enter - dwelling	602	756	990	647	621		
	Break and enter - non-dwelling	291	263	399	244	245		
	Motor vehicle theft	314	315	383	364	266	down 26.9%	
	Steal from motor vehicle	1228	1539	1656	1277	1212		
	Steal from retail store	72	80	95	97	83		
	Steal from dwelling	278	304	361	299	269		
	Fraud	101	122	203	173	219		
Malicious damage to property		823	747	856	851	751		

Notes: Postcode 2016 = Redfern, 2017 = Waterloo and Zetland, 2008 = Chippendale and Darlingtong

1. The percentage change in the five year trend represents the difference from 1999 to 2003

2. The percentage change in the 24 month trend represents the difference from 2002 to 2003

3. BOCSAR advises that the data for 'stealing from the person' is not available.

In summary, assault is down 19.5%, robbery with a weapon not a firearm is down 30.6% and motor vehicle theft is down 26.9%. The offences of murder, sexual assault, indecent assault, robbery with a firearm, break and enter, stealing offences and fraud have all remained static.

Table 32 also shows trends over a five year period from 1999. The five year trend indicates a downward trend in robbery with a weapon not a firearm (51.9%) and an upward trend in

robbery without a weapon (53.1%). Overall, the table highlights a general and sharp increase in crime statistics in 2001 with a downward trend from 2001 onwards.

BOCSAR reports that where there is a recorded decline in crime in New South Wales, much of the credit can be attributed to the national heroin shortage which began around Christmas 2000.

It should also be noted that it was during 2001, when the table shows a peak in crime statistics in the Redfern and Waterloo area, that the Government established a whole of government response to Redfern and Waterloo to strengthen its activity in the area, led by the Redfern/Waterloo Partnership Project. This, including the various community safety and policing strategies outlined below, is likely to have had an impact on the positive results in relation to recorded criminal incidents.

In addition to these specific statistics, Chapter 21 outlines the key crime challenges, and their characteristics, in Redfern and Waterloo as identified by NSW Police.

1.2 Fear of crime

The Commonwealth Government's then National Campaign Against Violence and Crime (now National Crime Prevention) reported (1998) that fear of crime is an issue of concern because of its detrimental effects on society and individuals' quality of life. Fear of crime is measured in much of the research as the perceived risk of becoming a victim of crime compared to the actual risk.

Frequent experiences of incivilities and harassment were reported to also influence perceptions of risk and levels of fear. These experiences form a rational and realistic source of fear which is not accounted for in official crime statistics. However many of the policing and early intervention strategies will impact on these experiences.

The research found that people adopt a range of strategies to manage their fear and this impacts on their daily activities. For example, people secure their homes against others and avoid contact with strangers in public places.

The report states that while the media informs people about crime, many of the research respondents were cynical about the accuracy and sensationalism of crime reporting. They recognise media 'beat-ups' and are aware that certain types of crime in certain areas are over-reported.

Significantly the research provides an interesting comparison between perceptions about media reporting and crime in the Blue Mountains and Redfern. Teenagers are reported to believe that the media in the Blue Mountains deliberately under-report crime in the area so that tourists continue to visit. Redfern teenagers are reported to believe the media sensationalise crime in their area and under-report good news.

Despite this awareness by some groups, media reporting still increases people's fears about some areas of Sydney which have become associated with crime and danger. In addition, gossip and other experiences become the basis for estimating risk of victimisation.

A BOCSAR study (1996) on crime perception and reality reported that people are more likely to be afraid of crime if they have personally experienced a crime or, as reported by the Commonwealth study, if they encounter conditions in their local area which are the result of minor crimes such as graffiti, vandalism, litter or the frequent presence of intoxicated persons.

1.3 Urban design

There has been increasing awareness in recent times about the role of urban design in addressing crime and, as reported above, in promoting community safety. The state of the environment plays an important role in people's perceptions of safety. As the community safety audits indicated, an environment which is poorly maintained or inappropriately designed may increase people's feelings of safety in an area. In places where there is a high level of interaction amongst people at the neighbourhood level people often feel safer. This level of interaction may well be demonstrated by a dwelling which has open sightlines and building lines close to street level as well as a well manicured nature strip.

Alternatively the fears of some people are exhibited in the types of security which they employ on their home such as high walls, iron bars and the use of barbed wire which may have the adverse effect of taking the sense of neighbourliness out of communities. Such measures may create the impression that the neighbourhood is in a high crime risk area or is more unsafe than it is in reality.

People with criminal intentions are deterred from places where they think they will be singled out. The key to safe urban design will essentially involve combining the social and the physical characteristics of an environment in striking a balance between surveillance, security, acoustic and visual privacy, building character and appearance and a clear delineation between public and private spaces.

1.4 Crime Prevention Through Environmental Design (CPTED)

In response to these urban design issues, CPTED stresses that the design and effective use of the physical environment can reduce the incidence and fear of crime. PlanningNSW (2001) describes CPTED as seeking to influence the design of buildings and places by:

- increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture
- increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended

- reducing the potential rewards of crime by minimising, removing or concealing ‘crime benefits’
- removing conditions that create confusion about required norms of behaviour.

It identifies the four basic principles which underpin CPTED and which form the basis of detailed planning guidelines for the design of buildings and spaces. The principles are:

- *Surveillance* – which follows the belief that the attractiveness of crime can be reduced by providing opportunities for effective surveillance, both natural and technical. Good surveillance means that people can see what others are doing in the course of their every day activities. People tend to feel safe in public areas when they can easily see and interact with others and would be offenders are often deterred from committing crime in areas with high levels of surveillance
- *Access control* – which involves the use of physical and symbolic barriers to attract, channel or restrict the movement of people in order to make it clear where people are permitted to go or not to go. Barriers minimise opportunities for crime and increase the effort required to commit crime. Conversely, illegible boundary markers and confusing spatial definition make it easy for criminals to make excuses for being in restricted areas
- *Territorial reinforcement* – follows the belief that people usually protect the territory which they feel is their own, and have a certain respect for the territory of others. Fences, paving, public art, signage, good maintenance and landscaping are some of the ways ownership can be expressed. Identifying intruders is much easier in a well-defined space. An area that looks protected gives the impression that greater effort is required to commit a crime. A cared for environment can also reduce the fear of crime
- *Space management* – is similar to territorial reinforcement and involves ensuring that space is appropriately utilised and maintained. Space management strategies could also include activity co-ordination, site cleanliness, rapid repair of vandalism, graffiti and lighting and the removal or refurbishment of decaying physical elements.

1.4.1 The NSW Government and CPTED

The State Government through the then PlanningNSW prepared guidelines as part of broad approach to reducing crime through better design. The Government’s strategy includes:

- guidelines under Section 79C of the *Environmental Planning and Assessment Act 1979* to help councils consider and implement CPTED principles when assessing development applications. Councils have an obligation to ensure that a development provides safety and security to users and the community. If a development presents a community safety risk these guidelines can be used to justify modification of the development to minimise the risk of crime and/or refusal of the development on the grounds that crime risk cannot be appropriately minimised

- a training program called Safer By Design run by the NSW Police that will enable council planners to understand and apply the principles contained in the Section 79C guidelines
- working with the Australian Building Codes Board to include crime prevention strategies in the future Building Code of Australia
- continuing to encourage crime prevention strategies as good urban design principles for example through the publication Better Urban Living, the NSW Model Code and future design based planning controls.

1.4.2 Redfern, Waterloo, Eveleigh, Darlington (RED) Strategy

The RED Strategy to address urban renewal, economic revitalisation and improvements in urban amenity in the area is one of the Government's major initiatives to be undertaken by the Redfern/Waterloo Partnership Project in conjunction with the Department of Infrastructure, Planning and Natural Resources. With policing and early intervention and crime prevention strategies, it will contribute towards addressing the issues related to both the fear of crime and the actual level of crime in the longer term.

In line with (the former) PlanningNSW guidelines and CPTED principles, the RED Strategy will guide the future development of the area and aims to address a number of specific local issues in the Redfern and Waterloo environments including:

- community safety
- a sustainable vision for the RED area
- traffic planning and transport links
- encouraging commercial and retail activity
- conservation and heritage
- parks and streetscape
- future development.

See Chapter 16 for more information on the RED Strategy.

1.4.3 Maintenance and immediate improvements

The Government has ensured that immediate issues relating to the physical environment and crime or community concerns about safety are addressed as quickly as possible. Examples include:

- The Roads and Traffic Authority (RTA) advise that the trend in the area in relation to vandalism of its property has been declining for a number of years. It responds to call outs when needed to ensure that traffic signs and signals are maintained and operating effectively

- The RTA reports that from April 2002 to April 2003, it attended only seven call outs to repair vandalised traffic signals, including repairing five sets of push buttons. No traffic signal call outs were recorded during May 2003 to April 2004. Vandalism to signs during 2002 and 2003 was also relatively insignificant. In 2002, the RTA undertook three repair and replacement jobs while in 2003, four jobs were required
- Coordinated by the Redfern/Waterloo Partnership Project, the State Transit Authority conducted a night time audit with NSW Police and the former South Sydney City Council. The audit which led to the implementation of initiatives such as improved street lighting and pruning of vegetation.

Rail Corporation has installed 75 closed circuit television (CCTV) cameras on Redfern Station. These are monitored from a Group Remote Monitoring Location (GRML) situated on the station concourse next to the Station Manager's office. The GRML is staffed 24 hours/7 days and monitors a group of local stations as well as Redfern. These cameras can also be monitored from the Security Control Centre in the Rail Management Centre.

There are 12 Help Points throughout the railway station, provided for passenger use in emergencies. If a Help Point is activated, a CCTV camera is focused onto the Help Point and security staff from the GRML speak to the customer. If it is a minor incident, local security staff are asked to attend. If it is more serious, the NSW Police are contacted.

Rail Corporation has also worked with the Redfern/Waterloo Partnership Project to implement a program of ongoing improvements to the station's security lighting.

Following damage to the railway station received during the riot on 15 February 2004, repairs and temporary security of the station has been undertaken. The Heritage Office provided development consent under s60 of the *Heritage Act 1977* for emergency repair works and temporary security arrangements until long term solutions could be developed.

The redevelopment of The Block is seen by many in the community to be one of the keys to the broader revitalisation of Redfern and Waterloo, and improving community perceptions of safety in the area. The Government, led by the Redfern/Waterloo Partnership Project with the Aboriginal Housing Office and Department of Aboriginal Affairs, has been working with the Aboriginal Housing Corporation to plan the redevelopment of The Block.

The RED Strategy will set the parameters for the redevelopment. This is outlined in more detail in Chapter 19 of this submission.

Case Study: Redfern Railway Station

In June 2003 a number of concerned residents contacted the Redfern/Waterloo Partnership Project regarding recent violent attacks in the vicinity of Redfern Railway Station. RWPP coordinated a swift response from the former South Sydney City Council (SSCC), NSW Police, Rail Corporation and Energy Australia to put in place changes to the environment and to encourage behaviour change which would reduce the risk to workers, students and residents as they make their way in and around Redfern Station.

RWPP established that poor street lighting, illegal entry to the Station of up to 100 people a day, and the gathering of groups at the top of Eveleigh Street, contributed to a high risk of either assault to, or theft from, people moving to and from the Station. Offenders were seeking refuge amidst the group and missiles were being thrown at Police as they entered the street to apprehend the offenders. Identification of perpetrators of serious assaults outside the Station was restricted by poorly placed CCTV cameras and poor lighting.

Actions included:

- Police, SSCC and Energy Australia responded to requests to change lighting and the streetscape surrounding the station and at the top of Lawson Street, and between Gibbons and Eveleigh Streets and to Caroline Street. Improvements to lighting have improved safety for pedestrians at night as well as enhanced pick up for CCTV at the Redfern Station entrances. Changes to lighting were completed by 9 August 2003
- Rail Corporation, State Transit Authority, and Police improved surveillance and safety at railway entrances and on platforms, involving an increase in numbers of Transit Police at Redfern Station and more comprehensive CCTV. Changes to CCTV began on 12 August 2003
- Rail Corporation and Transit Police began actions to eliminate unauthorised entry to the station to protect commuters
- SSCC approved changes to the Streetscape at the top of Eveleigh Street which reduced the chance of group gatherings and reduced missiles being thrown in the event that police had to enter Eveleigh Street to apprehend offenders.

All of this work has now been completed.

1.5 Interventions with families at crucial transition points

Calvert (1999) has referred to an increasing body of evidence that suggests that interventions early in life can have long term impacts on crime. She also cites research that shows that even across socio-economically similar suburbs, evaluations of community

well-being, (particularly how connected people feel and their level of trust), can be linked with higher or lower risk of child abuse and neglect. This points to the importance of developing responses that are aimed at children and their parents in order to impact on the level of crime.

The National Crime Prevention's *Pathways to Prevention* research (1999) which examined developmental prevention found that "...the roots of criminal offending are complex and cumulative, and are embedded in social as well as personal histories. The risk of crime is exacerbated by not providing meaningful social pathways for a diverse range of young people, and by not promoting the attachment of individuals and communities to mainstream social supports and developmental institutions such as families and schools".

The research notes that "...only in very recent years has much of the scientifically persuasive evidence emerged that interventions early in life can have long term impacts on crime and other social problems such as substance abuse".

Interventions that are delivered early in life such as around birth or in pre-school are particularly important. However the research also establishes that interventions which occur early in other crucial transition points or stages in the pathway, such as entry into school, are equally important.

The Government's initiatives which have been established to target children and families in Redfern and Waterloo (see Chapter 14), including those that have been or are being undertaken through RWPP, were developed to deliver interventions at key transition points. This is in keeping with the research findings of the National Crime Prevention report. Some of the initiatives are specifically aimed at young people who have already been identified as being involved in or being at high risk of anti-social or criminal behaviour. The initiatives include:

- Intensive Family Support Service which targets at risk children, young people and their families particularly those who do not engage with traditional services. The role of the service is to improve a family's coping mechanisms and to reduce the need for child protection intervention in their lives
- In-home Support for Aboriginal Families Services to meet the complex needs of Aboriginal families in Redfern and Waterloo, many of which have multiple problems involving abuse of alcohol and illegal drugs, family violence, mental health problems, poor parenting skills and experience severe disadvantage
- Centacare Culturally and Linguistically Diverse (CALD) Family Counselling Service which provides counselling, support, information, advocacy and referral services for Mandarin, Cantonese and Vietnamese speaking clients living Redfern and Waterloo
- Redfern and Waterloo holiday program, run over the December 2002 to January 2003 school holiday break, to provide holiday activities for young people and children,

integrate the services delivering these activities and decrease the risk of anti-social behaviour

- Establishment of a Sports Development Program at the Alexandria Park Community School in August 2002. This Program is currently linking ‘at-risk’ young people with after school recreational activities as well as developing new programs for young people in the community
- Funded out of hours activities through the Fact Tree Youth Service, the Settlement Neighbourhood Centre and Waterloo Girls Centre services to young people during the evenings and weekends for the financial year of 2002/2003
- Redfern-Waterloo Pathways to Prevention Program, funded by the Commonwealth Government, to help the community provide a greater range and more effective support to children aged 0-14 who are at risk. Support is also provided to their families.

1.5.1 Police youth strategies

The Redfern LAC has two full time Youth Liaison Officers (YLOs) and other officers mentor local young people aged 8-12. YLOs work with police and young people to improve relations, prevent youth crime and to ensure that legislation, such as the *Young Offenders Act 1997*, is implemented appropriately. Redfern LAC has implemented a number of strategies to promote positive relationships between police and youth in Redfern and Waterloo. These strategies and programs aim to enhance relationships, between youth, their community and police, and to create and build trust between police and local youth. In particular they aim to encourage young offenders and young people at risk of offending away from crime and out of juvenile detention. Participants in these programs include Aboriginal young people.

Some of the programs implemented by Redfern include:

- Youth Mentor Program - Officers from Redfern are partnered with a young Aboriginal person from The Block or Waterloo. The young people selected are on the fringe of committing crime and many have been suspended from school. The activities include day outings, street liaison and camps. Funding has been received from the Redfern/Waterloo Partnership Project to continue this program and youth camps in 2004
- Police Aboriginal Youth Camps. These camps cater for 20 young people over a four day period. The last camp was in January 2004. BP Connect at Regent Street in Redfern, donated funding towards the camps and police mentoring to build on established relationships. These camps are discussed in more detail in Chapter 14
- Redfern Police ride the school buses and encourage youth to attend school

- Nippers life skills program. Three young people attended South Maroubra Surf School during the summer of 2003/2004. Police transported the young people to the venue and trained with them.
- Juveniles at Risk Program. Young people at risk are identified and made known to police at Redfern. If agreement is reached with their parents they are returned home if they come under police notice. The program is directed at youths who are on the streets late at night or during school hours
- Day outings throughout school holiday breaks
- Interaction between Redfern Police and Schools, including meetings with officers from Redfern and local schools and principals. A truancy register has been implemented. Redfern Police also assist youth in finding placements in other learning facilities for children who have been suspended from school
- PCYC involvement. Groups of youths are conveyed to the PCYC on Friday nights by Police to participate in activities, remove them from the streets and strengthen the relationship between them and police. Most of the young people involved have not come to attention for committing crimes since being on the program. Also, youths who are suspended from school are referred to the PCYC for supervision and completion of school work
- Redfern LAC has also been liaising with the Hillsong Church Group with a view to develop further activities for Aboriginal youth
- A further Redfern LAC initiative is the DEUD (Don't end up in the Dock), to be implemented in the near future. The program targets children under 12 and includes presentations to them by police, victims of crime and local community Elders. It is designed to deter young people from embarking on a life of crime.

1.5.2 Case coordination and brokerage of services

Significantly, a number of Government agencies including the Departments of Community Services and Housing, and NSW Police have reported that the children and young people who are already involved in most ongoing anti-social behaviour in Redfern and Waterloo are well known to them and have long histories with their services.

The lack of a formal protocol between agencies and the limited availability of appropriate programs has, in the past, contributed to the lack of the effectiveness of a coordinated approach to this issue.

The Government is developing a new and innovative case coordination model to improve service delivery and focus on intensive ongoing case management for these children and young people. The model takes a holistic approach to the prevention of crime and anti-social behaviour, focusing on these children and young people with one of the aims being to avoid their progression to or further entrenchment in criminal activity.

The model will improve sharing of information across agencies which will enhance approaches to child protection, and facilitate a collaborative planning and management system built around a child focused approach. A continuum of interventions will be used to meet the full range of a child's or young person's needs.

As a component of the model, one senior case coordinator and two case coordinators will be employed for a 12 month transition phase. The intention is that the case coordinators will support this systematic change over the initial 12 months to establish the framework for ongoing coordinated, child focused approaches across agencies in Redfern and Waterloo.

Although the case coordinators will be administered by the Department of Housing and receive professional support from the Department of Community Services (DoCS), they will provide services independent of any one agency. Two case coordinator specialists, including an Aboriginal specialist, have been successfully recruited and recruitment is underway to employ a senior case coordinator. The Case Coordination Team is expected to be in operation during May/June 2004.

The overall management of this initiative is by the Human Services Senior Officers' Group made up of Regional Directors (or their equivalent) of relevant agencies. The group is involved in setting priorities for this program and in the development of strategies and protocols to be put into place to case manage the children and young people.

This model is funded under the Redfern/Waterloo Partnership Project's Youth Intervention and Development Program for a period of 12 months. In addition, the implementation of an integrated case management plan tailored around the requirements of the individual young person or child may require brokerage of services and programs from a range of agencies. These may include one to one mentoring, intensive counselling, tutoring and education support, a camp which brings together community leaders and police to work with an identified group of young people, and payment of fees to allow the at risk young person to participate in constructive activities which build self esteem and teach respect.

To protect people's rights, the *Privacy and Personal Information Act 1998* limits the type of information that can be exchanged between agencies. However, where there are instances of unlawful behaviour or where children or young people are at risk as defined in the *Children and Young Person (Care and Protection) Act 1992*, agencies are exempt from the requirements of the *Privacy and Personal Information Act*.

So that the necessary information can be shared, and in order to address the needs of these children, an application for exemption to five Information and Protection Principles of the *Privacy and Personal Information Protection Act* has been prepared. This issue is outlined in Chapter 24 on legislation and policy issues.

1.6 Redfern/Waterloo Anti-Drug Strategy

1.6.1 Background

In May 1999, the Government held the NSW Drug Summit at Parliament House in Sydney. The NSW Drug Summit achieved a degree of consensus on certain key principles on which the Government has charted a new course in drug policy.

In July 1999, in response to the NSW Drug Summit's recommendations the Government announced a Government Plan of Action to tackle the problem of drugs.

The Government Plan of Action is a whole of government approach to drug policy and involves numerous agencies including The Cabinet Office, Premier's Department, NSW Health, NSW Police, Department of Education and Training, Department of Juvenile Justice, Department of Corrective Services, Corrections Health Service, Department of Community Services and Attorney General's Department.

The Office of Drug Policy was established within The Cabinet Office and the Special Minister of State was given ministerial responsibility to administer the management and implementation of the Plan of Action. Greater interagency collaboration through regular interagency meetings on the implementation of drug policy ensures its ongoing effectiveness.

The Government committed an additional \$176 million to implement new and expanded drug programs focusing on the key areas of treatment, education, prevention and law enforcement under the Plan of Action.

In 2003, the Government committed \$230 million over four years to continue and further develop existing drug programs.

1.6.2 Strategy implementation

Building on the experience of implementing drug strategies in other communities and in response to community concerns about community safety and crime prevention issues, the Premier announced the Redfern/Waterloo Anti-Drug Strategy (RWADS) on 21 November 2002. The Strategy responded to crime related community safety and maintained an appropriate level of response to the serious public health considerations.

At the time that the RWADS was announced, illegal drug use in Redfern and Waterloo was seen by the community to be a significant contributor to the deteriorating crime and safety situation in the area. The factors that the community perceived were impacting on that situation included:

- inadequate levels of effective policing
- the presence of a Mobile Needle and Syringe Service located near The Block

- the high number of transient drug users who travel to Redfern via the railway to purchase drugs
- the large numbers of discarded needles and syringes.

The Strategy recognised that illegal drug use is not limited to any one area of Redfern and Waterloo, including Darlington, and that a failure to implement an integrated strategy for the whole area would only result in continuing community concern. The Strategy was intended to also address some specific concerns associated with the area known as The Block including the supply and use of drugs and the associated theft in that vicinity.

The key elements of the RWADS were:

- proactive policing to target drug dealers and drug houses in Redfern and Waterloo and ‘build a wall’ around the area to stop transient drug users from entering
- increased opportunities for magistrates to adopt a more flexible approach to bail conditions and sentencing including establishing a Redfern MERIT (Magistrates Early Referral Into Treatment) Program (see Chapter 22)
- the immediate relocation of the needle and syringe service, after school hours with a subsequent gradual reduction in hours for the needle and syringe service on The Block
- the establishment of an effective daily needle clean up program
- the introduction of new programs to increase access to services by local drug users
- establishment of early intervention programs focusing on at risk young people and families (see also Chapter 14)
- addressing environmental factors which contribute to illegal drug trade in the area
- the development of a long term Community Safety Plan for Redfern and Waterloo (see 20.7 below)
- supporting the Aboriginal Housing Company in its plans to redevelop The Block in 2004 (see Chapter 19 for more detail).

As part of the Anti-Drug Strategy approach, a Drug and Alcohol Taskforce was set up to oversee the implementation of the Strategy. Taskforce Membership included six Government agency representatives, a representative from the former South Sydney City Council and six community representatives.

The Taskforce’s Terms of Reference were:

- to oversee the implementation of the Redfern/Waterloo Substance Abuse Strategy
- to provide a forum for the community to engage with Government regarding local issues of concern in relation to substance abuse

- to provide advice on how the key recommendations arising from the Alcohol Summit can be implemented in Redfern and Waterloo
- to support linkages between changes to infrastructure and public domain in Redfern and Waterloo and addressing social change in relation to drug and alcohol issues
- to support coordinated responses between community, Government agencies and Cabinet with regard to Drug and Alcohol issues
- to support interagency responses to issues that require a whole of Government approach
- to monitor changes and achievements in relation to the Redfern and Waterloo Substance Abuse Strategy.

See Appendix 7 for the full Anti-Drug Strategy.

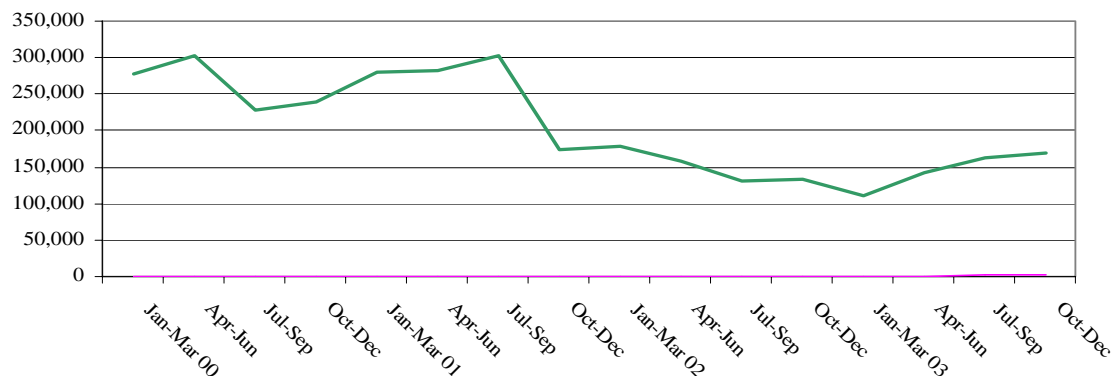
1.6.3 Achievements of the RWADS

There have been a significant number of gains in the last year in relation to drugs and crime through the actions of the Anti-Drug Strategy. A variety of NSW Police operations and activities are disrupting and deterring drug related criminal activity in the Redfern and Waterloo area, including Vikings operations, Operation Players and the use of drug detection dogs.

There has been a significant increase in referrals into drug and alcohol treatment programs through the MERIT Program. NSW Police report that in Redfern LAC, in just over a year, there have been 84 referrals. This is reported to be double the estimated demand for the program. Almost 50 of these referrals have been accepted. MERIT is described in more detail at Chapter 22.

The cleanup of the streets of Redfern and Waterloo to remove discarded needles is being undertaken regularly and effectively. Since December 2002, Central Sydney Area Health Service (CSAHS) has engaged a contractor to undertake an assertive clean up of used needles 7 days a week in the area of The Block. Residents are noticing the difference.

There has been a decline in the distribution of needles in Redfern. Graph 13 below shows that there was a decline from September 2001 and although distribution of needles has been gradually increasing since early 2003, this is at around half of the level recorded in September 2001. Please note that from July to December 2003, 600 of these needles were distributed through pharmacy programs. It is also reported by CSAHS that between August 2002 and March 2004, the number of needles distributed to each person presenting to the service at The Block had decreased by 30-40%.

Graph 13: Distribution statistics for the Needle Syringe Program - Redfern

Notes: Needle and syringe program (2003). Needle and Syringe Distribution Data 2001-2003.

Clients have been informed of changes to provision of needles per presentation. CSAHS report that requests for large numbers of needles and syringes are referred to Pitt Street and other fixed outlets, where appropriate. Numbers of needles distributed per presentation on The Block decreased from 30.9 per person in August 2002 to 18.6 in March 2003.

The Government has made progress in addressing some of the concerns of the community in relation to the mobile needle and syringe service. CSAHS is implementing an overdose management service on The Block.

The mobile service has been located in and around The Block for around ten years and is currently located in a residential area at Hugo Street on The Block. The Government has moved the service from Hugo Street to the corner of Abercrombie and Hudson Streets, which is a more industrial area, from 3-5pm. This locates the mobile needle and syringe service away from homes during after school hours. The service does not operate on the weekends.

A community information strategy was implemented by the Redfern/Waterloo Partnership Project (RWPP) to inform the local community prior to the move of the Mobile Needle and Syringe Service in May 2003. As a result, feedback to the RWPP from residents showed strong support for moving the service to Hudson Street.

CSAHS monitored the impact of the move on service users and the community, and reported on 11 August 2003 that there had been no reduction in numbers of needles or presentations following the move, however many users were changing their patterns of presentation to the mornings, when the service was on The Block.

Figure 16 shows the two locations of the mobile needle and syringe service at Hugo Street and at Abercrombie Street.

Figure 16: Locations of mobile needle and syringe van and demolished houses

The Government is committed to the permanent relocation of the service away from the residential area however, there continues to be significant debate within Government and the community on this approach and its timing. 20.6.4 below provides an overview of the relevant views of the community and Government agencies and the ongoing issues related to the service.

The Aboriginal Housing Company (AHC) has carried out demolition of or sealed most derelict houses on The Block which were previously used as shooting galleries. This is outlined in further detail in section 20.6.6 below.

These successes of the RWADS are largely the result of careful responses from a number of Government agencies and community who share the common goal of reducing drugs and related crime, and increasing safety in Redfern and Waterloo.

These successes and the Government's hosting of a Summit on Alcohol Abuse at Parliament House from 26-29 August 2003, has led to a second phase in this approach to targeting illicit drugs. In line with the recommendations of the Summit on Alcohol Abuse, this phase will also consider initiatives to address the problematic use of alcohol.

Phase two will involve the development of a Substance Abuse Strategy. The Drug and Alcohol Taskforce has already commenced work on developing this Strategy. One aspect of this broader strategy will be the Redfern/Waterloo Liquor Licensing Accord which will specifically address harmful alcohol consumption and the irresponsible supply of alcohol by off licence venues in Redfern. These issues have also been raised with the RWPP by Aboriginal community leaders. RWPP is consulting with community representatives, the Department of Aboriginal Affairs, NSW Police and the Department of Gaming and Racing in relation to how these issues can best be addressed.

1.6.4 Liquor Licensing Accord

On 4 July 2003, the Redfern/Waterloo Partnership Project and Department of Gaming and Racing (DGR) met to ensure that any anti-social problems associated with licensed premises in the area were identified and properly addressed.

In August 2003, DGR inspectors conducted a regional audit program in Redfern and Waterloo. Twelve hotels and one club were inspected which resulted in eight compliance notices and one penalty notice being issued for breaches of the liquor and gaming legislation.

DGR reports that the inspectors also addressed a complaint alleging that Aboriginal customers of an off-licence retail outlet were able to purchase liquor on credit. However, the inspectors were unable to substantiate the allegation.

In February this year, the DGR Liquor Accord Project Officer met with the Redfern Local Area Command to discuss Liquor Accord strategies. On 9 March 2004, DGR gave a presentation at South Sydney Leagues Club to about 40 licensees on the Accord process. The Department reports that the presentation was well received and it was agreed that an executive committee would be formed, involving police, local government, licensees and club secretaries. This committee will formalise the concept of the Accord for consideration

by licensees. There was a second meeting held on 7 April 2004 which was organised by NSW Police.

1.6.5 Demolition and closure of drug houses

The Government is implementing a highly coordinated approach to the closure of known drug houses and shooting galleries on The Block. The demolition of known shooting galleries on The Block was a priority of the RWADS. While this is, in the immediate term, a policing and safety issue, the demolition of these houses will, in the longer term, allow the redevelopment of the area to be realised. This redevelopment is discussed in greater detail in Chapter 19.

The Police view was that demolishing these derelict houses would substantially enhance policing on The Block, make it safer for their officers and seriously disrupt the drug trade. The premises are owned and managed by the Aboriginal Housing Company (AHC). The Redfern/Waterloo Partnership Project has worked closely with NSW Police, the AHC and the former South Sydney City Council (SSCC) to achieve this outcome.

As a result, over the last 12 months, SSCC ordered that the dwellings were derelict. The AHC agreed to demolish the derelict AHC houses. This had a substantial impact in that it reduced the number of shooting galleries to two derelict houses in Eveleigh Street. The only other known shooting gallery was at the back of the AHC offices.

To demolish the two derelict houses in Eveleigh Street (numbers 76 and 80) it was necessary to relocate an elderly resident who was living in the house between them. Relocation would ensure the resident's safety, given the drug dealing and usage, and ensure her health and wellbeing given the condition of the property in which she was living. Despite being offered a number of Department of Housing premises, the resident, on a number of occasions, declined the offers of alternative accommodation for personal reasons.

The Redfern/Waterloo Partnership Project led further extensive negotiations involving a number of agencies including NSW Police, the former SSCC, legal representatives of the elderly resident, the AHC and the Aboriginal Housing Office.

In March 2004, following these negotiations, the elderly resident accepted the offer of suitable accommodation in Waterloo from the Department of Housing. As a result, she moved out on 22 March 2004. Following her move, the derelict houses being used as shooting galleries were finally demolished on Wednesday 24 March 2004. Linked to this, the Aboriginal Housing Office agreed to fund the demolition and bricking up the back of the AHC. This work has now been completed.

There are now no known remaining shooting galleries or drug houses on The Block. As a result of these demolitions, Eveleigh Lane no longer exists as a discreet laneway. It is now

simply part of the open landscape on The Block. Eveleigh Lane was one of the other significant areas where there was drug dealing. The demolitions provided an opportunity to significantly prune trees on Eveleigh Lane which were being used as a shelter to hide illegal activities.

Significant work has also been undertaken by the City of Sydney Council to upgrade the entrance to Eveleigh Street where it meets Lawson St. This work is expected to discourage people from loitering in the area and has considered longer term safety issues by the removal of bricked paving surfaces and provision of crime prevention streetscape measures.

NSW Police had also identified that the house at 25 Louis Street was being used as a drug house. Redfern and Surry Hills police conducted a raid on the house after tracing a suspect in an armed robbery to the house. Police discovered significant amounts of drugs and evidence of the house being used as a shooting gallery.

Police arrested one of four people inside the derelict house over the armed robbery.

Following Police communication with the AHC and based on drug house legislation (see Chapter 24) that would find landlords liable for a drug house operating, workers contracted by the AHC have put in steel reinforcements on the windows and doors, and blocked the openings to ensure nobody can enter the house.

The house will remain vacant and sealed until it is demolished. Should tenants in adjoining terraces relocate, the AHC has agreed to demolish these terraces.

Figure 16 above shows the area known as The Block and indicates where properties have been demolished or sealed.

1.6.6 Mobile Needle and Syringe Service

1.6.6.1 History

CSAHS provides the mobile service as part of its Resource and Education Program for Injecting Drug Users (REPIDU). It has a fixed needle and syringe outlet based in Redfern and due to an increasing and identified need, the mobile service was established on The Block in 1993.

NSW Health reports that this program was introduced to minimise the harms associated with high levels of drug injection in the area. In recognition of its expanded service provision, in 1998 this service became known as REPIDU. Health services are currently provided through fixed and mobile outlets 7 days per week and include:

- the development and provision of information, resources and education on harm reduction, overdose prevention and safer sex practices

- management of accidental overdose which includes critical life support prior to the arrival of emergency services
- facilitating referral to a range of other health and human services including drug treatment services
- the provision of sterile injecting equipment, safe disposal containers, condoms and lubricant
- facilitating and contributing to the clean up of inappropriately discarded syringes in and around The Block.

1.6.6.2 Health views

The overwhelming weight of evidence points to Needle and Syringe Services as an essential public health measure. NSW Health advice, prepared by CSAHS, notes that Needle and Syringe Programs need to be accessible and as such, tend to be located in relatively public places. An example is the mobile needle and syringe service on The Block in Redfern. It advises that where there has been continuing pressure to withdraw services from this community, the withdrawal has the real and immediate risk of a resulting increase in sharing of needles amongst injecting drug users with the risk of a major outbreak of HIV and Hepatitis C potentially affecting Aboriginal communities throughout New South Wales.

NSW Health also suggests that any such spread would be expected to rapidly extend into the prison population, both Aboriginal and non-Aboriginal over a short period of time, and this would present a grave risk, both to the Aboriginal community and to the overall effectiveness of the State's HIV/AIDS prevention strategy.

NSW Health has also advised that the challenge for health services in areas such as Redfern and Waterloo is to maintain a strong public health presence and ability to prevent the possibility of outbreaks of HIV infection among particular populations with high levels of risk behaviour, such as some Aboriginal populations, while being flexible and responsive to community concerns surrounding drug use in public places and the associated presence of outreach needle and syringe programs. Maintaining effective access to prevention services for high risk groups remains a priority for NSW Health at this time.

Another major challenge, identified in the advice, is to achieve a significant reduction in Hepatitis C infections and a key factor in determining whether this occurs is community understanding, acceptance and support for needle and syringe programs.

1.6.6.3 NSW Police views

NSW Police note the public health objectives of the program and police from Redfern have been involved in consultation regarding various aspects of this program including the most appropriate place for its location.

In relation to policing issues, while it is lawful to possess or supply needles and syringes for the purpose of promoting health, it is illegal to inject or self administer illicit drugs. As a result, the law in this area does not reflect the Government's policies aiming to promote public health.

The Government's policing policy in relation to possession and use offences are based on the principles of harm minimisation as well as the targeting of drug manufacturers and traffickers rather than drug users. Redfern police officers support the program by not carrying out unwarranted police activity in its vicinity.

NSW Police state that it is responsive to concerns within the Aboriginal community that the close proximity of the needle and syringe service to The Block increases exposure to drug use by children and young people and sends a negative message of illicit drug use as a normal social environment. The Hugo Street location is also very close to Redfern Station and Police advise that moving the service permanently to Hudson Street may help to reduce drug use in the area.

NSW Police have been engaged in significant policing strategies to address the illegal drug problem on The Block (see above in section 20.6.5).

1.6.6.4 Community views

The Hugo Street location of the mobile needle and syringe service has generated criticism from sections of both the Aboriginal and wider community. The matter has also been the subject of representations from the Member for Bligh, Ms Clover Moore and the Vine and Hugo Action Group. It was also raised in the context of a Community Safety Audit which was undertaken in and around The Block in May 2002.

The perceived failure of the NSW Government to respond to community concerns regarding the need to relocate the service permanently away from Hugo Street and The Block, has caused much anguish in the community, particularly amongst the local Aboriginal community.

The mobile needle and syringe service poses a particular problem in relation to the community's perception of safety. The provision of free needles and syringes challenges many communities' sense of how to deal with the issue of injecting drug use. Communities often fear that it sends the wrong message to impressionable young people. Others are concerned about the disposal of used needles in public areas.

The Government's understanding of the overall community objections to the service can be summarised as follows:

- the community and some agencies, believe that there is an unreasonably high number of needles and syringes being handed out by the service

- the presence of the needle service perpetuates the image of the Block as a drug centre and sends a message that overt drug activity is tolerated
- other Aboriginal communities with equal or more drug activity do not have a needle service in a residential area
- there was an allegation that drug dealers are obtaining a high volume of needles and syringes and on-selling these at a profit to users as part of a package with their 'fit'
- the mobile service was 'sold' to the community as being a temporary service and the community felt that it has been there too long
- the high volume and unsafe disposal of needles by users has a consequential effect of increasing the health risk for children and adults living in the area
- there has been a failure to implement an on-going and effective clean up strategy of used needles and syringes and household waste in the area
- the service has a 'honey pot' effect in that dealers and users are attracted to Redfern because of the presence of the service and its proximity to the train
- there is a strong correlation between the high number of users coming into the area to purchase illegal drugs and levels of crime in the area
- the service sends an inappropriate 'message' to children in the area by the high level of visible drug usage. It is not uncommon to see intravenous drug users injecting in public
- many children commonly present to the needle and syringe service to use the phone. This has been the source of ongoing concern from residents
- the service reinforces negative images about their community
- the Mobile Needle And Syringe Service needs to broaden its approach from a needle exchange focus to a treatment service for users.

1.6.6.5 Issues

The need to balance serious and genuine public health concerns against the public and police desire to relocate the service for community safety reasons, has caused significant and intense debate within NSW Government agencies, particularly amongst those agencies who have a statutory responsibility in relation to health and those with a law and order responsibility.

Managing resident frustration regarding the service not moving from The Block will continue to be a challenge for the Government. It will continue to also impact on resident scepticism regarding progress on social change and development in the area.

1.6.6.6 Further Government actions

Given the health concerns related to the drug use in the area, the Government agreed to relocate the mobile needle and syringe service when vending machines were installed

adjacent to the shooting galleries on The Block. While the two shooting galleries existed on The Block (see figure 16 above) the installation of these vending machines was seen as an essential precursor to any permanent relocation of the mobile needle and syringe service in order to maintain the public health imperatives.

However, the instalment of these machines and the relocation of the service were held off as it appeared that the shooting galleries would be demolished. As the negotiations to relocate a tenant, whose dwelling shared a common wall with the houses to be demolished, (see 20.6.3 above) took some months, there was an inevitable delay in progressing relocation of the service.

The shooting galleries were finally demolished on 24 March 2004. Subsequently, the Aboriginal Housing Company (AHC) has indicated that it would not agree to vending machines being located on its land or within its properties.

As a result, other options for the location of vending machines were considered, for example Caroline Lane. There have since been concerns raised with the Redfern/Waterloo Partnership Project about the state of the lane and a request has been made to consider its permanent closure. This issue has been forwarded to the City of Sydney Council for consideration.

The Government's intention remains to relocate the mobile service permanently away from the residential area to a nearby industrial area on Hudson Street.

As part of the City of Sydney Council's management of discarded syringes in the public domain, existing fixed syringe bin stock, which was installed by the former South Sydney Council in 16 locations, is being replaced by new fixed syringe bins. The 23 litre stainless steel bins are the NSW Health recommended model. They are rust-proof, have three locking points and are much harder to vandalise than the existing bins. A number of Councils throughout Sydney have already installed this model.

Two locations in City South have been identified by the City of the Sydney Council as requiring urgent installation of the new 23 litre fixed syringe bins. Old 23 litre fixed bin stock was removed from both the Caroline Lane and Yellowmunde Park locations in Redfern. Caroline Lane currently has a 1.4 litre fixed bin which is inadequate to address the disposal needs of this location. The Yellowmunde Park bin was never replaced after being broken.

The Council has reported that recent shifts in injecting drug activity, due to demolition of the two shooting galleries, have resulted in more syringes being discarded in the public domain. To assist in the management of this public health and safety matter, the Council seeks to install the new fixed syringe bins as soon as possible.

Pending a memorandum of understanding, the Council advises that CSAHS will service the two fixed bin locations via their syringe clean up contractors.

1.7 Community Safety Plan

The development of the Community Safety Plan was a key element of the Anti Drug Strategy. As indicated above, community safety has been identified by the communities of Redfern and Waterloo as being a serious concern. Crime and the fear of crime reduce the quality of life in a community and no single organisation can focus upon all of the factors that influence and contribute to local crime.

The Community Safety Task Force was established to develop a Community Safety Plan for Redfern and Waterloo in August 2002. The Taskforce was led by the former South Sydney City Council and made up of representatives from the community, Government, including police, inter-agencies and non-government organisations. The Community Safety Task Force reported through the RWPP and the former Council.

A series of eight workshops was held in 2002/2003 to consider issues which informed the actions in the Plan. The development of the draft plan was based on the resulting profile of crime occurring in the area, as well as examination of research previously undertaken in the two suburbs and extensive community consultation.

The Community Safety Audits were referred to the Community Safety Taskforce for its consideration and incorporation into the Community Safety Plan.

A draft Community Safety Plan was completed in October 2003. The Plan was placed on public exhibition for 28 days from November to December 2003 to allow for wider community consultation.

The Plan includes five key themes that capture the issues addressed previously in this chapter in relation to early intervention and environmental issues, and that may assist in alleviating crime levels within the community. These are:

- Community strengthening activities – including ways of improving community consultation processes and the connections or interactions people share with one another
- Early intervention approaches to community safety – which involves working with children and families
- Community safety and young people – addressing issues affecting the 12-18 age group
- Health issues – addressing drug and alcohol use and abuse and the prevention of community harm
- Safer environments – looks at ways of planning for safer urban design, including private dwellings and maximising the use of public spaces.

The development of the Community Safety Plan and its implementation will achieve the following outcomes:

- enhance the quality of life of people living in Redfern and Waterloo by addressing their community safety concerns
- reduce physical violence, intimidation and crime against property and persons
- improve partnerships between police and community
- provide opportunities for input into planning and infrastructure development so that crime and community safety concerns can be addressed at the planning stage
- integrate community solutions into the community safety planning processes
- rejuvenate community trust
- establish mechanisms through which the community can raise their concerns regarding crime and safety.

The City of Sydney Council will be seeking the Attorney General's endorsement of the Plan. Councils apply to the Attorney General for endorsement of their local crime prevention plan as Safer Community Compact under the *Children (Protection and Parental Responsibility) Act 1997*. Subject to endorsement by the Attorney General, City of Sydney Council can then seek limited funding from the Safer Community Development Fund to implement some of the strategies identified in its Plan.

1.8 Police community safety strategies

The Crime Prevention Officer (CPO) at Redfern Local Area Command is responsible for identifying crime trends and developing intervention strategies such as proactive targeting of repeat victims. The intent of the role is to coordinate crime prevention strategies through working cooperatively with other police and the local community.

Some of the work of the CPO over the last year has included:

- Community safety audits conducted on businesses and residents
- Security Assessments for repeat victims
- Redfern/Waterloo Community Safety Plan (committee)
- Introduction of crime initiatives such as business safety and 'never again' burglary program in Redfern and Waterloo
- Crime Prevention Workshops (for example, Department of Housing residents)
- Newspaper editorials / community papers on crime prevention strategies
- Enhanced liaison with public housing estates
- Advice to Council on Development Applications

- Pamphlet delivery to residents/communities covering steal from motor vehicles, steal from persons, bag snatches, robberies and personal safety
- Lectures to university students, business employees and local residents.

The CPO is also involved in the Crime Prevention Through Environmental Design (CPTED) program (see 20.4 above) and is using it as a policing strategy in Redfern.

1.9 Fact Tree relocation

The need to review the current placement of youth services in Redfern and Waterloo was raised in the Redfern/Waterloo Youth Services Review (2000) undertaken by the Premier's Department. It was recognised that the location of any one youth service cannot be considered in isolation from the location of other youth services in the area.

The Redfern/Waterloo Anti-Drug Strategy did, however, identify that there was an immediate need to relocate the Fact Tree Youth Service from its location on the corner of Elizabeth and Wellington Streets, Waterloo. This arose out of concerns from the Redfern LAC and the local community that the location of the Fact Tree was a significant contributing factor to the anti-social behaviour of young people within the locality. The section on bus operations in Chapter 21 provides an outline of the incidents involving young people stoning buses in the area.

Linked to this, it had been identified that the South Sydney Police and Community Youth Club (PCYC) was in need of either extensive refurbishment or relocation. The refurbishment was not progressed as the possibility of relocating the PCYC to Redfern Oval is being considered as part of the feasibility study for the Redfern Oval redevelopment. The possibility of a permanent facility for the Fact Tree Youth Service was also considered within that feasibility study.

The long term placement of youth services needs to be seen within the context of the Human Services Review and the facilities planning process which is being undertaken by the City of Sydney Council. One of the outcomes of the Human Services Review, which is outlined in Chapter 25, is to identify the current spread, i.e., the location of services in the area to determine how best to situate services so that they can better meet the needs of their target group. This Review will inform the Facilities Plan by making recommendations about the location of services.

However, as the Review was to take some time to complete, in 2003 Residential Technologies Australia (RESITECH), part of the Department of Housing, was engaged to undertake the temporary relocation of the Fact Tree Youth Service. The Management Committee of the Fact Tree Youth Service agreed to the relocation subject to a number of conditions, including a requirement that the Government provide written confirmation that they would not be financially disadvantaged as a result of the move.

Funds were to be allocated through the Redfern/Waterloo Partnership Project to meet the relocation costs and the first years rent. The Fact Tree does not currently pay rent, as it is located in a Department of Housing building. The issue of increasing the level of recurrent funding for the Fact Tree would need to be considered following completion of the Human Services Review.

After much searching RESITECH identified one possible site to temporarily relocate the youth service but this building was leased before an offer could be made to the owner. Since then, and despite a comprehensive search by RESITECH, they have been unable to find suitable premises which met the requirements specified by the youth service.

Given the imminent completion of the Human Services Review, it is now considered prudent to wait for the outcomes of that Review before proceeding with this matter further.

2 Policing

2.1 Overview

NSW Police note that Redfern Station is one of the busiest train stations in New South Wales and streets such as Cleveland, Elizabeth and South Dowling Streets carry substantial traffic. Tens of thousands of people regularly commute safely through Redfern Local Area Command (LAC) or engage safely in their normal day-to-day activities. NSW Police note, however, that this observation is no source of comfort to victims of crime in the area nor is it a source of complacency among police but it is important to recognise this context when turning attention to crime problems and statistics.

Redfern LAC covers approximately 35 square kilometres of inner Sydney and it encompasses the suburbs of Redfern and Waterloo but also includes St. Peters, Beaconsfield, Rosebery, Alexandria, Erskineville, Zetland, Camperdown, Chippendale and Surry Hills. It is bounded by Chippendale to the north, Rosebery to the south, across Southern Cross Drive in the east and Erskineville in the west.

Figure 17: Boundaries of the NSW Police Redfern Local Area Command



2.2 Key challenges

NSW Bureau of Crime Statistics and Research crime data (see Chapter 20) shows that there have been improvements in the suburbs of Redfern, Waterloo, Zetland, Chippendale and Darlington, with assault down 19.5%, robbery with a weapon not a firearm down 30.6% and motor vehicle theft down 26.9%. The offences of murder, sexual assault, indecent assault, robbery with a firearm, break and enter, stealing offences and fraud have all remained static. BOCSAR has indicated that the only upward trend in the five year trend is in robbery without a weapon (53.1%).

2.2.1 Robbery

Robbery offences are one of the biggest challenges for policing at Redfern LAC, with a high incidence of robberies compared with other locations in New South Wales. Robberies mostly take place outdoors in public places.

2.2.1.1 Incidents in Redfern

NSW Police advise that robbery and stealing offences at Redfern relate generally to drug dependence and also to commuter transport movements, notably by rail and road.

Compared with violent armed robberies, most robberies in the Redfern area are less violent offences typically referred to as bag snatches or muggings. These types of offences are frequently committed near the Redfern Station and many victims are railway commuters. NSW Police cite the geography of the area, squat style housing, population transience and community tolerance as assisting offenders to flee and hide. Offenders are often reported to have used The Block and its dwellings as an escape route and hiding place.

NSW Police report that young adult and adolescent males usually commit robberies but it is not uncommon for very young children or juvenile females to be involved. Many victims are Asian women who attend Sydney University or work in the area. This group may be particularly vulnerable in size and stature and in their English language skills. On most occasions the victim is not able to identify the assailant and communication with police is sometimes difficult. Victims are often robbed of cash, mobile telephones and valuable items such as lap top computers.

There have been some armed robberies offences that result in serious injury to victims. NSW Police advises that people identified for involvement in serious armed robbery offences also live in the area. For example, police report that local residents of The Block have been identified as being involved in serious armed offences as well as the theft of high performance motor vehicles.

2.2.1.2 Incidents in Waterloo

Robbery offences in Waterloo, near the large housing estates in that area, are also a significant crime problem. The police report that these offences seem more likely to be committed by groups of offenders. The property robbed is generally cash and mobile telephones.

As with the incidents in Redfern, the inability of victims to positively identify an offender is often an obstacle to laying charges. Previous offence history and other intelligence suggests perhaps as many as several dozen local residents may be committing robberies on a regular basis.

2.2.2 Steal from motor vehicle

Stealing from motor vehicles is another significant volume crime at the Redfern LAC and issue of concern in the local community.

NSW Police report that these offences often take place while the owner of the property is seated in the driver's seat of the vehicle parked at a set of traffic lights. The intersection of Cleveland and Abercrombie Streets in Chippendale and the intersection of McEvoy and Elizabeth Streets in Waterloo are hot spot locations for these types of offences. The Block provides a dominant escape route for offences at the Cleveland Street intersection and the large Housing Department estates on Kellick Street provide a dominant escape route for offences at the Elizabeth Street intersection.

Although police warn people to lock their vehicles to reduce the risk of becoming a victim, these offences often occur when males approach a line of traffic from behind and wait until they see an unlocked vehicle. NSW Police reports that they simply enter through the passenger side and steal any item on the passenger seat, typically a handbag belonging to female drivers. There is little likelihood of a successful identification as the offence occurs very quickly and often in low light.

The majority of arrests for this offence occur when police target an intersection and conduct surveillance as part of an operation. Operation Castings involved officers from the Metropolitan Robbery Unit (MRU) joining with Redfern LAC and neighbouring LACs to respond to rising crime rates in April and May 2003. At the time it was identified that a group of offenders were targeting taxi drivers in the Redfern area. This operation was highly successful and resulted in several arrests, charges for robbery offences and a fall in the rates of crime in the Redfern LAC.

NSW Police reports that the rest of these offences are in the form of offenders breaking into parked cars or unlocked and unattended vehicles. Redfern, Waterloo and Alexandria are particularly affected by these offences and the items usually stolen are cash, documents

and communications equipment. Police report that entry to a vehicle is often gained by smashing the rear window.

2.2.3 Break, enter and steal, and steal offences

Stealing offences and break, enter and steal offences are also a significant problem for Redfern LAC.

NSW Police report that the typical dwelling that is broken into and entered upon is a home unit in blocks with between one and four floors. Computer equipment is a popular item to steal.

Police also report that there is a high rate of theft from retail stores mainly around the warehouse shopping precinct and the commercial businesses on Redfern Street.

2.2.4 Assaults

Many assaults take place within people's homes. Around a quarter of all assaults reported to the police are attributed to domestic violence and around a third take place within residential premises.

Alcohol consumption and dependence is an important factor in incidents of assault in the area. Assaults in and around licensed premises and amongst street drinkers in and around The Block account for many of the offences reported.

As with robberies, assaults are also common in public places, with pedestrians assaulted in parks and on footpaths, sometimes by offenders in groups.

2.2.5 Drug offences

NSW Police has advised that a significant volume of crime in the Redfern area relates to interactions between drug dependence, drug supply on The Block, and its close proximity to Redfern Station. The Police report that heroin addicts use the train to travel to Redfern to buy drugs at The Block and local and commuting drug addicts rob some train commuters and steal from local residents to fund their addiction.

It is reported by NSW Police that the majority of drug activity in the Redfern LAC seems to be at the street level rather than large-scale drug manufacture or distribution.

2.3 Police enforcement and intervention strategies

The Government's policing efforts to reduce crime and the fear of crime are accomplished through numerous operational policing strategies that emphasise intelligence led policing. These include enforcement and intervention strategies which focus on repeat victims, repeat offenders and repeat locations.

Community focused strategies centred on crime prevention are also an important part of policing. These are outlined in Chapter 9 regarding the Government's community engagement strategies.

Enforcement and intervention strategies interfere with crime through High Visibility Policing operations, tasking and deployment, the application of relevant legislation (outlined in Chapter 24) and special operations.

2.3.1 High Visibility Policing (HVP)

High Visibility Policing (HVP) is a fundamental strategy utilised by all police within New South Wales. It involves the tasking and deployment of police to increase the visible presence of police within the community, to reduce crime and raise levels of public awareness, to engender public confidence and reduce the perception and fear of crime.

Redfern Local Area Command (LAC) has several HVP operations that have been and are currently being conducted throughout the LAC.

- Continued HVP conducted by Concertinas, the Intelligence Response Team (IRT) and other police from Redfern. The main areas of concern include Redfern Railway Station, The Block, Cleveland Street, Elizabeth Street, some parts of Waterloo near the housing estates and small pockets of industrial areas in Alexandria
- HVP operations focused on other robbery hot spots. As has been demonstrated, the nature of crime in Redfern LAC is such that the majority of robbery offences occur outdoors in public places. Targeted and sustained HVP is a powerful preventative effect against these offences
- Botany Bay Highway Patrol HVP involvement in operations targeting disqualified drivers, drink / drug drivers and stolen vehicles. In February 2004 the HWP was deployed to the Redfern area with a specific focus on steal from person, steal motor vehicle, break, enter and steal, drug activity and robberies

2.3.1.1 Operation Vikings

Operation Vikings commenced in May 2002. NSW Police report that it is a key strategy for providing reassurance to the public of New South Wales and deterrence to those who break the law. The aim of Operation Vikings is, through HVP, to reduce street offences and criminal activity, with a particular focus on anti-social behaviour, alcohol-related crime, street level drug possession, and traffic offences.

Vikings operations are conducted locally, across neighbouring commands, at Region level or across the metropolitan level. Police Regions are outlined in Appendix 10. Vikings operations involve deploying large numbers of police at short notice, based upon sound intelligence and operational needs. The intent is to remove geographical boundaries to allow operational police to respond to current and emerging crime or anti-social behaviour.

During 2003 and 2004, there have been numerous Viking operations conducted in Redfern LAC, including an Inner Metropolitan Region operation conducted in mid-December 2003. From the Vikings Unit perspective, Redfern is a regular area of deployment and Vikings teams are often redirected to Redfern if other taskings are postponed.

2.3.1.2 Operation Concertinas

Redfern LAC has been running Operation Concertinas since mid 2003 as a part of its crime reduction strategies. The Operation is part of the Redfern Intelligence Response Team which has 22 officers under the command of a team leader and also includes a drug team (6) and High Visibility Policing Unit (5).

Concertinas consists of eight police officers seconded from other LACs in the Inner Metropolitan Region. Officers are seconded for a three month period.

The main activity of Operation Concertinas is HVP with a proactive focus, specifically targeting robbery, steal from person, drug related crime and anti-social behaviour in the area close to Redfern Station.

Concertinas has also been involved in covert activities. Up to mid March 2004, Concertinas conducted 30 operations with 199 charges and submitted 405 intelligence reports. Concertinas is not a permanent operation.

2.3.2 Policing drug offences and related crime

Redfern LAC employs an ongoing range of strategies and activities to address drug offences and related crime. These include deploying local police, HVP, use of drug detection dogs, surveillance, controlled operations and assistance from SCC as required.

NSW Police report that the Intelligence Response Team has been proactive in the area of drug related crime. There has been a recent controlled operation conducted, code named Husky, which centred on the Housing Department estates in George Street, Waterloo. This operation involved a number of controlled purchases and the execution of a search warrant resulting in the arrest of three people involved in the supply of heroin. There have been successful search warrant operations executed in Elizabeth Street, George Street, John Street and Reeve Street since 1 January 2004.

The high visibility arm of the Intelligence Response Team also concentrates on the identified hot spots. NSW Police report that there have been proactive robbery and drug operations in the area around Waterloo Oval and the housing estates known as Poets Corner at the end of Moorehead Street, Waterloo.

2.3.3 Other operational policing strategies

There are numerous other state-wide operational policing strategies in place to deal with specific crimes and issues within a community. These involve implementing policies on managing adult sexual assault, child protection, domestic violence, high risk incidents, emergency management, illicit drugs and property theft.

The following are some specific operational policing strategies which have had relevant application in the Redfern LAC.

2.3.3.1 Suspect Target Management Plan

A relatively small number of repeat offenders may be responsible for a large number of offences in an area. The Suspect Target Management Plan (STMP) is a coordinated state-wide strategy where repeat offenders are identified as high risk offenders or medium risk offenders.

Local Area Command Crime Management Units play an integral role in the management of targeted offenders. Redfern LAC has implemented the STMP and has identified high risk offenders who are recidivist offenders and who are actively targeted for drug, robbery, assault, and stealing related offences.

2.3.3.2 Source management

NSW Police recruits and protects the identity of people (previously referred to as police informers) to provide intelligence about criminal activity. The use of these people is recognised by law enforcement agencies as a valuable tool to assist in the detection, investigation and prosecution of crime. Redfern LAC recruits and registers sources who are currently assisting police.

2.3.3.3 Public Order Management

NSW Police has a policy for Public Order Management, for planned and reactionary events, that promotes negotiation with the community.

“When possible, police will attempt to negotiate with all groups wanting to use a particular public space. In managing the use of public space, police will be impartial, and will use their discretion to facilitate the lawful activities of all parties. The primary goal of police will be the maintenance of law and order, public safety and security. Police will arrest offenders according to Police Service guidelines, and any person arrested will be treated with care. Police use of force will be the minimum amount reasonably necessary for the circumstances existing at the time.”

Public Order Management Policy, NSW Police.

2.3.4 Special Operations

The State Crime Command (SCC) provides regular liaison and assistance to Redfern LAC. This assistance has been in the form of joint operations, both covert and high profile, the provision of specialist investigative skill and consultation. Some examples are identified below.

2.3.4.1 Operation Players

Operation Players was conducted in October and November 2002 and involved a joint operation with Redfern LAC and the Drug Squad, SCC. The operation targeted the supply of heroin in and around The Block. On 8 November 2002, numerous search warrants were conducted, with ten people being charged with drug offences. Convictions were secured for all charges except those laid under Section 12 of the *Police Powers (Drug Premises) Act 2001*. Those matters were withdrawn (for further information on the *Police Powers (Drug Premiers) Act 2001*, see Chapter 24).

2.3.4.2 Operation Fury

Operation Fury was a joint SCC and Redfern LAC operation conducted in January 2003 also targeting heroin supply in Redfern. The operation resulted in the arrest and charging of a number of people for heroin supply and other drug related offences.

2.3.4.3 SHARKX

Sharkx is an initiative of Surry Hills, Redfern and Kings Cross LACs to share information, tactical and strategic options, and expertise in relation to drug operations. This approach enables LACs to monitor and address crime displacement effects on neighbouring LACs when operations are conducted. The SCC provides expertise as necessary.

2.3.4.4 Heroin Early Warning Indicators Program

The Heroin Early Warning Indicators Program is an initiative of the SCC and has been operating since 2002. It monitors trends in heroin distribution and enables identified Local Area Commands to respond to heroin crime in their areas. Based on its position in the current Sydney heroin market, Redfern is one of the identified key LACs. The others are Cabramatta, Kings Cross, Fairfield, Bankstown, and Marrickville, Ashfield, Liverpool, Parramatta and St George.

Redfern LAC has a contingency plan in place and provides regular reports to the SCC addressing several indicators of heroin use and supply. The contingency plan ensures that an appropriate response at LAC level is implemented according to the current level of warning.

The responses that can be activated as part of the contingency plan include:

- Identification and arrest of drug dealers
- Identification of Drug Premises and Vehicles
- Search Warrant/Drug Premises Warrant Executions
- High Risk Offender Individual and Group Targeting
- Application of confiscation of assets legislation
- Proactive Operations
- Sustained Electronic Surveillance & Monitoring (CCTV)
- Activation of SHARKX.

2.3.5 Crime management strategies

The Redfern Crime Management Unit (CMU) constantly reviews current crime problems to identify high risk offenders and crime hot spot locations, and then determines and reviews tasking and deployment. The main areas of focus are The Block and particular areas of Waterloo. They both have a drug and a robbery focus.

Redfern Railway precinct including The Block requires constant police attention. The police experience many difficulties in dealing with Aboriginal people who reside in The Block and who visit The Block. The main areas of attention in Waterloo include Elizabeth Street and the nearby public housing estates. As mentioned above, these are identified target locations for a range of stealing offences (eg. steal from person, steal from motor vehicle).

Other crime management strategies in place, or regularly implemented include:

- The LAC utilises drug detection dogs at Redfern Railway Station
- The LAC has introduced a 'Robbery Desk' that consists of two officers from the Detectives office who maintain a coordinating role regarding robbery. These officers liaise with the MRU and SCC about robbery trends and approaches. They review robbery cases to identify offenders and work with the CMU to profile trends and implement operations
- Redfern LAC uses bail conditions to keep drug dealers who do not live locally away from the Redfern and Waterloo area (eg. geographically based bail)
- Use of the Forensic SOCOs to maximise crime detection through collection of fingerprint and DNA evidence
- Covert operations utilising Controlled Operations legislation and Section 25A of the *Drugs Misuse and Trafficking Act 1985* (supplying prohibited drugs on an ongoing basis – 'three strikes')
- Transit Police at Redfern Railway Station

- Anti-Theft Police target pawnbrokers and second hand dealers with an aim of identifying receivers of stolen property and identifying people who engage in property theft
- Numerous firearm audits have been conducted on licensed firearm holders within the LAC to ensure compliance with the appropriate legislation, especially the safe keeping of firearms
- Warrant operations are also conducted
- The LAC has a Child Protection Register in place which enables the monitoring of child sex offenders
- A parolee database is maintained which assists in identifying possible recidivist offenders
- A Liquor Accord is in the process of being implemented with the Department of Gaming and Racing between Redfern LAC and all licensees in the area. Two officers are assigned specifically to licensing duties.

2.4 Additional policing issues

2.4.1 Domestic violence

Redfern LAC has one Domestic Violence Liaison Officer (DVLO) who is trained to assist victims of domestic violence and to ensure that they receive the right advice about their situation. The DVLO is also involved in the Court Assistance Scheme and Victim Support Schemes. A recent strategy implemented by the DVLO and Youth Liaison Officer has been to encourage women in the community to report domestic violence.

There is also a current partnership with the Department of Community Services focused on intensively managing some families on The Block. Redfern LAC has a local 'child at risk' register which assists in identifying families that might need the early intervention of Department of Community Services.

2.4.2 Bus operations

The State Transit Authority (STA) has, for more than eight years, jointly operated with NSW Police in a program called Operation Bus Stop. Joint operations are conducted across the State Transit operating area, using information received about incidents.

On the basis of its incident database, STA reports that the Redfern and Waterloo area has a relatively stable level of incidents but is subject to outbreaks of vandalism and rock throwing. It has also recorded other incidents in the area, classified as employee assaulted, passenger assaulted, malicious damage, graffiti, robbery, stealing from person and offensive behaviour. STA advises that the general level of incidents in the area is high, accounting for 3.3% of incidents occurring in State Transit's operating area. During

outbreaks, this rises to 10% of the incidents occurring across the whole metropolitan area. Significant outbreaks occurred during 2001 (see a description of the incidents below) and again in recent months.

The area is the third-highest ranking area for incidents relating to security, following the much larger Sydney CBD and the Eastern Beaches areas. Given the relatively small area of Redfern and Waterloo compared to State Transit's large operating area, STA notes that this over-representation of incidents is a major safety concern.

In response, NSW Police and State Transit officers, from time to time, patrol buses in the area liaising with bus drivers, passengers and intending passengers to reassure them that they can travel safely on public transport. STA reports that this program has been well received by all stakeholders.

On a number of occasions, bus services in the area have had to be temporarily rerouted from some streets as a result of concerted rock throwing incidents. These caused significant damage to buses and, in some instances passenger injury. STA notes that it regards the throwing of objects at buses as a serious safety issue because of the potential for a passenger or staff fatality. It has also noted that as buses are considered a place of work, it is obliged to provide safe working conditions under the State's Occupational, Health and Safety legislation.

In 2001, following a spate of rock throwing incidents in Waterloo, the Minister for Police and the Acting Local Area Commander, addressed STA staff at Randwick Depot, which provides most of the bus services in the area, about the resulting police actions. In conjunction with this the Redfern/Waterloo Partnership Project, former South Sydney City Council, NSW Police and State Transit, held several meetings to address the situation. The Rail, Bus and Tram Union (RTBU) were a party to these meetings.

As a result, STA notes that some families were relocated, agreements were made with a local publican to strictly observe licensing requirements and NSW Police agreed to escort buses through the McEvoy Street area of Waterloo. NSW Police directed its Aboriginal Community Liaison Officers to work with local Aboriginal young people to try to resolve the issues. Local non-Government youth organisations such as the Fact Tree Youth Service also played an important role in resolving this issue.

STA reports that its Radio Room also established a Standard Operating Procedure to contact Redfern LAC directly to report any incidents. This would ensure that incidents were addressed quickly to prevent escalation.

An audit was conducted at night time by NSW Police, the former South Sydney City Council and State Transit which led to the implementation of initiatives such as improved street lighting, pruning of vegetation and removal of loose objects available on streets and

in parks which could be used as weapons or missiles. Procedures were also temporarily put in place to increase Police presence in the area.

STA advise that it is also involved in the Redfern Police Accountability Community Team (PACT) meetings to discuss events that have occurred and to establish improvement strategies. The PACT is a forum for the community to express views about police visibility, police deployment and crime generally. It enables local communities to hold LAC Police Commanders accountable for crime reduction.

State Transit does report improvements in safety since the program was implemented, however there has been a recent increase in incidents in the Redfern, La Perouse, Kingsford and Maroubra areas. These new incidents have occurred since the riot in February 2004. They have been logged and are now being discussed to review current strategies.

2.4.3 Aboriginal issues

2.4.3.1 Community views

The Department of Aboriginal Affairs (DAA) funded a Youth Summit held in Redfern on 17-18 March 2004. The date was brought forward in response to the events following the death of a young Aboriginal man in February 2004. The Youth Summit was attended by approximately 40 local youth. DAA reports that these young people raised the following policing issues:

- Police racism, harassment and brutality towards Aboriginal youth.
- The legality of police behaviour and police accountability.
- Recommended the establishment of an Aboriginal Youth Advocacy Group
- Cultural awareness training for police and Aboriginal studies at the Police Academy
- The Youth Summit also raised broader social issues that impact on local youth such as self esteem, mental health, drugs and alcohol, sexual abuse, depression, violence at home and on the street, and suicide.
- Employment, education support and mentors were suggested strategies.

DAA has also advised that Aboriginal community concerns regarding the policing of youth is reflected in a call for a national Royal Commission into the policing of Aboriginal youth and a separate Royal Commission into the death of the young man. As part of the Royal Commission into policing practices DAA reports that the community proposes that it investigate the implementation of the 339 recommendations of the Royal Commission into Aboriginal Deaths in Custody.

NSW Police advise that an Aboriginal Community Liaison Officer from the Redfern LAC attended the second day of the Youth Forum when it was open to community members. He

requested that the Forum document the participants' recommendations and forward them to him so that he could present them to the Local Area Commander. NSW Police advise that to date this has not occurred.

2.4.3.2 Policing strategies

Some of the policing strategies in Redfern and Waterloo are focused upon improving community relations within the community through the Redfern/Waterloo Partnership Project. These engagement strategies are outlined in Chapter 9.

Additional programs, some of which address the concerns raised by young people at the Aboriginal Youth Forum outlined above, have also been proposed or are underway. NSW Police report that these include:

- The Redfern LAC worked with the Aboriginal Coordination Team and identified the need to have procedures in place for the management of Aboriginal incidents within the LAC. A draft set of Standard Operating Procedures has been written, outlining activities to be undertaken to improve relations between ACLOs, the Police and the Aboriginal community, and also procedures to be implemented in the event of a critical incident involving an Aboriginal
- As outlined earlier, drug related and other issues concerning The Block are also being addressed through the Redfern/Waterloo Partnership Project. Some areas of focus are families at risk, crime hot spots and crime prevention improvements
- An outline of NSW Police management of the riot on 15 February 2004 is provided below at 20.5.
- The Redfern LAC education and development package includes background information about the area, including demographics and specifically includes background information about The Block. There is a generic induction package for all new police which is provided by Education Services. This package is tailored to the needs of Redfern by its two Education and Development Officers. New staff members are also taken on a familiarisation tour of the LAC, including a walk through The Block with an Aboriginal Community Liaison Officer (ACLO) who introduces them to the local community
- Policing strategies utilised on The Block may be highly visible and involve many interactions with persons of interest (offence suspects). These interactions are directed towards obtaining evidence to convict those who commit criminal offences and they might involve a search of the person, a move along direction or legal action. These strategies align with the expectations of some members of the community whilst contributing to tensions with others
- The role of Aboriginal Community Liaison Officers (ACLOs) is to assist police resolve issues affecting Aboriginal people. ACLOs aim to improve Aboriginal/Police relations by improving the channels of communication. NSW Police report that ACLOs at

Redfern have a difficult role. Their regular assistance to operational police is valuable, respected and appreciated

- The overall effectiveness of the ACLO program is reported by NSW Police to be of concern to managers at Redfern LAC and is subject to ongoing review. Measures adopted to improve performance have included ongoing advice and assistance from the NSW Police Spokesperson on Aboriginal Issues, Assistant Commissioner Morris West and from the Aboriginal Coordination Team within Operational Support Command. The ACLO role in engaging the community is described in more detail in Chapter 9.

2.4.3.3 Policing challenges

NSW Police has provided the following examples of the challenges faced:

- On 20 May 2003 Operation Timiris was conducted involving Redfern LAC and City Central TAG targeting juvenile and adult offenders wanted for breach of bail, warrants and drug and robbery offences. Three offenders were arrested during the operation. Later that day another person was arrested in Eveleigh Street Redfern and when that person was placed in the police truck, two other persons tried to remove him. At the same time bottles and rocks were thrown at police. Four police suffered minor injuries and 5 vehicles were damaged.
- On 6 February 2004 two officers stopped and spoke to a person of interest in Cleveland Street, Chippendale. As the person of interest was being searched a large group of intoxicated Aboriginal residents approached the two officers. The search of the person was unable to continue due to the hostile nature of the scene. The person was released as a result of the hostile actions of the crowd. The group approached both officers and glass bottles were thrown in their direction. OC spray was used by police to prevent the continuation of violence and to disperse the crowd. Two people were eventually charged with riot.
- On 12 February 2004 Police were in the Eveleigh Lane attempting to effect the arrest of a person for breach of bail when a large crowd of Aboriginal persons (about 12-15) surrounded police and attempted to free the offender from police. A struggle ensued and one officer was thrown to the ground. The struggle continued and one of the offenders grabbed at the officer's weapon. The police managed to keep hold of the offender whilst they moved to an open area. Police sirens could be heard and at this time the crowd stopped following police but continued to throw rocks and abuse. Police removed the offender from the area.

2.5 Crisis management – Redfern riot on 15 February 2004

The complexity of the issues related to crises in Redfern and Waterloo means that there is no easy or quick fix which can be applied to a particular problem. While a short term

response must be developed, it must also be within the context of developing longer term solutions.

The Government's responses to crises need to have a balance of swift reaction as well as linking actions to the initiatives already underway or planned for the area. The credibility gained by the effective management of crisis situations within the community, provides a bank of goodwill which is often needed in order to deliver longer term solutions.

NSW Police note that it is the nature of policing to work at places of tension in the community that are sometimes volatile and sometimes violent. There are also tensions within police work that reflect various and sometimes inconsistent expectations of police held by different members of the community it serves.

For example there are tensions between the police enforcement and intervention strategies used at Redfern to disrupt crime and bring offenders before the court, and the community focused crime prevention strategies.

The Redfern Local Area Command (LAC) Education and Development Officers coordinate mandatory training of all police (eg. firearms) and coordinate additional training that might be required by the LAC. NSW Police report that it was identified that police at Redfern need to be trained for riots. This commenced in 2003. Forty Police have already been trained and a further 40 were to be trained on 16 February 2004 but this was re-scheduled due to the riot on 15 February 2004.

2.5.1 Events leading up to the riot

NSW Police report that on Saturday 14 February 2004 a young Aboriginal man, 17 years of age, who had been riding a bicycle became impaled on a steel posted fence near Phillip Street. He was treated by police and ambulance and conveyed to Prince of Wales Hospital. He later died as a result of injuries sustained.

The name of the young man is not recorded here in acknowledgment of Aboriginal traditions of not naming those who are recently deceased.

In response to repeated media requests for information about this incident, a media briefing was held at Redfern Police Station about 3pm on Sunday 15 February 2004.

The death will be the subject of a Coronial Inquiry. It is also the subject of current investigation by a NSW Police Critical Incident Investigation Team.

2.5.2 An account of the riot

NSW Police advise that a number of rocks or other objects were thrown at a police vehicle as it travelled west along Lawson Street, Redfern around 3.40pm, causing a crack in the windscreen. A number of similar rock throwing incidents involving young persons

continued to occur in the Lawson Street, Eveleigh Street and Redfern Railway Station precinct. Police were deployed to the area to perform high visibility policing in an effort to deter the young people from throwing objects.

The intensity of the rock throwing increased and at approximately 7.30pm the roller shutters to the Redfern Railway Station were closed. The group that had gathered at the intersection of Lawson and Eveleigh Streets continued to throw objects (glass bottles, rocks and bricks) towards the Lawson Street wall and colour bond steel roofing of the Redfern Railway Station. A number of missiles were also thrown in the direction of police at the intersection of Lawson and Gibbons Streets.

At approximately 9pm a group of approximately 20 to 30 people began running and throwing bricks, bottles and other objects at police. A Signal One (urgent assistance) call was made over police radio and police who were in fear of their safety evacuated the area and ran into the Redfern Railway Station. The group went on a rampage smashing windows and windscreens of a number of police vehicles. The group grew to about 60, some brandishing metal poles and other items. Members of the group continued a barrage of missiles directed at police and the Redfern Railway Station.

At around 9.15pm, Rail Corporation was directed to stop trains from picking people up or dropping them off at Redfern Railway Station. At about 9.40pm members of the group attempted to set the Redfern Railway Station alight and after a number of failures were able to set alight an area of the station. Police attempted to escort the NSW Fire Brigade towards the fire but came under heavy fire from the group who continued to hurl objects at them. Some members of the group ran to within 10 metres of the police and hurled half bricks at them. Only the accelerant appeared to be burning so police withdrew.

Members of the group continued attacking the Redfern Railway Station and one person threw a milk crate which was well alight onto the roof of the railway station. Another fire was lit at the intersection of Eveleigh and Lawson Streets and the base of a telegraph pole was set alight. A secondary fire took hold a short distance north in Eveleigh Street.

A group of police wearing protective equipment advanced towards the fires in an effort to determine if there was any risk to property or life. Police were again attacked with bottles and rocks. The throwing of bricks, bottles and other objects continued until about 11pm when approximately 20 people from the group advanced towards a police line in Lawson Street. Police again were attacked heavily with various objects.

About 11pm a hostile group had also gathered in the vicinity of Eveleigh Street and Cleveland Street and advanced towards police. Police withdrew from that location. Further police including Operational Support Group (OSG) trained officers arrived and a line was formed across Lawson Street. A large number of people from the hostile group continued to throw objects at police taking deliberate aim. A number of police were struck by the missiles to the head and legs. Eventually police managed to move the hostile crowd back

into Eveleigh Street but they were pelted by large bricks and rocks and forced back into Lawson Street.

By around 1.30am there were estimated to be more than 100 people gathered in the vicinity of Lawson and Eveleigh Streets. Police continued to be subject to a barrage of rocks, bricks, bottles and other objects that struck some officers. Over the next hour numerous youths attempted to break into Redfern Railway Station, forcing steel grills from the wall and swinging them as weapons. During the night a number of explosive devices similar to 'molotov cocktails' and fireworks were thrown at police. Members of the hostile group filled wheelie bins with flammable material that was ignited and pushed towards police.

Eventually police used fire hoses to force the hostile crowd back into Eveleigh Street and the crowd began to disperse. As a result of the incident 36 police officers reported some injury after the riot. The incident received substantial media coverage and police have extensively examined the footage recorded. A Redfern Station Fire Damage Cost Report has been completed. The report estimates the damage to the Redfern Railway Station at \$450,000.

At the request of the Local Area Commander, the Project Director, Redfern/Waterloo Partnership Project assisted police at the riot in trying to resolve the situation peacefully through negotiation with Aboriginal community leaders.

The Government wishes to acknowledge the important work undertaken by the female Aboriginal community leaders who placed themselves at risk of harm in order to undertake these negotiations with the rioters.

In the aftermath of the riot, a number of agencies including Rail Corporation and the former South Sydney City Council responded urgently and expediently to requests for action. This resulted in the railway station being operational for the morning peak hour service and allowed for the immediate cleanup of the debris.

2.5.3 Resulting investigations

Strike Force TIMEPIECE has been formed to investigate the riot and identify the people responsible. The investigation has staff on loan from Inner Metropolitan commands and is supplemented by staff attached to Redfern Detectives and the Redfern Intelligence Response Team. The inquiry has focused on a review of the extensive media footage of the incident and interviewing witnesses.

A full criminal investigation is being undertaken related to the damage to the Redfern Railway Station. NSW Police advise that a number of people have been identified and as of 23 April 2004, 31 people have been arrested and charged for their roles in the riot. Eighteen of these are adults, seven of whom live in the Redfern LAC. Thirteen of the 31 are juveniles and most live within the Redfern LAC. The charges have included Riot,

Affray, Violent Disorder, Throw Missile and use of an explosive device to cause injury. It is expected that more people will be charged.

NSW Police have advised that where young people were involved in playing a minor role in the riot, it is intended that, where applicable, the *Young Offenders Act 1997* will be applied. This will allow the police to deliver formal Cautions or refer the young people to a Youth Justice Conference to be administered by the Department of Juvenile Justice (see Chapter 22 for more detail on the *Young Offenders Act*).

2.5.4 Police review of the riot

NSW Police report that the occurrence of this riot is a matter of significant concern to the NSW Police Executive. It is the duty of police to preserve and promote their own personal safety and the safety of the community, including members of the community engaged in riotous behaviour and other members of the community whose safety is threatened by that behaviour. Police use of force will be the minimum amount reasonably necessary for the circumstances existing at the time (Public Order Management Policy, see 21.3.3.3 above).

The fact that officers were injured, and so many officers, is also a matter of substantial concern. As a measure to address these concerns Strike Force COBURN was established by the Commissioner of Police to review matters arising from the riot.

The Ombudsman's Office has appointed an Aboriginal Investigator to oversee the Police Inquiry. The Investigator is meeting with the local Aboriginal community to answer any questions they may have about this Inquiry.

The terms of reference of Strike Force COBURN include:

- An analysis of the events at Redfern on 15 February 2004 relating to equipment, communication, awareness and preparedness, staffing issues, command and control and other relevant issues

Some preliminary information from Strike Force COBURN indicates the following:

2.5.4.1 Equipment

NSW Police holds vehicles, protective equipment (eg shields and helmets) and other relevant resources at various locations throughout the State including the Sydney Police Centre. However, there is an indication that there was a lack of knowledge regarding the availability of some equipment and protocols for deployment. There is also an indication that timeliness of resource deployment during the riot is of concern. Occupational Health and Safety issues are being canvassed with a view to improving the quality and suitability of equipment, communication and the training of police.

2.5.4.2 Awareness and preparedness

Strike Force COBURN is also conducting an analysis of the events leading up to the riot on 15 February 2004 with a view to assessing the police response. Preliminary information indicates that during the day of the riot there were incidents of rock throwing, destructive behaviour and abuse towards police by people associated with The Block. There was also the emergence of posters in the area which depicted senior Police as child killers.

There is some indication that, although there were no obvious signs of problems with the initial interaction between police and Mrs Gail Hickey, the young Aboriginal man's mother, counselling availability could have been better, as could the use of the ACLOs and communication with the wider Aboriginal community.

2.5.4.3 Communication/Command and Control

An analysis is also being conducted into all areas of communication during the riot, including the timeliness of communications and the deployment of resources. There is an indication that additional training in the management of such incidents, including communication protocols, equipment and people deployment strategies and tactical decision making would be beneficial to police commanders, as well as police in general.

Strike Force COBURN is also required to make recommendations to the Commissioner's Executive Team regarding the most appropriate structure that should be in place within the NSW Police to respond to violent unplanned incidents anywhere across the state on a 24 hour 7 day basis.

2.5.5 Community engagement following the riot

The Government's overall community engagement strategy is outlined in Chapter 9.

The Government's approach to its work in Redfern and Waterloo and the Redfern/Waterloo Partnership Project governance model recognises and builds on the strong sense of community in the area.

The Partnership focuses on building relationships between government and the local community. It attempts to address community concerns and conflict between residents, whilst strengthening the response by Government agencies.

The events outlined above and the media coverage of these events, have obscured the considerable progress that the NSW Government has made towards achieving its outcomes since 2002.

The Government, through the Partnership, has had a number of meetings with Aboriginal community leaders and the police following the events of 15 February 2004. The aims of these meetings have been to develop a crisis plan to prevent a reoccurrence of similar

incidents and to agree on future strategies to build and repair relationships between the police and the Aboriginal community.

One of the outcomes of these discussions has been agreement to establish an Aboriginal Police Youth Advisory Committee to advise on how to improve relations between Police and young people in Redfern and Waterloo and an Aboriginal Community Advisory Committee focusing on police relations with the broader Aboriginal community.

NSW Police and the Redfern/Waterloo Partnership Project are awaiting advice from the Aboriginal community as to who would be the most appropriate people to be appointed to the committees.

An important additional outcome was agreement that the Government would provide critical incident debriefings and grief counselling, through funding from the Partnership. The debriefings would involve one off sessions, no longer than three hours. They would provide an opportunity for small groups of up to 15 participants to work through their feelings following the events surrounding the riot. It was suggested that two to three debriefings could be held. The grief counselling sessions would follow the debriefings and provide an opportunity for young people who are closely affected by the death of the young man to work through their grief. One to three sessions per person would be provided for up to 50 young people.

It took some time for the Government to obtain advice from Aboriginal community leaders on the preferred way to proceed. On 15 March 2004, Mudgin-Gal Aboriginal Women's Corporation provided an expression of interest to facilitate the grief counselling. On 23 March 2004, the Aboriginal Medical Service (AMS) also expressed its interest in providing this service.

The Government has since sought advice from the Aboriginal and Torres Strait Islander Commission about the most appropriate organisation to deliver these services and will proceed as soon as this advice is provided.

2.6 Broader policing strategies and issues that impact on the area

NSW Police notes the following key points in relation to its activities in Redfern and Waterloo:

- Police use a combination of State, Region and locally based resources and strategies to address crime and social order issues in Redfern / Waterloo. A map and overview of the Regional and State wide policing strategies and approaches that impact on policing in Redfern are provided at Appendices 8 and 9. The issue of police resources is outlined in Chapter 23

- Police at Redfern LAC also employ community focused strategies and programs to prevent crime and improve social amenity (for example, PACT, Youth Liaison, PCYC, Domestic Violence Liaison and Aboriginal Community Liaison). Police involvement in community engagement initiatives is outlined in Chapter 9.

3 Justice and Corrections

3.1 Overview

The use of the criminal justice system to enforce lawful behaviour in Redfern and Waterloo is outlined in Chapter 20. The various criminal justice responses to criminal activity are outlined in this chapter.

The criminal justice system employs a wide range of methods to respond to criminal activity. Strategies are employed to divert offenders from the most intrusive and severe sanction of imprisonment wherever possible, in keeping with the philosophy that imprisonment is a sanction of last resort.

Diversion strategies intended to direct people away from more formal processing, adjudication and sanctions are relied upon because they have a positive impact on reducing recidivism and the type and extent of criminal behaviour.

The following outlines the Government's efforts to divert people away from the criminal justice system in detail. Particular attention is paid to those strategies with a specific focus or application to the Redfern and Waterloo community.

In recognition that Aboriginal people are significantly over represented in the NSW criminal justice system, in both the juvenile and adult justice system, Government agencies and Aboriginal communities are working together to ensure that Indigenous people have a real say in the development of policy and the delivery of services.

The justice system is beginning to incorporate strategies developed specifically to reduce crime and offending in Aboriginal communities by supporting Aboriginal involvement in justice issues and processes. This involves providing a role for the community to participate in diversionary sentencing and in developing and managing programs aimed at reducing or preventing crime. They also empower victims and their families by providing support and information, and promote a sense of community involvement in the justice system by providing a point of advocacy and coordination for communities.

3.2 Pre-sentence interventions

3.2.1 Warnings and cautions under the Young Offenders Act 1997

The *Young Offenders Act 1997* (YOA) changed the way police and the justice system deal with young offenders by providing more constructive forms of intervention. The essence of the YOA is to actively steer young offenders away from formal court

processes by directing them to more direct and less intrusive forms of intervention. It aims to make young offenders take responsibility for their actions and change their behaviour. The Act specifically acknowledges the rights of victims and emphasises restitution. YOA sets out an integrated hierarchical scheme of warnings, cautions, Youth Justice Conferences and court. Data indicates that the overwhelming majority of young people cease offending after one intervention under the Act.

The Attorney General's Department has overall responsibility for the operation of the Act. NSW Police is directly responsible for the operation of Parts 3 and 4 of the Act, which relate to warnings and cautions. The Department of Juvenile Justice is responsible for the operation of Part 5 relating to youth justice conferencing (see below in relation to court ordered alternatives).

The legislation applies to children and young people aged between 10 and 18 years. Certain offences are excluded, namely:

- any offences resulting in death
- most sexual offences
- traffic offences if the person is old enough to obtain a licence or permit
- drug offences other than possess or cultivate prohibited plant
- breaches of Apprehended Violence Orders.

3.2.1.1 Warnings

All summary offences that do not involve violence are potentially offences for which police can give a young person a warning. The young person does not have to admit the offence before a warning can be given but police must record the time, place and nature of the offence, and the child's name, cultural background, age and sex.

Warnings aim to provide an efficient, immediate and direct response to the commission of trivial offences by young people that do not involve violence and are not ongoing. The use of warnings recognises that a significant number of young people who commit trivial offences do not go on to commit further offences.

3.2.1.2 Cautions

When police arrest a young person they must first consider whether the child is eligible for a caution or for referral to a youth justice conference. Cautions are formal and recorded. A young person can only be cautioned if he or she admits the offence after being given the opportunity to receive legal advice and agrees to be cautioned. A caution can be done at a police station or other suitable venue.

Cautions are far more than a "slap on the wrist" - being given a caution is a serious matter. The young person, accompanied by their family or another adult chosen by the

young person, must face a senior police officer at the police station and confront what they have done. Cautions can take up to an hour to administer. One caution is usually enough to stop a young person offending. NSW Police data shows that over 83% of young people cautioned once in New South Wales never have to be cautioned again.

NSW Police Youth Liaison Officers (YLOs) are tasked with delivering warnings and cautions to young people under the YOA. NSW Police report that in the Redfern LAC from April 2003 to April 2004, 126 cautions were delivered to young people under the Act.

3.2.1.3 Adult Cannabis Cautioning Scheme

Drug crime diversion gives offenders who use drugs the chance to undertake treatment and/or education to help them stop using drugs and committing more crimes. Offenders coerced into treatment by the criminal justice system are reported to do just as well as those who enter voluntarily.

The Adult Cannabis Cautioning Scheme was introduced as a one-year trial in April 2000, and is utilised by the Redfern Local Area Command as part of its policing strategies.

This statewide initiative gives police the discretion to caution rather than charge some adult minor cannabis offenders. It aims to assist offenders to consider the legal and health ramifications of their cannabis use and seek treatment and support.

Adults caught with a small amount of cannabis leaf (not more than 15 grams) and/or equipment for the administration of cannabis can be issued a caution notice by police. The notice provides health and legal information on cannabis use, and a 24-hour 1800 contact telephone number for the Alcohol and Drug Information Services. The Service provides cautioned offenders with information about treatment, counselling and support services.

The scheme does not decriminalise or legalise cannabis. A person can only receive two cautions. An offender who receives a second caution will have to undertake a mandatory counselling and education session.

NSW Police report that from March 2003 to March 2004, the Redfern LAC delivered 81 cannabis cautions under this scheme.

3.3 Court options

3.3.1 Court orders for young offenders

The Department of Juvenile Justice is responsible for the supervision and management of young offenders on court orders both in the community and in custodial settings.

The Department's advice does not include information on young offenders from the Redfern and Waterloo area who are presently subject to control orders.

The Redfern and Waterloo area has long been regarded as a hot spot by Sydney Juvenile Justice Community Services (Sydney JJCS). The Department reports that it is putting significant resources in this area. Many young people under the Department's supervision present with welfare, health, educational and/or employment issues.

Sydney JJCS advise that this issue is particularly acute for Aboriginal young people from the Redfern and Waterloo area who have generally entered the juvenile justice system at a young age and may present with multiple issues such as alcohol and other drug dependencies, poor nutrition, lack of secure and safe accommodation, low levels of literacy and numeracy and/or significant experience of violence (strategies to address these issues are outlined in Part 4 of this submission).

Two Juvenile Justice Officers (JJO) from Sydney JJCS operate exclusively in the Redfern and Waterloo area. This includes an identified Aboriginal JJO position. Both JJOs have had a long working association with the area, have developed expert local knowledge and are accepted by local Elders, leaders and the community more generally.

In response to the Department's Aboriginal Over-Representation Strategy, Sydney JJCS and Stanmore Intensive Programs Unit have recently established a support committee for DJJ staff working in the Redfern and Waterloo area. The committee is designed to offer support to staff and as a forum for sharing information about clients and family networks, in order to develop innovative approaches to casework. If successful, the initiative will be applied elsewhere in the Metropolitan Region.

In 1996, Sydney JJCS developed a sessional supervision program for young offenders who were ordered by the court to undertake community service. The program is based at Sydney Park, Alexandria and has strong links with local government, community groups, sporting organisations and welfare agencies in the Redfern area. Project activities have included:

- extensive graffiti removal and paint over program

- design and creation of community murals
- tree planting & weed eradication.

The Department advises that it has referred a number of young people to various recreational activities and school holiday programs, such as basketball, football, surfing and skateboard clinics and other excursions.

The Department also refers to and works closely with South Sydney Youth Services, Waterloo Girls Services and The Fact Tree Youth Services, which work with young people who offend. The agencies provide various after-school programs, school holiday programs including camping trips that take young people outside of the Redfern and Waterloo area. It is noted that a number of the school holiday programs also target children under the age of 10 years, who are not clients of the Department.

3.3.2 Community based orders

The Department of Corrective Services advises that Community Offender Services has a District Office in Newtown, which services their clients residing in the Redfern and Waterloo areas. Nine years ago the District Office established a presence (the Redfern Reporting Centre) in the area known as The Block with its outcome measure being a reduction in the number of community based orders that were breaking down before successful completion, and to assist in dialogue with the Aboriginal communities.

The Department of Corrective Services advises that an Aboriginal Community Service Officer employed by its Newtown District Office works in conjunction with Probation and Parole Officers at the Centre. This approach has been linked with considerable increases in the rates of compliance with court orders and has assisted in culturally sensitive case management of Aboriginal offenders.

Culturally appropriate services for Aboriginal people have been developed such as the Walking Together Program to better target the criminogenic behaviour of Aboriginal men. It is the longest running Aboriginal program operated by Community Offender Services, Probation and Parole Service.

Walking Together utilises Aboriginal culture to address social issues such as family violence, alcohol and other drugs, and employment/training. The program is the result of extensive successful consultation with the Redfern community, Aboriginal agencies, other Government and non-government stakeholders as well as Aboriginal offenders.

Its relative success has led to the development of a sister program for Aboriginal women offenders.

While such programs are delivered in an Aboriginal agency in the Newtown community, they are available to Aboriginal people from other communities, such as the Glebe estate and Waterloo.

The Department also advises that Community Offender Services operates the Community Service Order Scheme, and that the Aboriginal Housing Corporation is a major stakeholder which makes available suitable and culturally appropriate projects for Aboriginal offenders to undertake.

The Department of Corrective Services is a member of the Redfern and Waterloo Human Services Senior Officers Group (see Chapter 25 regarding the Human Services Review), and through this network it supports whole of government strategies in service delivery in respect of operational services provided to the Redfern and Waterloo communities from the Newtown District Office.

The Department reports that its representative is also a member of the Redfern and Waterloo Human Services Case Co-ordination Sub-Committee which is in the process of developing and implementing inter-agency case management strategies for young people up to 24 years of age. The Department's Community Offender Services is an active member of the Sub-Committee as in some instances the young people being case managed in this model will also be on a community-based order (see Chapter 14 for more detail on this model).

The Department of Corrective Services reports that during 2001-2002, more than 5,200 community-based offenders took part in almost 450 programs across New South Wales. These programs were tailored to specific risk factors and needs of offenders in a local area. They target five key risks associated with re-offending: alcohol, other drugs, domestic violence, anger management and drink driving.

3.4 Court ordered alternatives

3.4.1 Youth Justice Conferencing

Youth Justice Conferences are a 'community based negotiated response to offences involving all affected parties' (section 3(c), YOA). One of the crucial principles in the YOA is that all measures for dealing with children under the Act must 'provide the child concerned with developmental and support services' (section 34) to enable them to move on from offending and develop as good citizens.

The first youth justice conference in New South Wales was held in June 1998.

Police Youth Liaison Officers (YLOs) can make the decision to refer a young offender to a Youth Justice Conference. The Children's Courts also have power under section 40 of the YOA to refer a child who has admitted to or been found to have

committed an offence to a Youth Justice Conference. Since the commencement of the YOA in April 1998, about half of all Youth Justice Conference referrals in New South Wales have come from the courts.

Conferencing is a confronting process that makes young offenders face their victims in the presence of their families and the police and actively participate in analysing and making decisions about his or her behaviour.

It produces a strict outcome plan requiring the young offender to redress the damage they have done and deal with the underlying causes of their offending behaviour.

These outcome plans are negotiated with the victim and are monitored just as strictly as court orders. If an outcome plan is not completed, the young person may still face prosecution through the court.

The Bureau of Crime Statistics and Research released a report in 2000 evaluating the conferencing scheme established under the Young Offenders Act. This study provides strong endorsement for the use of alternatives to court proceedings for dealing with juvenile offenders.

BOCSAR has also conducted a study into the re-offending rates of juvenile offenders who have been conferenced compared to those who have been dealt with by the Court. The report finds that the risk of re-offending and the rate of re-appearances per year was up to 28% lower for juvenile offenders who were conferenced than for those who went to court.

The BOCSAR study also found that, of the juvenile offenders who re-offended, those who were conferenced had a greater crime-free period than those who went to court. The difference in the crime-free period between the conference and court groups increased over time.

The Department of Juvenile Justice (DJJ) has noted that attention must be paid to including family and other significant people in the child's community in the processes of Youth Justice Conferences.

Youth Justice Conferencing staff work in collaborative partnership with NSW Police, in particular the YLOs, to ensure the effective operation of the whole of the YOA. One unique aspect of the scheme that is different from other statutory schemes is the identity of conference convenors. These are individuals who live and work in the local communities and who are engaged by contract to organise and facilitate youth conferences as needed.

The Department of Juvenile Justice (DJJ) advises that the successful operation of the YOA is very much dependent on the close partnerships between the Youth Justice

Conference administrator, police, courts, children's solicitors, and key youth specific agencies and Aboriginal community groups in their area of responsibility.

The Sydney Youth Justice Conference administrator, located in Kippax Street Sydney JJCS, is responsible for the administration of Youth Justice Conferences in 13 inner Sydney Police LACs, including the Redfern LAC.

The Department of Juvenile Justice reports that the number of referrals to youth justice conferences from the Redfern LAC has increased over the years, through a combination of advocacy from youth services for diversion under the Young Offenders Act, and a greater level of acceptance of the benefits of diversion for young people.

As in other areas of New South Wales, the Sydney Youth Justice Conference administrator and convenors have established and nurtured strong links with relevant services for young people, their families and indeed victims, in their geographical areas of responsibility. In the Redfern and Waterloo area, these services include but are not limited to South Sydney Youth Services and the Fact Tree Youth Service.

Since the commencement of the YOA, these two, and many other services have provided extensive support for young people undertaking components of Outcome Plans agreed at Youth Justice Conferences.

DJJ reports that there is a widespread community support for the value of Youth Justice Conferencing as a positive intervention for young people with the involvement of local community agencies, and the opportunity to have young people more closely linked to traditional supports in the local area.

One indication of the degree of police commitment to the diversion of young people under the YOA is that the Redfern LAC has appointed 2 full-time Youth Liaison Officers, with the intention of forging more positive relations between police and Redfern and Waterloo young people, and to better address youth crime in the LAC. The LAC, through its two YLOs, is actively involved in the administration of this Act in its day to day policing strategies.

NSW Police report that in the Redfern LAC from April 2003 to April 2004, 14 young people were referred to a Youth Justice Conference.

DJJ report that Youth Justice Conference referrals from the Redfern LAC have increased over the last two years. They advise that 85% of all referrals received from this area in 2002 and 2003 were for Aboriginal young people (compared with around 25% statewide). A significant majority of these referrals have been for girls (less than 20% of all referrals received across the State are for girls). They also report that the most commonly referred young people are 15 or 16 years old.

DJJ reports that many young people referred to Youth Justice Conferences from Redfern and Waterloo have significant deficits in formal education and have not regularly attended school for 12 months or more.

Local youth agencies frequently act as supports for young people while they are undertaking the tasks contained in their Outcome Plans. These tasks, while providing restitution to the victim, also act as a means of re-integrating these young people into formal education programs, and into specific cultural programs such as those offered at Eora, a culturally specific TAFE education facility in Redfern.

The acceptance of Youth Justice Conferencing within the Redfern and Waterloo area is significant in an area which has historically struggled to deal with youth crime. This acceptance also indicates the strength of community partnerships that have been more closely developed by the Government over recent years.

Case Study

The case study has been removed to protect the privacy of the individual involved.

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3.4.2 Magistrates Early Referral Into Treatment (MERIT) program

MERIT is a Local Court based diversion program that targets adult defendants with illicit drug use problems who are motivated to undertake drug treatment. Defendants who are assessed as suitable for MERIT can undertake supervised drug treatment as part of their bail conditions. A MERIT treatment program is typically three months in duration, reflecting the average Local Court bail period. At final sentencing, magistrates are provided with a comprehensive report regarding the defendant's participation in treatment.

The primary goal of the MERIT program is to break the drug-crime cycle by involving defendants in treatment and rehabilitation programs as a way of addressing

their drug dependency. It is available to eligible defendants who appear at participating Local Courts. Offenders are ordered by the court to undertake drug assessment and any required treatment as part of their condition of court bail. The Court then takes the offender's participation in the MERIT program into consideration in determining a final sentence.

The program is a whole of Government initiative, led by the NSW Attorney General's Department. Health services are provided by NSW Health. NSW Police, Legal Aid, Probation and Parole and Local Court officers all provide crucial support to the program.

MERIT originally started as a trial program in the Northern Rivers Region (Lismore Local Court) and the Illawarra (Wollongong Local Court). Following its initial success, the Government endorsed the roll-out of the MERIT program across New South Wales.

The program commenced from Redfern Local Court in March 2003. NSW Police report that Operation Command trains police in the MERIT program.

Police, the Courts or legal representatives are able to make referrals to MERIT. Police referral to MERIT can only be made through the arrest and charge process. It requires police to identify, at the time of arrest, offenders who appear eligible for the program. These offenders may then be bailed for assessment with the MERIT team prior to their court appearance. Participation is voluntary and the offender is not required to enter a plea in order to participate. Not all offenders who are referred to the program are accepted into the program by the court.

The Redfern LAC has provided information on the Redfern MERIT Program from Drug Health Services, Central Sydney Area Health Service, showing the level of referrals from Redfern Court (see Table below).

Table 33: MERIT Referrals from Redfern Court since commencement

Local Court	Referral Count	No of Accepted Referrals
Redfern	84	47

NSW Police reports that prior to the MERIT program commencing at Redfern, the Attorney General's Department estimated that 40 referrals would be received annually from Redfern. In just over a year there have been 84 referrals, double the estimated demand for the program. Considering Redfern court sits two days a week, and has only one court room, the referral rate is high. Almost 50 of these referrals have been accepted.

3.4.3 Circle sentencing

Circle Sentencing is a means of engaging local Aboriginal communities in the operations of the criminal justice system. Circle sentencing allows greater community participation and incorporate the values and culture of the local communities.

Circle sentencing is located in a community setting where members and the magistrate sit in a circle to discuss the offence and the offender. The circle also talks about the background and effects of the offence and comes up with a sentence that's tailored to the offender. Circle sentencing involves victims of offences as well as offenders' families and other respected community members. This often means the sentence and process are seen as more relevant and taken more seriously by the offender.

In 2001, the Government agreed to support a two year pilot Circle Sentencing project. The pilot has been an outstanding success in Nowra, and it was recently extended to Dubbo. The Attorney General's Department advises that the Circle Sentencing scheme will be extended to 5 additional communities.

The Nowra Circle Sentencing Pilot was evaluated by the NSW Judicial Commission and the Aboriginal Justice Advisory Council (AJAC) in 2003. The evaluation provides solid evidence of the success of this program and confirms that each of the program's stated aims is being achieved. Of the 22 people who had been sentenced using the Circle Sentencing format to date, only one has re-offended.

To date, 27 repeat offenders have participated in the Community Justice Groups (CJGs)/Circle Sentencing model at Nowra. Only one has subsequently re-offended in the two years the program has been running.

Each of the participants had previously committed two offences a year on average. At least 52 further offences (and potential victims) were avoided as the participant's re-offending stopped.

Circle Sentencing helps the local Indigenous and wider non-Indigenous community by:

- increasing the confidence of Aboriginal communities in the sentencing process
- reducing barriers between Aboriginal communities and the courts
- providing more appropriate sentencing options for Aboriginal offenders
- providing effective support to victims of offences by Aboriginal offenders
- providing for the greater participation of Aboriginal offenders and their victims in the sentencing process

- increasing the awareness of Aboriginal offenders of the consequences of their offences on their victims and the Aboriginal communities to which they belong
- reducing recidivism in Aboriginal communities.

Circle sentencing in operation

The case study has been removed to protect the privacy of the individual involved. [REDACTED]

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In community meetings held since the death of a young Aboriginal man and the riot in February 2004, the Aboriginal community identified that the introduction of alternative sentencing models was a priority. The extension of Aboriginal Community Justice Groups and Circle Sentencing programs were identified as priorities, in that they promoted Aboriginal community participation in justice issues and allowed the community to make a stand on criminal behaviour and suggest appropriate sentences.

3.4.4 Community Justice Groups

Aboriginal CJGs are not specifically a court based option, however they do work closely with justice agencies to provide alternative mechanisms for dealing with crime

and victimisation in Aboriginal communities. CJGs are critical to the success of a range of existing and planned initiatives, including Circle Sentencing, crime prevention planning, youth justice conferencing and the intensive case management of young offenders.

CJGs are representative groups of local Aboriginal people who come together to examine crime and offending in their communities and develop ways to solve those problems at the local level. The Groups are often established on clan or family lines, and they normally include Aboriginal Elders.

CJGs specifically aim to reduce crime and offending in Aboriginal communities by providing a role for the community in sanctioning offenders and in developing and managing programs aimed at reducing or preventing crime.

The success of these Groups has been demonstrated in the Queensland communities of Kowanyama and Palm Island. Justice groups were established in these communities 10 years ago and have had a remarkable impact in reducing criminal and anti-social behaviour. In Kowanyama, court appearances declined from twenty four to six in a three year period, and charges declined from 116 to 11 over the same period. Similarly, in Palm Island, court appearances declined from 32 to 13, and charges declined from 115 to 17 over the same period.

The CJG members work with their local community to:

- enhance Aboriginal community, police and government agency co-operation and co-ordination
- develop local crime prevention initiatives
- provide support to victims and their families
- support offenders when they are arrested
- work with the police, the courts and offenders to ensure people meet bail conditions
- provide advice to courts on defendants and sentencing
- identify diversionary and other sentencing options
- supervise court orders.

The Attorney General's Department advises that funding has recently been secured to establish Community Justice Groups in 24 communities across New South Wales. Some community leaders have recently expressed interest in establishing an Aboriginal CJG in Redfern, and AJAC will conduct a series of meetings in Redfern and Waterloo to discuss the establishment of a Community Justice Group and provide the necessary training should residents wish to proceed.

The Attorney General's Department has advised that the AJAC will be providing a separate written submission to the Inquiry detailing crime issues in the area and outlining suitable preventative approaches.

3.5 Post-release support programs for young people

The Government, through the Department of Juvenile Justice, currently funds South Sydney Youth Services to supply post-release support for clients leaving custody. The program complements the Juvenile Justice Officer's role in terms of client supervision and support. The Department provided funding of \$83,328 in the 2003/2004 financial year.

3.6 Additional information

The Sydney Juvenile Justice Community Service (JJCS) covers clients from Berowra in the north, Sutherland in the south then to Campsie in the west. It is important to be aware that the following are statistics for the entire Sydney JJCS area, including significant Aboriginal communities in the inner west and La Perouse, and do not represent the Redfern and Waterloo area only.

DJJ also notes that a proportion of the youth population in the Redfern and Waterloo area can be transient with Aboriginal young people from country areas as well as the greater metropolitan area residing in Redfern and Waterloo for extended periods of time. It is important, therefore, to be also aware that DJJ advises that these young people, if they are clients of the Department, are counted in the statistics at their usual place of abode. They would not be included in the Sydney JJCS statistics.

During 2003, DJJ reports that the Sydney JJCS Office intervened in a total of approximately 340 court imposed community based supervision orders with young offenders. These orders consisted of specific departmental supervision being imposed as a condition of those orders. Of this total, approximately 17.5% are orders imposed on young offenders of Indigenous background.

In addition, approximately 536 Assessments and Background Reports were referred for completion during this period. These reports were submitted to courts to assist in the sentencing of young offenders. Approximately 32.6% of these reports were prepared for young offenders of Indigenous background.

Staff at the office are also reported to have intervened on 882 occasions to assist young offenders, where possible, to meet their bail conditions and divert them from custody. Approximately, 35% of interventions related to Indigenous young offenders.

The number of young offenders sentenced to a period of control (placement in a Juvenile Justice Centre) totalled 83. Of this, approximately 25% of young offenders were of Indigenous background.