

Summary Report

Program Review of Pilbara and Kimberley
Regional Youth Justice Services



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1. Executive summary

Youth Justice Services (YJS) is a Division of the Department of Corrective Services (the Department). The work of YJS is informed by the principles and functions outlined in the *Young Offenders Act 1994*, the Department's Strategic Plan *Creating Value Through Performance* and Youth Justice Framework for Western Australia 2015-2018.

The YJS Division is responsible for the safety, security and rehabilitation of young people both in community and custody. The core objective is to reduce reoffending among young people through:

- Services to divert young people away from the criminal justice system.
- Programs and services for young people on orders in the community.
- Programs and services for young people in custody.

The Regional Youth Justice Services (RYJS) was developed by the Department to divert young people from the criminal justice system and support them and their families to make positive choices.

The RYJS operates in Geraldton and Kalgoorlie and was expanded to the West Kimberley, East Kimberley and the Pilbara regions utilising Royalties for Regions funding in 2010-11.

The RYJS provides prevention and diversion programs for 'at risk' young people, such as:

- Management of young people on community orders.
- Outreach support for young people and their families.
- Enhanced access to bail.
- A dedicated Juvenile Justice Team to assist young people in the early stages of offending.
- Access to psychological and other services.

In 2014, the Department engaged AOT Consulting to undertake a Program Review of the RYJS Expansion¹.

The report highlighted that the RYJS successfully diverted young people who have been charged with an offence from detention during the remand period by locating a 'responsible adult' and/or using the bail accommodation service.

The consultants found that the introduction of the services in the Kimberley and Pilbara has enabled interventions to hundreds of young people each year, while linking them to ongoing support from other agencies or community service providers.

The consultants found that the three regions currently work collaboratively with various government and non-government agencies to provide services and support

¹ AOT Consulting 2014, Program Review of the Regional Youth Justice Services Kimberley and Pilbara Expansion.

to young people either through community reference groups or other management forums.

Analysis of the service provision model highlighted the complexity of issues affecting service provision for young people in the north of Western Australia that had not been adequately addressed, including:

- The highly transient nature of the youth population.
- Demographic differences with around 40 per cent of Aboriginal people in the regions aged under 18 years of age.
- Strong connection to culture and lands.
- Complex family situations and sometimes a lack of responsible adults and role models for young people.
- A high need for crisis accommodation and safe houses for young people.
- A high incidence of alcohol and drug abuse – across generations.
- A high incidence of Fetal Alcohol Spectrum Disorders (FASD), disability and mental illness.
- Intergenerational trauma.
- Disengagement from education.
- Difficulty experienced by service providers in building relationships and trust.

The Kimberley and Pilbara RYJS was successful, providing 5214 services in 2014-15 alone. Kimberley and Pilbara RYJS worked with 1046 distinct young people across 927,438 square kilometres and an estimated 274 remote Aboriginal communities.

In 2014/15, there were 674 prevention services, 335 police caution follow ups, 1559 referrals to the Juvenile Justice Team, 1602 juvenile orders commenced and 1044 bail service placements

2. Background

YJS is a Division of the Department. The work of YJS is informed by the principles and functions outlined in the *Young Offenders Act 1994*, the Department's Strategic Plan *Creating Value Through Performance* and Youth Justice Framework for Western Australia 2015-2018.

The YJS Division is responsible for the safety, security and rehabilitation of young people both in community and custody. The core objective is to reduce reoffending among young people through:

- Services to divert young people away from the criminal justice system.
- Programs and services for young people on orders in the community.
- Programs and services for young people in custody.

YJS staff in the community and in Banksia Hill Detention Centre (Banksia Hill) work to improve outcomes for children and young people in contact with the justice system.

The principles outlined in the *Young Offenders Act 1994* inform all aspects of the work of YJS. The Department has an obligation to ensure young people are cared

for, supported and nurtured both in community and in custody and leave better equipped to live a law abiding lifestyle. This obligation is balanced with a responsibility to ensure community safety. The work of the YJS Division will always:

- Prioritise the safety of the young person and the community.
- Consider what is in the best interests of the young person and their family.
- Deliver services to children and young people that recognise vulnerability, developmental levels, gender, cultural and religious beliefs and practices.
- Be informed by evidenced based practice.
- Deliver a comprehensive case coordination and through care model of practice that is informed by:
 - the needs of each young person and is age, gender and culturally appropriate
 - many young people in the justice system have experienced multiple traumas therefore rehabilitation should address the underlying trauma
 - identifies protective and risk factors
- Communicate clearly and in a timely manner with all key stakeholders.

The RYJS was developed by the Department to divert young people from the criminal justice system and support them and their families to make positive choices.

The RYJS operates in Geraldton and Kalgoorlie and was expanded to the West Kimberley, East Kimberley and the Pilbara regions utilising Royalties for Regions funding in 2010-11.

The RYJS provides prevention and diversion programs for 'at risk' young people, such as:

- Management of young people on community orders.
- Outreach support for young people and their families.
- Enhanced access to bail.
- A dedicated Juvenile Justice Team to assist young people in the early stages of offending.
- Access to psychological and other services.

3. Regional Youth Justice Services in Kimberley and Pilbara

3.1 Overview of funding

On 25 October 2010, Cabinet approved \$43.86 million funding for four financial years 2010-11 to 2013-14 to expand the delivery of the RYJS to the Kimberley and Pilbara regions. The Department committed \$16.89 million to the expansion over the same period.

The RYJS was delivered to the West Kimberley, East Kimberley and Pilbara regions to:

- Address gaps in youth justice services in the Kimberley and Pilbara regions, particularly for Aboriginal young people who have offended or are at risk of re-offending.

- Provide additional resources aimed at facilitating bail for young people from these regions who have offended/allegedly offended to divert them from detention in Perth.
- Enhance the case management of young people who have offended or are at risk of re-offending.
- Make a positive difference in West Kimberley, East Kimberley and Pilbara communities with the aim of providing services which contribute to community safety and improve the opportunities for young people, their families and the wider communities to maximise their potential.
- Provide targeted support for families in the Kimberley and Pilbara regions who are struggling to positively influence their children.

In 2014-15, the Economic and Expenditure Reform Committee approved \$15 million funding for an additional year. This funding, combined with \$4.215 million of Department funds, enabled the continuation of RYJS in the Kimberley and Pilbara while a program review was undertaken.

In 2014, at the request of the Department of Regional Development (DRD), the Department commissioned a program review of the RYJS Kimberley and Pilbara expansion.² The evaluation report provided an overview of the investment into the Kimberley and Pilbara during 2010-11 to 2014-2015.

3.2 Overview of the program review

RYJS in the West Kimberley commenced in January 2011 with services being provided at Broome, Derby and Fitzroy Crossing; in the East Kimberley in April 2011 with services being provided in Kununurra, Wyndham and Halls Creek; and in the Pilbara in July 2011 with services provided at South Hedland, Roebourne, Karratha and Newman. All three services work alongside other government and non-government agencies, particularly the Department for Child Protection and Family Support (CPFS) and Western Australian Police (WAPOL), to provide interventions and diversionary services, rehabilitation, education and life-skills programs for young people and their families.

The consultants noted introducing RYJS in the Kimberley and Pilbara has represented a significant undertaking for the Department, which has taken four years to bring it to its current state.³

The Review assessed the outcomes of the RYJS against the deliverables and performance objectives stated at initiation. They reported that overall RYJS has had mixed results tracking against its performance measures:

‘Much has been learned since the early days of the program through to its current level of capability...many of the issues which the youth justice teams are required to address stem from deep seated and intergenerational

² AOT Consulting 2014, Program Review of the Regional Youth Justice Services Kimberley and Pilbara Expansion.

³ AOT Consulting 2014, Program Review of the Regional Youth Justice Services Kimberley and Pilbara Expansion, p5.

community issues, which require a community response to resolve and take time to address”⁴.

3.3 Highlights of the RYJS

The report highlighted that the RYJS successfully diverted young people who have been charged with an offence from detention during the remand period by locating a ‘responsible adult’ and/or using the bail accommodation service.

The consultants found that the introduction of the services in the Kimberley and Pilbara has enabled interventions to hundreds of young people each year, while linking them to ongoing support from other agencies or community service providers.

The consultants found that the three regions currently work collaboratively with various government and non-government agencies to provide services and support to young people either through community reference groups or other management forums.

Analysis of the service provision model highlighted the complexity of issues affecting service provision for young people in the north of Western Australia that had not been adequately addressed, including:

- The highly transient nature of the youth population.
- Demographic differences with around 40 per cent of Aboriginal people in the regions aged under 18 years of age.
- Strong connection to culture and lands.
- Complex family situations and sometimes a lack of responsible adults and role models for young people.
- A high need for crisis accommodation and safe houses for young people.
- A high incidence of alcohol and drug abuse – across generations.
- A high incidence of Foetal Alcohol Spectrum Disorders (FASD), disability and mental illness.
- Intergenerational trauma.
- Disengagement from education.
- Difficulty experienced by service providers in building relationships and trust.

In 2014 the Department also conducted a review of the programs delivered by the non-government sector.⁵ With regards to the provision of services to young people the Department has identified:

- The need to ensure services and programs are delivered to meet the requirements of the *Young Offenders Act 1994*.
- Overlaps in service provision.
- Limited clarity in relation to diversion and prevention roles.
- A lack of a collective cross government approach to service delivery.

⁴ AOT Consulting 2014, Program Review of the Regional Youth Justice Services Kimberley and Pilbara Expansion, p.7

⁵ Department of Corrective Services, 2016 Youth Justice Services Draft Program Delivery Plan

- A need for clarity for the respective roles of the Department, CPFS; Department of Education, Department of Local Government and Communities and WAPOL.
- A need for improved case coordination and an integrated service delivery model for young people at risk of contact or in contact with the criminal justice system.
- Impacts associated with Western Australia's only detention centre for young people being located in Perth. Young people from the Kimberley and Pilbara experience isolation from family, friends and culture whilst in detention.

These findings will be considered as the Department develops and implements an alternative operational model for the delivery of RYJS in the Kimberley and Pilbara regions that is recurrently funded.

4. Summary of key statistics

In late 2015 the Department's Knowledge and Information Technology (KIT) business area worked with YJS and KPMG⁶ to analyse data collected over the four years of the program. The table below provides a summary of one year's data in 2014-15.

The Kimberley and Pilbara RYJS was successful, providing 5214 services in 2014-15 alone. Kimberley and Pilbara RYJS worked with 1046 distinct young people across 927,438 square kilometres and an estimated 274 remote Aboriginal communities.

In 2014/15, there were 674 prevention services, 335 police caution follow ups, 1559 referrals to the Juvenile Justice Team, 1602 juvenile orders commenced and 1044 bail service placements

Table 1 Statistics 2014-15

Type of service	East Kimberley	West Kimberley	Pilbara
Prevention services	196	233	245
Police caution follow up	98	163	74
JJT referrals	429	307	823
Orders	570	342	690
Bail placements	420	204	420
Total number of services	1713	1249	2252
Size of region sq km	255,021	166,537	505,880
Total number distinct young people	319	361	366

Further investigation undertaken by KIT in early 2016 has provided additional insight into the broad trends following implementation of the RYJS program.

⁶ KPMG Royalties for Regions Project-Regional Youth Justice Service Data Analysis, September 2015.

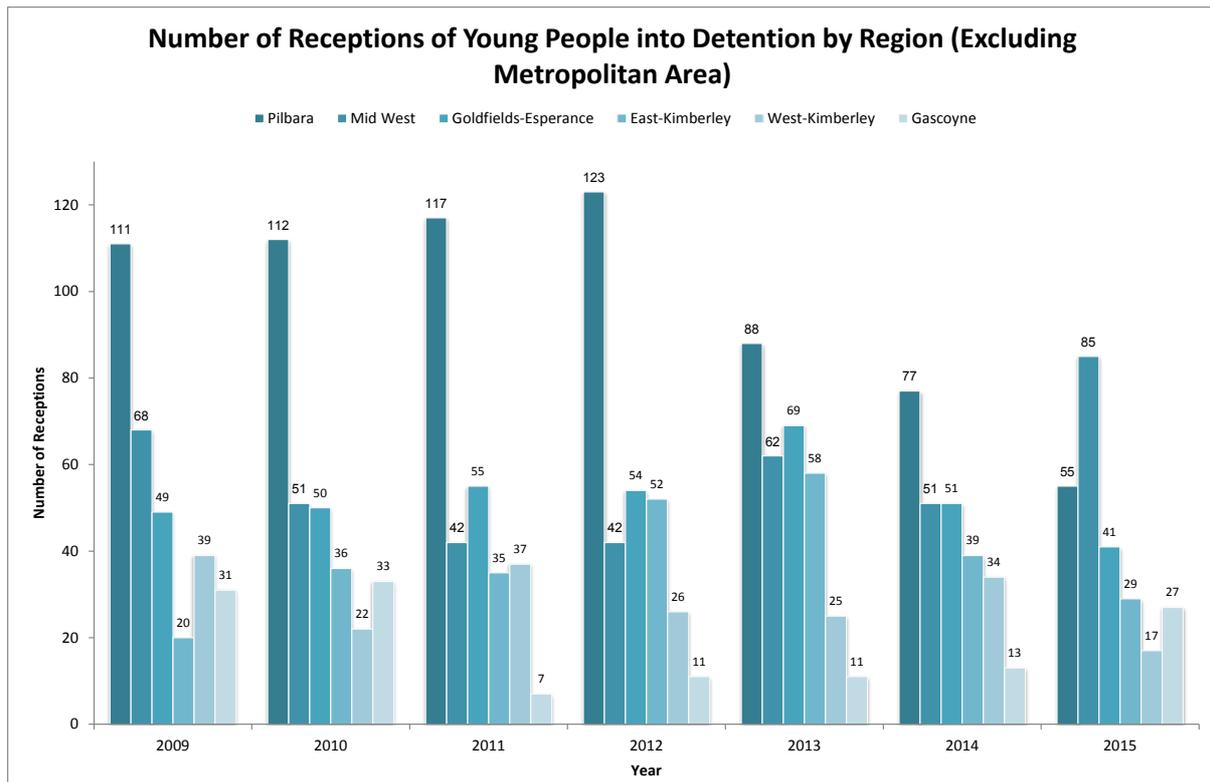


Figure 1: Number of Receptions of Young People into Detention by Region (Excluding Metropolitan Area)

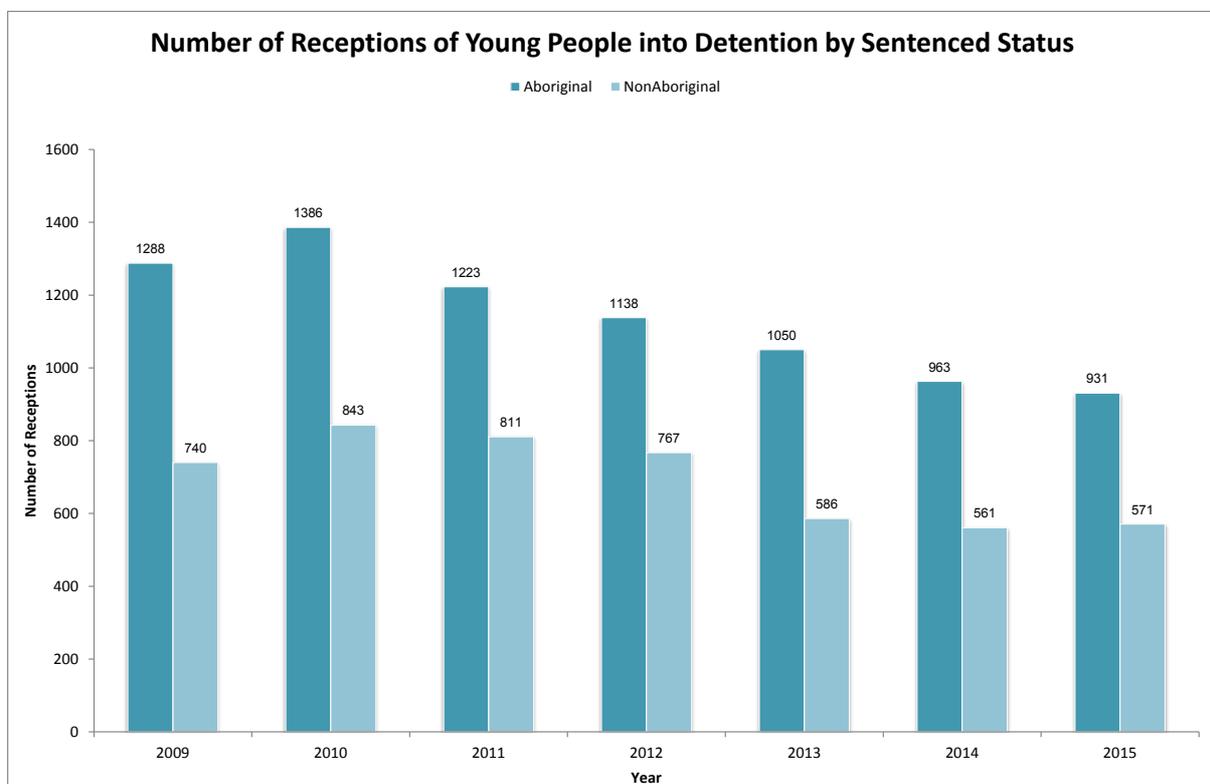


Figure 2: Number of Receptions of Young People into Detention by Sentenced Status

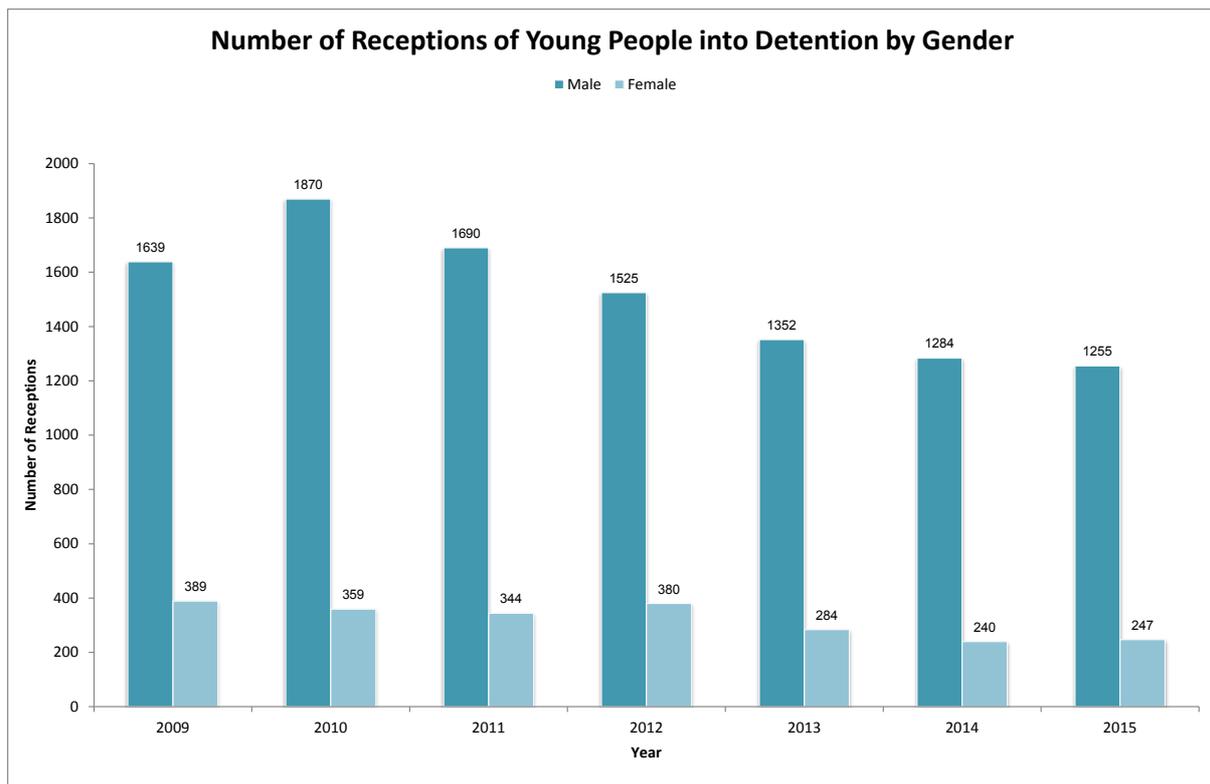


Figure 3: Number of Receptions of Young People into Detention by Gender

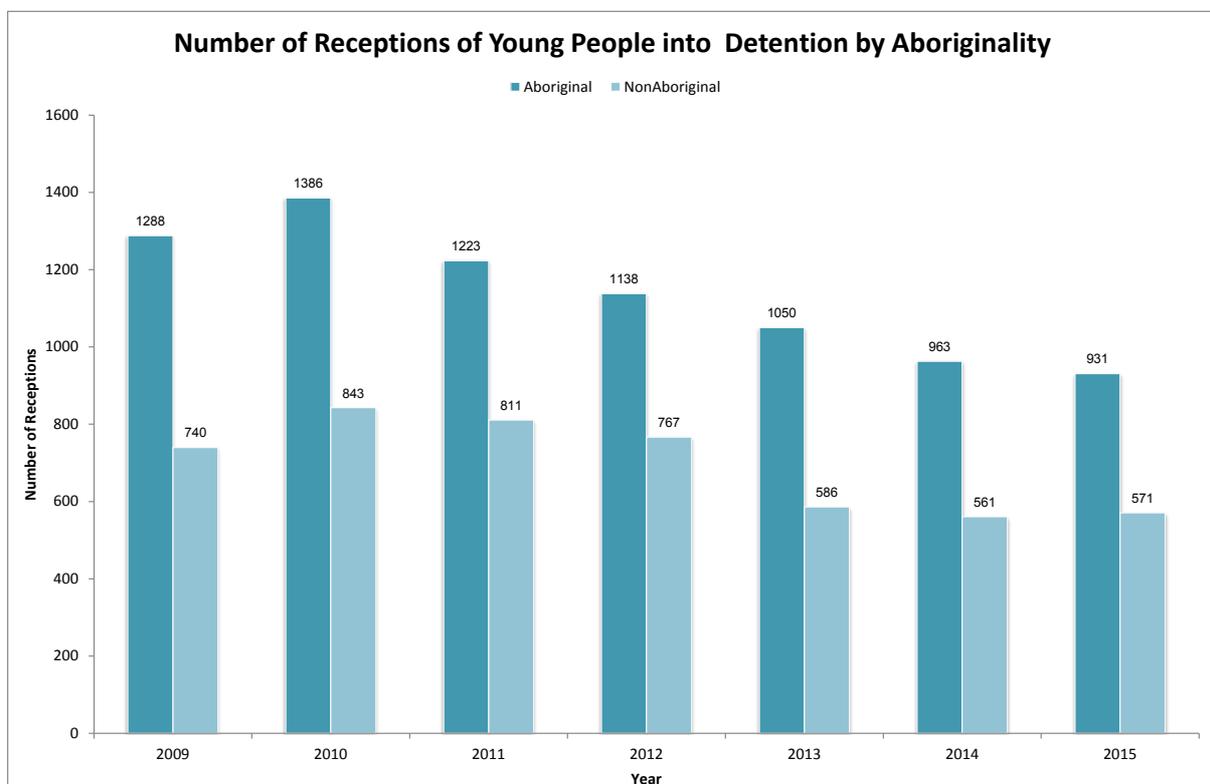


Figure 4: Number of Receptions of Young People into Detention by Aboriginality

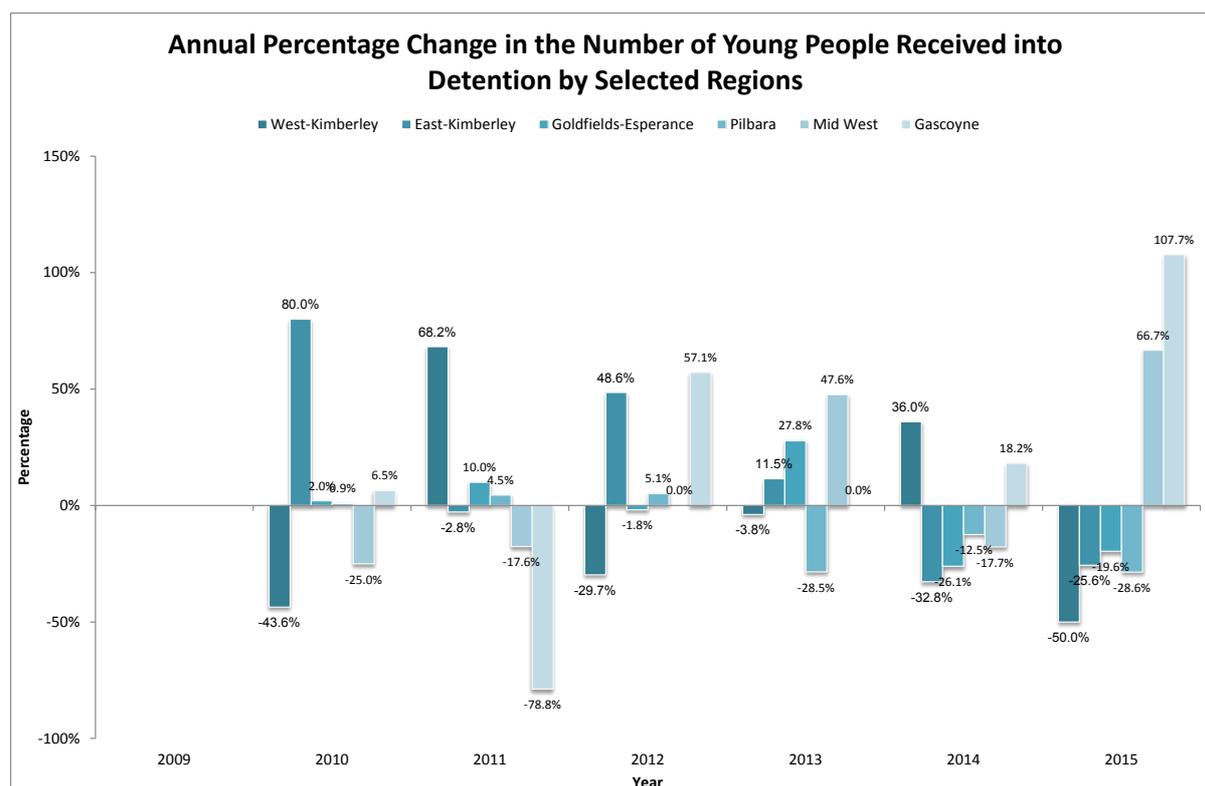


Figure 5: Annual Percentage Change in the Number of Young People Received into Detention by Selected Regions

4.1 East Kimberley Regional Youth Justice Services (EKRYJS)

Between 2009 and 2014 the total population of the East Kimberley region grew from an estimate 11,793 persons to 12,666 persons. This equates to growth of 7.4 per cent over the five year period. The age group of 10 to 18 years was estimated to be 1,595 in 2009 and by 2014 it had dropped slightly to 1,555 persons (decline of 2.5 per cent).

In 2014 an estimated 12.2 per cent of the population was aged 10 to 18 years. The population census in 2011 estimated that 61 per cent of the population in this age group within the Kimberley region as a whole (i.e. includes East and West Kimberley) identified as Aboriginal or Torres Strait Islander.

The Kimberley and Pilbara regions cover a huge area and over 90 per cent of the estimated 274 remote communities are based in these regions. The three offices within the East Kimberley RJYS cover approximately 253,021 square kilometers.

In 2014-15, approximately one in five (319) young people received a service in this region, with 95 per cent being of Aboriginal descent. The target youth population within this region is quite small and is predominately an Aboriginal population.

The key services delivered over the course of the funded period (2010-2015) were in the following areas: prevention, diversion, supervision of community orders imposed by the Court and bail service placements.

In 2014-15, there were 196 prevention services to 147 young people, 98 police caution follow ups, 429 referrals to the Juvenile Justice Team, 570 juvenile orders commenced and 420 bail service placements.

4.2 West Kimberley Regional Youth Justice Services

Between 2009 and 2014 the total population of the West Kimberley region grew from an estimated 24,010 persons to 26,433 persons. This equates to growth of 10.1 per cent over the five year period. The age group of 10 to 18 years was estimated to be 2,860 in 2009 and by 2014 it had increased slightly to 3,072 persons (increase of 7.4 per cent).

In 2014 an estimated 11.6 per cent of the population was aged 10 to 18 years. The population census in 2011 estimated that 61 per cent of the population in this age group within the Kimberley region as a whole (ie includes East and West Kimberley) identified as Aboriginal or Torres Strait Islander.

The three offices within the West Kimberley RJYS cover approximately 166,537 square kilometers.

In 2014-15, approximately one in nine (361) young people received a service in this region, with 90 per cent being of Aboriginal descent. The target youth population within this region is growing steadily and is predominately an Aboriginal population.

The key services delivered over the course of the funded period (2010-2015) were in the following areas: prevention, diversion, supervision of community orders imposed by the Court and bail service placements.

In 2014-15, there were 233 prevention services to 180 young people, 163 police caution follow ups, 307 referrals to the Juvenile Justice Team, 342 juvenile orders commenced and 204 bail service placements.

4.3 Pilbara Regional Youth Justice Services (PRYJS)

Between 2009 and 2014 the total population of the Pilbara region grew from an estimated 56,578 persons to 67,503 persons. This equates to growth of 19.3 per cent over the five year period. The age group of 10 to 18 years was estimated to be 5,828 in 2009 and by 2014 it had decreased slightly to 5,373 persons (decrease of 7.8 per cent).

In 2014 an estimated 8.0 per cent of the population was aged 10 to 18 years. The population census in 2011 estimated that 23.2 per cent of the population in this age group identified as Aboriginal or Torres Strait Islander.

The four offices within the Pilbara RJYS cover approximately 505,880 square kilometers.

In 2014-15, approximately one in fifteen (366) young people received a service in this region, with 88 per cent being of Aboriginal descent. The target youth population within this region is growing steadily.

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The key services delivered over the course of the funded period (2010-2015) were in the following areas: prevention, diversion, supervision of community orders imposed by the Court and bail service placements.

This section provides a series of figures based on the available RYJS service statistics.⁷

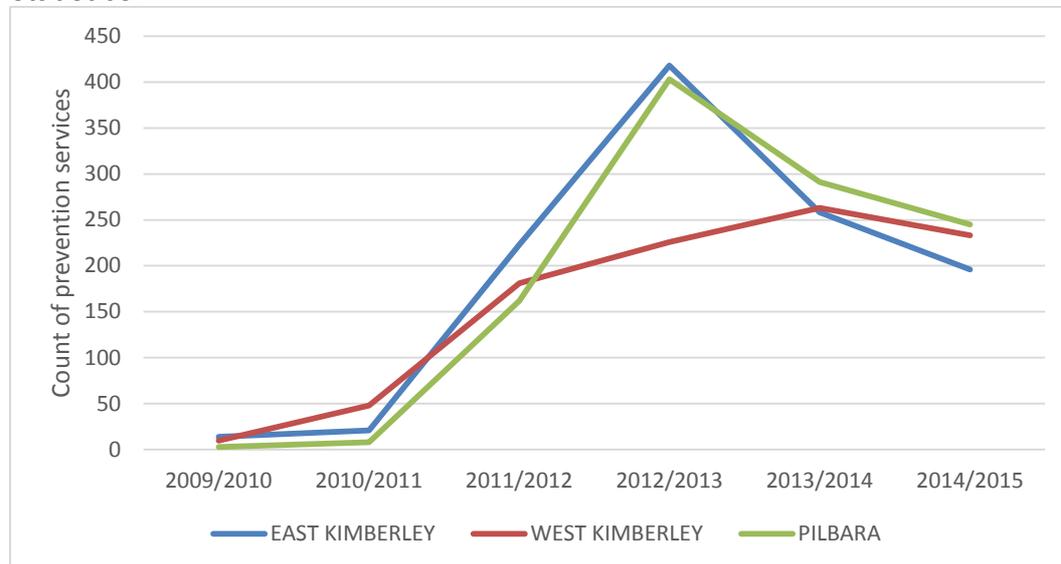


Figure 6: Prevention services by RYJS and financial year

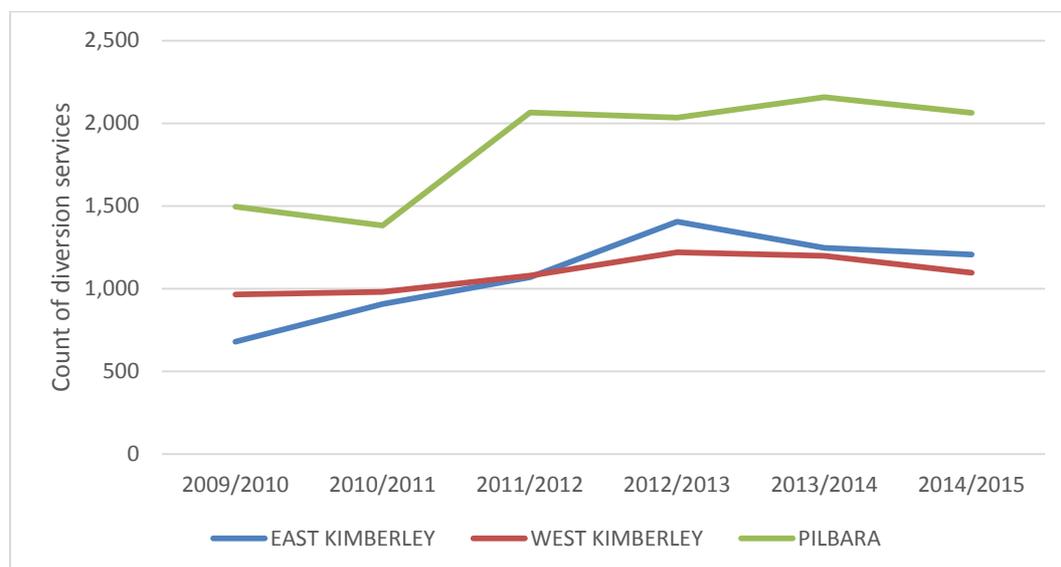


Figure 7: Diversion services by RYJS and financial year

⁷ All data in the following section from the KPMG Royalties for Regions Project - Regional Youth Justice Service Data Analysis September 2015.

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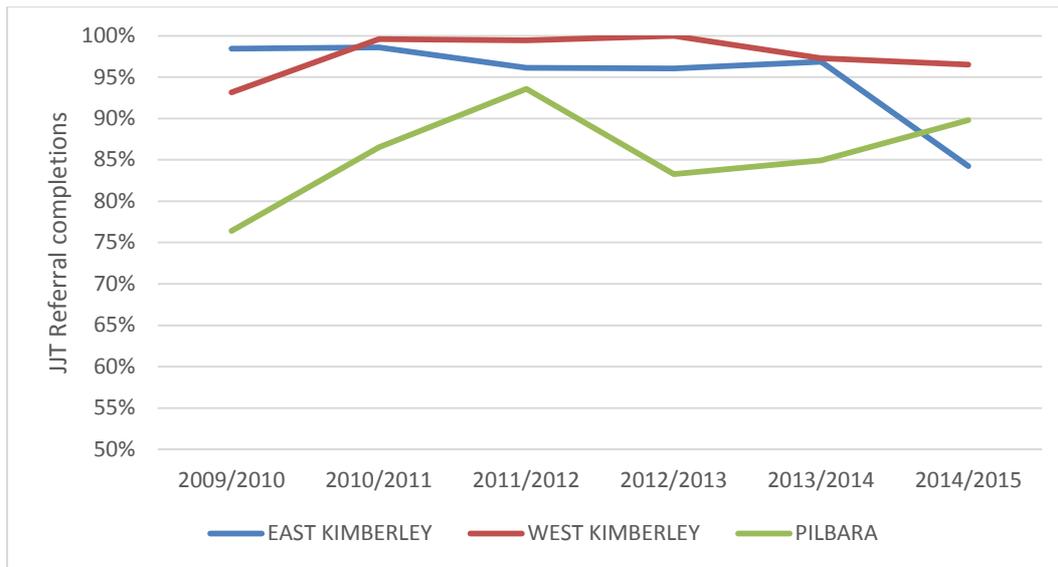


Figure 8: JJT referral completions by RYJS and financial year

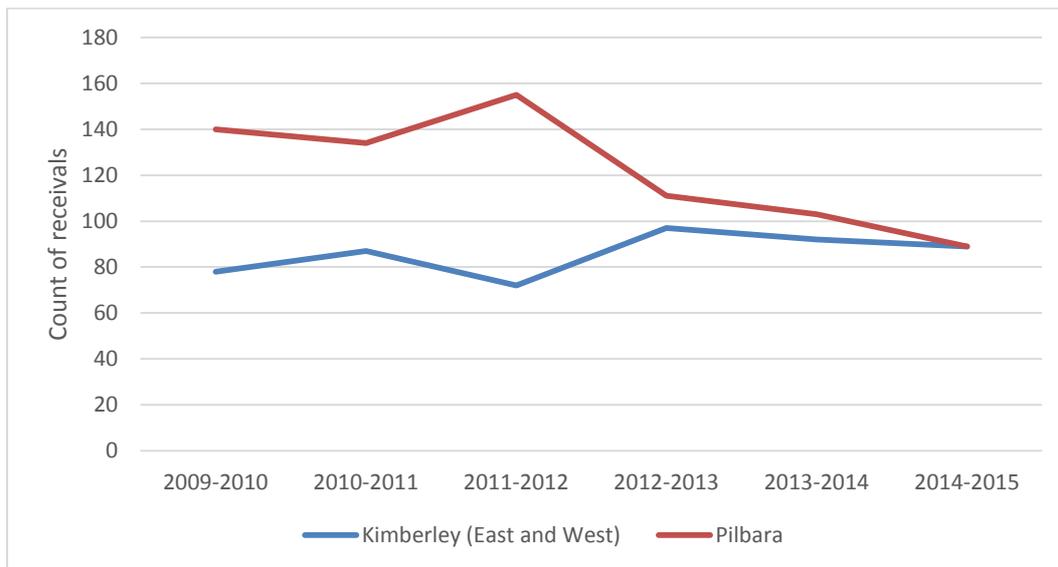


Figure 9: Count of referrals for Kimberley (East and West RYJS) and Pilbara RYJS and financial year

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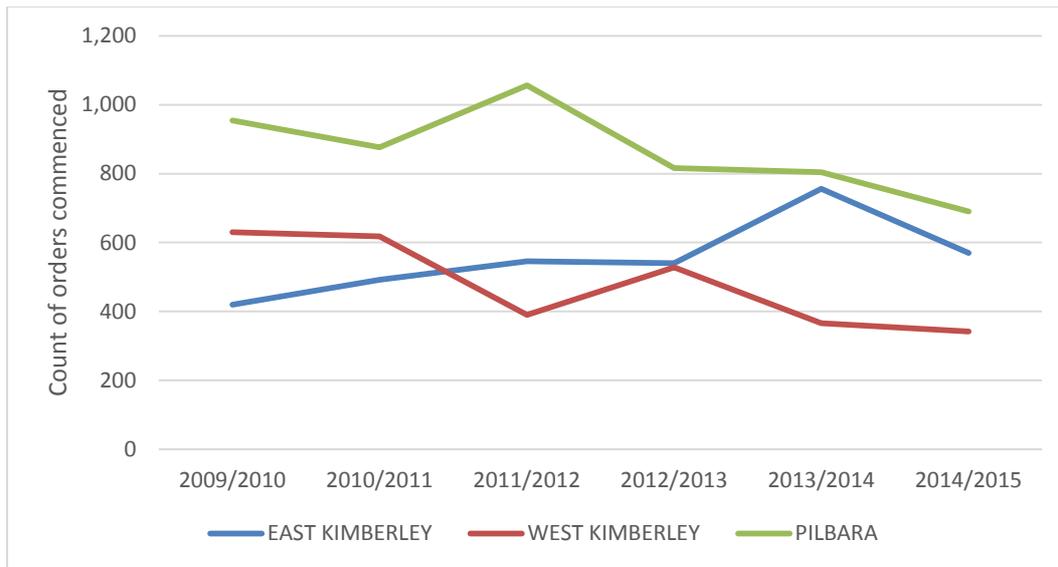


Figure 10: Juvenile orders commenced by RYJS and financial year

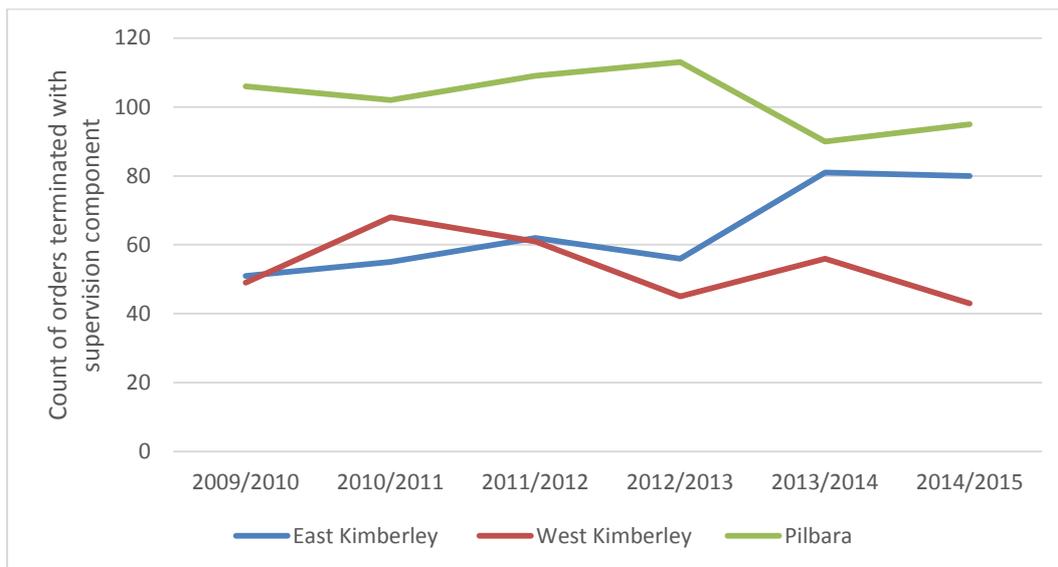


Figure 11: Orders terminated with supervision component by RYJS and financial year

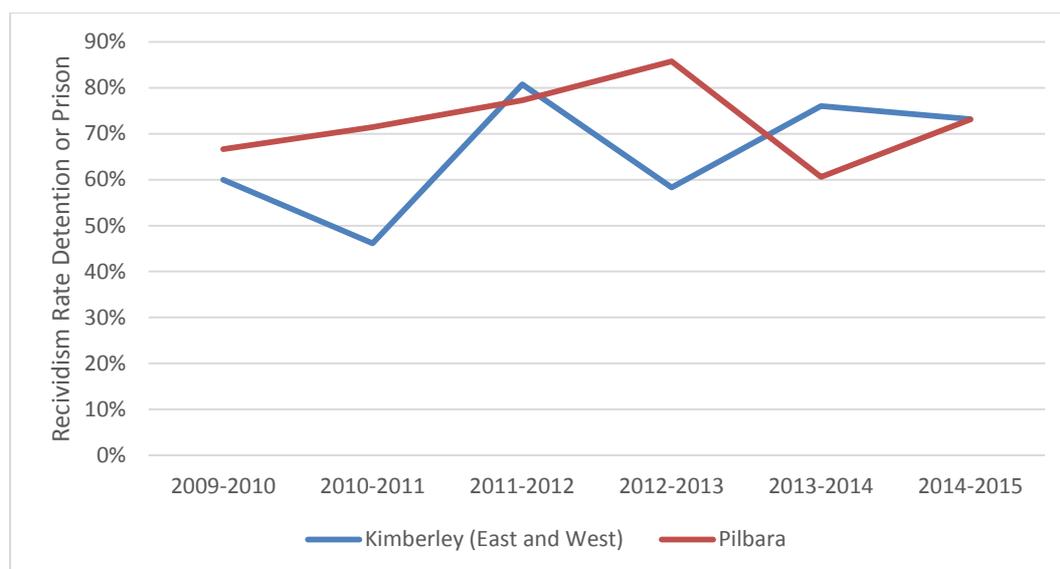


Figure 12: Recidivism rate for detention or prison for Kimberley (East and West RYJS) and Pilbara RYJS and financial year

5. Going forward

Following the appointment of Commissioner James McMahon in 2013, the focus for the Department is on statutory obligations. Since 2013, a Youth Justice Board has been established, a YJS Division created and a Deputy Commissioner Youth Justice Services appointed.

The work and focus of the YJS is informed by the principles of the *Young Offenders Act 1994* and a priority area of focus is to reduce the over-representation of Aboriginal young people in contact with the justice system and in detention. The concern regarding the over-representation of Aboriginal youth is noted within the Department's Strategic Plan⁸ and Amnesty International 2015 Report.⁹

Royalties for Regions funding will continue in 2015-17 to provide for the delivery of existing YJS while the Department considers:

- the findings of the YJS program review;
- Government's focus on addressing the over-representation of Aboriginal people in the justice system;
- service alignment with the Department's Strategic Plan; and
- the gathering of empirical evidence about young people to inform needs analysis and program delivery.

This will ensure that the planning of YJS in the Kimberley and Pilbara is consistent with broader government objectives, regional settings and the *Young Offenders Act 1994*.

⁸ Department of Corrective Services Strategic Plan 2015-2018: Creating Value Through Performance

⁹ Amnesty International 2015 Report: "There is always a brighter future" Keeping Indigenous kids in the community and out of detention in Western Australia

The Department is also seeking to enhance collaborative arrangements with other agencies, ensuring that service delivery is informed by legislative responsibilities. The Department has commenced collaborating with regional non-government service providers through the Youth Justice Innovation Fund, with funding provided to Aboriginal organisations such as Wirrpanda Foundation, Aboriginal Legal Service and Kimberley Aboriginal Law and Culture Centre (KALACC).

6. Case Study 1 – Pilbara Regional Youth Justice Service

A 14 year old aboriginal male who has had five dealings with PRYJS is now looking forward to his future after intensive, persistent work by his PRYJS case workers, youth bail facility staff and other service providers.

The young man comes from a very complex home life that includes parental mental illness, family members in detention or prison, contact with CPFS and the families' lack of engagement with family history and traditional culture.

Due to a lack of a responsible adult, the young man was bailed to the youth bail facility. With a consistent home life with clear boundaries and routines, many positive conversations could be had to address the young man's offending behaviours and needs. With the young man feeling more supported and safe, he was willing to have more open conversations and a stronger rapport was developed. He confided that he just wanted to "get out of here" (the town he was from). With this knowledge, PRYJS case workers went about seeking information on possible living arrangements, educational opportunities and ways to develop pro-social peer group and skills.

With the support of the youth bail facility staff, PRYJS case workers and the local high school the young man became a regular school attender and developed a love of learning. He attended the Road Trauma Awareness Program (R-TAP) and the Horsemanship Program.

The education advisor made contact with a school in Fitzroy Valley and an enrolment interview was arranged. The appropriate funding through ABSTUDY was organized and the school assisted with transport and other necessary details.

With the support of the youth bail facility staff and PRYJS case workers, the young man went off to school confidently with strategies in place to cope with the change of lifestyle.

7. Case Study 2 – Broome – Police Engagement Strategy



In 2014, the Broome Community was exposed to a change in communication and the sharing of stories via a social media avenue on Facebook. The Broome Community Notice Board was developed and locals used this as an opportunity to report crime, try to identify young people who offend and have conversations around offending behavior. It was evident at this time that something needed to be done to reduce fear in the community, provide education around young people who offend and ensure that agencies were supported and recognised for the work they were doing.

A group was developed from the notice board that included a number of community members who wanted to gain an understanding of the justice system and what was being done to address offending. In response to this YJS, CPFS and Broome WAPOL worked collaboratively to educate and support community members who had a genuine interest in the future and safety of their community.

A number of meetings were attended where agencies would share information on programs and support that was available as well as explain the basics of the *Young Offenders Act 1994* and the justice system. Through this initiative a forum was created inviting all interested community members to attend, ask questions and further have an opportunity to volunteer their time through various youth agencies to address this perceived increase in crime. YJS attend this forum along with other government and not for profit representatives.

A number of initiatives resulted from YJS and WAPOL intervention in these forums and one of those is the Youth Justice and Police Community Engagement Strategy.

This strategy is a joint collaboration between the two agencies that responds to:

- Building the profile and visibility of YJS and WAPOL in the community
- Strengthening relationships between YJS and WAPOL
- Having the opportunity to educate WAPOL on YJS principles and objectives
- Promoting caution and JJT processes with WAPOL

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- Sharing stories that help to build a cultural understanding of working in the Kimberley
- Educating the community on the role of WAPOL and YJS
- Reducing fear of crime
- Promoting safety and personal responsibility to the community
- Engaging with young people and their families in a positive non-threatening setting
- Providing a safe social opportunity for young people, families and the community

8. Case Study 3 – East Kimberley Regional Youth Justice Services

Wyndham is the oldest and northernmost town (not community) in the Kimberley region. It is located 3,210 km northeast of Perth and has a population of approximately 800.

Wyndham is serviced by (EKRYJS). It is managed from Kununurra but staffed locally by two indigenous staff members: Mr Percy Hunter, Prevention and Diversion Officer and Ms Christine Cigobia, Aboriginal Support Worker.

Both Percy and Christine are well respected members of the community with their own families living in town.

Percy and Christine have been committed to helping the young people of Wyndham for several years and have extensive networks across the region. Their dedication is displayed in the individual programs they have designed, and now facilitate, for the young people who have been exposed to the justice system in Wyndham.

The following programs have been designed:

Wyndham Girls - GEMS Program

GEMS is an acronym that stands for:

- **G**ain – (knowledge, awareness and skills)
- **E**ncourage – each other
- **M**otivate – each other
- **S**upport – others on the GEMS program.

The program runs over an eight week cycle and is specifically designed to build confidence, awareness and skills and to foster a culture of mutual support in a relaxed learning environment. The program also offers a pathway back to mainstream education and a close working relationship with the new principal of Wyndham District High School has been established.

The program targets the chronically disengaged that have no other services or supports available or choose not to attend Wyndham District High School. Over the eight week cycle, partnership agencies such as Ngnowar-Aerwah Aboriginal Corporation, Joongari House Family Support Centre and Kimberley Mental Health and Drug Service are invited to participate by facilitating guest presentations that address environmental, social, health and welfare issues.

A range of topics are delivered that include Alcohol and Other Drugs Education, The Dangers of Smoking, Job Pathways information and presentations by community elders to name but a few.

The emphasis is always on transitioning the participants back to an educational pathway. This is where Percy and Christine work hard to bridge the gap. They assist by supporting, encouraging the family and young person in getting to school and stay for a settling in period if and when required. School attendance rates are monitored closely to measure the success of this collaboration.

An example of the success of the program is a young 14 year old girl who has been known to YJS since 2012 and was identified by WAPOL as having an increased night presence and poor peer association. She was referred into the Youth and Family Support Service again through the 'Children at Risk' forum when she was identified as having an 'At Risk' status. Referrals to Parent Support at the CPFS were also submitted.

Christine and Percy began to work with the young girl and her family and engaged her into the GEMS program. Through mentoring, positive role modelling, counselling, support and consistent program facilitation they have managed to re-engage the young girl back into mainstream education.

Wyndham Boys - Mechanics Program

The 'Mechanics Program' is designed to meet the needs of the young, disengaged boys of Wyndham who have come into contact with the justice system. Wyndham has very little to offer as an alternative to the mainstream academic pathway. Through consultation with young people Percy realised that the boys (most of whom lack a male role model) wanted to learn about mechanics, engines and other hands-on skills.

An approach was made to Kimberley TAFE by EKRYJS to discuss how a recognised course might look. The TAFE Regional Manager suggested an entry level program called 'Cert 1 GATE', specifically designed to introduce/re-engage people into formal education without being too onerous.

The idea took shape and a course outline was agreed upon that allowed young males the opportunity to learn valuable new skills in an environment that was conducive to their learning needs.

A TAFE lecturer was assigned to the program to evidence the learning and complete the formalities for the certification. The course is facilitated by both Percy and the TAFE lecturer who complement each other's skill set.

The workshop has been set up for the boys to work on small engines, such as lawn mowers, with a view to progressing onto vehicle engines and completing car servicing.

A young 17 year old male from Wyndham, who has had extensive contact with the justice system, has recently made an approach to Percy to be included in the course.

The young man was from a highly complex family and faced some very challenging periods in his life. As part of the Youth and Family Support Service, and in support of both of his Orders, Percy managed to limit the young man's exposure to the justice system.

Despite the challenges he has faced, with support, the young man has managed to complete a numeracy and literacy course at TAFE and has attended a 'Cert 1 in Training and Infrastructure' that led to him obtaining his 'White Card'.