

28 February 2025

President
The Law Society of Western Australia
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Via email: president@lawsocietywa.asn.au
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RE: Response to the Law Society of Western Australia's 2025 Election Campaign – Better Access to Justice for All Western Australians

Dear Gary,

Thank you for your letter regarding the Law Society of Western Australia's *2025 State Election Campaign – Better Access to Justice for All Western Australians* and for meeting with me last month. I appreciate the opportunity to outline the Nationals WA's commitment to justice reform and our comprehensive strategy to improve access to justice and enhance community safety across Western Australia.

As you know, the Nationals WA announced a \$140 million strategy to tackle crime and overhaul youth justice, which aligns with key concerns raised by the Law Society. Our plan prioritises reducing crime rates and implementing meaningful youth diversion programs to reduce reoffending. We recognise that justice reform must be holistic, addressing both the root causes of crime and the effectiveness of the justice system in delivering fair and timely outcomes.

A key pillar of our approach is a \$40 million commitment to establish a Statewide Youth Diversion Strategy, including the implementation of on-country diversion programs in the Kimberley, Pilbara, Gascoyne, Goldfields, and Mid-West regions. We are acutely aware of the overrepresentation of Aboriginal children in youth detention, who currently make up more than half of detainees, and believe that culturally appropriate interventions are essential to breaking the cycle of reoffending. By supporting young offenders to reconnect with their communities and culture, we aim to provide an effective alternative to detention that supports long-term rehabilitation.

Additionally, we have committed \$60 million to enhance regional policing incentives, ensuring that officers receive the support they need to maintain a consistent and effective police presence in regional and remote areas. This includes boosting the regional retention allowance, reviewing tenure requirements, upgrading police stations, and installing security cameras in Government Regional Officer Housing used by WA Police. We reject the FIFO policing model introduced by WA Labor under *Operation Regional Shield*, which has failed to provide the stability regional communities require. Instead, we will strengthen regional policing through a model that ensures long-term retention and community engagement.

The Nationals WA also recognise the need for legislative reform to improve public confidence in the justice system while ensuring young people receive meaningful intervention before becoming entrenched in criminal behaviour. We will undertake a comprehensive review and rewrite of the Young Offenders Act 1994 to align with modern community expectations and to intervene earlier in the justice process, ensuring better long-term outcomes for young people, their families, and the broader community.

Key reforms will include:

- Removing police discretion to issue cautions for violent offences such as common assault. Over the past eight years, we have seen a massive rise in violence across our communities, with violent offences increasing at an alarming rate. By removing discretion for cautions in violent offences, we send a clear message that violence is unacceptable and that serious consequences will follow. A simple caution does little to address underlying behavioural issues or prevent reoffending. Instead, offenders will be directed into meaningful intervention programs or appropriate justice pathways to ensure they understand the gravity of their actions. By taking strong, decisive action, The Nationals WA will work to restore safety in our communities and prevent further entrenchment of violent behaviour.
- Introducing aggravating circumstances for crimes that are filmed, recorded, or posted online. Social media has increasingly become a tool for young offenders to glorify criminal behaviour, leading to the normalisation of violence. By introducing specific legal consequences for such crimes, we are sending a clear deterrent message while enabling targeted intervention programs that address the social and psychological drivers behind these behaviours.

These reforms reflect our commitment to early intervention by ensuring that young people who come into contact with the justice system do not fall through the cracks. By acting at the first instance of violent behaviour or criminal glorification, we can redirect young offenders towards constructive pathways, reduce recidivism, and improve community safety.

Families will also benefit from earlier engagement with support services, allowing them to play an active role in preventing reoffending. The Nationals WA's commitment to restoring the Department of Child Protection as a stand-alone agency will further support a more focused approach to child safety and wellbeing, both of which are intrinsically linked to justice outcomes.

The Nationals WA plan also includes a \$40 million commitment over four years to grassroots crime prevention and legal services, including:

- \$20 million for local government assistance, including safer street lighting and expanded CCTV networks;
- \$8 million in household security rebates for designated regional areas;
- \$12 million for community-led youth engagement programs.

These initiatives form a crucial part of the Nationals WA's broader strategy to prevent crime before it happens, support safer communities, and empower local governments and organisations to take proactive measures against anti-social behaviour. By investing in grassroots solutions, we are ensuring that communities have the tools, resources, and support they need to create safer environments and reduce the drivers of crime at a local level.

Ensuring safer communities also requires a justice system that is transparent, accountable, and trusted by the public, which is why the Nationals WA are committed to strengthening judicial oversight and supporting reforms that uphold the integrity of our courts.

The Nationals WA fully support the establishment of a Judicial Commission and, in government, will commit \$4 million annually to its operation. I thank the Law Society for assisting us in our enquiries regarding this important initiative. We believe a Judicial Commission will enhance

accountability, transparency, and public confidence in the judiciary, while upholding the independence of the courts.

Additionally, the Nationals WA recognise the critical role of community legal services in ensuring access to justice, particularly for vulnerable individuals and regional communities. However, we also acknowledge that many of these services are overstretched, facing increasing demand while operating under funding constraints.

To address this, a Nationals WA Government will conduct a comprehensive review of community legal services across Western Australia. This review will assess service capacity, funding adequacy, and the effectiveness of legal assistance programs in meeting the needs of disadvantaged Western Australians.

Our goal is to ensure that community legal centres and frontline services have the resources, staffing, and funding certainty they need to continue delivering vital legal assistance.

Furthermore, I am concerned at the dire state of WA's District Court infrastructure. It is clear Western Australia does not have enough courtrooms to meet demand, which is placing immense strain on our justice system.

The recent collapse of trials due to jurors seeing accused individuals in handcuffs is not just an administrative failure; it undermines public confidence in our justice system. This should never happen. The Nationals WA stand with the Law Society in calling for an urgent, comprehensive audit of court facilities across metropolitan and regional WA. The rights and safety of victims, as well as the integrity of our justice system, demand immediate action.

A justice system that fails to provide proper facilities and safeguards not only undermines fair trials but also fails those who rely on it for protection and support, particularly victim-survivors of family and domestic violence. Recognising this, the Nationals WA are committed to strengthening the justice system's response to FDV through significant investment and structural reform.

The Nationals WA are particularly proud to have announced a \$75 million commitment to tackling family and domestic violence (FDV) across Western Australia, including the establishment of WA's first independent Family and Domestic Violence Commissioner.

This Commissioner will be a strong, independent advocate for victim-survivors, tasked with reviewing the State Government's approach, improving policies, and ensuring better coordination across police, justice, health, housing, and community services.

By making this role fiercely independent, the Nationals WA will enhance transparency and accountability, ensuring every effort is made to reduce WA's alarmingly high rates of FDV.

Our plan includes targeted funding to expand and strengthen FDV services, particularly in regional areas where access to support is limited:

- \$14 million over four years to establish and operate the Family and Domestic Violence Commission;
- \$45 million to expand women's refuge capacity, including \$5 million for safe spaces in the Kimberley;
- \$12 million to enhance FDV services, including counselling, advocacy, and support groups;

- \$4 million to expand men's intervention programs to break the cycle of violence;
- A commitment to bolster WA Police specialist FDV teams to improve response times and outcomes.

The Nationals WA firmly believe that these measures will strengthen the justice system, improve community safety, and support those most in need. Our approach balances accountability with rehabilitation, community safety with individual rights, and regional support with broader justice reforms.

We appreciate the Law Society's advocacy on these important issues and welcome further engagement to ensure that WA's justice system is fair, effective, and accessible to all.

Thank you for the opportunity to provide this response, and I look forward to continuing our discussions.

Yours sincerely,



Shane Love MLA
Leader of The Nationals WA