

THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON ASHLEY, YOUTH JUSTICE AND DETENTION IN TASMANIA MET IN THE TOWN HALL, LAUNCESTON, ON WEDNESDAY 14 FEBRUARY 2007.

Mr TIM KENT WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Tim, you have worked at Ashley; how long ago and what your job was there?

Mr KENT - I started at Ashley 15 years ago and I worked there for 10 years, and then I left. I am at Brooks High School now and I have been there for five years. The period I was there was the transition. I was there for the old style, before the fire and before the youth justice changes came in, and then through all the turmoil with the fire, and then the new buildings and the new Youth Justice Act. I noticed a lot of things happening during that time. I think the five years away from the place has helped me relax and not react as much as I used to.

I think the Youth Justice Act was designed to protect the younger prisoner in Risdon. Unfortunately it was at the expense of the younger prisoners and the management at Ashley. At the time we could transfer or keep a resident. We kept some until they were 20; if they did the right thing we kept them. They were fine and a good influence on the rest. But if we had one 17 year old or two or three 17 year olds who had had time after time chances at Ashley, were coming back, starting to form packs, manipulating the other boys, introducing drugs, they knew their option was that we could send them to Risdon. It might be for a week or longer. They always knew at the back of their mind, and everyone else knew, the consequences. Once that was taken away from management, the direct result that they all knew they couldn't be sent there. It was open slather for them. That is when the real problems started. We had older boys and girls who had been through the system and by that stage they were young thugs and a very bad influence on the rest and very hard to manage. Around the same time the 'no tobacco' rule was brought in, which really made it harder. I am not blaming anyone for doing that, that is fine, but it did account for a lot of escapes and turmoil. It is amazing how addictive tobacco is compared to the other drugs. They would do anything for it, even to the extent that they would ask for a transfer to Risdon because they thought that access to cigarettes was a lot easier there. They believed that and wouldn't listen to any counter argument. That was another issue we had.

I also think that at the time Judy Jackson was the minister and someone had it in for her because anything that happened hit the papers immediately. When she transferred out of that ministry the stories dried up to a certain extent. I think either the newspapers had influence and that part of it came about. They were anxious for some sort of drama - and we provided them with plenty of drama - but I think that made it worse. I think, at the time, she was trying to do the right thing and the youth justice legislation was trying to do the right thing and it achieved a lot, but it made it a lot harder for us and for the younger residents there. It increased a lot of escape attempts. As I said, when I first started and for many years previous there were no fences and we operated within reason. Once that legislation changed and we got that different type of prisoner in, so many changes that things didn't go as well as they used to.

Mr MARTIN - Do you think it is possible to go back in time, if you took out that group you are talking about, like some people have suggested?

Mr KENT - Yes, I have always thought that worked really well for us. I am not sure how well it worked for Risdon, whether they wanted them, but it certainly worked for us because there was a consequence. The residents knew straightaway that if they did the wrong thing that is where they were headed.

I have done a couple of tours through Risdon and I didn't like that much either, mostly because of the dynamics of the place where you had a yard of 30 prisoners and one guard to look after them. So one guard, no matter how strong he was, could never control the yard. So they would hand over control and the prison guards would tell us there was a pecking order and there was one person who ran that yard. It was a criminal in each yard and he would say, 'He runs that yard. He runs that yard. He runs that yard.' I don't blame them. They had no choice but it was sending the direct opposite lesson that you wanted them to learn. They learned that violence was the way to go and they had to become violent to survive because if they ever showed any weakness they were the bottom of the pecking order straight away and their life was hell so they particularly had to become violent and the relationship between the guard and the prisoners was difficult.

It developed that way at Ashley so that the relationship we had with the prisoners was nowhere near as good. We were on the other side then whereas before we would take a group camping or something like that and as soon as you went out at the gates of Ashley those kids were terrific. They had every opportunity to escape but usually they would be opening up a packet of biscuits and handing them around. They would give you their last biscuit. They were really good then.

Mrs JAMIESON - So you are sure that was because an attitude of trust was being shown?

Mr KENT - Yes, it certainly was. But they were allowed to do it. They didn't have the influence of these older prisoners dictating what they could do. My own thoughts with Risdon, and the same thing with Ashley, are that you will always have some difficult ones but those difficult ones were okay on their own or in a small group because they didn't have the back-up. They couldn't form a pack. As soon as you increased the size of anything above say five, instead of you being a mate, they were against you, they were a pack. I think Risdon have now changed to 15 in a unit, much the same as Ashley, and that has reduced it a lot. It has helped stop that pack but it is still a pack and we found that 15 was too many.

You are not looking for solitary but you are not looking to make things easy for them, make it easy to form a pack there. The most dangerous ones there were the ones who could get the others organised against us and they were good at it. They learned it. They had to from an early age to survive on the streets and we were playing into their hands.

CHAIR - Tim, if we could talk about mentoring programs and ways towards rehabilitation within Ashley itself. You mentioned before that you worked at Brooks now - I note you work at the school farm - and obviously there are about 90 or 100 acres of property around Ashley. In your time was that used constructively and could it be used now more constructively?

Mr REID - Yes, we didn't have fences then so we would have them out picking up rocks, carting hay, feeding the cattle, shifting electric fences, every day. There was plenty to do and they thrived. They loved it.

CHAIR - Was it then run as a commercial operation to support Ashley itself? Did the school farm carry its own finances or was it self-sustaining in other words?

Mr REID - I don't know who paid the bills.

Laughter.

Mr REID - I don't think we made a fortune out of it.

CHAIR - But it was a useful tool.

Mr REID - Yes, it was.

Mr WILKINSON - Is it used now?

Mr REID - I haven't been there for five years, but as far as I know its not because you have got to let them out the gate to operate it.

Mrs JAMIESON - In the days you were talking about the farm actually worked with the community and the community worked with Ashley and there was much more cooperation, shall we say, and acceptance of Ashley as an institution?

Mr REID - Yes. In those days we would take about three or four to the Deloraine races every year and they fixed the gates, put up the hurdles and all that sort of thing. We would paint fences and cut wood for old people. We had a project on the river to get rid of the willow trees. At Westbury we did community work. We lost a couple but the people would see the Ashley residents actually doing some work, so that helped, but they were a younger, more compliant group and they weren't under the influence of the others.

Mr WILKINSON - What type of programs do you think should be there?

Mr KENT - I think the school program is difficult to get kids to go to. They don't want to go to school. They are frightened of school because they are not intellectually strong and they have this influence all the time of a bigger group saying, 'You're only a little school boy' or something like that and they don't really want to go there.

CHAIR - The education unit would have been set up since your time, Tim?

Mr KENT - It has always been there.

CHAIR - The school?

Mr KENT - Yes.

CHAIR - Okay, so it was just the upgrade that was only done about four years ago, the opening of the new school three or four years ago?

Mr KENT - Yes.

Mr WILKINSON - Therefore you are saying as far as you are concerned school for everyone is not the best type of program.

Mr KENT - No.

Mr WILKINSON - Do you still believe Ashley is a rehabilitation side of justice?

Mr KENT - I am not saying give up on it.

Mr WILKINSON - So therefore what do you do to endeavour to rehabilitate them?

Mr KENT - We used to scratch our heads all the time to try to think of something to do.

Mr WILKINSON - Did you get much guidance from management or was it left to people like yourself, as you say, scratching your heads wondering what to do?

Mr KENT - The locals were farmers or good at woodwork or panel beaters - people who had skills - and so we would run our own programs. I would operate on the farm and so did a couple of others. Some were good at woodwork so they would take the boys for woodwork. The manual hands-on stuff was the go. Unfortunately, that usually involved hammers and saws and things like that so there was an element of risk.

Mr MARTIN - Would you say that Ashley in your time was operating more as a rehabilitation centre for these young people or was it just a prison or somewhere in between?

Mr KENT - I think when I started perhaps the best work was done just by the staff. The kids' own parents weren't a very good influence unfortunately. So it was just things like our table manners and the fact that we didn't swear at them - they had a bit of respect for us and they picked up on that. That influence was probably as much help as any. We would go out and kick the football with them and play basketball with them, that sort of thing, that personal contact.

Mr MARTIN - I was just interested, you said when you started it was like that but by the time you had finished it had changed.

Mr KENT - Yes, it had changed.

Mrs JAMIESON - Did you ever witness client/staff assaults and/or assault amongst children against the inmates themselves -

Mr KENT - Often on a daily basis.

Mrs JAMIESON - Right, reported and nothing done, is that what you are saying, or lack of staff support by the hierarchy if you reported an incident?

Mr KENT - Yes, sometimes.

Mrs JAMIESON - Given a chance to debrief at all those staff?

Mr KENT - Yes. There were times when it was full on if we were very busy. It would fluctuate - you would have a quiet period with not many there and then it would just go through the roof. Yes, we did have a chance to debrief and particularly amongst our own crew.

CHAIR - In your time were there external contractors working there?

Mr KENT - Yes, Chubb workers.

CHAIR - What was your view of that? How did they operate? Were they up to speed?

Mr KENT - Some were good and some weren't. The previous bloke who spoke said it's hard to get rid of a permanent staff member. I suppose getting Chubb workers in it wasn't hard to get rid of a bad one - we'd just say we don't want that one back. We used to poach the best ones, which is a bit unfair on the contractor, but we used it as a way of testing them out before you put them on full-time.

CHAIR - Could I also ask you, having been there, I think you said you worked there for 15 -

Mr KENT - Ten years.

CHAIR - Ten years? So you saw the fence go up. In your opinion, was it a better detention centre without the fence or with the fence?

Mr KENT - It was better without the fence because we had that option to transfer. So it really had nothing to do with the fence it was that option to transfer -

CHAIR - Or to put them in a secure unit within Ashley itself?

Mr KENT - We had a good secure unit there.

CHAIR - Yes.

Mr KENT - It operated really well. There were a lot of complaints from the TAC and others but it really did operate well. It was structured; it was often a good place for someone who was under threat from the other residents - they were safe in there. They'd often play up they might have assaulted a staff member just to get put in there.

CHAIR - Is that still there, that old secure -

Mr KENT - No.

CHAIR - Was that burnt down or not?

Mr KENT - It was damaged and then they pulled it down. They replaced it with another unit.

At that time numbers went up too so that made it harder. Often we often had four or five in the secure unit.

Mr WILKINSON - What do you do at night? You might argue if we're looking at costs and all those budgetary problems that are bubbling along that you could use Ashley care workers during the day and save some security staff for the night? You told us there was a security firm working there. Would it be best if they did the detainment at night and the Ashley staff came into do their care work and rehabilitation work during the day?

Mr KENT - Sometimes if someone was a day worker, was a bit stressed and had had about enough they would put them on night work for a month or so just to give them a spell. So that operated well.

Mr WILKINSON - But at night what do they do? Just make sure they are in their rooms sleeping or not causing trouble or what?

Mr KENT - Yes, you can have trouble at night.

Mr WILKINSON - But that is only from an individual in one room, is it not? It's not with more than one?

Mr KENT - No, and that is a big improvement. When I first started there was a dormitory style we would walk in and there would be 15 people asleep in one room and there'd be two staff on so there was the potential for the lot to go.

Mr WILKINSON - So, therefore, if there are, let us say, six people working at night, could you have four security people and two Ashley staff?

Mr KENT - Yes, you could.

Mr WILKINSON - Do you think that would better in order to allow the Ashley staff to be on duty during the day as opposed to the contract people?

Mr KENT - Yes.

As I say, some of the contract people were very good. It was a sorting out process where you could pick the good ones.

Mr WILKINSON - It's like anything I suppose - good and bad in everything. Some are good, some are bad, just like with Ashley staff?

Mr KENT - Yes.

Mr WILKINSON - The same applies to members of parliament - anything!

Mr KENT - Yes it would. It would certainly work out cheaper that way.

CHAIR - Any other points you would like to raise, Tim, before I hand over to members for final questions?

Mr KENT - I think the staff are under threat. You see people there who are body building that sort of thing because they feel they have to and often they do. I think if you can divide and conquer, if you can reduce the numbers from 15 down - five is a good number - you just take away that pack mentality. You can have a better discussion with the residents. You can divide people up; you can put the bullies away from the victims. Unfortunately it is already built it is a bit hard to change that but I think it's an answer if you are ever looking to make any changes at Risdon, here or other places. It is usually cheaper to have a big number together but it works out more expensive and less effective because you are just not getting rehabilitation.

Mr DEAN - What were your actual roles there, Tim, in the 10 years?

Mr KENT - I was a youth justice worker and then a team leader.

Mr DEAN - It has been suggested that there has been some difficulty communicating with top leadership; how did you see it during your time?

Mr KENT - There was a big shift from hands-on to staying in the office. They didn't want to work with the residents. They had probably done it for years and wanted to get out. I decided I was going to get out, so I got right out, but others don't have anywhere to go. They try to do it with paperwork but it doesn't work for the resident or the staff member.

Mr DEAN - I know you have been out for a while now, but was the organisation getting top heavy then?

Mr KENT - Yes, it was getting top heavy. When I started it was very light at the top and worked better. I also think more paperwork has been needed, more and more demands to be met. Before, we just fixed things but now they want to know where you had recorded it and it took a lot more paperwork.

CHAIR - The way of the world. Thank you very much for your evidence, Tim.

THE WITNESS WITHDREW.