

**ASHLEY, YOUTH JUSTICE AND DETENTION COMMITTEE - LEGISLATIVE COUNCIL, MET IN THE TERRACE ROOM, 2ND FLOOR, PARLIAMENT HOUSE IN ADELAIDE ON 21 FEBRUARY 2007**

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DISCUSSION WITH **Ms JULIE GUNN** and **Ms JANET McAVANEY**, YOUTH JUSTICE MANAGERS OF SOUTH AUSTRALIA AND RELEVANT OFFICERS FROM THE DEPARTMENT.

**Ms GUNN** - I thought it would be helpful if I describe the structure of Youth Justice at the moment; I don't know if you are familiar with that yet. My responsibility as the Director of Youth Justice is across community programs, case management and the detention centres. I think it's fair to say that there has been a great emphasis on detention centre work over the last five to ten years at least because of the need to replace the McGill Centre. You visited it yesterday so you saw all of the reasons, from the physical point of view, we needed to do that.

Also, there needs to be a focus on the continuum of care: pre-crime, diversion once the young people enter the system, the possibility of some detention, and then post-release and the type of assertive case management services that we need to provide to prevent them coming back in again. My responsibility is across the continuum of care. It would be my submission to you that that makes a big difference to the way your services and the quality of care develop, and the way the topic is addressed within your department. Similar to us, it is within a families and communities-type department rather than a corrections department. We have very much a focus on the under 19-year-olds in the main.

As far as the centres are concerned, having looked at your terms of reference I would just like to give you an idea of some of the work I have been doing with staff over the last year. We developed an approach that we call the secure care action plan. Having been here for about two or three months, there were three or four things that I was really concerned about. One was the number of incidents which needed to be investigated because of a staff issue, or behaviour, or lack of good practice in the investigation, or interaction between the young people and lack of supervision which might have led that to happen, or poor risk assessment. The second one was that those incidents occurred mostly after 5 o'clock and over the weekends. Another issue I was concerned about was generally a lack of contact and communication between community workers and the secure centres and the workers in them. The fourth area that really concerned me was the polarisation, in some people's minds, of security versus welfare.

As a result of all of those concerns I spoke to my chief executive and executive director about a focus on practise within secure care, and structure and accountability, particularly looking beyond the 9 a.m. to 5 p.m. hours to who was on duty and what skills and qualifications those staff have, because that was when the incidents were occurring. I had a lot of data to back up what we needed to examine, such as the 66 per cent of the time, as I said to staff, when there is no manager or senior qualified person actually in the centres. I sat down with all the supervisors and the managers and talked this through with them. I also was concerned that this was about the actual way we run the centres and the way that the model of service delivery would be developed over the

next few years because, as I mentioned previously, the main emphasis until I came was on getting the new centre - the building, the bricks and mortar. Although that is vital, and having seen McGill you would see the restrictions it places on our model of practice, as I pointed out to the senior team there is no point in getting a new building while also moving in all of our current practises and culture. We need to prepare a new model of care which balances security needs and the welfare of the young people. Also we need to recognise that there is a continuum: their connections with the community and these young people's families are the way we will prevent them from coming back in again.

We developed this action plan and, in true political speak, we have a seven-point plan. We brainstormed all of the issues. I will be honest with you in that I got some of my most trusted senior people from within the youth justice area, which I know, and from child protection, which is not my background although I have worked in those kinds of services. We brainstormed many of the issues and we also invited our special investigations unit manager, Steve Edgington. He is an ex-police officer and also an independent investigator for our department into all incidents within the centres and all other areas of the department where there is a concern about possible abuse to a child or practice. When we brainstormed all of the issues they came out under certain headings. I would suggest that I send over that list of areas to you.

**Mr DEAN** - Mr Edgington is specially employed in that position to carry out any investigative work that is necessary across the department?

**Ms GUNN** - Yes. Should there be a report by a young person, a member of staff or a manager that a young person has been physically, emotionally or sexually harmed in any way, or if there is an accusation, then this office investigates those reports. That is not separate to a report to the police or our child abuse report line.

**Mr DEAN** - So it is mandatory that where a complaint like that is made it must come to him or to his area?

**Ms GUNN** - Yes.

**Mr DEAN** - What about where a complaint is made by a staff member against an inmate or a detainee? Would that likewise go to him for the investigation?

**Ms GUNN** - In the formal sense of the process, no, but I would consult with him on that. If a staff member complained about being abused or harmed in some way by a young person then we would normally involve the police. There is a dilemma if the staff member does not want to involve the police because quite often they have seen this young person for months or years or know them very well and can see that yet another investigation or charge would actually set them back. On occasion it has been my responsibility to draw the line and say, 'No, the department is to report this'.

**Mr DEAN** - So if a detainee or a young person makes a complaint about a staff officer alleging physical or sexual abuse or whatever it might be, then Mr Edgington does an investigation but it would need to go to the police as well.

**Ms GUNN** - It would go directly to the police, bearing in mind that on many occasions there would not necessarily be a charge in terms of a criminal prosecution. That staff member

might, for example, have breached the code of conduct or the standard of the public service.

**Mr DEAN** - I see, so he investigates it from that side.

**Ms GUNN** - Yes, from that perspective. Under the Public Sector Management Act code of conduct the chief executive has the delegation to decide whether this person is suitable to continue to be employed, or if there be a disciplinary process et cetera. Perhaps in addition to sending you the action-plan list I could send you an outline of that unit. It is public information so there is no problem with that.

I should point out that that unit began by looking at complaints by children about foster carers and there is a mixed view about how helpful it has been in terms of recruitment et cetera. It came about in the first instance because many of our foster-care services have been contracted out to private organisations so there should be a service to investigate a child's complaint.

**Mrs JAMIESON** - Have there been many frivolous complaints from kids, or staff making frivolous complaints about kids?

**Ms GUNN** - I would say no about the latter. They would be very rare. I think I can only recall one in the last 18 months - and I have only been here 18 months. As for the children and young people, yes, there have been a few but we still look into those. My approach is to do a very quick assessment of whether there is a case to answer. Quite often I will involve the police straightaway so that the young person knows that we will be looking into the factual evidence et cetera. There have been a few. I tend to know the names of the young people who would do that frequently. We try to bear in mind, though, that those young people have often been subject to that abuse by many others. It is not usually the experience with the staff member in the centre whom they are reporting but is connected with something that has never come to light in another way. Having said that, though, our staff get very anxious and it is our job to also protect them. I would move them to another unit and make it clear that we are taking it seriously.

Our Guardian for Children and Young People - and I do not know if you have had an opportunity to talk about her role - is responsible for all children under the guardianship of the minister in State care and also even if they are not in State care - if they are in custody. Pam Simmons is the guardian in South Australia. I think it is fair to say that she has had a focus on the children in State care, but in the last two or three months she and I have spoken extensively around her role in the custodial settings in the detention centres. She visits regularly. All of the complaints that the children and young people report are provided to her. We report to her twice a year. She comes to meet with me to make sure that we have actually taken on recommendations. For example, she has made recommendations about some interim physical changes to the girl's area at McGill. She was very concerned about the outside area. Pam is concerned about the complaints process but we have a number of other governing agencies and independent commissioner-type people, so we have developed one complaints and grievance procedure for these different agencies - the guardian, the Commissioner for Health and Community Services, Youth Justice and so on. They are publicised in the centres but they are not just for the centres. We have done that for Youth Justice because we decided that it was not just a detention centre issue. The design of those posters and leaflets

et cetera was done with the young people themselves. The staff were very anxious about this, I think it is fair to say, but gradually they understood that this is a way of improving conditions for them as well. So those complaints are catalogued and booked as well. A number of people would go in and visit the centres. One very important person in the last year has been Commissioner Ted Mulligan QC, who is carrying out the inquiry into institutional abuse in care over the last 100 years.

So we have a number of people or bodies who are examining our practise. We have been trying very hard not to wait for the final report to come out but to learn lessons on an ongoing basis.

**CHAIR** - When is that Mulligan report due?

**Ms GUNN** - We have an interim one. He just put out a number of questions earlier this week on his web site.

**McAVANEY** - He is hoping to have it completed by November.

**Ms GUNN** - Yes. From my point of view, in addition to finding out about abuse in the past of many children who are now adults and who were in our care, one of the most interesting aspects of his inquiry has been his focus on runaway children and the crossover which occurred in the past to criminalise children who have run away. They have not committed an offence but we lock them up for their own safety. My own experience of locking up children who are runaways is not a good one. Combining those two populations is really a very poor outcome and it creates a bit of a university for kids who have not been in trouble before. He is looking particularly at mental health services and therapeutic services for those children, and also for the young people who are offending. It has been very helpful for him to examine that in his inquiry.

**Mrs JAMIESON** - Has he looked at people with other disabilities, other than mental health, people with Asperger's or acquired brain damaged who might never have been diagnosed? They might have had a family history of violence or drug abuse or whatever.

**Ms GUNN** - Yes. I think to a certain extent he has listened to evidence from those particular groups and he has looked into that, but I would not say there has been a special emphasis on that one.

**Mrs JAMIESON** - We do seem to be getting quite a number of these kids in detention centres, and out in the community too of course.

**Ms GUNN** - Yes, and I think our Mental Health Act in South Australia has very much a focus on brain-injury disorders and so on, but that is slightly different.

**Mrs JAMIESON** - The new report was just released today, wasn't it?

**Ms GUNN** - Yes, and some recommendations, although I think it is adult focused.

**Mr WILKINSON** - Julie, if we say to you, 'Come down to Tasmania and set up a system which you believe, with your experience, is going to be the best system for Tasmania', what would you do?

I think you have a terrific training program in place. We have three weeks' intensive training before a person becomes a youth worker and goes into these centres to assist and I think that is too short. That is my uninformed belief. I think it should be a year at least, which is your system. They are the types of things I am looking at.

**Ms GUNN** - You could describe a beautiful system but I think sometimes you have to do it in bite-size chunks, and that is what we've tried to do, although I think the chunks have got a bit big. The main issue for me is the training of the staff. Having come from a health background, in particular, although I have worked in the justice system too, the analogy I describe is basically if we were a hospital we would have the porters operating on the patients because we have the least qualified, least experienced, youngest staff working with the most complex, most disturbed, most needy children and young people. That is something that is replicated the world over in youth justice systems. We are not alone. The evidence that is really clear and the 'what-works' approach in Scotland, which is where I was trained, is that if you train your staff and get decent leaders it doesn't matter what kind of building you have, you can make a difference and you can make a difference to the outcomes. That doesn't put salve on those troubled staff who are working in horrible buildings, but what it does do is change culture if you can do that from the top. So I agree with you on the training and development requirements, but I am realistic in that we are not going to get the most highly-qualified social workers, psychologists, teachers and ex-coppers into detention centres.

I think we need a dual approach. We need to increase the numbers of staff at a senior level who have good training and experience and develop from those coming in to have a really good training program. Those who are coming in also need to be given guidance on standing up to those who have been there for years. Institutionalisation of staff is well known for leading to no change for those young people. We can work our socks off to create all these young, enthusiastic people coming into the system and we can have two or three who have been there for 20 or 30 years and maybe came out of the army and have a very different approach to the system and you can lose your staff, soon create more trouble in terms of the practice and undo all of that investment. You have to have two or three different approaches and I would focus on that if it were me. That isn't what people necessarily want to hear because they would like to have a new system, beautiful record systems and fantastic visiting areas, great cameras, big fences and security. But the biggest difference, I think, that you can make is investing in that area.

The other thing, according to my staff, is that recognition and involvement in the process has certainly started to make a difference. In the past any changes in structure have been very much imposed and certainly involving the staff and getting their ideas on new structures has been useful. We are not going to agree all the time and I am not going to have the resources to provide them with everything, but that has been very important. Some quite disillusioned senior supervisors have come up with some ideas that I think they have sat on for a long time and we are now listening to them, particularly in the vocational training area. I think this is another one that the Cavan training centre is going to focus on this year. In fact, I hope she won't mind but Julia, the manager there, she and I met for a performance review yesterday and that is our number one priorities jointly, to focus on vocational training and how we can move from very sporadic programs for some of the young people to a whole-hearted partnership with the further education agency.

Of course we have to balance that with the security of those individuals - and you may have picked up, although I don't know because I think the *Advertiser* isn't widely read outside South Australia - and security arrangements, particularly for high speed car chases and ram raiders, and so on, are paramount in our minds at the moment. Having young people go out for vocational training in a climate of debate around bail conditions, and so on, is not the greatest time for us to start reviewing those kinds of programs. However, we are looking at many of the security levels for some of those young people, and in fact have a young person who is on a forklift driving course this week.

**Mr WILKINSON** - Is he going okay?

**Ms GUNN** - Yes - brilliantly. It is a kind of a bit of a test because it hasn't been done for a number of years, and we are very hopeful that that's the kind of work that we can do in the future. So it is low risk to the community, very good record of behaviour during sentence, really clear connection with going back to his community and having a job. We know evidence says if young people have a job they don't commit crimes, it is when they've got nothing to do and no money that the trouble starts. We underestimate the impact of not having any money, I think, and nothing to do. So that's been very important.

**CHAIR** - Julie, when we were at McGill yesterday we touched on other overseas programs. Are you familiar with any programs overseas that are good? As you say, you're not a South Australian; you're from the UK. Are there any that really stand out in other countries?

**Ms GUNN** - I think Canada is doing some very exciting work, particularly with their detention centres. We might be able to provide you with a copy of a report by my manager of policy, Bernie McGuinness. She was a Churchill Fellow last year, and went to Canada, Scotland, England and I think the Netherlands. One of the things she came back with and spoke to our chief executives and executive director groups about was the work that they're doing with aboriginal people, particularly the elders, and the employment arrangements they have with elders in the community to come into the detention centres and work with many of the members of the community in Canada. The evidence is showing that is making a big difference to the ownership of the criminal behaviour by the young person being accountable to that community, but also the involvement of the elders. They are seen as very respectful. I think we should provide you with what Bernie found out when she was there. Because I think that, although South Australia is not doing as badly as others, we are seeing an increase in the proportion of young Aboriginal people, and I think Queensland is very concerning.

I don't know if you're familiar with the Australasian Juvenile Justice Administrators Group, a man called Steve has attended to date from Tasmania, and a new gentleman, Michael -

**Mr WILKINSON** - Mike Hill.

**Ms GUNN** - Yes - came to the last one.

**Mr WILKINSON** - That's right, in Western Australia. Mike's in Brisbane now doing drug diversionary courses.

**Ms GUNN** - Right. This group has been looking at all of our jurisdictions there, and there are eight of us because New Zealand is a member. We meet twice a year on all the significant topics across this group, and the one major one is the over-representation of Aboriginal people, and looking at all of those programs that we think are really helpful.

**CHAIR** - We can always learn from other jurisdictions. Why reinvent the wheel if there are good ideas out there.

**Ms GUNN** - Yes. I am pretty prejudiced, though, I think Scotland and Canada are probably the leading ways. I think a lot of people go to London - and to England and Wales - but I recommended to Bernie to go up to my Alma Mater in Edinburgh. Most people stop and don't do to Scotland, and yet -

**CHAIR** - In what ways do they do things differently in Scotland?

**Ms GUNN** - The legislation is different. For example, I am qualified in Scotland and England but if you qualify in England you can't practise in Scotland. It is a very different type of environment; the standards are different. There is a very different approach to the social services aspect of work. There is a reporter that things go to when a young person is in trouble. It is like a magistrates but it makes young people bring their families and sit around a table, so there is an element of family conferencing there but it is very different from the court system that we have here.

**Mr WILKINSON** - To me that seems good. Some of the times the families are the problem, not the child, aren't they?

**Ms GUNN** - Yes.

**Mr WILKINSON** - So what happens with that? The actual offender will come with his family before a person -

**Ms GUNN** - Yes, he is called the 'reporter'.

**Mr WILKINSON** - and that reporter then, I suppose, does an assessment of the offender and the family and then gives a report back to maybe the magistrate?

**Ms GUNN** - No, they make decisions; they are mandated through legislation to make decisions, to make the Social Services department and the Health department accountable for providing services and the family for delivering on their commitments, as well as the young person of course.

A question was just asked about programs in the Scottish system: there is a program called 'multisystemic therapy' (MST) - I don't know if you've heard about this - the work that Western Australia has been doing with 10-16 year olds over the last two years has been amazing. My equivalent over there, Jane Sampson - she is the director of Youth Justice - reported on the work that these intensive community-based teams are doing with young offenders and it links to that family point that you've just made. It is the

environment, the ecology that has to be taken into account. They are working with mum, dad, sisters, brothers, peer group and they might spend five or six hours with them rather than the young person, and that is what is making a difference to the young person's offending behaviour.

**Mrs JAMIESON** - Is this also homing in on families at risk before there has been any major involvement with the service?

**Ms GUNN** - No, this is not pre-crime. There is an MST program, and I think that is in Europe. I think it would be useful if I sent you the web site. We have looked into MST quite a lot in South Australia. It is very expensive. What we are looking at is the investment. We are just waiting to see the next tranche of data from the WA MST program. At first glance they are preventing offending on a peak scale. They are not dealing with what I would call 'low-level, medium-risk offenders'; they are talking about recidivists who are in and out of court all the time. I am very happy to talk to Jane to send information to Michael about that program. I think he was very interested. That takes account of the family context and there is a contract with that family.

**Mr DEAN** - Would you agree then with the position they have in Victoria of having special magistrates to deal with children's issues?

**Ms GUNN** - Yes. In South Australia we have the youth court, however there are magistrates in areas who have hearings for young offenders. I personally think you need to have special knowledge about the developmental context of those young people.

**Mr DEAN** - I wanted to go onto recidivism. Japan is said to have a very good system in relation to keeping youth from coming back into crime. Have you looked at that system at all?

**Ms GUNN** - I haven't, but it is interesting because the victims' rights director in Japan, from Tokyo, came to the victims' rights committee in South Australia. She was talking to us just last month about their system. Just in general she was talking about their focus on victims in Japan that they are having at the moment and I got the impression that there was a lot of detention so I am interested that they prevent them coming back. We can get the contact name if that would be useful. She was their directory of policy.

**Mr DEAN** - I think that would be good. We are getting some information that in Japan they are working very much on recidivism and they have a very low rate of recidivism.

**Ms GUNN** - Although I do not know the details, my background would suggest to me that that is because of working with families and with community shame and community accountability. I do not know that, but that is my assumption.

**Mrs JAMIESON** - That is a different culture.

**Ms GUNN** - I think it is also interesting that, if you are looking at both the community accountability and family accountability, we are also placing much more emphasis on young people's accountability. In the past there has been a program-type approach to responding to a young offender which could be, 'You have done this, go and play basketball or whatever and get yourself involved' rather than really looking into the



nature of the crime and their behaviour, making them accountable and looking at a criminogenic response which looks at the way that they think and behave. We are emphasising that more in South Australia and looking at the evidence base for responding to offending in a certain way rather than just having programs and not really being sure about the outcomes as a result of those.

**Mrs JAMIESON** - Prevention is always better than cure, we know, and we just do not see our results quickly unfortunately so they do not get to the politicians or the media, but is there anything positive being done in South Australia that you would like to mention in those kids at risk or families at risk - and I am certainly homing in on families as well. Is there anything positive that you are aware of?

**Ms GUNN** - I think that the main area where there has been some positive outcomes has been in school retention where the social inclusion unit has funded programs to support kids who are not in school for various reasons and I think that has made a difference to young people not entering the youth justice system. Whilst I would not want to say that we are doing nothing I think there has been an erosion of services for young people generally who you put under a care and protection-type banner so there has been much more emphasis on younger children than there has been on youth at risk.

**Mrs JAMIESON** - Do you have alternative schooling type of projects, like a farm or -

**Ms GUNN** - There have been a number of those alternative projects. I do not think that there are many now but we have a flexi centre, which is for young people who would not normally be in a school environment. You met Gerry Walker yesterday, the principal of the schools. She takes the leadership role on those. I would say that that has been a success.

**Mr WILKINSON** - She seems terrific.

**Ms GUNN** - Yes, and that has been very good that we have someone who really challenges the Education Department because that makes a big difference to the type of work that we can do with young people with actually learning new skills and when they come out of the centres many of those schools will not take them back so to have a facility to make sure that they continue their classroom activities is good.

**Mrs JAMIESON** - There is more work to be done there.

**Ms GUNN** - Yes. As far as youth at risk is concerned and the 12-plus group prevention programs, I think they are a bit thin on the ground.

**Mrs JAMIESON** - Would it be fair to say then that they may be coming from the non-government sector and maybe other groups, church groups or Rotary or something like that?

**Ms GUNN** - Yes, very much so. Also the supported accommodation service through Housing, but mostly it is through non-government organisations and we see young people who have been known to those non-government organisations and have been in and out or have been assessed a number of times by our child protection colleagues and

then of course they commit an offence and they are in a system and they get a service so I think there is a bit of a gap there.

**Mr WILKINSON** - We went to the staff and the training which, to me, is probably number one, if I had to have a tick list. Programs, I believe, are extremely important, though tell me if I'm on the wrong path. Those programs have to be used for rehabilitation. The detainee has to go out into the community and hopefully get a job and live in accordance with the programs that they've had whilst in detention.

In Tasmania they used to have a farm at Ashley. I suppose because of the escapes people thought that wasn't a good thing. I disagree with that because the farms were good for people - mixing with tractors and so on. Do you believe that should be a program worth pursuing, and if so should it be a program worth pursuing in South Australia as well? It might be difficult with the new centre.

**Ms GUNN** - Definitely we want to expand our security perimeter so that we can include things within the centre. We also had a farm-type station up near Port Augusta, apparently, for Aboriginal young people to go to, and apparently that was very successful. A lot of these have closed because there's a one-size-fits-all approach to youth and young offenders. We don't do that with adults; we don't put low security, low risk prisoners into a high security prison. However, because of the critical mass for young people, we have a one size fits all. So you might not need that security but you will go into the high security because that's all we have for you.

If one of those high-security people pushes the boundaries, escapes, oversteps the mark, or whatever, then we come down on all young people like a ton of bricks. I think that that's the difference; we don't build those different levels of security. What we need to do in our new centre is design a centre which allows different levels of security and flexibility within it, and through a structured approach to that we could do it. Then we could have add-ons to the centre.

I think the farm in Port Augusta, for example, is more appropriate for those who are at risk or at an early stage of their offending behaviour, or after coming from the centres, but I do think that has a role. Certainly my Aboriginal advisers tell me they wish that was still there, especially for the young men.

**CHAIR** - So there is actually a farm at Port Augusta?

**Ms GUNN** - There used to be a cattle station run by Aboriginal people for Aboriginal youth, with community involvement, but it's not there anymore. Many regret that that's not there.

**Mr WILKINSON** - Are you an advocate as well for allowing detainees to go out into the community to go to TAFE or school and then come back?

**Ms GUNN** - It is interesting. As I was saying about the young man who went out for his forklift licence this week, I have the delegation to give permission for young people to leave the centre. I do that based on a very structured risk assessment, and to date I have only given permission for two. It is not to do with the achievements of the young people and the opportunities for them; it's because there hasn't been a culture of allowing that

for about five or six years. Apparently at that time there were three or four young people who escaped and there was a backlash. This happens quite often, I believe, when you go from one to the other. However, I think that the risk assessment is sophisticated and the way that I approach it is slightly different. I look at their behaviour, who will be with them, how it's being managed. Yes, we want to do more of that. This week has been our second go; the first lad mucked up on the first day so I didn't give him permission to go to the second one.

**Mrs JAMIESON** - So would he, for example, have a bracelet?

**Ms GUNN** - No, but that's a possibility in the future that we could look at. I would suggest that if you want to put a bracelet on a young person for that kind of activity, then the risk is too high. I think if we are allowing that then we should have tested those kinds of things before. The young person concerned at the moment, for example, has been on medical appointments and visits and we've assessed their behaviour. They know very much that they are being tested. The nature of their criminal behaviour and the expectation of community safety are something I have to take account of as well.

**Mr WILKINSON** - So programs are highly important?

**Ms GUNN** - Yes.

**Mr WILKINSON** - Schooling, it seems, is highly important, that the child has a fairly regimented schooling program between 9 a.m. and 3 p.m., as opposed to one and a bit hours a week?

**Ms GUNN** - Oh yes. In fact, we are looking at the standards of curriculum at the moment.

**Mrs JAMIESON** - That is what they get in Tasmania.

**Ms GUNN** - An hour?

**Mr WILKINSON** - Eight hours a week.

**Ms GUNN** - I think that is terrible because, apart from anything, it is not just about what you learn; it is about the disciplined environment within which you are learning. If you are in a workplace you cannot do what you like, and self-discipline in particular is something that I think that many young people find a challenge. If we put the bar that low then they are never going to go beyond it, are they?

**Mr WILKINSON** - If you are given work like sweeping leaves for hours obviously you are going to become upset and want to do things and get out.

**Ms GUNN** - My son, as Janet knows, is an extremely active young man and if he was sweeping leaves he would get up to lots of mischief. He has never been in a centre. I think that the programs are vital and they have to be stimulating. Let's not get away from some of the basics: these young people have not learned to read and to write and to count and they need some of those. We need to make sure that those education standards are at a high level. I firmly believe in setting the bar high and kids will really try for it. I think that is something that we are increasingly doing within the centres. We do not have,

though it was in place years ago, a points system where you would have to earn points in order to have privileges. Everyone has the same level of rights and responsibilities and privileges when they come into the centre. They are removed if you misbehave or if there is a serious act. We do have some very serious violence.

**Mr WILKINSON** - In relation to Ashley, we have some evidence that only four or five people cause the problems for the rest of them and, as a result the rest get tarred with the same brush. Therefore, they say, we should have the ability to send those four or five - and they do have the ability under the act but it has not been used - to Risdon or to another area to get them away from the others because they are the ringleaders who stir up the others. One of the problems, though, is that you might get them away but you put them into a unit and -

**Ms GUNN** - Big management problem.

**Mr WILKINSON** - Yes, a big management problem, together with the fact that you are not going to be able to do anything with them because they become worse.

**Ms GUNN** - Yes, that is very much the way America manages them, even if they put them on a plane and transport them hundreds of miles. That is the way that they manage. I would suggest that with adults there are reasons you should do that and I think we do separate people on occasions. There have been occasions when we have put a group specifically together because they are very difficult to manage and have put very experienced staff with them. But with children and young people I think we have an opportunity to try to do something early on. Our approach is to try to deal with them within the general population in whatever way we can. However, what if the line is crossed as far as safety is concerned? For example, we had a young man who set fire to his bedroom and a number of other things had occurred, so then he needs to move. There comes a point when parents whose children we have responsibility for should have the right to expect that we will separate that person who is known to put their children at risk as well. When that line is crossed they have to be separated out. I would like to think that you can do it within a flexibly built centre which is well designed, in the same way as you do with a high-security hospital or prison. However, they are few and far between. This young man is in the adult system and was 19 and had grown beyond the kind of service that we could offer, so we transferred him. We went to court and did that.

**Mrs JAMIESON** - What about mixing with girls?

**Ms GUNN** - No, I do not support that.

**Mrs JAMIESON** - Would you prefer a separate unit altogether or just a compound on the site?

**Ms GUNN** - We are aiming for a particular unit for girls because we have very few within the new centre. I think, and certainly this is WA's experience, they need a very different environment. Prisons, going back to Bentham, built in the nineteenth century very much for adult men and they are about warehousing. Young people do not thrive in warehousing and young women do even worse in warehousing. They are much better in a family-type group-house environment and that is the approach we would like to take with the young women who come to us. However, we have to bear in mind that young

women are committing ever more violent crimes and they are on a par with some of the young men now. In terms of mixing, even at school I think the evidence is that we should not do so at the moment. There is too high a risk so we are going to try to keep them separate.

**Mr DEAN** - I just want to touch on security fences.

**Ms GUNN** - You should talk to Keith. Keith is fantastic. I am no expert in fences, security, cameras and things but I will do my best.

**Mr DEAN** - Ashley was a unit without a perimeter fence and without a security fence. It had security. There has been a lot of discussion that putting the perimeter fence in has been a wrong move. If you start putting security fences around children then you start to identify them in a real negative light, so to rehabilitate them becomes a challenge. It diverts their attention from what they ought to be doing and onto trying to escape. Do you have a view on that? Do you believe there is an opportunity for the younger offenders, 15s and 16s down to 9s and 10s?

**Ms GUNN** - I do not think it is to do with age group; I think it is to do with the type of offence and the community safety issue. I completely understand about the anxiety such that if you put a fence up then people's image is that these are really serious offenders. One of the things about Cavan is that it is a really brilliant building that does not look like a detention centre. It does not have a perimeter fence. What that means is that there are very limited activities for young people, who need to burn off some energy, to do during the day. Of course you balance the needs of the young people and community safety. What I think would be the idea would be to have areas of a centre which are not within a secure perimeter and areas which are within. Then I think that you can accommodate the different levels of security that you require for 10-year-olds.

The other issue is if you are mixing your population groups. McGill is a remand centre and therefore it is much more volatile. Cavan, as you may have heard, was designed for the younger children in the first instance. It is very much for long-term detention. We have introduced some young people who are on long-term remand there. As far as a fence is concerned, if you have funding then a flexible approach is what is required. You could have a 10-year-old who has committed a catalogue of very serious offences and accommodating that young 10-year-old's needs alongside a 19-year-old's is very hard to do. The only way you can do it is if in your design you accommodate flexibility. Big warehouse cells do not do that.

**Mrs JAMIESON** - You do not use contract security staff or anything like that?

**Ms GUNN** - We do occasionally, yes. We have a contract for movement of all the young people to and from court and also within the court. That is with a private firm called GSL.

**Mrs JAMIESON** - But not within the detention centres themselves?

**Ms GUNN** - The only time we've ever used one in a detention centre is when I can't get staff or if there is a flu bug or something like that.

**Mrs JAMIESON** - What happens with training?

**Ms GUNN** - We offer training. I am on the senior management committee that monitors those security arrangements with that firm - comprising the police, myself, corrections and the Mental Health forensic service.

**Mrs JAMIESON** - How much training do they actually get?

**Ms GUNN** - With the youth, we will give them half a day, but they do get training as a requirement of the contract within their own service. Taking prisoner transport off our agenda has been a fantastic way of saving, but also it is the only contract of its type, I believe, in the Southern Hemisphere. All these government departments come together for this contract. I think it is an excellent example of joint commissioning.

**Mr WILKINSON** - I'm interested in alternative methods of sentencing. I know Michael Hill at the moment is in Brisbane with a drug court looking into ways of dealing with people who have been involved with drugs as opposed to sending them into detention. I think that is ideal because that is a real problem in the community Australia-wide. Are there any good documents that you know of, or any inquiries, in relation to alternative methods of sentencing?

**Ms GUNN** - I don't think they are combined, and I think that is one of the issues. There might be one on drugs, one on mental health and one on mentally impaired or whatever. I have a few in my office that I could point you towards. I would say that the issue is how many times you get that pure approach to someone's problems. If we deal with it on a topic basis rather than a basis of the need, then I think we have a few problems if we create lots of parallel courts which are topic-based. I don't think I have ever come across a seriously recidivist offender who has a mental health problem and has never had a drug problem or vice versa - and probably has some kind of intellectual capacity problem as well. The fact that they are all evaluated separately I think is one of the issues for us in how we manage those needs rather than the problem. The drug stuff is pretty good in the UK, though.

**Mr WILKINSON** - There seems to be a better way out if the families can get together prior to court, if they have to go to court, and talk about the child. The family knows the child better than anybody else, so then a group of people can work out what they believe to be the appropriate penalty - not just one probation officer and a youth worker, but a number of people. They then go to the court and make a recommendation, 'We believe that this person would most benefit going to this place or that course'. Then part of the sentence would be to abide by the reasonable directions of their youth worker or probation officer.

**Ms GUNN** - That model is proving to be very successful in different areas. I think Victoria is where they are doing a lot more of that, particularly with the Koori Court et cetera, and I think with adults as well.

**Mr WILKINSON** - Can you think of a better way at the moment, because you can't really have a drug court and a something-or-other court?

**Ms GUNN** - No, though to take that approach, particularly with young people, which looks at their developmental needs means you can look at all those aspects of their needs rather than having it topic-based. I would agree with you that that is a good approach.

**CHAIR** - A previous person gave evidence about the intensive neighbourhood care schemes that you used to have operating here in South Australia. Do you have any knowledge about that?

**Ms McAVANEY** - I know they were around but it has been quite a number of years since they had that service.

**CHAIR** - So there is nothing in place at the moment?

**Ms McAVANEY** - No.

**Mrs JAMIESON** - Any research as to how efficient they were?

**Ms McAVANEY** - I don't recall any. It was another one of the funding issues.

**CHAIR** - Thank you very much, Julie and Janet, we appreciate your contribution.

**THE WITNESSES WITHDREW.**