

THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON ASHLEY YOUTH JUSTICE AND DETENTION CENTRE IN TASMANIA MET IN THE RECEPTION ROOM, LAUNCESTON TOWN HALL, ON THURSDAY, 15 FEBRUARY 2007.

Ms JENNIE WILSON, DELORAINE, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR (Mr Hall) - Thank you, Jennie, for coming along to give evidence. I invite you to speak to the committee and we will ask you some questions later.

Ms WILSON - I cannot exactly remember what I put because I used a friend's computer and she deleted it.

Mrs JAMIESON - Here is a copy.

Ms WILSON - Thank you. Firstly, thank you for letting me speak. I am a parent of a child who has been in Ashley, is under the Youth Justice system at the moment and more than likely will be returning to Ashley shortly.

In regard to Ashley itself, the only major concern I had while he was in custody was the fact that outsiders through devious means were contacting him even though some of them had been residents of Ashley. I voiced my concerns to his case worker and everything was tried to stop these people from contacting him but it did not happen.

Mr WILKINSON - How did they contact him?

Ms WILSON - By phone. I suggested implementing a password so that every time I called they would know it was me, but that was never implemented. Some of the people actually said that they were me when they were phoning and there was no confirmation or anything like that.

Mr WILKINSON - How old is your son?

Ms WILSON - Sixteen.

Mr WILKINSON - What type of conversations did he have with these other people that you didn't want to contact him?

Ms WILSON - What was going to happen when he was released.

Mr WILKINSON - They were threatening him?

Ms WILSON - Oh, no.

Mr WILKINSON - Were they planning other activities?

Ms WILSON - Exactly. The supervised released order stated no alcohol and no illegal drugs. He is a 16-year-old alcoholic and drug addict and has been that way for the last two years that I know of.

Mr WILKINSON - Did he tell you about drugs coming into Ashley?

Ms WILSON - The only contraband I heard about was tobacco, but I know one of the workers and he said it does happen. On the affirmative side, while he was in Ashley he was getting the counselling that I had been screaming out for for years. He has serious loss and grief issues and anger problems.

Mr WILKINSON - Can I ask you about that because it is an interesting area. I have heard a lot of people say they have been endeavouring to get some assistance for psychiatric problems, drug problems, and they go to the agency and the agency says, 'Sorry, we can't help you', so they go away and commit a crime very soon after. It is only after they have done something such as committing a crime that they the assistance they needed in the first place.

Ms WILSON - Yes, I believe that is true.

Mrs JAMIESON - Did that happen in your case, for example?

Ms WILSON - Partially, yes. Nathan started out with minor boy pranks. They were fairly serious: breaking into the local football club with his mates to get alcohol. The first time was at the Deloraine Hotel, and that was a community conference. He had to write a letter of apology and left it until the eleventh hour, so to speak, before he actually wrote it - well, he got his girlfriend to write it. There was no real remorse. I started asking then, because he was involved in the system, and I was told that he would be able to get counselling. Seven years ago this year his sister died and he was traumatised by her death. There has been a lot of domestic violence in his life and because he chooses not to want to engage in any form of counselling he doesn't have to. The onus is on him to ask for help, and he is a child, but he was getting that in Ashley. He was getting one-on-one counselling. He had to go to drug and alcohol counselling; there was no choice about it. Even if he just sat in the room, he had to be there. Since he was released on 1 December he has had one session with Alcohol and Drug Services.

Mr MARTIN - Where is he now?

Ms WILSON - At the moment he is probably over speaking with his youth justice officer.

Mr MARTIN - Where is he living?

Ms WILSON - He is back with me.

Mr WILKINSON - So he wants some more alcohol and drug assistance?

Ms WILSON - He doesn't, but I do.

Mrs JAMIESON - Are you getting any assistance for you to cope with all this?

Ms WILSON - Extremely. I have got a hell of a lot of support.

Mrs JAMIESON - Formal support or informal, like family or community support?

Ms WILSON - I am on medication for depression. He has tended to be violent towards me in the past and at one stage he had me suicidal, but I felt I had to be there for him when he came back. I am not sure of his exact title, but there is a youth worker at Westbury, Chris Dell, who has given me more support than Youth Justice has; he has helped me through the system and tried to engage Nathan in activities to benefit him.

CHAIR - Can I ask you, Jennie, is he a youth worker with the Meander Valley Council?

Ms WILSON - Yes, he is. He is a very resourceful and valuable man. There is also a group in Deloraine called FAST. It is a group of women that suffer from depression and anxiety, and I have plenty of supports in place for me. If I didn't, I don't think I would be here. I feel that up until the age of 18 children need to have an adult responsible for them, and I am responsible for my child but I have no control. I have no backup when it comes to Youth Justice.

Mr MARTIN - What does Youth Justice do at this stage of the process?

Ms WILSON - Nothing.

Mr MARTIN - You have had no contact at all since he's come out?

Ms WILSON - He got sentenced to eight months, he was supposed to serve four and he was out in three months back in public with one month's supervised release order. Since he has been released he has actually started to have regular contact with his worker, but this has taken nearly three years to get to this stage.

Mr MARTIN - So he's been out for three years now.

Ms WILSON - No. He got out on 1 December, he's been involved in Youth Justice for three years.

Mr WILKINSON - What about child support? I forget what they call them - Child and Family Services, I think.

Ms WILSON - They refused to help him when he was 15, he was too old.

Mr WILKINSON - He is 16 now and you say you have been having troubles with him for approximately three years. Did they give you any assistance prior to that?

Ms WILSON - No. The only assistance I have gained is basically through my support networks.

Mr WILKINSON - Did you ask before he was 15?

Ms WILSON - Yes. Chris has got at least 50 e-mails that he has sent, and I have sent asking for help throughout the course of Nathan being involved in the system, with our

recommendations, my recommendations personally. I have taken illegal drugs into Youth Justice and basically thrown them at them and said, 'I found this in my son's pocket, what are you going to do about it?', and I never heard anything back.

Mr WILKINSON - Can we look at it and say - and it's not nice to think of it - the past is the past, where are we going from here? One would hope that what is happening is he is now released, he would have either a probation officer or a youth worker working with him. That is happening?

Ms WILSON - He has a Youth Justice worker that he has to maintain regular contact with, but as for working with him, no, she is not.

Mr WILKINSON - Okay. The regular contact is how often?

Ms WILSON - Now it is once a week.

Mr WILKINSON - Does he go in to see her or does she come out to see him?

Ms WILSON - They alternate.

Mr WILKINSON - Right. And is part of the condition of his release that he abide by all reasonable directions of his youth worker, or something along those lines?

Ms WILSON - Yes.

Mr WILKINSON - And has his youth worker given any directions in relation to his drug taking?

Ms WILSON - No.

Mr WILKINSON - None at all. Alcohol?

Ms WILSON - No.

Mr WILKINSON - Has she tried to direct him towards the alcohol and drug dependency people?

Ms WILSON - Yes.

Mr WILKINSON - And he's just said, 'No', I take it?

Ms WILSON - Yes.

Mr WILKINSON - Has she got the ability to go back to court and say, 'He's not abiding by my reasonable directions, therefore -

Ms WILSON - Yes, she has.

Mr WILKINSON - And you have spoken with her about that?

Ms WILSON - Yes, I have.

Mr WILKINSON - This is like a cross-examination.

Laughter.

Mr WILKINSON - Friendly fire. What is she doing when he says no?

Ms WILSON - Nothing, absolutely nothing.

Mrs JAMIESON - Can she not call for some other resource to back her to get him to comply?

Ms WILSON - Yes.

Mr WILKINSON - Is there another person within the system in Youth Justice or wherever this lady is from who you can go and speak with? Does she have a superior?

Ms WILSON - Yes, I have tried, but they're never there. Chris Ellis tried but they are never there. They don't return phone calls, they don't return letters.

Mrs JAMIESON - So Jennie, what does the suspended release order entail, what are the directions given to your son for that?

Ms WILSON - He was only on it from 1 December to 31 December. He was not allowed to have any alcohol or illegal drugs in his system, he had to reside where he was told, he was not to break the law -

Mrs JAMIESON - Was there daily supervision of all of this?

Ms WILSON - No.

Mrs JAMIESON - It was left to you to monitor?

Ms WILSON - Yes. On 1 December I called Deloraine Police because he was intoxicated to the point of passing out in his own vomit at a person's house, and they were powerless to do anything. They wrote a letter to Youth Justice twice stating that they had found him on premises, but they were powerless to do anything about the SRO.

Mrs JAMIESON - It makes a mockery of that one too, doesn't it?

Ms WILSON - Yes.

Mr MARTIN - You mentioned in the e-mail the inadequacies of the Youth Justice Act. What do you believe they are?

Ms WILSON - The inadequacies?

Mr MARTIN - Yes.

Ms WILSON - Okay. I was given the act and I have gone through it.

Under the general principles of the act, it says that the community is to be protected from illegal behaviour. Guardians are encouraged to fulfil their responsibility for the care and supervision of the youth and should be supported in their efforts to fulfil this responsibility. Guardians should be involved in determining the appropriate sanctions as allowed by this act. Punishment of a youth is designed so as to give him or her an opportunity to develop a sense of social responsibility and otherwise develop in beneficial and socially acceptable ways. Family relationships between the youth, parents and other members of the youth's family should be preserved and strengthened.

None of that has been done.

Mr MARTIN - Not happening?

Ms WILSON - No, it is not.

It goes on to say that parents and guardians are supposed to be given copies of presentence reports. They are supposed to be involved in the writing of presentence reports. For Nathan's last one I requested a face-to-face interview because I had a lot of concerns. I got 10 minutes via the phone. She refused to see me, and I was not given a copy.

Probation orders are ineffectual; they are not worth the paper they are written on, and the children know this.

Mr WILKINSON - Why is that, Jennie?

Ms WILSON - Because basically at the moment the kids have got all the rights, they can go where like they can do what they like and they know at the end of the day there's going to be minimal consequences. It took my son 72 charges to end up in Ashley.

Mrs JAMIESON - Seventy-two?

Ms WILSON - Yes.

Mr MARTIN - What sort of charges?

Ms WILSON - Ranging from break, enter and steal; trespass; I think at last count about \$30 000 worth of damaged windows at the primary school, high school and church; breaking into clubs and stealing alcohol - basically the same offence, over and over again.

Mr MARTIN - What age did he start doing that?

Ms WILSON - Thirteen and a half.

Mr MARTIN - It took 72 and he was finally charged when?

Ms WILSON - He has been charged all along.

Mr MARTIN - When did he finally -

Ms WILSON - He was sentenced on 1 September to a custodial sentence.

Mr MARTIN - So there were 72 charges over a couple of years before he -

Ms WILSON - Yes. I had written letters to the magistrates pleading and begging to lock him up for his own safety. He was getting drunk and bonnet-surfing down the main street of Deloraine on a car doing 80 kilometres an hour. He was a danger to himself and he still is. Eighteen months before he was sentenced Chris Dell and I pleaded with Youth Justice to do something about it, whether it was to put him in Ashley for his own safety or somewhere else. I mean, I would prefer that it was somewhere else, but there are no facilities. Because of the grief and the anger and no release, he is going out there with a hatred of himself and a hatred of the world. I am quite sure that you have seen the damage that is being done to Deloraine. My son is involved in 90 per cent of it. When he is in Ashley there is minimal happening.

Mrs JAMIESON - So the children's mental health services haven't picked him up earlier on?

Ms WILSON - No, because it is a voluntary service; the children have to ask for the help themselves. I have been to Oakrise, I have been to Drug and Alcohol Services pleading and begging, and I have been told that at 15 or 16 the children are old enough to decide what they want to do for themselves.

Mrs JAMIESON - But even at 13 or whenever he started offending you couldn't do anything. How many adjournments did he have from his first court case, for example? How many times was the case adjourned?

Ms WILSON - Quite a lot.

Mrs JAMIESON - So he'd be reoffending in between?

Ms WILSON - Yes.

Mrs JAMIESON - And that would then add to the list.

Ms WILSON - Yes.

Mrs JAMIESON - That seems to be happening quite a lot, actually.

Ms WILSON - Yes. On 15 March he is back in court for firearm offences. He and a friend stole a car, drove out the back of Deloraine, apparently my son stayed in the car while this other boy broke into a house, stole three firearms - two of which were registered and one was illegal - and stole a spotlight and they were driving around Deloraine and Launceston with these firearms. They have been sold and have never been recovered. The other boy got a 12-month probation order and 70 hours of community service and my son will be serving at least 12 months in detention from what I have been told because he will probably get a two-year sentence because of the severity of the offences and because he has been there before.

Mr MARTIN - What did he think of his time in Ashley?

Ms WILSON - He complained a lot. He couldn't wait to get out.

Mr MARTIN - He complained about what?

Ms WILSON - His loss of freedom. The fact that he couldn't be with his mates and that he wasn't allowed to do what he wanted to do.

Mr WILKINSON - I suppose in some ways you would have been a bit relieved that he was somewhere where you knew where he was.

Ms WILSON - Yes, I was.

Mrs JAMIESON - Do you have any complaints or comment to make about his treatment as he was coming down off the alcohol and drugs? Were there any problems with his care and treatment while he was detoxing?

Ms WILSON - No. His case worker was formerly one of his school teachers and I have a lot of admiration for Keith Seager. He did his best within the guidelines to help Nathan and I honestly believe he did. Towards the end, getting closer towards his release date I felt reasonably confident that I would have part of the child that I remembered come home, but my first visit to Ashley was the reason that I went onto antidepressants because he was detoxing severely - he was coming off alcohol, drugs and cigarettes. He was abusive, violent and threatening, but Ashley even offered to sit in on the visits to help re-establish the family connection, which really went well. Keith called me basically the only thorn in his side because, of the 32 children who were under him, I was the only parent who was constantly in contact with him. I thought that was pretty disgusting. If I am the only parent out of 32 who gives a damn about their child and what is happening, the system is letting everybody down.

Mrs JAMIESON - Unless they don't know who the parents are.

Ms WILSON - If that is the case, they should be made wards of the State so that they have a responsible body and adult looking out for them because, at the end of the day, they are still children. They don't have the rights of an 18-year-old, or they shouldn't have. They do at the moment, but they shouldn't have.

Mr WILKINSON - Is he concerned about going back into Ashley?

Ms WILSON - He's resigned to the fact.

Mr WILKINSON - But is he upset and worried about that? In other words, is it any real punishment for him?

Ms WILSON - No, it's not.

Mr WILKINSON - Is he using drugs again?

Ms WILSON - Yes.

Mr WILKINSON - Does he believe he is going to get those when he goes back in?

Ms WILSON - No.

Mrs JAMIESON - Do you know if he is still in contact with the people who were trying to phone him before when he was in?

Ms WILSON - Yes, they live in my street; he goes up there almost on a daily basis. I have told the local police that I am nearly at the stage of walking into that house and getting myself charged with assault so that it gets brought out into the public arena. He is a minor so he cannot be named, there can be no identifying information and all of that. The only way these people are going to be held responsible at the moment is if I take out a civil claim against them for lack of duty of care.

Mrs JAMIESON - The people are in the house are old enough to be named, as it were?

Ms WILSON - Yes. A 22-year-old walked into the Deloraine police station to reclaim a backpack full of alcohol that the police had confiscated from these children. She sat at the rotunda and let the kids get the alcohol out of the backpack themselves, so that she was not handing it to them. I was walking down the street and saw my son, half-naked, on top of the Cenotaph, as drunk as a skunk and abusing people.

Mr MARTIN - Is this a well-known family around the area?

Ms WILSON - Yes, and the police are powerless to do anything. I have complained to Housing. I have gone so far as to write letters to the media. I have tried to get in contact with *A Current Affair* and *Today Tonight* to get a camera into these people's faces to ask, 'Why are you doing this to these children?', but because he is a minor they won't do it. I have banged my head against a brick wall to get the opportunity to do what I am doing with you people. The system is letting everyone down. I have a beautiful, intelligent child who is being allowed to kill himself.

Mrs JAMIESON - And probably someone else with him.

Ms WILSON - Yes.

Mr WILKINSON - Any others in the family, Jennie? You spoke about your unfortunate loss seven years ago. Any other children?

Ms WILSON - No, there was just Nathan and Melanie.

Mrs JAMIESON - Is it too hard to tell us to why Melanie died and how old she was?

Ms WILSON - She was seven years old and had post-menopausal ovarian cancer.

Mrs JAMIESON - So there was a genuine medical reason?

Ms WILSON - Yes, and it affected us all badly. Basically from the day Nathan was born my ex-husband was violent. I tried running away and the children were taken off me and given to him and he abused them. I eventually beat the system and got them back. My partner was quite abusive as well and Nathan witnessed all of this. He has not received any counselling. The offer has been made but he chooses not to - he wants to hold onto the anger - and it is destroying him. It is not an excuse, it is a reason that there should be services in place to help these kids.

Mr WILKINSON - What about a mentor system - that has been spoken about - does he look up to anybody? What are his major interests? Is it cars?

Ms WILSON - Motorbikes.

Mr WILKINSON - So if there was, for example, a mentor who was heavily involved with motorbikes - there was a fellow here, Malcolm Campbell, wasn't it?

Ms WILSON - Through Whitelion?

Mr WILKINSON - Yes, that's the one.

Ms WILSON - That has been offered.

Mr WILKINSON - Right.

Ms WILSON - He has refused.

Mrs JAMIESON - So he refused the opportunity to play with motorbikes, did he?

Ms WILSON - Yes, because it means speaking to somebody he doesn't know.

Mrs JAMIESON - How was he doing at school before all this happened?

Ms WILSON - We have actually managed to get him enrolled this year so he will be doing year 11 English and maths and work placement. He signed up yesterday because he has been cut off any form of benefit and I cannot afford to support him.

Mrs JAMIESON - No.

Ms WILSON - But hopefully that will work out.

Mrs JAMIESON - And he will have somebody helping to supervise to make sure he goes to classes?

Ms WILSON - If he doesn't go to class the teacher has informed him that she will notify Centrelink and he won't get paid. The teacher is very, very supportive and the Vocation Education and Training centre through Deloraine High is extremely good. I am actually going back there myself this year. I was accepted into uni this year but I deferred for a year so I can dedicate my time to try and get my son on track.

CHAIR - Okay, do any members have any further questions for Jennie? No? Jennie, thank you very much. We realise how difficult it has been for you to come in and we really appreciate what you have said -

Ms WILSON - Thank you.

CHAIR - and some of those insights you have given us particularly. I hope that things go well for you and improve for you.

Ms WILSON - It's out of my hands now.

CHAIR - I know what you are saying.

Ms WILSON - This has given him the ability to be able to do what he likes, when he likes, with minimal consequence and hopefully this committee can start changing that, even if it involves putting the parents who are giving these kids drugs and alcohol through courses themselves to make them responsible.

Mrs JAMIESON - That is certainly an issue, isn't it? Kids can go through Ashley, be rehabilitated and then go right back to where they were before.

Ms WILSON - Yes, that is exactly what is happening, and when you are in a little community like Deloraine - my son was the one who pinched the postie bike.

CHAIR - Okay, I wasn't aware of that.

Ms WILSON - What, you weren't told it went missing? He destroyed it!

CHAIR - Did he?.

Ms WILSON - Yes, that was at 11 o'clock in the morning, drunk. Anyway, thank you very much for giving me the opportunity to say my piece.

CHAIR - Thank you.

Mr WILKINSON - All the best.

Ms WILSON - I admire that you are taking on the system.

THE WITNESS WITHDREW