

**Submission
No 26**

INQUIRY INTO JUVENILE OFFENDERS

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Subject:

Summary

Submission To the Select Committee on Juvenile Offenders.

To: Revd. Dr. Moyes
 Chair of the Committee
 Inquiry Into Juvenile Offenders

From. Edward Ball
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Sir, and Committee Members, I feel obligated to address a number of points in the terms of reference of the Inquiry into Juvenile Offenders. I believe that I speak for many, if not the majority of operational staff in Juvenile Justice. By doing this I hope that I can assist the Select Committee in achieving a positive outcome.

I have been working with both adult and juvenile detainees over a period of 33 years. This experience gained was firstly with the Department of Corrective Services where I remained for some 18 years and presently as a Youth Officer with the Department of Juvenile Justice for the past 15 years.

Having commenced duty at the State Penitentiary, Long Bay in 1963 as a 21 year old I came into contact with both adults and young offenders. At that time young offenders were classified as those inmates who were aged between the ages of 18 years and 23 years old. There were times however when young offenders were admitted from Juvenile Justice because he was uncontrollable. I can still remember one out case where a 15-year lad was transferred from Minda Detention Centre and was subsequently placed in the Prisons OBS. for his own protection; this was in the middle 60s.

I have spent the last 15 years either at the Mt Penang Detention Centre or at The Frank Baxter Juvenile Justice Centre. Unfortunately Mt Penang centre was closed at the end of 1999. Mt Penang Centre in the late 1990s housed approximately 180 young offenders, the vast majority were usually over the age of 16 years; a small minority were about 20 years or over. I worked in Walpole Unit that catered for those A classification detainees. I remained in Walpole for a number of years and during that time I can only remember 2 detainees who were under the age of 16 years.

Mt Penang was an open centre [no perimeter fence or barrier] and by the time I had started work there Tamworth Detention Centre had closed. Most of the recidivists and the more intractable type of detainees were either sent to Minda or Mt Penang. I worked with others in Walpole Unit that was the unit at Mt Penang that housed these types of offenders. In my time we had up to 45 detainees in this dormitory style unit with only 2 then called Youth Workers who ran the unit. There were also 2 management type workers who carried the administrative work.

During the life of Walpole Unit very few staff were ever assaulted, nor were many self harm attempts by detainees on themselves. From memory I think assaults on staff by detainees ran an average of about 4 to 5 per year. I would admit however there

were many more “walk offs” and escapes then and many less now from the present’s detention centres. In present modern restrictive detention like Baxter there have been hundreds of assaults on staff members. I believe Mt Penangs’ success with detainees was borne out of fair and just discipline, good communication between staff and detainees and excellent schooling and industrial and sporting programmes. Mt Penang had community competitive Rugby and Cricket.

Walpole Units A Classification Detainees were transferred to the Kariong Secure Unit immediately it was commissioned. Its Management was experience team from Minda Juvenile Justice Centre. Staff initially were especially trained by Corrective Services I think for about 3 months. Initially the Kariong Secure Unit was run very well but the centre itself had a number of design faults. Just one simple fault was the installation of ceramic toilets. These were the first facilities to be smashed not in riots etc but because they could.

What I will now attempt to do is give my thoughts as I believe to the particular matters set out by the committee.

[A1] The reason for the transfer of Kariong from the Department of Juvenile Justice to Department of Corrective Services in the end was a political one. Obviously only the Government has the power to use it base to bring about a change. The Juvenile Justice Minister was being embarrassed by the problems that associated with the running of Kariong by the information being published by both the TV stations, Print Media and by Radio.

[A2] Another reason why the transfer took place was because of the inexperienced and inept hierarchy of the DJJ. There is not one high-ranking official who has any real experience in running a detention centre. Most have a background in some form of social work or welfare. We are discussing the management of looking after the worst detainees in the state Re their Crime or behaviour, our leaders believe that these juveniles are victims of society and therefore they are just misunderstood individuals. In fact it seems to me that they cannot distinguish between the treatment of the 10 to 14 year olds held in Reiby Juvenile Justice and those A Classified. Detainees housed at Kariong.

[A3] It seems also that the Minister was miss led because DJJ officials had not passed critical information on to her. This was evident when the Minister was asked a question in parliament regarding the number of assaults that had taken place at a certain detention centre. The Minister apparently answered the question incorrectly because DJJ officials had not informed her of the correct number.

[A4] The impact on staff from Kariong in the main was quite disastrous. Youth Officers had lost their jobs and the future for them looked very bleak. Some staff were happy to see the back of Kariong because it had been such a traumatic experience for them. Some had been bashed, taken hostage and believed that they received no support from the department. The department prior to the hand over instigated quality reviews at Kariong as with all centres and this became a regular practice. As to the findings of those reviews by the department we never learned if any problematic issues were discovered and if there were, what action was taken to fix them?

Ex Kariong staff still cannot understand why the Managers from Kariong were treated so differently, they are still in high paying jobs, while the youth Officers are now fighting for a position. The demise of Kariong has also had a great impact on some of the staff at the Frank Baxter Centre; some have lost the chance to proceed to a higher grade because Kariong staff have taken available positions. This situation has left them angry and frustrated. The morale and self-esteem of both ex Kariong and Baxter staff has plummeted.

Baxter staff here believe that the hierarchy of DJJ are worried that Corrective Services will end up taking over Juvenile Justice system so there is a general tightening down on Baxter staff. Staff are also being inundated with volumes of new policies and memos etc. Staff cannot keep up, further exacerbating the situation.

[B] I think under the previous managements style over, say the last 5 years, Kariong JJC had only one direction in which to go and that was to fail miserably. This has been borne out by consistent violent behaviour displayed by detainees against those operational staff and the physical facilities at that centre. As a result of this intractable behaviour on the part of detainees, Kariong managers in time of need sought the assistance of staff at Mt Penang and later Baxter JJC. As a result of this a number of Mt. Penang / Baxter staff were injured.

It was well known that Senior Non Operational Staff attempted to take action in response to the detainee's riotous behaviour and bring calm to the institution. Some even offered enticements (Pizza and Tobacco) to the riotous detainees in order to calm the situation. Supplying young detainee with tobacco is illegal whether it is inside a detention centre or out in the community. The government does not condone this practice, in fact there are rather large fines and penalties imposed for this behaviour. For an official of the Dept of Juvenile Justice to supply and not face any penalty has had a far-reaching effect. Not only on detainees who are in the Departments care but also the damaging effect it has on the morale and spirit of the Staff. I think like other staff that this was the defining moment when the decline of Kariong started.

Senior staff from Penang / Baxter were seconded to Kariong during this upheavals/ disturbance to bring about order to the centre. Both of these staff are still in the Juvenile Justice system. Both preformed brilliantly on each occasion, they put down the disturbances and through procedures and fair discipline brought the centre back to normal. The morale of the staff soared under their leadership. After awhile these officers were then returned back to their former duties and other managers were appointed. The divisive and naive style of management then returned and the cycle started all over again

I might add that one of the staff in question applied for the manager's position at Kariong but was not successful. I tend to think that his approach of treating staff well and ensuring that the detainees obeyed the rules and kept within the limits didn't win him any fans especially from above. He did what Corrections have done but without the continued lockdowns.

[G] In relation to this matter staff at Baxter Centre were assaulted by detainees at one stage in the vicinity of 2 staff members per week. This practice became almost an accepted practice. Those detainees who assaulted staff often remained in Baxter Centre while others were transferred to Kariong.

I was secretary of the Baxter PSA WPG at that time and the president and I overtime to have these detainees transferred. The hierarchy of the department always fought us tooth and nail to have the detainees remain, the local management after the initial manager left did their best to support the staff. I'm confident that their support for the didn't help their careers. It seems that detainees have come first, staff came seconded. Even the new classification system only recently when a detainee attacked an officer that resulted in the officer being put on Workers Compensation. The attack was described as horrendous; the attacker was still on normal discipline in Baxter some days after.

This was because he had not scored enough classification points to make him A1 and eligible to transferred to Kariong. When this was brought to the attention of the management, the department made use of the over ride. The detainee was then separated from the normal discipline and held in the Admission Section for a period of about 4 days before being transferred out. The point is those people who put together the classification system thought very little of the safety of officers. This is because they have no idea of what it's like being in the front line, of how an assault affects staff moral and how it empowers the assaultive detainee to feel 'bullet proof'. It also sent a message to other detainees that they are more important than staff. .

I realise that this submission is past the due date, however I hope the Committee will accept it as a contribution to its deliberations.

There is a great deal more that could be said regarding other areas, I believe however that other will address these issues.