

TRANSCRIPT

STANDING COMMITTEE ON LEGAL AND SOCIAL ISSUES

Inquiry into youth justice centres in Victoria

Melbourne — 30 May 2017

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Mr Wayne Gatt, secretary, Police Association Victoria.

The CHAIR — Welcome to this public hearing of the legal and social issues committee. All evidence taken at this hearing is protected by parliamentary privilege. Therefore you are protected against any action from what you say here today, but if you go outside and repeat the same things, those comments may not be protected by this privilege. I would invite you to address the committee briefly if you wish to do so. I suggest no more than about 5 minutes, and then we might move on to questions.

Mr GATT — Thank you, Chair. I will be very brief. My name is Wayne Gatt. I am a sergeant of police, and I am currently the secretary of the police association. We collectively represent the interests of 15 000 police officers and PSOs across Victoria. We have a membership density of approximately 98 per cent, so we have a fair understanding of what our members are thinking and feeling on the ground.

In relation to this matter that the inquiry is obviously looking into, I do not want to go in and repeat our submission. We have provided that to the inquiry, and that is known to you. I do just want to highlight too that we have restricted our comment in relation to two terms of reference that we think the police association can provide some constructive advice on, and those were term of reference 1 and term of reference 5. One was in relation to incidents, and I will limit our response to what we see as being some of the causal factors and some of the issues associated with the then resulting police response.

The other term of reference is something that is very important to police officers, and that is the issues around keeping young people out of justice centres, which is something that we fundamentally believe is an important part of policing inherently and something that we think we can contribute to. So, shy of repeating the report, I am quite happy to take questions from you directly if that is how you would prefer to proceed.

Mr O'DONOHUE — Thank you, Mr Gatt, for being with us today. In relation to term of reference number 1, the incidents you referred to, I would be interested in your feedback as to the serious incidents that have been in the public domain — the escapes from Malmsbury, the major riot at Parkville and the other riots — and what impact that has had on your members and on police resources. I am also interested to know what is the level of call-outs that are non-emergency to the youth justice centres and how they could perhaps be diverted or avoided in the future. So there are two limbs to that question.

Mr GATT — In terms of the impact, it is quite profound. In consultation leading into this inquiry we obviously spoke directly with our members who work in the catchments that primarily respond to incidents at Parkville and Malmsbury, for example, and the centres there. The impact on those local policing service areas is profound in that attendances can be anything ranging from once per day to six times per day by local police units to those centres to deal with what we would say are routine incidents but are not routine probably for the youth justice centres themselves, but requiring police attendance to that extent.

The impact on members, which is the first part of your question, is that they are frustrated. They are currently working in a very under-resourced policing environment, and the additional workload and the impact, the quite significant attribution of police time in these local areas is having are significant to those policing areas. It is also difficult for them to get outcomes that meet the needs of all the stakeholders, being justice more broadly but also our partners in youth justice centres and the operators of those centres as well.

So the police response to those can range from anything — from dealing with, as you suggest, major non-routine incidents, like the Malmsbury escape or incident there, to the Parkville riots and non-routine serious assaults that occur on a regular basis within youth justice centres and to issues of non-compliance and a requirement to investigate matters that are reported that then become a police matter to investigate fully. What our members are saying to us sometimes is that they actually do not understand, and at times youth justice centre operators cannot tell us where the line between mandatory reporting starts and stops — so what point determines police involvement and what point does not.

Some of the things our members will come and investigate take considerable amounts of time. You are dealing with non-cooperative complainants. Young people in custody — which is not dissimilar to people in custody in general terms — often do not want to participate in a process. That is not to say that we should not investigate them or we should not contribute that process, but it does make it very difficult to get to the outcome, so what is the point at which police actually then have to become involved in what are lengthy, elongated processes and to what end and to what outcome? Our members will say to us quite regularly that a considerable amount of input often results in very minor outcomes within that police intervention on those non-routine matters.

Then in response to the emergency response matters and the non-routine, there is a significant amount of police resources that are diverted away from emergency responses more broadly in the community to focus on these events as they arise. For example, you see hundreds of police involved with the incident in Parkville and again hundreds in the operation around the most recent Malmsbury incident — the escape incident from Malmsbury — and then the ensuing police operation more broadly across the state of Victoria in relation to returning those young people to custody. They are the incidents that we are called to. That is the impact that it has on officers. It is a diversion from what we say should be secure environments, and I use the word ‘secure’ very carefully. We know these are not prisons; these are youth justice centres for young people. We should not lose sight of that, but they have to be secure enough facilities to make sure the young people in those facilities are safe for their own wellbeing.

Our members are saying to us that the centres presently do not have the infrastructure, they do not have adequate levels of security and they do not have the experience to appropriately manage situations in the early stages — at the flickering light stage before it becomes a bushfire — and it is that intervention that is very frustrating for police officers, who are very apt and very experienced at managing people in custody through their own experience. They say, ‘Look, we could see hours and days and sometimes weeks earlier that a young person in custody was going to be problematic, that there was an issue emerging, and in the absence of early intervention into that issue you now have a serious assault or you have a serious disruption or incident’. That is frustrating because police come in at the other end and have to investigate the crime and deal with the victims of crime when, in their words to us, to some extent, this is preventable.

Mr O’DONOHUE — If I could just follow up — thank you, Mr Gatt, for that answer — just to get into perhaps two examples. The Parkville riot that, as you said, required hundreds of police to respond must have had an impact on police response across metropolitan Melbourne with that diversion of resources to the one location for an extended period of time.

Mr GATT — That absolutely does. We are talking about hundreds of police that are then diverted away from emergency response and other policing duties. In a local context, it almost eliminates policing responses within the local communities of Kyneton, for example, and the greater Macedon Ranges. For those areas, their entire policing response is completely diverted.

But I should say that as it is in regional Victoria, when they are attending a non-routine incident, you see tying up the Kyneton divisional van to respond to an incident may take them hours to investigate at Malmsbury is equally tying up the only response unit that that municipality has for that community. So we should not think about this in the context of large scale necessarily. Sometimes the minor response, and that repeated response every day, is diminishing and reducing Victoria Police’s capacity to respond to broader policing or to engage, for that matter, in proactive policing issues.

Mr O’DONOHUE — You said in your previous answer, Mr Gatt, that the line between when police are called or not called is not clear. Is that something that needs to be — —

Mr GATT — It does need to be clarified. Our members and more senior members are saying that this is a point of contention at times between centre operators and senior Victoria Police representatives who fail to understand where that line is and what should be a situation that a justice centre should be able to contain, manage and deal with versus one that requires police investigation. Where is that line? Increasingly it is becoming that police are being drawn and are required to manage more and more of the situations that in other facilities would simply be a matter for Corrections Victoria to deal with.

Mr O’DONOHUE — A final question, Mr Gatt. I think the other issue in this space is: how do we divert these younger people from a life of crime? The chief commissioner and others have talked about the first time some of these 15 and 16-year-olds come onto the radar of Victoria Police after they have done an aggravated home invasion or done a carjacking. Rather than starting off with low-level crime, they are going to very serious crime. What could Victoria Police do or what could the community do to try and address these issues into the future to stop the next generation going down a similar path?

Mr GATT — I suppose that was the other side of our submission. One thing we do is congratulate Victoria Police very much on being leaders in presentencing diversion, and the Victorian justice system does a good job of this too in terms of the Children’s Court and others. We support that approach because young people do not deserve to be in these facilities.

But there are problems in terms of how much the police can do. Police have an important role to play, and they are in a unique position in identifying youth at risk early. We say the time is lost once they are in a facility. Ultimately, yes, there is a role to play for rehabilitation. We commit to that too. But really we are coming from behind the box here. We say the point they start offending, if not recognising what the root causes of pre-offending are, is the place where we should be investing as a community into diversion, understanding that drivers like family violence and mental illness are things which interaction with police regularly will show to be drivers. We understand those to be drivers of criminal activity down the track. It is important that at those stages police have access to resources to divert these people into social support networks. That is fundamentally important.

The police cautioning program is a good initiative. It is one that we say should be expanded by Victoria Police. It requires review to become more targeted, but it is something that works and it is something that gives young people in their first contact with police an opportunity for reform and an opportunity to receive support. Presentencing detention diversion has been found to be an excellent way of getting some youth people back into a system of support, putting a network of people around that can help them. We say more needs to be invested at this stage of the process because that is fundamentally when we have an opportunity to help them, to stop them getting to a centre.

We say that police have been restricted in their ability to even identify these people at risk, because we do not and have not had as many police officers in the last few years as we have in the past committed to proactive policing outcomes. Since the 80s we have seen the number of police completely dedicated to youth initiatives diminish. The police schools involvement program was something that was diminished. Proactive measures are difficult to quantify in terms of their outcome, and we understand that that is hard, but we also see what happens when you move away from that more wholesale.

I am not saying it is cause and effect in this circumstance, but what we would say is that we recognise that any investment in the prevention space is quite fundamental and quite useful. Police, for example, working in school situations are in a perfect position to recognise potential young offenders and focus the efforts of others in the community to wrap around them. We have emerging issues around radicalisation. Police would be in the perfect situation to recognise these people, but we do not have a dedicated focus on this yet. That is why we say that this is a good framework that we have, but with adequate resources it can better support the system.

Ms CROZIER — Thank you, Mr Gatt, for appearing before the committee this morning. There has been commentary from the government and from others to say that the nature of the offenders is changing — they are more complex — which is leading to some of these very violent crimes. Do the police members and the police association have a view toward that at all?

Mr GATT — Yes, we do. We understand some of the commentary around people going from zero to 100, for example, and being a non-offender on day one and on day two they are doing armed robberies and carjackings. We understand that that is the case in some circumstances. There are also cases of people in detention at the present time who have 40 to 50 pages of criminal history, so a large and significant history of offending prior to them being detained, as it should be. It is not the primary focus for the Children's Court.

It gets back to why we say in our recommendations, though, that there needs to be early intervention. By the time we have someone with 30 or 40 pages of priors, or somebody who is mixing in circles where their first offence is going to be a serious offence, then that is where we have failed them. We have failed them because we have failed to put in a measure of early intervention into the process. We would like to see the same amount of time that we currently spend responding to incidents at Malmsbury and Parkville reallocated into time spent working with people in the community to divert them to support.

Ms CROZIER — Sure. If I could just very quickly follow up, if we have got these different tiers of offenders that are within the system, should we have separate facilities to cater for those different levels of offences by these young people?

Mr GATT — I think understandably, yes. For example, in the Kyneton area, when facilities at Malmsbury were built, they were built because the majority — almost all of the people attending those centres — were there for reform, to undertake TAFE and development, and they were willing to engage in those processes. That, unfortunately, is not the case now, and so you have a cohort of people in detention, with some of those people an extreme security risk, and those facilities presently do not have the infrastructure to deal with that.

As I said, I think in my opening comments, it is not about wanting to turn these places into prisons, but it is about making sure that the young children in these places can actually be safe. We are not supporting them by not having a secure enough facility that can actually contain and deal with eruptions of violent behaviour towards staff, towards other inmates, or other children in custody, I should say. That is really important. The system has not been able to evolve and move quickly enough to meet this dynamic, this change. To some extent it has taken police by surprise too, but we need to recognise it and we need to evolve.

There is one other thing that does not go to your question, but there is a comment that at the right time, through the Chair, I would like to make in relation to the staff. One thing local police are saying as part of the investigative process is that they are noticing that staff in these facilities are saying to the police, 'We're inadequately trained to deal with this conflict that now erupts in these security centres. We are caseworkers, social workers. That's our job. They are the extent of qualifications, yet we're in a yard of young offenders who, quite frankly, look like young men. We just simply are ill-equipped to deal with that confrontational violence. We have a problem escalating, and we don't have systems and processes to effectively escalate, as we see in correctional facilities, and so we have an inability to contain'. Then they say to us too that there are many cases where they receive complaints from staff who are unwilling to make police reports about assaults to their person, about threats that are made to them by people in custody, because they fear the repercussions of people in custody the next day.

Ms CROZIER — What do you mean by that?

Mr GATT — They are worried about threats of violence and being assaulted in custody.

Ms CROZIER — Against them again?

Mr GATT — Against them again. So it perpetuates a level of inactivity by staff, contract staff and staff that are working in the facilities to actually make a report to the police because they do not think the system is going to protect them.

It is just a vicious cycle of members coming back, back and back without any intervention and any way of actually saying, 'We've got a problem with this young person in custody. How do we deal with this? How do we stop this person from becoming the next victim, from this worker becoming the next victim, from this young person being influenced poorly and having his prospect of rehabilitation negatively impacted by this person who is not playing the game?'. That is the caseworkers telling our members that; 'We want to tell you what's going on' — the same old case that police hear all the time. 'We want to tell you what's going on, but we don't want you to do anything about it because I need to go back to work in that yard tomorrow, and I'll be surrounded by those same people without support, without security, without an emergency response capability'.

The CHAIR — Just one follow-up from some comments you made earlier. You were talking about the tying up of resources in a large way at Parkville during particular crises but also the impact that it has on a local community like Kyneton. I assume you have communicated those concerns to the government.

Mr GATT — We have definitely communicated our concerns around police resources to the government, and most people in this room, I think, would be well aware of those representations. But we do that on a whole range of levels, Chair. We say that police service areas that have these sorts of facilities, in fact any correctional facility, need to be adequately resourced because there is an intense workload attached to policing them. It is disproportionate to policing those in other areas.

So in terms the staff allocation model that we have been speaking to government about, speaking to Victoria Police about, one of the points that we regularly make is the need for those areas to have additional police allocated to them because the demand is so great. The demand is so great in Parkville, it is so great in Malmsbury, yet it is not resourced appropriately. The underlying issue is, though, that we would like to get to a point where our members do not have to do that, not because they do not want to but because we need to break the cycle. Why do we have to throw more police at a problem that, if early intervention was occurring more effectively, would not see a police response? It would be a process of social work and reform for these young people.

Ms SPRINGLE — Thank you very much for your contribution. I do have a couple of questions. My first is around your claim that the numbers of police working with youth is down since the 80s. Do you have some data that you could provide the committee with around that?

Mr GATT — There were some figures I think that we put into our submission. I would have to familiarise myself with that.

Ms SPRINGLE — That is okay. If they are not in the submission, if you could take that on notice that would be wonderful. Are you able to sort of flesh out the sort of numbers and the sort of work that VicPol does around youth engagement now?

Mr GATT — I would have to take that on notice. Victoria Police currently does commit youth resource officers to this proactive work to dealing with youth at risk, and it is a subject that is currently under review by Victoria Police. We say it is important work, and it is quite specialist work. Dealing with young people requires specific trained skills, and Victoria Police to its credit in the past had done that. What we would hate to see are those proactive positions generalised to the point that that expertise is lost, diminished, withdrawn or diluted because it is taken by general duties to work the divisional van because somebody has gone sick. We say it is just as equally important that those roles remain untouched, that they are resourced, experienced, trained and coordinated in a way that they can get out there and do the work that they need to do. It is important.

Ms SPRINGLE — And at the moment is that happening? Are there dedicated officers that just do that work that are not redeployed?

Mr GATT — There are. They are being redeployed, though. This is the balancing act when working in an under-resourced environment. We still need to have the van going on a road to meet calls for assistance, so those resources are being diverted. I fear that there is talk about generalising at times those positions and diminishing the expertise and the focus of those people away from youth engagement.

Then there is in our opinion the need to focus on diversion. If we are going to do that generally, we need to increase the number of resource officers in the community so that we can touch more communities. We have got a population that grows by 100 000 people a year. It follows that we have to intersect crime, and with this increasing youth crime that we are seeing, it follows that we have to invest more in that preventative space as well.

Ms SPRINGLE — Do you have any idea if any of the — what is it, 3500 — new police officers that are being rolled out over the next however long by this government will be put into youth engagement?

Mr GATT — There is a commitment for youth specialists by the current government that may not have been part of the 2729 but I think part of the earlier commitment. That said, we recognise there is a need, whenever police resources are allocated, for it to go to those support areas too. Do not underestimate the work that a properly resourced divisional van in every community can do if they have the time to engage proactively with their communities rather than going from job to job.

Ms SPRINGLE — I also have a question around the response to incidents at the detention centres. My understanding is that now that the administration of youth justice is under the department of justice, they have their own teams that deal with incidents, as opposed to VicPol dealing with incidents. Is that correct?

Mr GATT — It is, and I will give it to you frankly, and I mean no offence to any of the staff engaged in this process. I am hearing that the situations are slowly improving around the perimeters, but the immediate response to a serious violent confrontation like a prison worker or a caseworker being punched is often the injection I think of what they call CERT teams, for example. I probably cannot do this any more justice than to just perhaps retell it the way that a member told me last week. He said, ‘Giving six people Rosebank stackhats and sending them in to watch an offender wreak havoc in a cell is not an effective emergency response’. Those people need to be properly trained. They need to have the appropriate equipment. They do not have access to restraint. They do not have access to batons. They do not have access to gas or spray in any way to control the most violent outbreaks, contain the incident and stop people from being hurt.

Ms SYMES — Are you talking youth justice only or are you talking generally?

Mr GATT — No, youth justice. You see a very highly oiled and very effective system in the corrections system that works very well. Very rarely do police have to attend a prison to deal with or quell violent behaviour. It is not the same experience that we confront in youth justice centres.

Ms SPRINGLE — It is a different cohort.

Mr GATT — But it is a different response. Corrections deal with the incident, they minimise the impact, they isolate and contain it — they deal with it. It is becoming increasingly a police response for these incidents because they do not have the capacity to deal with that.

Ms SPRINGLE — So does that mean that VicPol are still being deployed into those incidents, even though it has moved over to the department of justice? Is that what you are saying?

Mr GATT — I am told it is improving, but it is still a question of: where do the police start and where do we stop? If there is crime committed, Victoria Police clearly has a role to play in the investigation of that offence, but our members say we do not have a role to play in the good order, management and security of the facilities. That is the role of the facility.

Mr SOMYUREK — In terms of proactive policing, you are saying there is a shortage at the moment and the numbers are not where they used to be in the 1980s. Who allocates proactive police? Is it an operational matter? We have invested \$2 billion in the police. With that investment would the police then sort of allocate a certain percentage to proactive policing, or is it up to the government to allocate a separate budget for proactive policing?

Mr GATT — It is fundamentally up to both. Operational decisions are a matter for the chief commissioner, I think that is where you are going. In relation to what the chief commissioner can reasonably and possibly do when they are confronting broader justice issues and a need to deal with crime that goes beyond the youth justice portfolio, it is difficult when you do not have the resources to commit, so it is about increasing numbers to a point where you can actively commit adequate numbers to proactive policing initiatives. But it is also about — and we made the point in our submission too — the fact that from those days there seems to be a marked shift from proactive policing initiatives.

Mr SOMYUREK — Is that due to operational decisions or is it due to government policy?

Mr GATT — In my opinion it would be a shift due to operational policy as opposed to government influence.

Mr SOMYUREK — So in terms of the government's role, it is making sure that the number of police in sum are sufficient, and the rest should be really up to operational decisions on where they are allocated, yes?

Mr GATT — It is about ensuring that the resources are available to enable the chief commissioner of the day to actually commit those resources. That is fundamentally the first part. The second part is that, as it has done, the current government in terms of its community safety statement can certainly set priorities for Victoria Police as an entity to focus on. If it wants youth justice and reducing youth crime to be one of those, we can certainly do that.

Mr O'DONOHUE — Mr Gatt, can you clarify the stack hat example? Just perhaps give a bit more background to it: is that a recent example?

Mr GATT — It is a recent but frequent example. There are teams within these facilities that will respond to a violent incident as it occurs. Those teams are ill-equipped in terms of their capability. They receive some additional training, but our members understand that they do not have an adequate level of operational safety training that would enable them to deal with a violent eruption in a wing, recreational room or basketball area. So how you quickly de-escalate that situation, recognising that not everybody can be negotiated with, not everybody wants to engage in that process. There are times when you need to regain control, and you need to do that quickly. Our members are saying that you cannot half do that. You need a capacity to deal with the worst-case scenario in a correctional facility, whether it is youth justice or an adult facility. You need to accept that it might go terribly wrong and, if it does, you need to have the capacity to manage that internally.

Mr O'DONOHUE — Some of these incidents, like the example you referred to before, are recent examples — recent weeks, recent periods — —

Mr GATT — There are some that are before the courts and in the process of investigation now, so I am not sure if I am in a position to articulate. I do not want to in prejudice the investigations, but I can generally say quite certainly, that I know of particular incidents where the internal emergency response in the facility has been one of sending six people in to an area to simply watch offenders tear a wing down, to rip benchtops, countertops from the walls, and to throw furniture about. That is not an effective emergency response; that is simply allowing people to run riot within a facility itself. That needs to be addressed.

Ms SYMES — That was prior to the machinery-of-government, that example there?

Mr GATT — This is two weeks ago.

Mr O'DONOHUE — That is the point that I was trying to get to.

The CHAIR — Did you want to clarify that, and then we might go back to Ms Symes?

Mr O'DONOHUE — Yes. Thanks to Ms Symes for her interjection. I was really trying to get — —

Mr GATT — This is current. This is post-justice transfer.

Mr O'DONOHUE — Thank you. That was the point I was trying to make.

Ms SYMES — Just coming back to your comments around early intervention and proactive policing and things — and apologies for my absence earlier — I just want to tease out some of the on-the-ground programs that you are an advocate for. Is Ropes something that you are an advocate for or are you talking early intervention than that from a policing perspective?

Mr GATT — There have been some fantastic initiatives over the years. We say that any ability where police can engage with young people at risk before or even at the time of the initial involvement with police is important. Diverting these people away from criminal offending is important. That does not mean that police have to be the people conducting the program. It simply means that we need to be the people that can divert to resources that can. Sometimes the best people to wrap themselves around these young people are people in their families, in their communities or in these other well-funded programs that may have experts that have better and greater expertise than the police. It is about making sure that the resources outside the police force and inside the force are there. It is also about making sure we have sufficient people to identify who those young people are, and that is the fundamental process here. Look, we can engage in mentoring. There are currently trials running in southern metro region with mentoring. We will wait and see what the outcomes are.

But sometimes these situations put police in a conflict position too. They hold the office of constable and they are perhaps dealing with people who have offended or are continuing to offend. So not in all cases are police the best people to be that mentor or to be that person, but certainly police are well aware of people that need that support, and that is where we say we need people on the ground to be able to identify and divert people to the support services that can address their particular issues, understanding that not every young offender is the same, and that some young people are driven by different issues in their personal lives and in their upbringing that will motivate them towards this sort of behaviour. So you need support that is specific to what is driving their offending. If it is drug abuse, if it is mental health, if it is a lack of family support, it needs to be tailored and focused.

Ms SYMES — Just one quick point of clarification: when you are talking about the CERT teams and their training and your belief that they are inadequately trained and do not have the resources, I just wanted to test something you said that they did not have equipment. My understanding is that it has been quite contentious, that they actually do have tear gas now. Is that your understanding?

Mr GATT — I will stand corrected if I am wrong, but my understanding from what police tell me — obviously I do not work in these facilities myself — is that they appear not to have this equipment, that they have basic protective equipment. Certainly in the cases that I have reviewed in recent times, this equipment has not been deployed. Yes, they may have a helmet, they may have access to a shield, but if you are simply going to stand in a room and watch people acting violently and not actually intervene, then what is the purpose of that?

Ms SYMES — Just to clarify: you are not 100 per cent sure what the CERT team have and what they do not have, only what you are being told by your members, but you are not certain yourself.

Mr O'DONOHUE — The police have to fix up the mess; that is what he has been told.

Mr GATT — All I can tell you is what my members tell me. My members tell me that they do not understand them to have restraints, and if they do have restraints, it is in a limited capacity. They also tell me that the situations are very convoluted for the handover between police and the centres as well. But yes, you are quite right; they can only tell me that they do not feel that they are adequately equipped to manage it internally.

Ms SPRINGLE — Which is, with all due respect, a little bit contrary to what came out in the recent court cases that were saying that there were dogs and capsicum spray and what have you being used.

Mr GATT — Yes, but understanding who owns and where those come from. My understanding is that in the Malmsbury situation, the major situation, that they have police resources at times that are then brought in. So our CERT teams, who are highly trained and armed and operate under memorandums of understanding with these justice centres, then can have a process of handover to the police, who are equipped to come in. Our police dog squad I know were active in retaining control and regaining control. Our CERT teams and our PORT teams have a capacity to involve them. What I am talking about is the everyday response within the juvenile justice centre.

Ms SPRINGLE — On that, I suppose when we are talking about an increase in restraint capacity, we have seen in the current royal commission into Don Dale that there are repercussions in many ways — negative repercussions — and there have been huge amounts of problems caused by that sort of increase in capacity. In your view are there alternatives to that?

Mr GATT — Yes, and Don Dale I think epitomises when the system goes wrong and the situations that you do not want to see. But there is a fine line between exposing others in that environment to harm and a need to actually take charge and control of a situation, regain control and then move back into more therapeutic processes.

Ms SPRINGLE — How do you walk that fine line? What are the checks and balances around that?

Mr GATT — I think the checks and balances are that nobody in a facility has the right to endanger other people in a facility. So until you stop or alter that behaviour, I think staff have an obligation — an obligation not a right — to intervene and actually make that environment safe for other children in that facility, for the workers in that facility. If that requires them to use reasonable force to effect that purpose, then they need to do that. It does not mean that their entire focus of everything they do, every day should not be around rehabilitation, should not be around reform, should not be around education. Of course it should be. But they have got to recognise that when situations turn south, that they need to act to protect other children.

Ms SPRINGLE — Do you have a view on sort of a structure that could possibly work to make sure that that balance is met?

Mr GATT — Well, I think, to be fair, that is a matter for justice and for the operators of these centres. I suppose the point that we are making is that we should not be the people offering that advice really; it should be the centres. They are the experts, or they should be the experts, in relation to how they deal with these situations. There should be learnings in terms of the right checks and balances to make sure you have appropriate control and a secure environment and then do that in a way that does not diminish your overall focus on helping these young people live meaningful lives.

Ms SPRINGLE — You talked about a cohort of extreme security risk, and we have heard a lot about this new cohort — this new, small, highly volatile and quite violent cohort of young people — because the reality is that somewhere like Parkville was purpose-built in the 1990s and it is no longer appropriate for the needs of what we are seeing at the moment in the youth justice system. So what has changed? It is still a little bit opaque in terms of how things have progressed to where they are and what the causal factors are. I am not really talking about the operations of centres, but I am talking about the young people and the behaviours they are exhibiting.

Mr GATT — I think that is a really complex question that I am not sure that I can answer in great depth.

Ms SPRINGLE — Yes, I know.

Mr GATT — But I think it is fair to say that this behaviour is not confined just to inside facilities, that our members are seeing an increase in violent behaviour on the streets every day. We have seen increases in police assaults, for example.

Ms SPRINGLE — From young people?

Mr GATT — In general terms.

Ms SPRINGLE — In general.

Mr GATT — In general terms, increasing markedly. We are seeing police vehicles being rammed at an astounding rate in terms of increase — 103 of those last year, for example. Many of those are committed by young people. So we are seeing patterns of violent behaviour in the community more broadly. I suppose when we look at these facilities, as I said at the start, it is how do we respond? So if every justice centre riot has ended up with people on the roof, tell me how does it continue to occur that people get on roofs? How do we not modify those facilities to adjust, to learn from the intelligence that the last incident taught us? So they got on the roof. What have we done to stop them getting on the roof next time? Why have we not learned from that?

Ms SYMES — I would just comment that I think the facilities have been — —

Ms SPRINGLE — It took a while though. It did take a while.

Mr GATT — I am just making the point that, I suppose, police responded to a number of incidents where the same thing happened.

Ms SPRINGLE — Over and over again.

Mr GATT — I am not saying it has not been corrected now.

Ms SYMES — Right, okay.

Mr GATT — I am saying that there is a need to utilise, and this is one thing you have in the correction service, in the corrections facilities. We recognise highly integrated intelligence capacity within these facilities, because they utilise intelligence, they understand what contraband is coming in and out of facilities, they use this information to focus security initiatives, to deal with and manage the prison population. There is a little bit of that to be learned, I think, in centres like this too.

Ms CROZIER — Is contraband coming in the youth justice facilities too?

Mr GATT — I will not comment on that other than to say that members have told me that they do not feel that the screening process is as thorough as it is, for example, in a correctional facility. That is the extent to which I would focus on that. I suppose the point I am making is that the ability for corrections to learn is one that we see regularly. They learn from intelligence, they use that and they are quite structured in that approach. We would suggest that it is not as marked in juvenile justice centres, or youth training facilities, as it is perhaps in those facilities. Perhaps there is an opportunity for improvement.

The CHAIR — Okay. I am going to draw things to a close there. I want to thank you, Mr Gatt, for your contribution today. It is appreciated.

Mr GATT — Thank you very much. It is a pleasure.

The CHAIR — You will be provided with a copy of the transcript within a few weeks for proofreading.

Mr GATT — Thank you kindly.

Witness withdrew.