

Commission of Inquiry into the
Tasmanian Government's
Responses to Child Sexual Abuse
in Institutional Settings

Response to a Notice to Prepare
and Produce a Document or
Statement issued under Sections
22(1)(b), 23(1) and (4) of The
Commissions of Inquiry Act 1995
(Tas)

Statement of Sarah Spencer

My name is Sarah SPENCER. My date of birth is [REDACTED]. I reside at [REDACTED]. I am employed as a Youth Worker at Ashley Youth Detention Centre (AYDC) with the Department of Communities Tasmania.

General:

1. I commenced work at AYDC in 2011
2. My starting role at AYDC was Youth Worker. I am still in that role.
3. My duties in the role were mainly to; Provide supervision to Young People within the centre, escort YP throughout the centre and sometimes off property, complete security checks, support young people throughout the daily routine, encourage prosocial behaviour by instruction and role modelling, document movements, report and record information, information share with oncoming shift, collaborate with stakeholders and services providers within the centre and externally when required. Maintain a duty of care to the YP, centre staff, visitors and the centre itself prioritising the well-being and safety and security of all the above.
4. When I commenced, I reported to the Operations Co-ordinators who were **Lionel**, **Lionel**, **Colin**, **Chester**. I currently report to the current Operations Coordinators who are **Gordon**, **Archie**.

5. I found out about the job at AYDC by calling the centre.
 - (a) I worked in CYDC Cleveland Youth Detention Centre in Nth QLD and wanted to move to Tasmania. I called AYDC to ask if there were any positions and applied once positions were advertised.
 - (b) I submitted a written application.
 - (c) I was interviewed via video link from AYDC to CYDC – If I remember correctly Fiona Atkins, Colin [REDACTED], Lionel [REDACTED] and maybe [REDACTED] interviewed me.
6. I did not know any people in Tasmania (including centre workers) when I applied for and obtained my position at AYDC.
7. When I applied for and obtained my position at AYDC I was not a member of any organisation or association. Over the years I have been a Member of Tasmania Equine Endurance Riders Association.
8. My current role as Youth Worker is the same as my role upon commencement at AYDC.

Education and training

9. When I commenced at AYDC Diploma was the highest level of education that I had completed.
10. I did have experience in a corrections or detention environment before I began working at AYDC, I had 4 years previous experience in Cleveland Youth Detention Centre, Townsville, Far Nth Qld.
11. I did have experience in caring for children and young people before I commenced at AYDC. I had 4 years previous experience in Cleveland Youth Detention Centre – Townsville - Far Nth Qld. Also, parental oversight in the local Youth Group in Townsville including transporting Youth to and from their homes to attend in a Youth Group by bus.
12. I have completed further education since I have been employed. I completed a second Diploma in Community Services, Alcohol and other drugs and Mental Health.
13. I did receive an induction when I commenced at AYDC. I did receive training when I commenced at AYDC.
14. I did receive further training in the course of my work at AYDC including the following but not limited to;
 - a. Record Keeping with regard to violence or inappropriate behaviour

- b. Behavioural management including isolation, restraint and restriction of privileges.
- c. Trauma informed response to detainee behaviour.
- d. Harmful sexual behaviours.
- e. De-escalation
- f. Personal Searches
- g. Use of force
- h. Detainee hygiene
- i. Workplace Health and Safety
- j. Sexual harassment and discrimination.
- k. Professional conduct/code of conduct
- l. Complaint and Grievance processes.
- m. Mental Health First AID
- n. Motivational interviewing

Knowledge of policies and procedures

15. To the best of my knowledge, the policies and or procedures relating to the specific subject matter is as follows:

- a. In relation to isolation, see CYF practise manual section 4.2 USE OF ISOLATION
- b. In relation to personal searches of detainees, see CYF practise Manual 4.2 SOP7# SEARCHES
- c. In relation to the use of force, see CYF practise manual section 4.2 USE OF FORCE.
- d. In relation to Officials and Detainees generally, see CYF practise manual regarding Incident reporting, Duty of Care, Induction program for young people, 'No gifts' policy, AYDC behavioural development program (BDP) all underpinned by the State Service act section 9 Code of conduct. Youth Workers are expected to present as good role models who display and encourage pro social behaviour.
- e. In relation to Officials interacting with one another, see State service act section 9 Code of Conduct & Antidiscrimination Act.
- f. In relation to access to Detainees by visitors; All young people in custody at AYDC have the right to regular contact with identified family members, significant others such as partners and children, members of the community and professional officers such as Youth Justice Workers, lawyers and health professionals. Those members of the community identified and approved as visitors for young people must be advised of the visitor's procedure and associated responsibilities prior to the visit occurring. On occasions when contact between a young person and an identified significant person is not approved, the young person must be advised of the situation, including the reasons for the decision to disallow the contact. Visits between young people, family, significant others and

professional officers must be supervised closely by staff at all times unless approval has been given for an alternative form of supervision.

- g. In relation to record keeping following incidents or the categorisation of incidents, Incident reports are recorded and forwarded on to the operations coordinator to be reviewed at the weekly review meeting. If the incident was minor, it would be categorised as such. If it was a detention offence there would be potential for the incident to be dealt with by the police, if it was an intel report these were to remain confidential unless the information in the report required further action.

16. In relation to any policy requiring the reporting of misconduct or potential misconduct by Officials, I am aware of the State Service Code of Conduct and associated regulations. I am aware that an employee must comply with any other conduct requirement that is prescribed by the regulations.

20. I am aware of other policies or procedures which were known to me at AYDC. Of particular relevance to my work at AYDC such as – confidentiality of YP, bomb threats, various codes called for security threats and welfare of all people within the centre etc which can be found in the CYF practice manual.

Workplace Safety

21. I have felt unsafe during my work at AYDC. I felt particularly unsafe when we have been left multiple times understaffed, we have not been allocated breaks from our duties on the floor for my entire 11 years within this centre. I can count on 1 hand how many breaks I have received when desperately needed, this is not only historic but still happening today. There has always been a lack of officially debriefing after a critical incident – nothing more than an “are you Ok?” in passing.

22. I have had a large (young man) YP punch a window barely millimetres from my face in a rage and I could not call a code black due to the fact there were no staff to respond. I was on my own with 3 escalating residents and there was another female in the adjoining unit with an extra 3 residents. I reported all of this to the operations coordinators and managers in charge at the time via email.

23. I have been injured after a restraint in June 2020 by a highly assaultive resident and since have been on 'return to work' hours and light duties throughout the centre. I have had 2 operations on my hand in April 2021 and April 2022 on a damaged ulnar ligament in my thumb. Now I feel more unsafe due my work injury which has dramatically impacted my personal life.

24. I cannot count the times I have felt unsafe at work due to threats to assault myself and my family, verbal violence, altercations between young people where intervention is required, working with staff who lack the capability to support you in any given incident or impending incident.

25. Currently I feel unsafe working with any resident alone due to the multiple false allegations of what was said/done to a current or former resident. These allegations are ruining people's lives and we're all sitting ducks for an allegation due to the fact the accusers are not required to provide any evidence, and most will not follow up the "said allegation" with the police to have the accused prosecuted or found innocent. Yes, I feel unsafe – daily – on many fronts.

26. I am aware of other Officials feeling unsafe for multiple reasons and mostly likened to my answer above. We have lost a ridiculous number of experienced staff in the past 18 months to 2 years which has left the centre and all people within it vulnerable. These staff have been stood down due to unproven allegations or they're off on workers compensation due to stress or physical injury.

27. I have not been involved in a physical confrontation with a Detainee outside of a standard restraint involving an aggressive/assaultive and or non-compliant resident who was not responding to de-escalation techniques. I have been kicked, punched & thrown in the attempt to intervene with 2 or more YP assaulting each other and/or assisting to restrain a YP after all other verbal de-escalation attempts had been exhausted.

28. I have witnessed other Officials engaged in or injured by a detainee multiple times over the years. I cannot recall every incident, but all would be recorded and reported as per our incident reporting requirements. I do remember one in particular where a worker was assaulted in the unit accommodation dining room, and I took this worker to hospital to have his head stitched up.

29. I have not been injured by or engaged in a physical confrontation with another Official.

30. I have not witnessed a physical confrontation between an AYDC Official and another Official.

Conduct of Other Officials:

31. I have never witnessed Sexual Misconduct by another official and if I had it would have been recorded and reported immediately.

32. I have not ever witnessed any Official engage in any form of sexual or sexually suggestive behaviour towards Detainees. I have recorded concerns that were made known to me which I then reported as it is my duty of care – however I did not personally witness these concerns as they occurred on a shift where I was not working.

33. I did receive reports or information from Detainees or other Officials about other Officials engaging in any form of sexual or sexually suggestive behaviour towards detainees. As above – this was reported. It was in relation to a male worker (Walter Walter) drawing a peanut on a female resident's ovary area. The resident disclosed this to me, I filed an official complaint on her behalf and notified my operations coordinator.

34. I did take the necessary action on the information I received. As stated above,

Conduct of Other Officials: Other forms of Misconduct –

35. I also reported Youth Worker [ira ██████████]'s behaviour as misconduct and refused to work with him due to his appalling work practises, deceitful and destructive behaviour which undermined the residents and the hard work youth workers had achieved in producing pro social behaviour. [ira ██████████] lied, fabricated an incident to have a YP removed from his unit and all of the YP's privileges removed purely because he didn't like him. All of which was reported to all operations coordinators at the time and the managers.

36. I have witnessed an Official engage in behaviour towards a Detainee that I felt was inappropriate. [Unfair, Unjust, Uncalled for, Inappropriate) My response to this question is covered above in paragraphs 29 and 31.

37. I have witnessed inappropriate in the following circumstances:

- a. In regard to use of isolation - No
- b. In regard to personal searches, No
- c. In regard to use of force, No
- d. In regard to interactions between Officials and detainees generally, see above at paragraph 35.
- e. In regard to controlling access to a Detainees visitors, No

33. I took the following steps after witnessing the incidents at paragraphs 33 and 35.

34. I have not received reports or information from Detainees or Other Officials about other Officials in the following circumstances:

- a. In regard to use of isolation No
- b. In regard to personal searches, No
- c. In regard to use of force, No
- d. In regard to interactions between Officials and detainees generally, covered in question 27
- e. In regard to controlling access to a Detainees visitors, No.

35. I took the following steps after the reports were made to me, I made a formal complaint on behalf of the resident.

36. I have not witnessed an Official engage in behaviour towards another Official that I felt was inappropriate. [Unfair, Unjust, Uncalled for, Inappropriate)

38. I have not received information from other Officials and/or Detainees about behaviour of an Official towards another Official that was inappropriate.

Detainee Behaviour:

39. I would make reports or formal records in the following circumstances
- Any indication of Self-harm or risk of self-harm/Suicide
 - Assaults or threats to assault – physical/sexual/verbal
 - Damage to government property
 - Possession of a weapon
 - Intel – information pertaining to a possible incident or a past incident which requires investigation
 - General change in behaviour – erratic/withdrawn/despondent
 - Misconduct – any information pertaining to possible misconduct
 - Formal records including resident movements, headcounts, 20-minute checks when residents are in their rooms.
 - YCIS notes on each shift
 - Daily diary to record the shift information
40. The reports were made either in handwriting on a hard copy incident report or via email or uploaded on the computer.
41. I received the following training specifically regarding reporting within my induction on record keeping and information sharing along with mandatory reporting.
42. I have witnessed a Detainee engage in physical violence or sexually inappropriate behaviour multiple times over 11 years in this working environment with our clientele.
43. I took the following action after witnessing what is outlined above in question 41. All of which would have been reported and recorded. There were times I was threatened physically and sexually where other youth workers made a detailed report on my behalf due to our staffing numbers and the inability to leave the residents unsupervised in order to complete the report in person.
44. I cannot recall what reports or information I have received over the years from Detainees or Other Officials about other Detainees engaging in physical violence or sexually inappropriate behaviour. I'm sure there were reports and I would have followed the correct reporting procedure.

45. I took the following steps after the reports were made to me; contacted my online manager, operations coordinator and documented all information in a detailed report.

My conduct

46. I have not ever engaged in any form of sexual or sexually suggestive behaviour towards a Detainee.
47. I have not engaged in behaviour that was inappropriate or a breach of policy.
48. I have not had any allegations made about me concerning the treatment of or behaviour directed towards a Detainee.

Sources of Information for this Statement

49. I have accessed and liaised with my Union (HACSU) and Officials employed by the Union to assist with the actual statement writing.
50. I have spoken to my union representative.
51. Attachment list:
- a. SS Annexure A: Use of Physical Force Procedure
 - b. SS Annexure B: Searches Procedure
 - c. SS Annexure C: Personal Searches of YP at AYDC
 - d. SS Annexure D: Use of Isolation Procedure

Other Information:

52. Staffing levels in the centre have always been a concern putting staff and residents at risk. Right now, I should not be being used as a number on the floor due to my 'return to work' certificate where it states I am a supernumerary worker for operational duties – however I am being used in an accommodation unit as an actual number on the floor with residents whilst trying to complete this 'private and confidential' statement.

53. There is a distinct lack of support for staff within the centre when it comes to staff assaults. Staff are not supported and encouraged to press charges and when they do so the centre makes it very difficult. The Department has every ability to make a complaint to police and have the police proceed against the Detainee if the circumstances are laid out for an assault or other criminal charge. They routinely do not report assaults to police despite assurances to us workers, our Unions and the State Service more broadly. We do not receive clinical supervision, we do not have proper debriefings after critical incidents, we do not have allocated breaks nor have the staffing levels to facilitate breaks. Unfortunately, we have lost a wealth of experience from our centre due to unproven allegations and stress. The staff are burnt out doing back-to-back shifts with little to no relief. In my experience here in 11 years the centre has had constant change with no consistency. Youth workers authority has been undermined with frequent changes making it very difficult to manage young people's challenging and often dangerous behaviours. I believe the health system within the centre is one area I have seen improve over the years.

This Statement is true and correct to the best of my knowledge.

Full Name:

Signature:

Date:

Witness Full Name:

Signature:

Date:

Other Information:

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Full Name: ^{Jayne} Sarah ^{SS} Spencer

