

TRANSCRIPT

STANDING COMMITTEE ON LEGAL AND SOCIAL ISSUES

Inquiry into youth justice centres in Victoria

Melbourne — 30 May 2017

Members

Ms Margaret Fitzherbert — Chair

Ms Nina Springle — Deputy Chair

Mr Daniel Mulino

Mr Edward O'Donohue

Ms Fiona Patten

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Mr Adem Somyurek

Ms Jaclyn Symes

Participating Members

Mr Greg Barber

Ms Georgie Crozier

Mr Nazih Elasmar

Ms Colleen Hartland

Mr Gordon Rich-Phillips

Witnesses

Mr Rob Gray,

Mr Vince Colman, and

Mr Eddy Poorter.

The CHAIR — I would like to welcome everyone here, including witnesses who have come along today to give evidence. The committee is hearing evidence today in relation to the inquiry into youth justice centres in Victoria, and the evidence is being recorded. To the witnesses I say: welcome to this public hearing. All evidence taken at this hearing is protected by parliamentary privilege. Therefore you are protected against any action for what you may say here today, but you if you go outside and repeat the same things, those comments may not be protected by this privilege.

We have been saying to people who have given evidence that if they wish to make a brief opening statement or any comments, they are welcome to do so, preferably for no more than 5 minutes or so, so that we have got more time for questions and discussion, but I am in your hands. If any of you would like to say something, now would be the time; otherwise we can move to questions.

Mr GRAY — My name is Rob Gray. I worked at Malmsbury for roughly nine years. Before that I worked for 10 years for DHS in crisis accommodation. There was a group of four of us. Rob Owen, who was going to come here and give evidence as well, was unable to make it due to family illness issues. The four of us are all ex-staff.

We started taking concerns from currently employed Malmsbury staff primarily, some from Parkville, because there seemed to be no support from the union or any means of support for any staff whatsoever when dealing with WorkCover incidents at work, dealing with management or dealing with clients. In that 18 months I suppose we managed to get a fair amount of information, not just from our own experience but from what staff were able to inform us of about what was occurring and the rest of it. We then pursued media, the press and radio and things like that, in order to highlight some of the issues that were going on. Unfortunately, as much as we did manage to bring some sort of pressure to bear, there were still riots, and 15 clients did still manage to escape. There were issues last night as well, I believe, and further assaults on female staff. There was an assault, I think, last week, and there is the mess that has continued unabated.

The CHAIR — Thank you. Did either of you want to make a comment at this stage?

Mr POORTER — My name is Eddy Poorter. I have been at Malmsbury for close on 20 years. I recently was transferred down to Parkville, in 2014. I had just come off WorkCover, and they decided that I was required to return to training. So while I was waiting on that to happen they put me into the stores down at Parkville. I saw certain things at Parkville and also in the stores that concerned me. I took those concerns to my local member, Don Nardella. Don took those concerns to the minister. I heard nothing back from her, so I phoned her office on probably six occasions to go over the issues that were occurring behind her back. I will not lie to you. I am a member of the Labor Party, so I actually did that on the basis that maybe she was not aware of some of the things I was seeing that would horrify people and that might actually get into the press and embarrass her.

So I actually phoned on six occasions. She never returned my calls. She was not interested whatsoever, and it is amazing how she comes out in the press and says she is so concerned about all our staff and the assaults and things like that, yet she had six opportunities to speak to me and she never did — not on one occasion. It was only after we went to the press that she showed any interest. She sent some emails then that maybe she and some of her other staff might like to catch up and have a chat. I knew at that stage she was just saying that to make me feel better. Like I said, some of the things that I saw at Parkville — —

I have been to a number of very fine hotels in my time, but to walk into a kitchen and see staff actually having to cook the toast, butter the toast, put the spread on the toast for the boys and make them cups of coffee which were too hot, too cold, and staff being abused. This is a bit staggering. Of course their argument is that the boys sit down. There will be not be any interaction with them, so of course at the end of the day that would hopefully stop any assaults. But since all the staff are standing behind the actual kitchen bench actually making up the toast, the boys were not being supervised in any case. It baffled me after 20 years of experience — but not to worry.

I also was asked, after six months at Parkville, to get on the computer and maybe learn some of the computer skills and booking certain things in and out. I come from a catering background — what, 27 years, maybe 30 years ago — and what I saw staggered me as well. It was that we were almost paying double the price that you and me as an individual could purchase a loaf of bread, at \$2. They were paying \$4. We were buying 500 loaves of bread a week. Something was not totally right. So I took those concerns to Ryan Long, I believe

his name is, who is in charge of that section. He told me to come back the following day. I came back the following day to speak to him about the sources where I could get those prices reduced. Lo and behold, if I do not walk in and there is my store manager, sitting behind a door, waiting for me.

The next thing is they demand that I tell them where I can get these prices, but they will go to the director and tell the director, 'It was Eddy Poorter who, with less than 20 minutes of experience on the computer, found those prices'. Well, after all that, suddenly I was earmarked for dismissal. They were following me around with cameras day and night. I cannot prove that, but they finally did get me swearing in a prison, and they told me, after 20 years of service, that I was an inappropriate role model and that I either resign or I was to be sacked. The union suggested to me that I maybe resign as well on the basis that I could maybe apply for another job within a government department, which I have. I have had three interviews. Three times I was accepted and told starting times and the whole lot, only to have those jobs all withdrawn. So we have a very vindictive ex-director who is responsible for the mess that we are in. That is what Eddy Poorter has got to say.

The CHAIR — Thank you, Mr Poorter. Mr Colman, did you want to speak at this stage?

Mr COLMAN — I have got 17 years experience at Malmsbury. First and foremost, we are not disgruntled ex-employees. We are more concerned with what is going on. We are more concerned with the staff who are put at risk every day. The clients have a right to a safe and secure environment, but they do not have a right to attack staff and put them at risk. They have been allowed to do that since the new director came in, which was Ian Lanyon. We have had cameras put in. Cameras have never been used to supervise or check on clients; they have always been used on staff. If staff were involved in an incident, the first question asked is, 'What did you do?'.

Mr GRAY — We had a staff member who was on return to work at Malmsbury and was told to monitor cameras and to watch staff, and he raised the issue with a few people, saying that he felt that that was inappropriate. He was basically disciplined for not following the directions.

The CHAIR — I suppose if I could ask a very general question to each of you, which is that primarily what this inquiry is about is, 'How did we get to this point, and how do we fix it?'.

Mr COLMAN — Ian Lanyon.

Mr GRAY — Ian Lanyon, I think, has implemented a — —

Mr COLMAN — He referred to staff as deadwood. I mean, I have got 17 years experience. I am on the top pay scale. I am still quasi-employed; I am on WorkCover. I am fighting at the moment. I was told by Ian Curwood, the CEO of Malmsbury at the time, or the general manager, that there was not a position there for me. I was assaulted in my office on 14 July. Since 21 July I have not been at work. I have gone back on return-to-work duties, which is demeaning — and no contact.

Mr GRAY — There is no support.

Mr COLMAN — The only support I have been getting is from these guys here, my friends at site and a few others. No managers were around me. Ian Lanyon, when I was injured — nothing. The general manager — nothing. How are you supposed to give something to people who do not care?

Mr POORTER — Just recently — and this is the indecision of management — I phoned the CEO, Daniel [inaudible] who runs Malmsbury at the present stage. I had, of course, 20 years of accumulated uniforms, and not wanting them to actually make any allegations that I was just trying to get away with them, I phoned him. It is actually strange, because when Daniel first started I was his manager. I actually was in management. I chose to go back to the floor because I had never come across so many a-lickers and yes-people in my life. Coming from private enterprise, where I actually owned three companies that employed 45 staff and 16 casuals, it was not for me, so I returned to the floor to work with clients.

But I phoned Daniel up and said, 'Daniel, I've got all these uniforms. Is it okay for me to come up to the centre and actually just drop them off at the store?'. Daniel then tells me, 'Could he phone me back in 10 minutes time?'. I said, 'Why is that Daniel?', and he said, 'Eddy, I just have to make a phone call'. I said, 'Daniel, you are in charge of Malmsbury. At the end of the day can I return the uniforms or not?'. He said, 'No. Wait for

10 minutes, and I will give you a call back and let you know'. So I said, 'All right, who are you going to phone?'. He says, 'Well, I am going to phone someone'.

Since at Parkville there is only another CEO who is just as high as he is, I do not presume he is phoning Parkville. He actually had to phone the director to see if it was all right for me to come onto the centre. That is how fearful everyone is at Malmsbury of stepping on Ian Lanyon's toes.

Mr GRAY — Even for us to do what we are doing today, there is an element of where I think at the back of our minds we are mindful that for ourselves and for some of the people we are representing that there could be a level of vindictiveness and payback for, I suppose, us speaking out of turn.

Mr POORTER — We have got to be very careful as to what we say so — —

Mr GRAY — I am incredibly reluctant to give too many examples, because I think if they join the dots then the people in the examples I am using could sort of suffer ramifications of job losses — targeting. Ian Lanyon has managed to go through and purge a lot of the staff at Malmsbury and at Parkville, usually for fairly minor indiscretions.

Ms SPRINGLE — Sorry, we were under the impression that you were offered an in-camera session, which would have been completely closed to everyone. That would have probably bypassed what you are talking about. Is that not the case?

Mr GRAY — No, we were. Yes.

Ms SPRINGLE — And you chose not to do that?

Mr GRAY — Well, I think there is an element where it needs to be let out as well.

Mr COLMAN — It needs to be open.

Mr GRAY — It needs to be open so that it is on record that things are not right and the current way things are operating are not so.

Mr COLMAN — The one thing we are concerned about is that it is an open book. We do not want anything, we are here and it is going to be on the Hansard transcript. As to repercussions for us, I mean my working career is basically over, so I do not have a qualm. I am unsure of Eddy, but Rob is in a different age group so he has got more to risk in this. However, as he said, the vindictiveness of Lanyon knows no bounds.

What concerns me is that we have had numerous escapes, numerous assaults, and all we see is the head is moved sideways. Some guys here and who are not around here — they have left and they have had enough. We have even invited people to come along, but they say, 'No, we do not want it'. For the least mistake they are hounded and they are forced to resign or are sacked. Yet here is a man that has put Victoria at risk — the Victorian public at risk — and all that is done is they have moved him sideways. The CEO has now gone to Parks Victoria in Mildura. What is all that about?

Mr GRAY — Where is the accountability? There is no accountability for management whatsoever.

Mr POORTER — Sixty per cent of the permanent staff have been sacked, and yet in the 20 years I have been at Malmsbury, or even a Parkville, I have never seen a manager sacked. Yet they are the decision-makers. They are the people who have destroyed juvenile justice. Not one of them has lost their job. Sixty per cent of the permanent workforce at Malmsbury and Parkville was sacked — and like I said, I was sacked because I dropped the F-word. And I did not do it in an aggressive manner. I actually said to a kid, 'If you hang around with those f-wits, no wonder you keep getting locked up. It is about time you changed your friends'. So I was actually trying to be positive, but at the end of the day I lose my job over it. Like I said, I have had three jobs offered to me in government departments, only to have had all of them withdrawn. That is very strange considering they already told me starting times, salary packages and the whole lot. Then suddenly they all tell me, 'There was never a job here'. Half a tick, I sat in front of you and actually did the interview'.

Mr GRAY — We were informed, I think it was two or three months ago, that at that time there were 18 permanent DHHS staff left on centre at Malmsbury, that there were 18 casual staff, or permanent DHHS.

The rest were made up with agency staff that had less than 6 months experience. So at any one time on centre, the majority of staff were agency that received three weeks training total.

The CHAIR — So how many agency staff would there be then, roughly?

Mr GRAY — There are 80 staff on centre at any one time, so the majority are made up of agency staff. I do not know what it is now, but I am referring to — —

Mr COLMAN — The way they get around it now, as the minister said, is that those agency staff are being converted onto ongoing staff. So now agency staff are minimised. The experience of the ongoing staff is very minimal. At one stage, Lanyon was going to bring in university-educated staff members who were going to do a psychometric. It did not work. Hardly anybody got through.

Mr GRAY — The department is trying to canvass — —

Mr COLMAN — The main thing was there was no life experience. I am not saying what we had before was perfect. It was not. However, we never had the assaults and the escapes that we have had now. I mean, I was amazed when I saw 15 clients literally walk out of the supposedly most secure unit in Victoria for juvenile justice. And yet no-one was able held accountable — no manager, no CEO, no director.

The CHAIR — Was there any internal inquiry into that?

Mr GRAY — Not that I am aware of.

Ms CROZIER — Thank you, gentlemen, for appearing before us this afternoon and for being prepared to actually come and speak to the committee and put your comments to the committee. If I could just go to some of your remarks, Mr Gray, in relation to the concerns around the staff. I mean, your two ex-staff members and Mr Colman is on WorkCover currently, but you are talking to current staff?

Mr POORTER — Yes.

Ms CROZIER — And they still talking with you on a regular basis? Are they coming to you for — —

Mr GRAY — Relatively speaking, yes.

Ms CROZIER — You mentioned that support or lack of.

Mr GRAY — There is no support from the union. I suppose it is about trying to make a situation better. So when there is no support from the union and the union is not actively pursuing anything — I mean 15 guys escape and the union does not say or do anything. Staff are repeatedly assaulted. We had a staff member go to Bendigo Hospital the other week after having been assaulted. There was a female assaulted last week with a deodorant thing in a sock, yet the union has not done anything. It still fails to act. So they come to us. At least we can sit there and leak it to the media or take it to the radio or — —

Mr COLMAN — The one thing why they come to us is that they have someone to listen and debrief.

Ms CROZIER — So they are wanting to speak with you to get the actual situation out into the public domain without identifying — —

Mr GRAY — Primarily because they are scared — without identifying themselves.

Ms CROZIER — Without identifying themselves. So that is a concern, that they feel so intimidated by the current process and what is happening. But how long has that been going on for? Has it escalated in recent weeks, months, years?

Mr GRAY — Well, most of the staff have left or the majority of the permanent DHHS staff are not there anymore. There is a significant number that are — —

Ms CROZIER — You said 18 DHHS permanent staff?

Mr GRAY — That was the last time that I talked to one of the staff that was on centre, and he was recalling that it was 18 and 18 casuals. So I believe that that has now changed, but I do not know what the numbers are.

Ms SPRINGLE — So when was that? That was as of?

Mr GRAY — Probably about a month or a month and a half ago.

Ms CROZIER — Okay, and that would be either in Malmsbury or Parkville?

Mr GRAY — At Malmsbury.

Ms CROZIER — At Malmsbury. And that a complement of normally 80 staff, I think you mentioned, would be required to look after a situation? Now we have got — —

Mr GRAY — Effectively 50 agency staff on centre.

Ms CROZIER — Fifty agency staff with very little experience.

Mr GRAY — Three weeks training and 6 months experience is the maximum.

Ms CROZIER — Where are the agency staff coming from?

Mr GRAY — No idea.

Mr COLMAN — Most of them come from the Dandenong area, where the recruitment office — —

Ms CROZIER — Not location. I mean in terms of their skills and abilities.

Mr POORTER — They are Islanders. Most of them are Islanders.

Mr GRAY — I do not know. It is a contract and employment agency, I believe. Management set up a house in Malmsbury for them to stay in because we cannot get anybody in the local area willing to work at Malmsbury. DHHS I believe were trying to canvass within 100 kilometres of Malmsbury. I think that most of the local people within 100 kilometres of Malmsbury are very aware of how frightful a place it is to work and probably would be not be likely to put their hand up for it.

Ms CROZIER — So the government did advertise, not long ago, about becoming a youth justice worker and saying those skills required. We have seen, as you have said Mr Colman, the mass escape that occurred just a few months ago and the ongoing assaults and incidents that have occurred — very significant — and yet — —

Mr GRAY — And ongoing and still occurring.

Ms CROZIER — And yet, as you said, 50 plus agency staff with no skills to handle what is sometimes a very complex set of circumstances. So what I am trying to understand is: how do those 18 permanent staff — or thereabouts — feel? Do they feel secure knowing that there are 50-plus agency staff there? What are they saying to you? If they are not getting support from the union, if they are not getting support from management or anywhere else, what are they saying to you about their safety and concerns in relation to those relatively inexperienced workers?

Mr GRAY — From what I understand of the agency staff, it is all care, no responsibility.

Ms CROZIER — What do you mean by that?

Mr GRAY — In that the DHHS staff are still carrying the majority of the load, and the agency staff are literally just bodies in there to assist and that is about it.

Ms CROZIER — So the staff turnover, what are the numbers that are on WorkCover, stress leave, sick leave or any other leave, and how many have left the system in the last two years do you think?

Mr GRAY — It would be horrendous.

Ms CROZIER — What do you mean by ‘horrendous’?

Mr GRAY — It would be huge. I could not fathom the numbers.

Mr COLMAN — You are probably looking at over 60 per cent.

Ms CROZIER — That have left the system in the last — —

Mr COLMAN — Two or three years.

Mr GRAY — Or are on WorkCover ongoing, and we are still in touch with a number of them.

Mr COLMAN — Some people are still suffering. They are on medication.

Mr GRAY — A lot of them will not go back into the system. They are not even remotely in a place where they could. It is not possible for them to go back into the system. They are just not in the right place to even contemplate it.

Ms CROZIER — Do they have any counselling after any assaults that have taken place?

Mr GRAY — Not that I am aware of, no.

Mr COLMAN — As I said, I was injured on 14 July. There was nothing offered to me.

Ms CROZIER — There is a responsibility within the department, and the government has a responsibility to provide — —

Mr GRAY — Most of the people that we talk to that are on WorkCover, basically I think they feel like they have been forgotten by the system, especially when it gets to the point that it gets taken over by the insurance agencies. The insurance agencies do whatever they can in order to get them off WorkCover, and there is an element where I think that most of the people on WorkCover that I have spoken to feel like they are being treated like criminals because they are holding up the system or they are doing something wrong.

Ms CROZIER — I know others have got questions, so I will just have one last one. Has the minister spoken to the staff at all?

Mr GRAY — Not that I am aware of.

Mr POORTER — Not that I am aware of either. But that said, about the agency staff, they earn in some cases probably more than some of the actual permanent staff there, yet at the end of the day they just wander out the door and the staff who are permanent have to now fill in all the CRIS notes and do all of the other work, and that has caused a kerfuffle with people saying, ‘How is it they get paid more? They just sit around and do nothing all day. They don’t challenge any of the clients’. A lot of the agency staff will not challenge clients, because of course it will mean a confrontation, so they are not there for that: ‘We’re only here as agency staff’.

Like I said, at the end of the day there was a lot of conflict amongst permanent staff believing that if agency staff are getting paid more, they should be the ones sitting on the computer doing these reports as well. But they are not, so suddenly if you have only got one permanent in the unit out of six staff, you get to do all 20 of them on your own, and you have got to do the reports to the parole board. Like I said, there was a lot of discontentment among staff along those lines, and like I said, agency staff rarely challenge. And the staff that are coming in are all Islanders, and lo and behold if half of them do not know half the clients because they are all from — —

Ms CROZIER — They what?

Mr POORTER — They know the clients by their first names, because they are actually coming from the same areas, and they are actually related in some cases. It was staff that were supposed to be bringing in — and we cannot prove it — information from outside gang members and passing it on to clients within the centre.

Ms CROZIER — Why do you say that if you cannot prove it?

Mr POORTER — Because at one stage they actually had a woman that they were going to sack over it, and that was the allegation against her. But once again we are not privy — we do not go into the big office and listen to what actually occurs, so we can only go by what we hear, and that was the situation.

The CHAIR — I just have a question about absenteeism. We have heard through other hearings that there is a lot of absenteeism, that people phone in sick or similar, then that creates flow-on effects with coverage and then lockdown because of staff shortages. I just want to test that with you. Is that your observation or experience?

Mr GRAY — Yes.

Mr COLMAN — On more than one occasion I would say in my time, since Lanyon came in, I would walk into the unit — I was the unit supervisor — at 7.30 or 8.00 and I would have no morning staff, and the night staff would be staying back out of concern.

The CHAIR — How many should be on a shift?

Mr COLMAN — There should be six on a shift. It was usually two in the morning, and you would walk in and there would be no-one there. It would then be trying to get onto the roster system to try to fill the shift, and at the same time you would be talking to staff and to get them in you would literally try to offer them what they wanted.

The CHAIR — What would that be?

Mr COLMAN — Some staff would not come in for a 6-hour shift. It is just not worth it for them, coming from Bendigo. So you would say, ‘Okay, I’ll give you the 10-hour shift’. I would just need staff on the floor, because it is safe. Safe for me.

Mr GRAY — Also it became painfully apparent at one stage there that they were not backfilling staff who were sick, so you would have units that were running with three staff.

Mr COLMAN — Even if you were down on staff, you still had to perform the same functions. It got to the stage where it was more important to tick and flick paperwork than it was to deal with clients.

Mr GRAY — The clients were outweighed.

Mr COLMAN — Before Lanyon we had to have a rapport with the client, and we usually gave ourselves seven days to get to know the client as they came into the unit, to try to figure out where they are. As they come out of admissions they come into an open site, which is how an open site works. We gave ourselves seven days to try to work it out. In my case I never read a client’s file for what they did. There were no judgements there. They came in. It could be a rapist, it could be a murderer. It did not matter; it was them.

Now you do not get that. There is nothing, and as I said, I would come in some days and I would not have any staff. And you would turn around to the manager — ‘I’ve got a meeting’, and he would leave the unit. You would be left on your own with 20 kids until you got staff in. You know, no care.

The CHAIR — So where does lockdown fit into this?

Mr GRAY — That is fairly recent.

Mr COLMAN — What we used to do — and it was not so much lockdown, especially in the morning — was not wake them up, keep them in bed. Because there was probably myself on the floor, possibly a manager, but do not wake them up. One person, 20 kids — you cannot do it. Get them out to programs, education, which is a farce. It just cannot be done. Then you are expected to check rooms, check intercoms, get them out to the programs. It is not possible. Then the finger came onto you. It became a competition across the site and within units.

The CHAIR — At Malmsbury?

Mr COLMAN — At Malmsbury. Thirty days. We ticked everything, we matched everything. ‘You only did 25’, ‘You only did 21’. Managers would come to you — ‘How come that wasn’t done?’. No staff.

The CHAIR — So in terms of ‘Not lockdown, but not waking people up and getting them out of their cells’, and in terms of the compliance regime that you have talked about, how is that recorded in the system? I assume it is not recorded as a lockdown or as solitary confinement or whatever.

Mr GRAY — It would not have been at that time.

Mr COLMAN — It is not recorded at all.

Mr GRAY — I think lockdowns have been implemented in recent times because they do not have the staff.

Ms CROZIER — How recent?

Mr GRAY — I would say the last six months.

Mr POORTER — Six to eight months, yes.

The CHAIR — But the scenario you are talking about, where people just stay in their cells and do not come out — is that not captured anywhere? Is that what you are saying?

Mr POORTER — No, but the inmate is free to walk out the door. There are no locks on the doors.

The CHAIR — All right.

Mr COLMAN — The only time it is captured is at the end of the month when it is seen by management and the director that we have only had 20 days of complete ticks. They were more interested in ticks and flicks, rather than what we did with the clients. There was no rapport with the clients.

Mr GRAY — The focus was not a client focus.

Mr COLMAN — Back in the day we could actually sit down with clients. We made time to sit down with clients. We spoke to them. Initially when they came in, ‘Can you tell me what happened before the crime — what you did? Can you tell me why you did that? What happened afterwards?’, you know, just to try to figure out where they were and what they were doing. Some clients you could not even have a conversation because they were high. It was just kind of like, ‘Forget it’.

The CHAIR — Just one follow-up: you talked about lockdown happening more often in the last six months, if I heard correctly. There are policies about when that is meant to happen and why and the sorts of actions that need to be undertaken when lockdown happens. Are they observed? Do people actually do them?

Mr POORTER — We have a procedure manual, but at the end of the day the procedure manual works when management want it to work, and at the end of the day it is overlooked if it has to be overlooked. Like I said, it is on the discretion of management. So if they decide they are going to lock down the unit, normally if you are to lock someone down for more than an hour, you require permission from the CEO to continue with that, then after 2 hours or whatever it might be, they go to the director and he has to then okay that.

But like I said, once you have got rid of 60 per cent of your permanent workforce who did turn up for work — because of all of these problems that are now occurring, all these riots, all these assaults, which occurred on Ian Lanyon’s watch. He is the one who instigated it. He wanted to get rid of us deadwood and replace us with diploma-carrying university students who were going to be far better at their job. Well, most of them do not last more than two months before they are gone, so at the end of the day the simple fact is it all comes back to that one person and his senior management crew. They would all say, ‘Yes, yes, yes’, because they were all frightened to say, ‘No. I don’t think that’s a good idea, Ian’.

At the end of the day they know that if they go against him, that will be the door. Just like the 60 per cent of the permanent workforce that were shoved out the door for the most minor incidents, like I said, and replaced with his diploma-carrying people who then all left. Then he had to bring in agency staff who do not care, because at the end of the day they are making their \$29 an hour: ‘Let’s do this as easily as possible. I’m not going to challenge it. I’m not going to say to a kid who’s smashing a window, “Hey, maybe you shouldn’t be doing that, lad”’. None of that is done.

Mr GRAY — There is no accountability, though, either. We know many examples of where information has been emailed or passed forward to upper management in relation to a number of fairly serious situations. I do not want to go too much further into it, because it would jeopardise the staff member in question's job, but if management were held accountable and acted upon some of these things, then some of the riotous situations and escapes potentially would not have happened.

Ms SPRINGLE — I have two questions, mainly following up from some of what you have said. One is a question around the people you are representing. Am I right in saying that they are not members of the union?

Mr GRAY — A lot of people have resigned from the union.

Ms SPRINGLE — For what reason?

Mr POORTER — Because the union will not do anything.

Mr GRAY — Particularly from Malmsbury there have been a number of resignations from the union that we are aware of.

Mr COLMAN — Because a lot of people have gone to the union, and — lack of action, nothing.

The CHAIR — Why is that?

Mr COLMAN — I had an incident — and not just me, this is going back a few years. I was searched by the dog squad on a Saturday morning.

Ms SPRINGLE — On site?

Mr COLMAN — On site. The Children and Young Persons Act at the time said searches were only to be conducted on incarcerated people. I had not been charged with anything, and I was searched. Not just me, it was approximately eight others.

The CHAIR — Sorry, when was this?

Mr COLMAN — This was back in 2011. I rang the union. I wrote an email to Ian Lanyon raising concerns and also telling him, 'When I go to work, I wear the trousers I have had on from the previous day. When I am on site I could be exposed to anything'. It could be any drugs or whatever, so a dog is going to pick it up. It does not mean I take drugs. I have never taken drugs in my life; however, I was searched. I went to the union — nothing. Three years down the track, finally I got to see a lawyer. The lawyer just laughed at me — 'It's too far gone. Do you really want to pursue this?'.

Two weeks after the search was done Ted Baillieu was out on the Parliament steps saying, 'The Children and Young Persons Act has been changed. Now we can search anybody and everybody who comes on site'.

Mr GRAY — It was retrospective.

Mr COLMAN — Why was that? No visitor has been searched, as far as I am aware. Visitors do bring in drugs. It is on camera. I was made aware we had a client in the ISA, which is the intensive supervision annex, waiting to pass drugs. Staff were then directed to go through his faecal matter to find the drugs. There was no protective clothing, nothing.

The CHAIR — When was that?

Mr COLMAN — How long ago? About three or four years ago?

Mr GRAY — It was about 2012 — 2012-ish. Apart from the fact that the client had informed management that he was being brought under pressure by his peers to bring drugs in. Even though he had done that and management knew that he was under pressure, they still failed to act, and he was put in a situation where he felt he did not have any choice but to bring drugs in. He was also intellectually disabled as well, to make it worse.

Ms CROZIER — Does it still happen now?

Mr COLMAN — I have got no doubt.

Mr GRAY — Yes, I imagine so.

Mr COLMAN — The client's parents were phoned up and told that they were not allowed to come back into the centre for I think it was three months. The parents then turned around and said, 'We're going to our local member. You can't do that'. What I was told by the client himself, he said the parents were told then: 'That's okay. We are passing on the drugs and the camera — the CCTV footage — to the local police. Don't worry about it. We'll set the three-month ban. Drugs never get on centre'. That is how non-transparent and heinous this system is at this point in time. No offence, but the legislators, the people implementing it, have got this idea that there are no drugs in juvenile justice and that there are no drugs in prisons. There are, and there always will be. You have to open your eyes to that fact. They do get in, and they get in in the most crazy ways. There are drugs in Malmsbury and Parkville.

Ms SPRINGLE — Moving on from that, you have talked about the shift from a more relationship-based practice within the centres to something that is less than that. Is that largely due to the staff issues, or has there been a concerted shift in policy in terms of — —

Mr GRAY — I think it has been a regime change implemented by Ian Lanyon.

Mr POORTER — In policy.

Ms SPRINGLE — Does that mean that you have been actively encouraged not to form relationships with the children?

Mr POORTER — Twenty years ago when I arrived at Malmsbury, like I said, I had never worked in the industry. I used to do placement for Malmsbury and Parkville through my workshops. When I first arrived, we had what was known as a leave program. After a certain amount of time of your sentence being up, you were allowed to go for a day leave to your family home. They would take you out, and one of the workers would go with you and sit in the lounge room and drink coffee and eat sandwiches. It was good. Then, if they were successful, it would become an overnight leave. Around Christmas time half our clients would actually leave the centre. It was great. We had a different type of system.

On the weekends if the boys had behaved all week, staff would do leave passes. We would take them for a barbecue. We would go up to Hanging Rock and spend the day. We formed relationships with kids. I still get phone calls from kids who phone me every Christmas to thank me for what I did and for getting them on the straight and narrow.

Then of course we had an incident where a staff member took a client on a leave and decided it was Melbourne Cup Day: 'Behave yourself. I'm going to just sneak down and throw my bet on', and the next thing the kid was in the main street of Dandenong, I believe, with a samurai sword, which went to the press. Suddenly the leave program abruptly ended and so did taking clients off centre for barbecues on weekends for good behaviour.

Ms SPRINGLE — Because of the one incident?

Mr POORTER — Yes, because, like I said, it made the front page of the *Herald Sun*, which was a no-no for the minister, so everything changed.

Ms SPRINGLE — Who was the minister at the time?

Mr POORTER — I have got no idea. It was too long ago. But like I said, everything changed. Suddenly there were no leave programs. Our leave program now consists of us taking them down to the local bakery at Malmsbury and buying them a cup of coffee and a piece of cake. They eat the piece of cake, drink the cup of coffee and we take them back to the centre. That is the leave program. That was highly successful.

We have actually run out of things that we can do with the boys to break down the barriers with them. Before the non-smoking ban, you would give a kid who had run out of smokes a smoke from your packet and say, 'Here you go mate. I feel sorry for you', and suddenly this kid was divulging all the information on the centre: 'This kid's picking on this kid, and this is about to happen'. We have nothing to work with kids with anymore.

Basically we are so run off our feet because there are hardly any staff at the centre that most units are understaffed — —

Ms SPRINGLE — So it is a combination of the staffing and the more restrictive policy environment.

Mr POORTER — Yes.

Mr COLMAN — One area that Eddy has not touched on is that we used to go down to the kitchens and have meals with the clients. The meals were provided. We would sit down with the clients, and it was like having Sunday roast with your family. You would sit down, and you would have a chat. Some clients did not want to know you. They would move. Other clients would come in and sit down, and we would talk. During that talk you would find out what was going on in the unit. Some clients had no idea what they were saying; it was just open banter conversation. That is where we would get our intel from. But the thing was that there was no way in the world that we would go back to the unit and pull clients in and say, ‘Eddy’s just told me this about you’. It was, ‘We’ve got the information. Let’s start watching’, and we would start targeting clients, different clients.

Ms SYMES — Thank you, gentlemen. A lot of what you have given evidence on today is in relation to what you hear from others. In response to Ms Crozier’s question about whether the minister had visited, we visited in March as a committee. I told the minister we were going, and she said she had just been there talking to the staff a couple of weeks before in February. So I am just pointing out that sometimes we do not hear everything, potentially. You have told us a lot about staff over a long period of time, about their thoughts and about lots of people who have left, but are new staff speaking to you as well? I think there has been recruitment of about 150 since September or something like that. Do new people come to you as well, or just existing — —

Mr POORTER — We do not know the new staff because we have been away for far too long now. We are getting the older staff phoning us who still remember us and know of us. I will not lie to you — just recently we have had a number of new staff who have attended to speak with someone about their issues, but not a large number of them. Most of them are far too scared to come anywhere — —

Mr GRAY — Can I ask, out of the 100 or so that were employed, how many of them are still there? Do you have numbers as to how many have actually maintained and stayed with that lot that was taken on? On a historical basis I can tell you now that most of the time if they start with 80, by the time they get to the end there are probably about 15.

Ms SYMES — On that, putting in context the experiences that you have had with the leave, taking clients out and things like that, we are hearing a lot of evidence from people about a changing cohort of young offender. In 2017–18 what type of youth justice worker do you think the system needs? Were there many women in the system when you were talking about the leave? I know you have referred to Islanders, and I get the feeling you are not too impressed with the people that are being recruited. Who should be employed as a youth justice worker?

Mr POORTER — Someone with a personality to start with, because personality means everything. It is the way you engage the client, how you spin a joke to him. At the end of the day telling maybe an inappropriate joke makes you a living legend with some of the clients. At the end of the day they have a great laugh and stuff like that, and they actually get a rapport with the workers. But seeing people with no personality at all arriving who even on their happiest days sound like they are depressed, you need someone with a bit of personality and a bit of joviality.

Mr COLMAN — I would say someone probably in their 30s onwards. Someone who has lived a little bit of a life and who knows — —

Mr GRAY — You need the life experience behind you rather than someone that has come straight out of university and is not quite aware of themselves yet. I suppose that probably is not the person you need to have in there.

Mr POORTER — Like I said, it comes down to personality. You need a worker who can walk up to someone, be jovial and actually get the kid to open up simply because the kid deems him to be a good bloke.

Ms SYMES — What should be the driving motivation for someone to go into this career?

Mr POORTER — Not at the moment. You cannot even find any workers to want to work in the system — —

Mr COLMAN — Wants to make a difference.

Mr POORTER — At the end of the day most people only attend on the basis that it is going to pay the bills until something better comes along, because it is a far too dangerous system to work in. WorkSafe itself has pinged the place twice because they are worried someone is going to get killed there. That is how bad it is, and who is responsible for it? Once again I could mention the name for you.

Mr GRAY — If it was a building site, it would have been shut and the company would have been fined, but because it is a government agency it is not going to happen.

Mr COLMAN — Just recently we had a female who was assaulted. DHHS came out and it came across as though she was not assaulted as such but that she had stepped in to try to break up a fight. If somebody hits you, even when you are stepping in, that is an assault. Let us not try to break it down and think, 'She just stepped in'. More importantly for me, it was not a male; it was a young man hitting a female. We are going on at the moment about domestic violence, and yet here we have a spokesman saying, 'She stepped in'. It is the violence. This is what they are putting up with every day, not just females — females, males, violence. These kids: that is all they know at the moment.

Ms CROZIER — Can I jump in there and just ask you what sort of assaults and violence the staff are being subjected to and especially those women workers who are being subjected to assaults and other things?

Mr COLMAN — They are getting verbal — —

Ms CROZIER — What sort of verbal assaults though?

Mr COLMAN — You are getting threats, you are getting called names. I mean, not just names, despicable names. You are getting threats to your families.

Ms CROZIER — In what way threats to the families?

Mr COLMAN — 'I know where you live', 'I've got mates on the outside'.

Ms CROZIER — So what happens at that point? I mean they are very serious — —

Mr COLMAN — Nothing happens.

Mr GRAY — Not very much.

Mr POORTER — Can I go back over my experience which put me out on WorkCover? Do you mind?

Ms CROZIER — I am sorry. I just cut in.

The CHAIR — Shall we deal with this and then go straight to Mr Mulino? So continue.

Mr POORTER — In 2010 a young client returned to Malmsbury with whom I had had a really good rapport. He actually called me Uncle Eddy. We had a really, really good rapport. He returned to say that he had tried to discover where I lived, because he liked me so much that he wanted to knock on my door and ask me out for a beer, but he had lost his motivation because he had been sitting outside my house for 2 hours smoking bongs. So when he returned after breaching his parole he came to me and sat beside us and said, 'Eddy, I know where you live, mate'. I said to him, 'I'm sure you do'. Then he described my house perfectly to me, and I thought, 'That's a bit of a worry', because he had described it perfectly. So I was a bit concerned along those lines.

Two days later, after an incident we had to slot that young man. He then started making threats towards myself, my wife and my daughter. I do not know exactly what I am allowed to say in front of this, but he threatened to rob my house. Then he was going to f* my daughter up the backside while I got to watch him. Then he was going to do the same with my wife, then he was going to slit their throats in front of me because I had slotted

him. They sent me home that night because I was pretty distraught after that. I became very closed up after that year. My marriage broke up because I had become very sulky and stuff like that.

In January of the following year after my wife had just left me my house gets robbed. I phone the police, because they leave a lovely piece of paper asking if you have any concerns or maybe any idea of who might have done it, so I phoned the police at Bacchus Marsh and said, 'Right. This kid has made a threat towards me and my family and threatened to rob my place'. I said his first name; the policeman finished with the second name. That concerned me. He said, 'We'll send someone around later on to do some fingerprinting'. They believed it was him as well, but they could not prove it, so they could not get a piece of paper to go search his house.

Three months later at 3 o'clock in the morning I had four boys with baseball bats turn up at my front door and try to kick my front door down. Now, five months after that I finally had a nervous breakdown and went out on stress leave. This is what has caused my dismissal and all that sort of stuff, but it has never been the fact that they robbed my house. It has always been the case that, if my daughter had turned up 5 minutes earlier than she did that night, she might have walked in on that young man with his mates robbing my house, and would he have acted upon what he said he was going to do to her? And I have never got over it. At the end of the day I have always struggled with it.

I believe I can return to work and all that sort of stuff, but the support I got from management was to find, 'There you are saying the f-word, Ed. Sorry, mate. You're out the door after 20 years of service'. And that is the thanks I got for all the assaults, all the spitting in the face, the verbal abuses and that was my thanks from DHHS for all that hard work that I did, and it destroyed me and still continues to destroy me.

That is why I said, if all the people that we have met who are destroyed because of what this department has done to them and — I do not know what it is called — the post-traumatic stress or whatever it is, I think that is what most of our people work with because we have to turn up, and it is such a violent situation that we do not know whether we are going to walk out that night alive, and what has our management crew done? Nothing. They pull the big money, but not one of them has done anything to assist us.

Then you have the people that run WorkCover at Malmsbury and Parkville. The bloke at Parkville is called the smiling assassin by the workforce there. Why? Because he smiles at your face while he is telling you he is going to do everything to make sure you are looked after, but at the same time he is trying to find a way to knife you to get you off his books. That is the shit that we have to go through on a daily basis as youth officers. It is crap.

The CHAIR — Mr Poorter, when exactly did you leave?

Mr POORTER — I was forced to resign in June of last year.

The CHAIR — June of last year?

Mr POORTER — I think it was June; it might have been May. I am not sure. Time means nothing to me these days. I just sit at home.

Mr MULINO — Thanks for giving evidence today. I can imagine some of the evidence has been pretty difficult to give. You have made a lot of commentary about things that have not gone well in the past, and some of it stretches back. We know from a lot of witnesses that some of the trends we are facing have been evolving for a long time. It is a very complicated situation, and we are also trying to figure out ways forward. One issue that has come up a lot from all three of you is you feel as though Ian Lanyon, I know, has had an impact. Do you feel that having some change in senior management is an opportunity on some fronts to move forward?

Mr GRAY — What change in senior management?

Mr MULINO — In that Ian Lanyon is not there.

Mr POORTER — He has been moved sideways. It does not go well with the workers at Malmsbury to hear that the person who has destroyed juvenile justice after 60 or 70 years and has done it all based on what he decided we were going to do — which has all been a complete failure — instead of losing his job has just been moved sideways and still gets the big fancy pay packet. I do not feel really encouraged by that. He is responsible for it.

Mr GRAY — The other CEO gets a transfer to Parks.

Mr POORTER — That is right, to parks and gardens. Come on! At the end of the day, if you do a bad job in private enterprise, there is the door, thank you very much and off you go. He has done the worst possible job that could possibly have been expected of him, yet he was going to change it and make it into himself and all this sort of stuff. Well, he has failed, and at the end of the day his failure should see him be forced out the door, and everyone at Malmsbury would have a parade, I would suggest to you, because that is the way everyone feels about it.

We are sick of being the ones who get sacked over management decisions because they have got no experience in the actual field. He was never at Malmsbury or Parkville previously. He has never worked in the system. He comes from a police background, which is totally different to juvenile justice. So at the end of the day, like I said, he is the one who has decided to change everything, and like I said, what do you think is going to happen if you get rid of 60 per cent of your workforce? Why don't we get rid of 60 per cent of the army and just send people off the streets over to Afghanistan. None of them have got the experience; none of them would be able to do the job. That is exactly what has occurred here. He actually got rid of all the experienced staff and replaced them with his new casuals, and at the end of the day none of them know how to do the job.

We never had any of these problems before. He turned up. I am not saying it was perfect at Malmsbury or Parkville. It never was, never has been. You put 20 young kids all with a bit of testosterone in their system in the same unit under the one roof, and you are always going to have a few problems, but we never had problems to the extent that we have at the present stage, and he is responsible for it. Yet instead of him losing his job, he is moved sideways and he is still pulling his \$250 000. I am sorry, but I do not feel comfortable about that. I lose my job because I dropped the f-word. Half a tick, he walks into a big managers meeting and calls them all f'n c's 'and if any of youse go to the press'. Half a tick, why doesn't he lose his job? Oh no, because he is management. It is bull crap.

And all the other senior managers up at Malmsbury were all being yes-men. How can they possibly be holding down their positions, because they are not capable of doing the job? They would not stand up for their workers. That is why you have got all these mental health issues with all these workers, because management would not stand up and say, 'Sorry, mate. This is going to cause major problems', because they all wanted to keep their big perky jobs with their big salary packages. Bull shit, mate.

Mr MULINO — Just in relation to turnover, I think there has been reference to the fact that there has been new people hired since September, and we will look into the retention rate within that cohort obviously. But I am just interested in your views on what you think the presence of corrections staff in the system has done. Do you think that has — —

Mr GRAY — From what I have heard there is not very much in the way of a presence with corrections staff.

Mr COLMAN — They were not even in the unit when the last riot went down. They were not there. They were not there when the young lady was assaulted. Where were they? Where was the CERT team? There are cameras. Again it is Lanyon. Lanyon created this CERT team. Lanyon created this environment for the cameras. All of a sudden there is nothing. People are still getting hurt. He came in, he brought in uniforms. Personally, great, because on some days when you were looking at clients and staff you could not tell who was who. But he brought in uniforms. What colour did he bring in? Blue.

Mr POORTER — Police uniforms.

Mr COLMAN — What colour are the police? Blue. What are we? All of a sudden we are not a kind of friend; we are wearing a blue uniform. All the clients saw that, and I was told, 'You look like dogs'. What? 'You're dogs. That's all you are now. You've got the blue on'. How can you form a relationship like we have had? It happened within days. As soon as we wore that blue, the relationships started to fall apart.

Mr GRAY — I am not sure whether it is juvenile justice or corrections or whatever fancy name they come up with next, the problem is still the same and we will still eat the same, particularly whilst you have got the same management running it.

Mr POORTER — That is right.

Mr MULINO — Just a last question. You have referred to assaults having happened, as have other witnesses. There have been some recent measures to try and increase the consequences for assaults on staff, and I know that is not going to be a total solution — it is a very multifaceted issue that we are facing here — but do you think that is a step forward?

Mr POORTER — Can I tell you what I was told by a person who worked down at Parkville? This was actually from Lanyon's mouth to him: 'We're going to increase their pay', he said to this bloke. 'We're going to give them an actual pay increase, and that way they'll think more about assaulting someone because they'll be getting more pay and they won't want to lose that pay. So there's the motivation'. I can tell you when a kid is going off his 3KZ, me telling him, 'Nay, mate', because at the moment it is a 45-cent fine if he assaults me and breaks my jaw. There you go. Jeez, that is a real worry, isn't it? At the end of the day, do you think some kid is going to pull up on the basis that I am about to tell him, 'You're about to lose your 45 cents if you don't pull up, mate', when he is off his 3KZ? I don't think so, buddy.

Mr MULINO — I am sure 45 cents will not do much.

Mr POORTER — Exactly, but that is what we work on, because that is our behaviour management.

Mr MULINO — My understanding is it is going to be increased time served.

Mr POORTER — I have never seen or been made aware of a kid charged at Malmsbury in my time.

Mr GRAY — Is what you are talking about something that has just occurred very recently?

Mr MULINO — Yes, it is just in the pipeline now.

Ms SPRINGLE — It is about to. It has just hit the Parliament now.

Mr MULINO — It is trying to strengthen — —

Mr GRAY — I do not know. Something is better than nothing.

Mr COLMAN — Personally, if a client assaults a staff member, he should not be there.

Mr POORTER — That is right.

Mr COLMAN — He has lost his time.

Mr POORTER — It is a juvenile facility, and it is designed for juveniles who want to change the way that they operate. So at the end of the day, if you are too violent for the system, you need to be transferred out of there, and that is how it used to work and that is how it used to run. We never had the riots and we never had any of this, but senior management decided we now have to save every kid. He comes in, he is from a bad background, so at the end of the day we will endeavour to work with him. We will bring in two staff to sit on either side of him to make sure he gets through the day without assaulting anyone else. But at the end of the day, like I said, back in the old days you just phoned the police. They would turn up. The bloke was handcuffed and taken to prison. All over the centre that was all that was talked about, 'Did you know that such and such? Why? Because he did this'. There were no major assaults. I am not saying there was not, but nothing — —

Mr GRAY — Not like it is now.

Mr POORTER — Not like it is now. But we have now got to the stage where we have got to keep this kid for whatever reason. He assaults 10 staff members and five clients. He is still there, so how do you think the staff feel being the punching bags of these young crims? Because that is what they are, yet we have to call them clients. I believe a client is someone who pays for my services. At the end of the day, they are not clients to me, they are prisoners. Maybe it is time we actually started calling a spade a spade.

Mr GRAY — Malmsbury initially was very much about rehabilitation, offering trade courses and that type of thing. I think it is very much shifted from that to a prison. There probably needs to be a decision made as to whether it is going to be a prison or it is going to be a little bit rehabilitation.

Mr COLMAN — You see, the education system in Malmsbury is a joke.

The CHAIR — We are very close to time. I know Ms Crozier has another question or two.

Ms CROZIER — Thank you very much again for information that you are providing to the committee. You have been very critical of the management under Ian Lanyon. The minister herself has stuck by the manager for many, many months, or a couple of years actually, where the riots and incidents have increased over the last 12 to 18 months. Do you think there needs to be some responsibility from higher up than just that management side?

Mr GRAY — Probably. What of the concerns I have is that when we chat with our colleagues that are on WorkCover or still in the job is that we regularly get asked, ‘What has it got to take?’. Does a staff member or an inmate have to die before the situation is actually dealt with seriously? Everything seems to be very much a solution. There does not seem to be anything particularly — —

Ms CROZIER — The government’s decisions?

Mr GRAY — Yes. There does not seem to be anything particularly concrete. ‘Oh, we’ve handed it to corrections’. They put some corrections staff in their briefly, and then all of a sudden it is, ‘Oh, look. It’s okay now’, but the assaults are still occurring.

Ms CROZIER — They are. He has gone, and they are still happening.

Mr GRAY — Nothing has changed. You can change the name of the organisation, but there are still problems. I am curious, as are a lot of my colleagues, about what it is going to take. Is it going to take an inmate or a staff member dying before this is actually taken seriously?

Ms CROZIER — By the government and the minister? She says they are taking it seriously.

Mr POORTER — That is just for the cameras, because at the end of the day she has never shown any interest previously. As soon as the media got hold of it, suddenly she was out there front and centre, in front of the cameras — —

Ms CROZIER — Why has management not fed it through to the government — the minister’s department? Why did that not occur?

Mr POORTER — Sorry, this is a real big conspiracy theory, but it is a theory that a lot of people have asked. How is it that after probably the worst publicity that juvenile justice has ever gone through, with television, radio, front-page news, she continues to support him? Most ministers would have got rid of the problem really quick, because it was bad publicity and bad publicity means you do not win elections. So at the end of the day, you get rid of them. But, no, not this one. ‘We’ll just move him sideways, and we’ll keep paying him his \$250 000’. Why? Maybe they got together and decided that it would be cheaper for them to run just a juvenile justice system.

Ms SPRINGLE — Can I just follow up on what you were saying just a moment ago, which is around the government taking it seriously. What does that mean to you? What would they need to do?

Ms CROZIER — What does that look like?

Ms SPRINGLE — Yes. What does that look like to you?

Mr GRAY — This is the question that we are getting asked by staff that we are talking to. I suppose over the time that we have been doing this, this is a question that has been regularly asked. I do not know what the solution is or what the answer to that is, but it seems to be odd that it is regularly asked — what is it going to take? Does someone have to die?

Ms SPRINGLE — Because I think what you have said is fair, which is that there are people in the department, people in the Parliament and people across the board saying that they are taking it seriously, so if there is a disparity between what is being said by those people in power and what you are describing to us as people on the ground, what does it take for the two to meet? Because I think it is a really important point.

Mr GRAY — We probably need to be able to talk to those staff in an environment where they are not going to be persecuted or sacked for what they are going to say.

Ms SPRINGLE — So you are suggesting that consultation of staff on the ground needs to be had in a more meaningful way.

Mr GRAY — Probably in a situation where they are able to, openly and honestly.

Ms CROZIER — Would they talk to the committee in camera — in private? They will not talk to us.

Mr POORTER — No.

Mr COLMAN — It is called trust.

Mr POORTER — They will notice. Maybe it will slip out and go onto *Hansard*.

Mr COLMAN — If the department can pinpoint who they were who talked, they would not have a job. They have got bills to pay. They have got mortgages. They have got kids. They have got to put food on the table. They cannot afford to come forward.

Ms SPRINGLE — I do not think there is anyone who would dispute that, but my question is really more getting to a proactive position where we could sit and talk about all of the wrongs that have happened forever, so what I am trying to get out is: what needs to happen from here to fix this?

Mr COLMAN — One of the major things that the staff have said is they need clients to be held accountable. As you were saying before about the assaults, if a client assaults a staff member, they are moved. They are gone. They go to the adult system. It does not matter what happened; they are moved. They are 18 years old. They are old enough to vote. They are old enough to drink. They are old enough to drive a car. They should be old enough to take responsibility.

Ms SPRINGLE — Yes, okay.

Mr GRAY — Previously Malmsbury was a very low-security rehabilitation-type thing. We would not have guys that were going to go in there and cause horrendous amounts of violence or assault staff. If someone went in there and assaulted staff or even their co-clients, it was more than likely that they would be deemed to be unsuitable and they would be sent to prison. I think that is probably 99 per cent of the problem.

Ms SPRINGLE — Which is essentially the intention of a dual-track system.

Mr GRAY — Yes.

Ms SPRINGLE — Okay, thank you.

The CHAIR — I was going to ask a similar question actually, which is: leaving aside the problems that you have described with such passion, what are the things that you would like to see happen that can improve this? There are a couple that have been mentioned there. Are there any other — —

Mr GRAY — I think there would be focus on trade orientation rather than education. The guys that we are dealing with at Malmsbury are 18 to 21. They have done their higher schooling. A lot of them have done apprenticeships. Some of them are at university. They do not need to go back and do an hour and a half of school every day and be taught how to suck eggs when they have done it.

Ms CROZIER — Is trade not happening now?

Mr GRAY — No. It is very limited, I believe.

Ms CROZIER — It was in the past.

Mr POORTER — Previously we had interior decorating, we had bricklaying, carpentry and things of that nature — engineering as well. But now we do computer program, which requires you to have year 12 and then

go on to uni for it. Well, I am sorry, doing it for six months at Malmsbury is not going to get you a job. But at the end of the day the CEO decided to get rid of that type of stuff because she wants to see the boys — —

Mr GRAY — Eighteen to 21-year-old guys need to be actively, positively engaged doing something physical, and whether that be bricklaying, carpentry, whatever it is, it needs to be something that at the end of the day they can walk away from and say, ‘Look, I made this’ or ‘I did this’, and they end up picking up skills that they pick up unbeknownst to them whilst they are doing these things.

Mr POORTER — And these are things like, as I said, as a tradesman you can make better money than some doctors these days. Our boys are motivated by money. Why aren’t we talking about these types of things: ‘Guys, as a carpentry apprentice you can earn this’? But by the end of your trade, let us not lie about it, half those tradesmen actually work on a weekend, doing cash in hand, and make this type of money. That is what will open the eyes of these kids to say: ‘Shit, I can make that sort of money’. Because they laugh at us at the moment. We go into work and do our 40 hours a week, and they laugh at us. They say, ‘I get out of bed for an hour and I make 1300 bucks, mate, selling drugs’.

I do not believe that, to tell you the truth, in a lot of cases. But at the end of it, to motivate a kid by saying, ‘Hey, you know as a plumber you can earn this amount of money, but you do a bit of weekend work for cash in hand for a couple of your mates, and stuff like, you can make this and this buys you the HSV that you want to drive, legally, and you actually own it’. This is how you motivate kids, but at the end of the day we are not allowed to do any of that type of stuff, just in case we say something inappropriate these days, or whatever. We live in a politically correct society.

Mr GRAY — The ones in Malmsbury ran from 9.00 until about 3 o’clock in the afternoon. The education department system now runs for about an hour and a half a day.

Mr COLMAN — The one thing that the system seems to be focused on is education. These kids have already told the system, ‘We don’t want it. At this point in our lives we don’t want to go to school’. They have already said that. So like my colleagues were saying, let us give them trades.

I can remember not just one; I can remember copious amounts of clients who would come out from the TAFE and they had brought back something they had made, the smile on their face — ‘I’ve done that’. You look at them and think, ‘Really, they’ve never done this before?’. But in the meantime, two or three days earlier we were having a discussion with them and they said, ‘I can’t do that’. We had a blacksmithing program running. Kids said, ‘I don’t want to do blacksmithing’, using their terminology, which is a little bit rude. But once they have done it they come back with a poker that they have made — the smile and the achievement. Then they want to take it down to visits to show their parents and say, ‘Look what I made’. And the parents look at them say, ‘You didn’t make that’. The kid says, ‘Yes, I did’. That is the type of thing that we need.

We send kids down to education. I do not even know what program or what method the educators are using, but how can you educate a kid that is playing on the computer, has got headphones in and has got a CD raging in his head? The teacher is up there going, ‘Two and two. Come on, guys — what is two and two?’. The kids say, ‘I’m too busy’.

Ms SPRINGLE — Can I just clarify: are you talking about Parkville College when you say education.

Mr COLMAN — Yes.

Ms SPRINGLE — Okay, thank you.

Mr COLMAN — They go down there. You turn around to the teachers and say, ‘They shouldn’t be using a CD’. They say, ‘Oh, it’s all right, not a problem’ — headphones in. Tell me, what program is that? What method are the teachers using?

The CHAIR — We are pretty much out of time. I just want to ask: is there anything further that any of you would like to say? No? In that case, on behalf of the committee, I would like to thank each of you for coming today, for your time and for what you have shared with us. You will receive a transcript in draft form of what has been said today, for checking, within a few weeks. Thank you very much.

Committee adjourned.