

## WITNESS STATEMENT – SAMUEL CHARLES BAKER

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**Name:** Samuel Charles Baker

**Address:** Ashley School, Ashley Youth Detention Centre

**Occupation:** Principal, Ashley School, Department of Education

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### Background/Introduction

1. This statement is made by me in response to RFS-TAS-102, issued on 28 July 2022 by the President of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (the Commission), The Honourable Marcia Neave AO.
2. My name is Samuel Charles Baker, and I am the current Principal at Ashley School. I have held the role of Principal at Ashley School since March 2022.
3. I graduated from the University of Tasmania in 1999 with a Bachelor of Human Movement. I commenced my career as a Teacher at [REDACTED] in 1999. Since that time I have had various roles as follows: Teacher, Advanced Skill Teacher (AST), Assistant Principal, Program Manager, Acting Principal as well as teaching in South Korea and The United Kingdom. I have worked at [REDACTED] and Ashley School. Being in leadership positions in all schools and an Acting Principal in 3 of those schools.
4. Across Learning Services North I have provided Professional Learning for hundreds of staff in:
  - Restorative Practices
  - Emotional Regulation
  - School Wide Positive Behaviour Support
  - Team Teach
  - Wellbeing
  - Neuro Sequential Modelling in Education

Much of this professional learning is referenced in my attached CV.

### **Q1. Outline the history of the school at the Ashley Youth Detention Centre (School), including when it was established and the purpose for which it was established.**

5. To my knowledge the school was opened around 1999 with two appointed teachers and a teacher assistant. The school aimed to provide an educational provision for young people that were detained at Ashley Youth Detention Centre (AYDC), in line with the Education Act. This educational provision was centered in Literacy, Numeracy and Vocational Education.

### **Q2. Where does the School sit within the organisational structure of Ashley Youth**

**Detention Centre?**

6. The school operates as an educational facility under the Department of Education (DoE) and strictly adheres to the processes, policies and strategic plan of the DoE.
7. The school and its staff work with The Department of Communities and the Department of Health staff to best coordinate educational opportunities, access and engagement for young people on the same basis as their mainstream peers. We try to offer this experience in a calm and predictable environment with reasonable adjustments.
8. The three departments work together to plan the logistics of time tabling, transition, risk management, daily scheduling, behaviour and therapeutic management, wellbeing and site OHS.
9. All Departments provide effective feedback to support quality decision making.

**Q3. Outline the staffing levels at the School during the Relevant Period.**

10. The school is staffed to meet the needs of the student cohort and number of enrolments. Presently, we presently have 6.0 teachers, 1.28 Teacher Assistants, 0.52 EFA and 1.0 School Business Manager.

**Q4. What are the qualifications required of those working at the School? Are there any additional qualifications or training required for teachers at the School compared to schools in other settings? If so, please provide details.**

11. The qualifications are the same as any DoE facility. Teachers require a Bachelor Degree in Education, a current Working With Vulnerable Children Check and to be registered with the Teachers Registration Board of Tasmania.
12. Teachers partake in constant Professional Learning that is tightly aligned to the DoE Strategic Plan and the School Improvement Plan.

**Q5. Is any additional training, supervision or support offered to teachers and staff at the School compared to other schools? If so, please give details including whether the training is mandatory.**

13. All DoE staff working at Ashley School must undertake a mandatory Safety Induction run by an AYDC Safety Officer before their employment start date.
14. The school principal or school business manager also induct DoE staff into the school to ensure they are aware of the specific challenges and difference in the Ashley School setting.
15. Ashley School staff have the opportunity to access onsite EAP meetings with an EAP consultant twice a term to support wellbeing.

**Q6. Are there any policies and procedures that apply to staff employed at the School in relation to child safety and the safeguarding of children beyond those which apply to staff employed in other school settings? Please provide any such policies and procedures. Please also explain how these policies and procedures are applied in practice.**

16. No, there are no additional policies and procedures.

**Q7. Outline any eligibility requirements for detainees to attend the School.**

17. Students attend school seven days after they're remanded and have completed a School Induction delivered by an Ashley School teacher or principal.
18. Young People also need to be well and meet the current COVID protocols.

**Q8. Is school attendance mandatory for all detainees? Please explain your answer.**

19. School attendance is in line with the DoE Attendance Policy and Procedures. There is an expectation students attend school if they're able. If there is a barrier to school we would work with the student, family and AYDC to resolve this.

**Q9. Provide a general overview of the curriculum offered at the School.**

20. Ashley School aims to offer students on the same bias education as their peers in the mainstream setting. Literacy and Numeracy (CORE) form around 30% of the student's classes. The remaining specialist classes include Woodwork, Cooking, Physical Education, Health, Fit Gym (weights and conditioning), Art, Aboriginal Studies and STEM.
21. CORE is heavily differentiated to the individual student and may include VET, TASSC, Vocational Education, functional literacy and numeracy and student-centered inquiry.

**Q10. Provide a general overview of the extra-curricular programs offered at the School.**

22. The school offers no extra-curricular activities offered beyond our school hours.

**Q11. Explain how the School operates within Ashley Youth Detention Centre, including:**

- (a) **how the Department of Education and the Department of Communities work together to ensure children at Ashley Youth Detention Centre are receiving an education;**
  23. The school and its staff work with The Department of Communities and the Department of Health staff to coordinate educational opportunities, access and engagement for young people on the same bias as their mainstream peers in a calm and predictable environment.
  24. The three departments work together to plan the logistics of time tabling, transition, risk management, daily scheduling, behaviour and therapeutic management, wellbeing and onsite OHS.
  25. Communities and Health provide essential information to Education around the student's backgrounds, needs, health conditions, diagnosis, unit behaviour, social connections, wellbeing, hygiene, state of arousals, incident reports and feedback. This helps us make quality decisions in the best interests of the young person.
  26. This information is delivered through weekly and daily scheduled and arranged meeting, verbal communication and emails.
- (b) **any barriers Department of Education Officials may face on a day to day basis in providing an education to children at Ashley Youth Detention Centre;**
  27. There are no more challenges than you would encounter in a mainstream school. The barriers that do exist around engagement, disability and challenging behaviour are managed by high teacher student ratios, adequate resources and budget and support from Communities and Health.

**(c) whether the decision to permit a child to attend the School generally or on a particular day is a decision that lies with Department of Education Officials or Ashley Youth Detention Centre Officials; and**

28. Decisions around school access are generally negotiated and discussed as they occur, between Communities, Health and Education. At times the known and reasonable policies and processes of the AYDC will result in a student not attending a school program. This could be due a risk assessment around safety, to allow regulation, access off site appointments or the student indicating they don't want to attend for a variety of reasons.
29. I believe the communication and decision making is shared and beneficial to the outcomes for all young people and those that work with them.

**(d) any memorandum of understanding or agreement between the Department of Education and the Department of Communities which sets out the roles and responsibilities for each department in relation to the School and how disputes between the departments are to be resolved. If there is no such memorandum of understanding or agreement, how does each department know what their roles and responsibilities are?**

30. As part of my induction as Principal I worked with AYDC management to understand the role and responsibilities of individuals and who I should contact about various requests or communication. This is reinforced through the weekly meetings I attend. The AYDC are also very approachable and will direct you to an individual if you are unsure.
31. I haven't encountered a scenario that has resulted in a dispute or required resolving.

**Q12. Explain how the School contributes to the therapeutic model of care at Ashley Youth Detention Centre?**

32. The school staff are aware and practice positive behaviours supports (PBS) and use the DoE values as their PBS expectations. Staff promote the student behaviours they want to see and acknowledge them intrinsically and extrinsically when they are witnessed. Staff use reward schedules and more formalized celebration of our school values on a weekly and termly occurrence.
33. The school works on the concept of trauma informed practices and aims to provide a calm and predictable environment. Students are given processing time, opportunities to self-regulate and where possible co-regulation to ensure they're regulated.
34. All schoolwork is highly differentiated to meet the students Learning Plan goals and their capacity. We aim to take small learning risks to ensure students aren't dysregulated by the expectations. We have student at the centre planning and negotiated studies and inquiries. Where possible we link schoolwork to student interests and listen to student voice.
35. Every school day has a physical education component to negate the confines of unit life, promote a healthy lifestyle factors, develop social connections, team work and regulation.
36. We provide a highly scheduled and predictable timetable with explicit expectations and learning intentions, so students are always aware of what is required and how to achieve it. We deliberately minimize any surprises or highly stimulating change and make reasonable adjustments for all students to access education and remain regulated.

**Q13. How does the School provide education which caters to children with particular needs, including those from culturally and linguistically diverse backgrounds and those**

### **with disability and/or learning difficulties?**

37. The school adheres to the students learning plan goals and strategies, if the student doesn't have a learning plan we develop one to ensure best practice and consistency in learning delivery. All student learning is highly differentiated, and we have a high ratio of teachers to students. This ensures communication, comprehension and motor skill challenges can be addressed. We use standardize testing to assess students capacity and to inform planning and goal setting. Students are part of the goal setting process and provide us information on high interest areas for us to tap into. As part of the DoE we have access to external supports and advice should we require it. Aboriginal Studies is a subject area and is taught weekly. Aboriginal Educators are part of this program at Ashley.
38. If students from culturally and linguistically diverse backgrounds, students requiring Alternative Augmented Communication (AAC) or any other inhibitor to education where to be enrolled, we would use the DoE resources and experts to supports deliver on the same basis education and learning with reasonable adjustments.

### **The cohort of children attending the School**

#### **Q14. How do the literacy and numeracy skills of children entering Ashley Youth Detention Centre compare to their peers in the community?**

39. This is a very general statement but it is accepted that our students are generally many years behind their peers in the community and have been identified at risk since the Kinder KDC checks and their standardised testing from year 3.

#### **Q15. To the extent that children entering Ashley Youth Detention Centre and attending the School have reduced literacy or numeracy skills, what reasons have been identified for the difference? How does the School identify and address these literacy and numeracy needs?**

40. Research tells us that socioeconomic status greatly impacts language development, reading, our capacity to work numerically and academic success. This attributes to parental distress, increased trauma impacts and a lack of parental involvement in learning. These challenges and a disproportionate number of our students having a diagnosed disability or learning difficulties increases their challenge to engage with education and learning.
41. A scan and assess of students attendance data tells us that students have missed significant amounts of school and have often dropped out of school completely. Students generally leave Ashley School and don't attend their local schools.
42. Ashley School staff use a variety of strategies to support our students to increase their functional literacy and numeracy. As mentioned previously Ashley School staff use the students learning plan, highly differentiated and individualised learning tasks, high ratios of teacher to student ratios collaborative planning and high intensity teaching strategies. These strategies work in collaboration with other environmental focuses to support a calm and predictable for learning.

#### **Q16. To what extent do children attending the School display challenging or extreme behaviours? How does the School respond to and manage those behaviours?**

43. All of our students have demonstrated or regularly demonstrate challenging school behaviours. We employ the strategies and processes listed in Question/Response 12 to

diffuse, avoid and manage many of these behaviours.

44. If the behaviour is escalating to a point where it's impacting the safety of others or themselves teachers will request the student leaves class for a short break or the remainder of the session. This is in line with the DoE policy and procedures. As part of our process, we would always ensure there is a restorative conversation when everyone is regulated.
45. If there is a significant incident due to an extreme behaviour, then DoE and Communities work together to risk manage or adjust the BDP to ensure our students are safe to access school. At times to ensure the safety for all, youth workers may immediately support a student out of the school.

**Q17. Does the School offer education on topics such as respectful relationships, consent, bullying and other subjects relevant to the sexual safety of children? If so, please give details.**

46. Yes, in 2021 the Wellbeing Team provided a Respectful Relationships program. Students have health (subject) weekly. This subject covers areas such as positive risk taking, relationships, positive relationships and sex education. Respect is a constant conversation in our daily way of working and feedback between students and staff.

**Providing education in a custodial setting**

**Q18. Are the education services provided to children in Ashley Youth Detention Centre the same as those provided to children in the community? If not please explain the differences and why those differences exist.**

47. Yes, we aim to provide students with on the same basis education as their peers in the community. This includes subjects, expectations and carnivals. Where we don't provide excursions or after school activities these are provided by AYDC.

**Q19. Does a child's rating under the Ashley Youth Detention Centre behaviour management system (for example, red, orange, green) affect their ability to attend school? Please explain your answer.**

48. Yes, if a student is Red they can't attend woodwork, art or fit gym. They can attend all other subjects. This is a risk assessment based on their current behaviour factors and is outlined in the BDP and known to students and staff. The workshop, art and fit gym due to the availability of equipment that could be used as a weapon can only be accessed by students that are safe and responding well to instruction (orange, yellow and green).
49. If students can't attend, we have alternative work available for them to do in the unit with staff. This is very rarely taken up by students.

**Q20. Does the School use a more trauma informed approach to children who are detained in Ashley Youth Detention Centre, than for children who are at school within the community? Why or why not?**

50. I have recently been working on other DoE sites and Trauma Informed Practices are just the way that DoE, educators and schools work now. Our practices at Ashley School are possibly more explicit and planned for than some schools but not all. Are they adequate? Yes, I feel our staff are well trained and go above and beyond to provide calm and predictable environments.

**Q21. Outline any difficulties Department of Education Officials face when providing education in the custodial setting of Ashley Youth Detention Centre.**

51. Behaviour and learning challenges are significant. For everyone's safety we need to be hyper vigilant to the students state of arousal and intervene quickly and carefully to ensure students remain regulated and calm.
52. Students are incredibly impulsive in their behaviours. Many students are ADHD or ODD and require subtle and familiar reminders, explicit structure and many alternatives in order to be successful.
53. You have to be flexible and adaptable in designing tasks and then using feedback and student responses to make further adjustments.
54. Staff need to be very resilient and look at the function of behaviour in order to maintain wellbeing. The students' social register and impulsive reactions result in many incidents of abuse towards staff and others.
55. Students' casual register is very challenging for some people as they can find swearing aggressive and targeted.

**Q22. The Commission has received information that suggests that as a form of punishment by Ashley Youth Detention Centre Officials, detainees have, from time to time, been "unit bound", which has had the effect of preventing students from attending the School. What is the Department of Education's response to this suggestion? Please explain your answer.**

56. The only time that students don't attend school outside of illness, appointments or for personal reasons is if they're deemed Red on the BDP or if a significant incident has occurred in the unit or school on that day. This incident could result in the young person being risk assessed as not safe to attend for part of that day. This is a last resort and not a punishment but an essential risk mitigation strategy to keep everyone safe and ensure students are regulated and able to access learning.

**Q23. What power or influence do Department of Education Officials have to advocate for the release of detainees from being "unit bound"? Do Department of Education Officials use this power or influence in anyway? Why or why not?**

57. DoE staff, normally the principal is always part of the weekly BDP meeting and supports the decision making around the colours of students. I feel this process is fair and accurate and supports the safety for all. School staff, particularly those that teach in the fit gym, art and workshop feel the current risk management approach is safest for all. The school can suspend students from school based on unacceptable behaviour or incidents like in any mainstream setting. This has occurred once in my time at Ashley and was formalized with the DoE.

**Q24. Recent media reports indicate that detainees have been locked down in their rooms for 23 hours a day for two weeks, due to staff shortages at Ashley Youth Detention Centre. How, during this period of lockdown, did the detainees continue their education? What are the challenges in maintaining the education of detainees in these circumstances?**

58. On days where young people are under restrictive practices DoE staff are scheduled to attend each unit for each block of time that school was normally offered. Some days due to staffing we could only attend one unit at a time, this varied depending on the availability of youth workers. It's important to understand that DoE staff can't be alone with young people, they

have to have youth workers with them.

59. During these times young people can work with DoE staff on work packs, play social games, exercise in courtyards or negotiate to have other specific task brought over like art. Some young people would prioritise phone calls and other tasks during this time and not school.
60. For the periods when young people where restricted to their rooms they had access to work packs (simple achievable literacy, numeracy, regulation, and logic tasks), some negotiated art tasks and room-based fitness programs designed by DoE staff.
61. Often when DoE staff are accessing students in their units students rather social interactions and games where they can converse and interact with someone different.

**Q25. What power or influence do Department of Education Officials have to advocate for the release of detainees from the lockdown? Have Department of Education Officials used this power or influence in any way? Why or why not?**

62. DoE have no capacity to influence the number of available youth workers required to run AYDC. The AYDC can only have young people access programs with a predetermined number of youth workers. Any less than this required number and it isn't safe to transition or hold programs.

**Q26. What type of transition planning and support occurs to ensure continuity of education between a custodial setting and within the community for detainees at Ashley Youth Detention Centre?**

63. As a priority young people are encouraged to attend school when not at AYDC. This is generally not what young people want and won't entertain. If they do want to attend school, DoE work with the school or Tier 4 provision to arrange access. For some Launceston based young people they can even visit or be visited by a Tier 4 site to support transition.
64. If students won't agree or entertain conversation around attending a school, Ashley School look at shaping their numeracy and literacy around a vocation choice. They may prioritise qualifications such as RSA, White Card or Barista Training. However, encouragement to attend school is a constant conversation and promotion.
65. For young students the focus is very much on their functional literacy and numeracy to build confidence try and encourage school access and readiness.
66. Ashley update the young person's Learning Plan so that if they return to school, the school has an accurate picture of students' capacity and the adjustments they require to access learning.
67. Ashley School notify the young person's enrolling school of their enrolment into Ashley School and once released they are re-enrolled back to their previous school.
68. AYDC also have Case Management staff that support young people to connect with community providers to help support transition back into the community.

**Roles and responsibilities at Ashley Youth Detention Centre**

**Q27. What is the role of the Clinical Practice Consultant at Ashley Youth Detention Centre while you have worked at the School?**

69. Works with AYDC staff to provide supervision, review and feedback to ensure best practice



and an improvement schedule for the AYDC.

**Q28. What is your view about the usefulness or otherwise of that role?**

70. I am in meeting with the Clinical Practice Manager several times a week. While I don't see the work they do away from the meeting, they are a positive contributor to the decision-making and management of the centre. They ask questions that encourage reflection and support good decision making. The Practice Manager has run PL for my school staff and helped us to moderate the BDP points system. They have also sort feedback from the school on the current BDP and where changes could be made. I understand previous practice managers have also been effective.

**Q29. What do you see as the respective roles to be played by:**

**(a) the Professional Services team;**

71. I know the PST as ATS and their role is to provide support and oversight to case conferencing, the BDP and transition of young people out of AYDC. They contribute in many ways to the productive daily running of AYDC and support the school to know more about our students.

**(b) the Health team;**

72. Health provide medical assessments and coordination of medical responses to young people's needs. They help inform the school of critical information via admission reports that allows the school to prepare for specific individuals. They contribute key information to risk management of young people and help keep everyone safe.

**(c) the Operations team; and Management**

73. The operations team coordinate the daily running of the AYDC and are central to coordinated response to young peoples' needs. They manage the logistics, safety, maintenance and administration of the centre. The school liaises and works with centre management constantly to provide access and engagement for our young people.

**(d) Officials working in the School?**

74. The school coordinates and provides an on the same basis education provision for the young people at the centre. Where safe access and engagement in learning is a priority.

**Q30. In your answer to paragraph 29, please identify to which department these roles reported.**

75. Health report to Health.

76. School report to DoE.

77. PST/ATS, Operations and Management all report to Communities.

**Q31. What mechanisms are used (such as meetings or shared reporting lines) to support coordination of the work of the teams listed in paragraph 29?**

78. I participate in weekly meetings with most staff from most of these teams and am in weekly correspondence with all.

**Q32. Have the roles and responsibilities of each of the teams listed in paragraph 29**

**changed during your time at the School? If so please give details.**

79. No, the roles and responsibilities of these teams hasn't changed.

**Q33. During your time at the School, what was/is the role of the Multi-Disciplinary Team (MDT)? What has been the extent of your role/interactions with the MDT? Do you consider that the MDT has operated in an effective manner, previously and currently?**

80. I see MDT as an opportunity to case conference with key stakeholders to ensure we have all the relevant information to support the young people in AYDC. It's an opportunity for transition planning and for any new information or innovations to be presented. It's organised, consistent and focused with an effective agenda. It has always been this way once established.

**Q34. During your time at the School, what has been the role of the Centre Support Team (CST)? What has been the extent of your role/interactions with the CST? Do you consider that the CST has operated in an effective manner, previously and currently?**

81. CST hasn't existed in my time at Ashley School. I believe it is now called WRM. It was previously developed over time to be effective.

**Q35. During your time at the School, what has been the role of the Risk Assessment Process Team (RAPT)? What has been the extent of your role/interactions with the RAPT? Do you consider that the RAPT has operated in an effective manner, previously and currently?**

82. I have attended formal RAPT meetings weekly and sometimes several times a week if a young person's circumstances changed dramatically. I find RAPT helps inform how school can best cater for a young person's present state. My understanding is that it developed to be effective over time.

**Q36. During your time at the School, what has been the role of the Program Assessment Team (PAT)? What has been the extent of your role/interactions with the PAT? Do you consider that the PAT has operated in an effective manner, previously and currently?**

83. In my 5 months PAT has occurred to support good decision making around students' placement for school. During these meeting we have tried to manage safety factors and other risks to deliver effective student groupings. I found it to be valuable.

**Q37. How would you respond to the suggestion that the CST operated in a manner that was punitive and which did not pay appropriate regard to the views expressed by the MDT?**

84. CST hasn't existed since I have worked at Ashley School. It was previously developed over time to be effective.

**Q38. Describe the relationship as you perceive it between the team working in the School and the Professional Services team, the Health team, and Operational team respectively? Did your perception of this relationship change over your time working at the School? If yes, please explain why.**

85. I feel the school and all other teams have a good relationship. I feel supported, listened to and valued.

**Q39. Describe the relationship as you perceive it between Operations Officials and Professional Services Officials at Ashley Youth Detention Centre. Did your perception of**

**this relationship change over your time at the School? If yes, please explain why.**

86. Over the last 5 months even under significant pressure and reduced staffing I feel the relationships have been healthy and appropriate.

**Q40. Describe the relationship as you perceive it between Operations Officials and Health Officials at Ashley Youth Detention Centre. Did your perception of this relationship change over your time at the School? If yes, please explain why.**

87. I'm less involved with meetings that involve Health and recall only one meeting with them present (our work doesn't require meetings). In this meeting they were a valuable contributor and helped make the meeting more effective. I see health staff individually if I require support, advice or information.

**Q41. Describe the relationship as you perceive it between Health Officials and Professional Services Officials at Ashley Youth Detention Centre. Did your perception of this relationship change over your time at the School? If yes, please explain why.**

88. In the last 5 months I haven't witnessed the relationship to be anything but appropriate. I believe it was previously ok as well.

**Q42. Describe the relationship as you perceive it between Professional Services Officials and senior management at Ashley Youth Detention Centre. Did your perception of this relationship change over your time at the School? If yes, please explain why.**

89. Over the last 5 months the relationship has appeared appropriate. I believe it was previously ok as well.

**Q43. Describe the relationship as you perceive it between the Officials based at Ashley Youth Detention Centre and management at the Department of Communities. Did your perception of this relationship change over your time at the School? If yes, please explain why.**

90. Over the last 5 months the relationship has appeared appropriate. I believe it was previously ok as well.

**Q44. Describe the relationship as you perceive it between the team working in the School and the management at the Department of Education? Did your perception of this relationship change over your time at the School? If yes please explain why.**

91. I'm principal of the school and I value my school-based team and their work and feel I am supported by my direct supervisors in the DoE. I believe this was the case prior to my arrival also.

**Q45. What was the 'AYDC Model of Care'?**

**(a) What role (if any) did you have in its establishment?**

92. It is a therapeutic and holistic model to support respectful relationships and good decision making. Its supports positive behaviour and restorative actions. I have played no role in its development. Developed before I arrived.

**(b) Do you consider it was fully and appropriately implemented?**

93. Over the last 5 months I have witnessed staff interactions with young people as replicating the

intentions of the AYDC Model of Care.

**(c) To the extent that it was not fully or appropriately implemented, what do you consider to be the reasons for that?**

94. I haven't witnessed it not be effective or adhered to.

#### **Child sexual abuse and harmful sexual behaviours**

**Q46. The Commission has received information indicating that on at least one occasion a detainee was sexually assaulted by another detainee on the grounds of the School. Are you aware of any allegation of sexual assault occurring at the School or during School activities? Please give details of any allegations and any action taken.**

95. This hasn't been alleged in my 5 months at Ashley School. I asked my predecessor and they weren't aware of this allegation or an incident.

**Q47. During the Relevant Period did Department of Education Officials at the School observe or become aware of any rumours, suspicions or allegations of child sexual abuse or harmful sexual behaviours occurring at Ashley Youth Detention Centre? If yes please give details of what was observed or known and what action was taken.**

96. No, I haven't in my time and talking to my current staff, some who have been working at Ashley School since 2017, they haven't either.

**Q48. In the event Department of Education Officials were to become aware of any rumour, suspicion or allegation of child sexual abuse or harmful sexual behaviours what steps would the Officials take, and which policies or processes would be followed, to:**

- (a) notify Child Safety Services;**
- (b) notify Tasmania Police;**
- (c) notify the Registrar;**
- (d) escalate the matter within the Department of Education;**
- (e) escalate the matter within AYDC management or otherwise escalate the matter within the Department of Communities;**
- (f) ensure the safety of the victim;**
- (g) ensure the safety of other detainees;**
- (h) assist the child who had demonstrated the harmful sexual behaviours or committed the sexual abuse; or**
- (i) offer support to the victim.**

97. If a young person is at risk of immediate serious harm (sexual or otherwise) I am responsible for ringing emergency services. If I suspect or become aware of rumour etc. I would contact the Referral Line and report to my DoE manager. The DoE and I would then escalate it rapidly to AYDC management. From there I would be guided by both parties. If I ever felt that after

reporting the young person was still at immediate risk I would contact emergency services.

**Q49. If there are any barriers in addressing the matters listed in paragraph 48(a)-(i), please outline the barriers and explain why they exist.**

98. No.

**Q50. Do you believe that the staff at the School have a good understanding of harmful sexual behaviours? What is the basis for your answer? Please explain how this has changed throughout the Relevant Period.**

99. Yes. DoE staff have had consistent explicit professional learning and exposure to process and policy as a priority. It's something I have worked with my staff about this year again.

**Q51. Do you believe staff at AYDC generally, including management, have a good understanding of harmful sexual behaviours? What is the basis for your answer? Please explain how this has changed throughout the Relevant Period.**

100. Yes, I would say they're hyper vigilant due to good practice and procedures and the current political climate surrounding AYDC.

#### **Mandatory reporting**

**Q52. If not already answered in response to paragraph 48, what is the process of making a mandatory report to Child Safety Services or the ARL, the police and the Registrar in relation to suspicions or allegations of child sexual abuse or harmful sexual behaviours? In answering this question, please identify how this process works in practice, including:**

- (a) **What if any approvals are needed before the report is made?**
- (b) **Who decides whether to grant these approvals?**
- (c) **Who is responsible for making this report?**
- (d) **Do Department of Education Officials make their own notification even if Ashley Youth Detention Centre Officials have also made a report? Why or why not?**

101. I believe this is covered in paragraph/response 48.

**Q53. If not already answered in response to paragraph 48, are there any memoranda of understanding, protocols or other formal or informal processes that exist between the Department of Education and the Department of Communities in relation to making these reports?**

102. I work from the DoE policies, processes and procedures. I would use the DoE policies, processes and procedures I'm familiar with to guide me.

#### **Office of Safeguarding Children and Young People**

**Q54. To your knowledge, is it anticipated that the whole-of-department (Department of Education) child safeguarding strategy and policy framework will apply to the School?**

103. The Office of Safeguarding Children and Young People (Office) is currently developing an overarching Safeguarding Policy Framework in consultation with internal and external

stakeholders. This framework will apply to all parts of the Department, including those components of the current Department of Communities Tasmania that will become part of the broader Department of Education Children and Young People in October 2022. This includes the Ashley School.

**Q55. To your knowledge is it anticipated that a Student Safeguarding Officer is to be appointed at the School?**

104. It is the Department's intention to appoint Safeguarding Officers in every State Government School in Tasmania. This includes Ashley School.

**Q56. Do you believe a Student Safeguarding Officer should be appointed at the School? Why or why not?**

105. Safeguarding the rights of all children and young people to have an education, to be heard, and to be kept safe from harm – regardless of where they are learning – is a priority for the Department.
106. The appointment of Safeguarding Officers in all schools, including Ashley, is one component of the Department's overall strategy to build a culture where children are at the centre of all decisions that affect them.
107. In an environment such as Ashley, where children and young people are facing additional complexities and are often more vulnerable than children and young people in other State Government schools, it is even more critical that a Safeguarding Officer be appointed. The Safeguarding Officer role will include helping to ensure all staff understand their responsibility in identifying, preventing and responding to incidents and allegations of child sexual abuse, and acting as a source of information, support and advice for children and young people at the School.

**Improvements to Ashley Youth Detention Centre**

**Q57. The Commission is aware that Ashley is to remain open until late 2024. How can the School be improved during that time to ensure:**

**(a) better educational services to detainees; and**

108. The School Improvement Model is designed to ensure an ongoing schedule of improvement in DoE schools. Ashley School adheres to this planning and the achievement of our SIP goals.

**(b) that detainees are protected from the risks of child sexual abuse and harmful sexual behaviours?**

109. Continue to remain vigilant when students are in our care, ensure DoE staff are regularly exposed to mandatory reporting processes and policies and look at ways to ensure we are encouraging and supporting our young people to self-advocate, be confident in difficult conversations and ensure they're aware of their rights and protective measures.

**Q58. How can Ashley Youth Detention Centre be improved generally to better ensure that detainees are protected from the risks of child sexual abuse and harmful sexual behaviours?**

110. Continue to remain vigilant when young people are in their care, ensure staff are regularly exposed to mandatory reporting processes and policies and look at ways to ensure they're encouraging and supporting young people to self-advocate, be confident in difficult

conversations and ensure they're aware of their rights and protective measures. Have external providers access AYDC and work with young people on protective behaviours, consent and respectful behaviours. Maintain a quality schedule of staff training and ensure the AYDC has feedback and complaint channels that encourage staff to feel they can report incidents or perceived incidents safely and without judgement. Ensure the youth workers have enough time to complete notes and reflect on their shift before leaving.

### **Designing new detention facilities for children**

**Q59. The Commission is aware that new detention facilities are being planned to replace Ashley Youth Detention Centre. How should those new facilities be designed so as to ensure:**

**(a) better educational services to detainees; and**

111. A location closer to a larger city would better support access to exterior providers and agencies to best support the young person's transition out of the centre. This would also allow young people to visit schools or school reps to visit young people in detention.

**(b) that detainees are protected from the risks of child sexual abuse and harmful sexual behaviours?**

112. A building designed with no line-of-sight issues and staffed to ratios and training measures that are best practice.

**Q60. How should the new facilities be designed generally to better ensure that detainees are protected from the risks of child sexual abuse and harmful sexual behaviours?**

113. A building designed with no line-of-sight issues and staffed to high ratios of youth workers to young people and training measures that are best practice for both young people and youth workers.

**Q61. Have you refreshed your memory for the purposes of this statement by reviewing any documents or other records or by speaking to any other person (other than any lawyer assisting you with the statement)? If yes, provide:**

**(a) details of each person you spoke to and the matters you discussed; and**

114. As requested, I spoke briefly to [REDACTED] (former principal) about questions: 33-36, 38-44 and 50 and 51.

115. I had one limited conversation with several school staff at Ashley School for clarity around years previous to my arrival. This conversation gave me very little new information. I spoke to [REDACTED]

116. [REDACTED] Executive Director, Office of Safeguarding, Children and Young People, provided answers in response to paras. 54-56.

**(b) a list of, and attach to your statement a copy of, each document which you have used to assist you in making this statement, including emails, text messages, policy documents, incident reports and correspondence.**

117. I didn't review any documentation for these responses but operated off my own understandings.

**Q62. Is there further information you would like to provide to the Commission regarding Ashley Youth Detention Centre? If yes, provide it here.**

118. It's important that I acknowledge that the work people do at AYDC is very difficult. That all staff work hard under trying circumstances. Staff deal with abuse and threat on a daily basis and in my observations remain calm and respectful. It takes a resilient and emotionally capable individual to support the young people the way that they do.

**Q63. Is there further information you would like to provide to the Commission in relation to its inquiry? If yes, provide it here.**

119. I have only been at Ashley since March this year and my experience has been incredibly positive.

#### **A REQUEST FOR DOCUMENTS**

**Q64. Produce a copy of any document referred to in response to any paragraph in this Notice (including any document which you used to refresh your memory referred to in your answer to paragraph 61 above).**

**Q65. Please also produce an up to date copy of your CV.**