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ACT GOVERNMENT

Assembly Business **Government Response to Recommendations Made in
Bimberi Reviews into 5 February Incident**

Decision No. 11/326/CAB

20 June 2011

- 1) The Cabinet agreed that the Ministerial Statement at Attachment A to this Submission be tabled in the Legislative Assembly in the sitting period commencing 21 June 2011.
- 2) The Cabinet agreed the Government's response to recommendations made by the Tomas and Keating reviews into the incident at the Bimberi Youth Justice Centre on 5 February 2011, at Attachment B to this Submission.
- 3) The Cabinet noted the report by Mr Charles Tomas at Attachment C and the report by Mr Terry Keating at Attachment D.



Secretary to Cabinet

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CABINET DECISION
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Chief Minister's Cabinet Brief

Cabinet Meeting Date: 20 June 2011
Title of Submission: *Government Response to Recommendations Made in Bimberi Reviews into 5 February Incident (11/326)*
Minister: Community Services

Context and Consultation

This Assembly Business Paper seeks Cabinet agreement to a Ministerial Statement by the Minister for Community Services on the Government's response to the recommendations made in two separate reviews into an incident at the Bimberi Youth Detention Centre on 5 February 2011. The incident involved the assault of a MSS Security Officer by two young detainees who had broken out of their cabins. The reviews are the *Tomas Review* looking at the security system and infrastructure at Bimberi; and *Keating Review* looking at the operational circumstances around the incident.

The two reviews will only be made available to Ministers as they contain confidential information regarding officers of the ACT Public Service. On the advice of the GSO, no public comment will be made on the recommendations on a further investigation by Clayton Utz to determine whether disciplinary action is required due to failure by some staff on duty to follow procedures.

Cabinet is also being asked to note the Government's response to recommendations made by the Tomas and Keating reviews (Attachment B to the Submission). Given the technical and security aspects of the Government's response to the recommendations, it is not proposed this detailed Government response be made publically available.

Issues/Comment

Government response to recommendations

All 13 of Mr Keating's recommendations and 18 out of the 20 recommendations by Mr Tomas have been agreed to or agreed in principle with action completed or in progress. Tomas recommendations relating to the fitting of window security grills and installing steel clad or core doors in residential areas are not proceeding as they are inconsistent with the design philosophy of Bimberi.

Ministerial Statement

The Ministerial Statement provides the Government's response to the Tomas and Keating recommendations, outlining key actions that have been taken on the agreed recommendations. On advice from Chief Minister and Cabinet Directorate the Statement mentions Government's commitment to the wider youth justice system, particularly diversionary practice through a broad suite of related initiatives being put in place to strengthen systems and practice at Bimberi and to provide improved support and care to children and young people.

Submission Recommendations SUPPORT

Recommended Outcome / Deliverables

The Ministerial Statement is proposed to be tabled in the Legislative Assembly in the sitting week commencing 27 June 2011 to enable a timely response to the commitment made by the Minister in the Assembly on 29 March 2011.

Approved by: Pam Davoren

Cleared / Prepared by: Adrian Makeham-Kirchner/ Melanie Saballa

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For Cabinet

11/326

Government Response to Recommendations Made in Bimberi Reviews into 5 February Incident

Minister for Community Services, Joy Burch MLA

Purpose	To seek agreement to a Ministerial Statement by the Minister for Community Services on the Government's response to the recommendations made in the reviews by Mr Charles Tomas and Mr Terry Keating (the Tomas and Keating reviews) into an incident at the Bimberi Youth Justice Centre on 5 February 2011.																							
Timing	The Ministerial Statement at Attachment B is proposed to be tabled in the Legislative Assembly in the sitting week commencing 27 June 2011 to enable a timely response to the commitment made by the Minister in the Assembly on 29 March 2011.																							
Impact: <ul style="list-style-type: none">• Social• Environment• Economic• Intergovernmental• Regulatory Impact	No No No No No																							
Consultation	All Directorates were consulted during lodgement stage.																							
Legislation Change	No.																							
Implementation Reporting	No.																							
Budget Impact: (A minus sign indicates a cost to the Budget) Treasury Agreement: Yes	<table><tr><th>Net impact (\$000)</th><th>2010-11</th><th>2011-12</th><th>2012-13</th><th>2013-14</th><th>2014-15</th></tr><tr><td>Operating</td><td>Nil</td><td>Nil</td><td>Nil</td><td>Nil</td><td>Nil</td></tr><tr><td>Capital</td><td>Nil</td><td>Nil</td><td>Nil</td><td>Nil</td><td>Nil</td></tr></table>						Net impact (\$000)	2010-11	2011-12	2012-13	2013-14	2014-15	Operating	Nil	Nil	Nil	Nil	Nil	Capital	Nil	Nil	Nil	Nil	Nil
Net impact (\$000)	2010-11	2011-12	2012-13	2013-14	2014-15																			
Operating	Nil	Nil	Nil	Nil	Nil																			
Capital	Nil	Nil	Nil	Nil	Nil																			

**Government Response to Recommendations Made in Bimberi
Reviews into 5 February Incident**

Minister for Community Services, Joy Burch MLA

- 1) I recommend Cabinet agree that the Ministerial Statement at Attachment A be tabled in the Legislative Assembly in the sitting period commencing 20 June 2011, to allow for timely response to the commitment made to the Assembly on 29 March 2011.
- 2) I recommend Cabinet note the Government's response to recommendations made by the Tomas and Keating reviews into the incident at the Bimberi Youth Justice Centre on 5 February 2011, at Attachment B.
- 3) I recommend Cabinet note the report by Mr Charles Tomas at Attachment C and the report by Mr Terry Keating at Attachment D.

Final Directorate Comments

The Submission was circulated as an Exposure Draft to all Directorates, due to time restrictions the Submission was not circulated for final agency comment.

SUPPORTING ARGUMENT

BACKGROUND

- 1) On 29 March 2011, the Minister for Community Services made a statement in the Legislative Assembly in relation to the findings of two reviews into a critical incident that occurred at the Bimberi Youth Justice Centre (BYJC) on 5 February 2011. This incident involved the assault of an MSS Security Officer by two young detainees who had broken out of their cabins.
- 2) The reviews were commissioned by the Community Services Directorate (CSD) and conducted by external consultants Mr Charles Tomas of CTG Security Matrix Pty Ltd and Mr Terry Keating of Kalmat Pty Ltd, both of whom have experience and expertise in custodial settings and juvenile detention facilities. Mr Tomas examined the security system and infrastructure at BYJC as it related to the incident, while Mr Keating's review looked at the operational circumstances surrounding the incident.
- 3) The reviews were completed expeditiously and timely reports were provided to CSD. The Tomas report is at Attachment C; the Keating report is at Attachment D. A total of 33 recommendations were made across the two reports.
- 4) While the reviews found that a number of factors contributed to the incident, a key element was the failure by some staff on duty that night to follow policies and procedures. As a result, CSD commissioned a further investigation by Clayton Utz to determine whether disciplinary action was required.
- 5) Given this further investigation the Minister was only able to provide an initial response to the Tomas and Keating reviews in the Assembly. In the statement made on 29 March 2011, the Minister undertook to further release so much of the Directorate's response to the key findings and recommendations from the Tomas and Keating reviews as may be appropriate once the Clayton Utz investigation was complete.

ISSUES & OPTIONS

Critical Timing

- 6) While not yet completed, the timing of the Clayton Utz investigation now allows for a statement to be made on the Directorate's response to the Tomas and Keating recommendations that will not comprise these proceedings. It is therefore proposed that the Minister for Community Services make a Ministerial Statement in the first week of sittings commencing 27 June 2011.
- 7) In accordance with Government Solicitor's Office advice, no public comment will be made on the outcomes of the Clayton Utz investigation.
- 8) It is important to note that Tomas and Keating reviews are part of a broader suite of related initiatives that has been put in place to strengthen systems and practices at Bimberi and to provide improved support and care to children and young people at risk. These initiatives include the Diversionary Framework Discussion Paper, the review by Mr Danny O'Neil, Director of the Richmond Fellowship, that is focused on practice and culture at Bimberi; the Bimberi Change Management and Implementation Strategy; and the Bimberi Risk and Compliance Framework Gap Analysis Review being undertaken by Mr Joseph Donataccio from Your Enterprise Solutions.

Government Response to Recommendations of Tomas and Keating

Reviews

- 9) In summary, between them the Tomas and Keating reviews recommended improved staff levels for the residential population, phasing out of the use of MSS Security Officers and appointing a quality, care and compliance training officer. Other recommendations included modifying infrastructure including some cabin features and testing and recording of electronic security systems. Other recommendations required the policies, procedures and practices to be revised including entry procedures, control room standards, operating procedures, monitoring compliance of systems and procedures and improved client records management.

Progress on Agreed Recommendations

- 10) The recommendations and a summary of the Directorate's actions in response to the Tomas and Keating reviews, is at Attachment B. All 13 of Mr Keating's recommendations, and 18 out of the 20 recommendations by Mr Tomas have been agreed to or agreed-in-principle. Action is completed or is in progress on all these recommendations. Several of the actions have been implemented under the Bimberi Change Management and Implementation Strategy that was introduced by the Directorate in November 2010 to enhance best practice at BYJC.
- 11) A number of physical infrastructure works recommended by the Tomas review will be addressed by funding announced in the 2011-12 Budget. This includes some cabin features that require recommended modifications or upgrades, works to be undertaken to improve the external fence and modifications to limit the ability of residents to gain access to the roof.
- 12) In addition, funding was announced in the 2011-12 Budget for operational expenses including nine additional staff to support the operation of the fourth residential unit. This funding addresses the recommendation of the Keating review to increase staffing levels as a matter of urgency to a level appropriate to the operation of all four units. The budget includes funding for six youth workers, one unit manager, and two team leaders.

Recommendations not proceeding

- 13) The Tomas review highlights the complexity of designing a youth detention facility to ensure a balance between security and robustness and creating an environment that is aesthetically pleasing to assist young people to overcome their problems. Within this context, two recommendations made in the Tomas review are not proceeding, given that the suggested rectifications are not considered appropriate or consistent with the design philosophy of BYJC. Specifically these recommendations relate to the fitting of window security grills and installing steel clad or core doors in residential areas.

Public Release of Government Response

- 14) Given the technical and security aspects of the Government's response to the recommendations made in the Tomas and Keating reviews, it is not proposed that the summary at Attachment B be made publicly available. However, the Ministerial Statement outlines the key actions that have been taken on the agreed recommendations for the information of the Legislative Assembly. This is in line with the commitment made 29 March 2011.

CONSULTATION

- 15) All Directorates were consulted during lodgement stage.

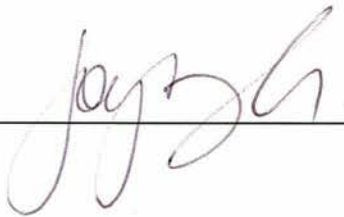
MEDIA/PUBLIC RELEASE

- 16) No accompanying media release is proposed.

FINANCIAL IMPACT

- 17) Nil.

Minister's signature



Date

7.6.11

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INDEX TO ATTACHMENTS

Attachment	Title	Pages
A	Ministerial Statement: Government Response to Recommendations Made in Bimberi Reviews into 5 February Incident	
B	Response to recommendations from the Tomas and Keating reviews	
C	Tomas Report	
D	Keating Report	

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ATTACHMENT A

2011

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

MINISTERIAL STATEMENT

**GOVERNMENT RESPONSE TO RECOMMENDATIONS
MADE IN BIMBERI REVIEWS INTO 5 FEBRUARY INCIDENT**

**Presented by
Joy Burch MLA
Minister for Community Services**

June 2011

**Government Response to Recommendations
Made in Bimberi Reviews into 5 February Incident**

Mr Speaker, Members will recall that on 29 March 2011, I made a statement to the Legislative Assembly in relation to the findings of the reviews conducted by Mr Terry Keating and Mr Charles Tomas into a critical incident that occurred at the Bimberi Youth Justice Centre on 5 February 2011. During this incident two young people broke out of their cabins and assaulted an MSS Officer.

In that statement I advised that due to further investigations being conducted by Clayton Utz into the incident, I was unable to provide detail on the actions being taken by the Community Services Directorate to implement the 33 recommendations made across the reviews.

Mr Speaker, I am now assured that due to the passage of time I am able to provide information to Members that will not compromise other proceedings.

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Members will recall that the incident on 5 February 2011 was taken very seriously and immediate steps were made to set up the reviews by Mr Keating and Mr Tomas, both of whom are highly qualified external consultants with extensive knowledge and experience of custodial settings and juvenile detention facilities.

While the reviews looked at different aspects of the incident, they were comprehensive in their focus. Mr Keating examined the operational circumstances surrounding the incident and Mr Tomas reviewed the security systems and infrastructure at Bimberi. Both reviews were undertaken and the reports delivered to the Directorate in a timely manner.

Mr Speaker, as I mentioned previously, I am pleased to have such a comprehensive set of recommendations for improvements to the operations at Bimberi. As the Assembly will recall, I previously outlined that the Tomas and Keating recommendations included a call for improved staffing levels for the residential population and a phasing out the use of MSS Security Officers.

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Other recommendations suggested modifications to infrastructure, including some cabin features, and testing and recording of the electronic security systems. A recommendation was also made to review the policies, procedures and practices at Bimberi including entry procedures, control room standards, operation procedures, and client record management.

I would like to inform the Assembly that the Community Services Directorate has agreed to all 13 recommendations made by Mr Keating and 18 of the 20 recommendations made by Mr Tomas.

The two recommendations made by Mr Tomas that are not agreed by the Directorate suggest rectifications to the Centre that are not considered appropriate or consistent with the design philosophy.

Specifically, Mr Tomas recommended the fitting of window security grills and the installation of steel clad or corded doors in the residential areas. The minor security benefits of these recommendations are outweighed by the overall design principles

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of the centre to maximise the normalised environment of the Centre for young people.

Although he made these recommendations, Mr Tomas does acknowledge the complexity of designing a youth detention facility to ensure a balance between security and robustness and creating an environment that is aesthetically appropriate in order to assist young people to positively engage in programs and development activities.

Mr Speaker, substantial progress has been made in response to the agreed recommendations and a number of actions have been completed. A significant number of the recommendations are being implemented under the Change Management and Implementation Strategy that was introduced by the Directorate in November 2010 to enhance best practice at Bimberi.

I would like to advise the Assembly of just some of the key actions to date.

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In relation to Mr Keating's recommendation to reconsider the involvement of MSS Officers in residential unit night duties, action was taken to cease the use of MSS Officers for night shifts on 14 April 2011. All shifts are now covered by Youth Detention Officers. MSS Officers continue to undertake reception and entry screening duties as they have done since the opening of the Centre.

A number of recruitment rounds have been held to increase the overall staffing levels at Bimberi, allowing for increased availability of staff for rostered duties. This strategy will continue to be important as it provides flexibility in the staffing contingent to participate in ongoing staff training, annual leave commitments, and unplanned absences while ensuring the requirements of the roster are met.

The position of Centre Manager at Bimberi has been filled, and the Operations and Program Manager positions have been filled on a temporary basis pending permanent recruitment action.

Recruitment is also currently underway for the new position of Assistant Manager to strengthen leadership and oversight at

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Bimberi. Together these positions will provide a stable management team for the Centre.

Funding was announced in the 2011-12 Budget for capital works initiatives at Bimberi and staffing expenses to support the operation of the fourth residential unit. This budget measure includes the recruitment of nine additional staff comprising six youth workers, one unit manager and two team leaders.

Mr Speaker, the recommendation to appraise staff performance is also being addressed. This is part of a commitment to continuously develop and invest in the staff working with young people in this environment. An assessment of staff strengths across the Centre has been completed to assist with identifying ongoing training and development requirements. Structural changes are also being made to ensure operational teams are properly supported by their managers.

A schedule of mandatory staff training is being implemented with all our staff at Bimberi. An overall review of the currency of the training program at the Centre is also being conducted. A training

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officer has been appointed and this officer is based at Bimberi to assist in delivery of training and to ensure that staff training needs are properly identified and met in a timely way.

Also in line with Mr Keating's recommendations, a project is underway to review policies, procedures and practices at Bimberi to ensure their clarity and usability. New and enhanced documentation is expected to be provided to staff by the end of August 2011.

Similarly, a project has also commenced to review the information, data and electronic case management systems used at Bimberi. This project has a high priority as part of the Change Management and Implementation Strategy. Compliance mechanisms and processes are also being reviewed as part of this project.

Mr Speaker, decisive action has also been taken on the Tomas review recommendations.

Given the technical nature of the Tomas review and the security aspects of many of the recommendations, I am not able to go into

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specific details. However, a number of physical infrastructure works recommended by Mr Tomas will be addressed by funding announced in the 2011-12 Budget. This includes some cabin features that require recommended modifications or upgrades. Budget funding also includes measures to limit the ability for residents to gain access to the roof and to undertake vermin-proofing (for rabbits) of the external fence.

New contractual arrangements for the maintenance of the electronic security system at Bimberi are expected to be in place early in the new financial year to enhance both the preventative and responsive maintenance elements of security.

Mr Speaker, in considering the reviews and responses to the serious incident that occurred at Bimberi on 5 February 2011, it is important to remember that juvenile custodial facilities are extremely complex environments to manage. The Bimberi Youth Justice Centre houses young people who exhibit troubling and difficult behaviours and for many of them this is the reason why they find themselves in Bimberi.

The managers and staff at Bimberi have complex risks to manage and decisions to make within a dynamic and changing population of young people. I would like to place on the record my thanks to those Bimberi managers and staff who do an exceptionally good job and who continue to show their dedication to the Centre and to the rehabilitation of our young people in detention.

In addition to the actions being undertaken as a response to the Keating and Tomas reviews, other work is being done to ensure that Bimberi continues to provide a safe and secure environment that maximises rehabilitative approaches for young people and manages their diverse needs in a responsive and effective way.

The Bimberi Change Management and Implementation Strategy is the key driver in this substantive and positive change. In my statement in this place on 29 March 2011, I provided an overview of significant actions under the change management plan. I would now like to provide an update on the progress of some of these actions.

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The Change Management and Implementation Strategy aims to improve communication mechanisms. Mr Daniel O'Neil, Director of Youth Services at Richmond Fellowship, has continued his work at Bimberi to allow staff an opportunity to provide their views on improving the workplace environment. Mr O'Neil's work with staff at Bimberi will continue to inform the change management initiative.

Establishing a culture of learning continues to be a focus of change management at Bimberi with a significant interest being pursued by staff for formal training. By the end of June 2011, 31 of the current staff at Bimberi are expected to have completed their Certificate IV in Youth Work and by December 2011, 13 staff are expected to have completed their Diploma in Youth Work. In addition, three Bimberi managers are currently undertaking an Advanced Diploma in Management.

An Applied Suicide Intervention Skills Training program was conducted at Bimberi in the week ending 13 May 2011. The training was delivered in-house and was very well received by the 16 staff operational staff who completed it.

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Furthermore, certificates have been developed to reflect successful completion of all components of induction training for new staff members. The certificates will also provide workers with a written record of achievements, for those seeking further formal accreditation through the Canberra Institute of Technology.

The commitment to continuous improvement in programming for young people is also a focus. The Construction Industry Training and Education Authority (CITEA) in collaboration with the Murrumbidgee Education and Training Centre (METC) are currently delivering a "Transition to Work" program for nine young people who recently completed the Certificate II in Construction through the building of the new BBQ area. This course involved the young people in planning, developing and constructing raised garden beds, wooden seating and a built-in BBQ on site.

Associate Professor Kaye Lowe from the University of Canberra's U-CAN READ Program is working with the Murrumbidgee Education Centre to develop a literacy program. As part of this, 18 Kindles (electronic readers) have been purchased for use by residents.

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From June 2011 METC is employing two new part-time tutors to work individually with young people as part of the school's literacy program. These tutors will work primarily with those young people who are identified as having difficulty with reading within the classroom setting.

The Change Management and Implementation Plan also aims to improve service delivery standards. The implementation of a cognitive change group began in May 2011. This group is focusing on cognitive behavioural therapy techniques and is being run by the ACT Health Forensic Mental Health Services team.

The role of "Key Worker" is also continuing to assist individual detainees. Existing Bimberi staff members are allocated as key workers to individual young people. These staff act as the first point of call to provide information and communication between the young person, the unit manager and case management staff. The key worker is actively involved in the young person's education program to encourage positive outcomes and acts as a support person for any conflict, mediations and complaints.

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The Plan also covers security, risk management and safety of young people and staff. A new security arrangement is being developed and will be trialled in the woodwork and metalwork rooms. These arrangements are based on a risk assessment that has been undertaken across the workshop activities.

The risk and compliance framework gap analysis being undertaken by Mr Joseph Donataccio of Your Enterprise Solutions has been completed. Mr Donataccio is a risk-management expert, and his report will form the basis of a staged plan to build a risk and compliance framework at Bimberi. Two highly experienced staff have been recruited to implement the framework and to assist with actions on priority tasks arising from the change management strategy.

Mr Speaker, the information that I have presented today demonstrates the seriousness with which the incident of 5 February 2011 was taken by staff and management at the Bimberi and the Community Services Directorate. It reflects the commitment by all who are involved in the management and delivery of services at the Centre to ensure that we learn from such

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occurrences and that improvements are made to provide a better practice, safe and secure environment for our young people in detention and the staff who support them.

It also is important to note that the Tomas and Keating reviews and the change management initiatives at Bimberi are part of a broader suite of related activities that aim to provide improved support and care to children and young people at risk. These activities include the Human Rights Commission's Bimberi Reviews and the Community Services Directorate's Discussion Paper *Towards a Diversionary Framework for the ACT*.

These activities support the broad strategic focus that the ACT Government is placing on the justice continuum through across agency work in the adult corrections system on issues such as justice reinvestment and throughcare. They place youth justice within the justice continuum by enabling the consideration of whole-of-system coordination of service delivery, whole-of-government approaches to strengthening diversionary practice and aligning of effort to improve outcomes for young people at risk.

Thank you Mr Speaker, I move that the Assembly take note of the paper.

ENDS

**COMMUNITY SERVICES DIRECTORATE
RESPONSE TO RECOMMENDATIONS FROM THE TOMAS AND KEATING REVIEWS**

JUNE 2011

RECOMMENDATIONS FROM KEATING OPERATIONAL REVIEW

	Recommendation	Agreed/Not agreed/Noted	Actions in Response	Status
1	The physical infrastructure needs urgent review and modification. This will be a part of the recommendations from <i>ctg security matrix</i> .	Agreed	See responses to Tomas recommendations.	See responses to Tomas recommendations.
2	A review of the management of all documentation relating to young people such as, case records, records of incidents and consequences, records of admissions and charges and past outcomes to ensure an integrated reporting system.	Agreed	Fully operationalise the Youth Justice Information System as the primary data management resource for ACT Youth Justice and Bimberi Youth Justice Centre.	In progress - completion of scoping phase expected by end June 2011.
			The management of processes and documentation used at Bimberi Youth Justice Centre to be reviewed as part of the change management program.	In progress – completion expected by end August 2011.
3	The use of MSS Officers to carry out supervision in units needs to be reviewed, particularly in the light of their limited training and non-involvement in critical incidents which leaves only three BYJC Staff within the Centre on night shift.	Agreed	Cessation of MSS Officers for night shift duties in residential units at Bimberi Youth Justice Centre. All shifts covered by Youth Detention Officers. In the event that MSS Officers are reactivated within residential units, the policy around the use of MSS Officers will be reviewed prior to their activation.	Completed 14 April 2011.
			MSS Officers will continue to undertake reception and entry screening duties at Bimberi Youth Justice Centre, as they have done since the opening of the Centre.	Ongoing.
4	Clear practice guidelines and regular training are required.	Agreed	Full sets of existing policies and procedures re-issued to all staff.	Completed March 2011.

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	Recommendation	Agreed/Not agreed/Noted	Actions in Response	Status
			Ensure compliance with mandatory training requirements for all staff.	Completed May 2011.
			Review of operational guidelines with additional training to be developed as necessary in conjunction with new process documentation.	In progress – completion expected by end August
5	That the use of MSS Officers on night shift be phased out as soon as practicable as they do not have the necessary training to do much more than observations and their role does not permit the development of a working relationship and knowledge of the young person which is an essential management tool.	Agreed	See response to Recommendation 3 above.	See response to Recommendation 3 above.
6	That the procedure for MSS Officers to work on night shift is reviewed and that the procedures include that no MSS Officer who is not fully trained is to be left without an accompanying YDO.	Agreed	See response to Recommendation 3 above.	See response to Recommendation 3 above.
7	Additionally, where an MSS Officer is supervising on their own they are supervised every thirty minutes by the Team Leader or designated YDO and a record of that supervision maintained.	Agreed	See response to Recommendation 3 above	See response to Recommendation 3 above.

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	Recommendation	Agreed/Not agreed/Noted	Actions in Response	Status
8	That staffing levels be increased as a matter of urgency to a level appropriate to the operation of all four units and that the use of MSS Officers be phased out as soon as practicable.	Agreed	Recruitment action to bring staffing numbers to the required levels to enable the phasing out of MSS officers.	A number of staff recruitment rounds have been held. As at April 2011 all permanent positions were fully recruited to.
			The action has been funded through ACT Government 2011-12 Budget, with funding for the operation of the fourth residential unit at Bimberi Youth Justice Centre comprising 9 additional FTE including 6 Youth Workers, 1 Unit Manager, 2 Team Leaders and operational expenses.	In progress.
9	That the positions of Centre Manager, Operations Manager and Programs Manager be filled as soon as possible.	Agreed	Undertake a recruitment process for the Senior Manager Bimberi Youth Justice Centre position.	Completed. A Senior Manager has been seconded from the NSW Juvenile Justice System for an initial period of 12 months from January 2011.
			Establish the position of Assistant Manager to strengthen leadership and oversight of the Centre.	In progress - the Assistant Manager position has been advertised nationally and is expected to be permanently filled by end June 2011.
			Undertake a recruitment process for the Operations Manager Bimberi Youth Justice Centre position.	In progress – the Operations Manager position has been filled on a temporary basis. The position will be permanently advertised following finalisation of recruitment to the Assistant Manager position.

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	Recommendation	Agreed/Not agreed/Noted	Actions in Response	Status
			Undertake a recruitment process for the Program Manager Bimberi Youth Justice Centre position.	In progress – the Program Manager position has been filled on a temporary basis. The position will be permanently advertised following finalisation of recruitment to the Assistant Manager position.
10	That the policies, procedures and practices for BYJC be reviewed and particular attention directed towards ensuring they provide clear practice and operational guidelines.	Agreed	Undertake a review and enhancement of local operating policies, procedures, guidelines and practices within the existing legislative framework.	In progress – completion expected by end August 2011.
11	Staff performance during the night shift needs to be addressed.	Agreed	Review documentation of operating procedure for night shift and develop associated compliance process	In progress – completion expected by end August 2011.
12	That consideration is given to the appointment of a training officer based at BYJC.	Agreed	Implementation of a training officer, based at the Bimberi Youth Justice Centre.	Completed April 2011.
13	That consideration is given to the appointment of a quality care and compliance officer.	Agreed in principle	Develop a risk and compliance program to be embedded in daily activities of designated existing officers at Bimberi Youth Justice Centre.	In progress – completion expected by end of August 2011.
			Further consideration is to be given to the need for additional compliance and scrutiny mechanisms once the Human Rights Commission report is received.	To be considered post 30 June 2011.

RECOMMENDATIONS FROM TOMAS SECURITY SYSTEMS REVIEW

	Recommendation	Agree/Not Agreed/Noted	Actions in Response	Status
14	Tightening of entry screening processes and abatement consideration for breaches thereof.	Agreed	Review of documentation of operating procedure on entry screening and implementation of associated quality assurance program.	In progress – completion expected by end August 2011.
15	Review of high perimeter alarm nuisance activities, staff generated alarms i.e. DOTL alarms (door open too long alarms), forced door alarms, electronic interlock alarms, security system breaches i.e. guard tour compliance and off-site reporting.	Agreed	Undertake a review of high volume alarm occurrences and identify strategies to address incidences of high volume false alarm.	In progress - completion expected by end October 2011.
			A process of daily testing of duress alarms is to be established.	Completed, with ongoing daily checks.
16	Tidy up of control room area and console, establish local operating procedure and introduce holders for document control.	Agreed	Tidy control room and undertake daily checks.	Completed, with ongoing daily inspection by supervising officers.
			Documentation of control room operating procedures through development of a post order (duty statement) for control room to ensure better accountability from staff assigned to the specific role. The post order will be visible within the control room, but will be behind Perspex to ensure that ad hoc changes are not made. The post order will be subject to review by the Senior Manager, Bimberi Youth Justice Centre.	In progress – completion expected by end August 2011.
17	Unit Manager Security – Review of tasks assigned and	Agreed	Clarify the responsibilities of the unit manager responsible for security through the development of a	In progress – completion expected by end August 2011.

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	Recommendation	Agree/Not Agreed/Noted	Actions in Response	Status
	appropriateness.		post order (duty statement) to ensure better accountability from staff assigned to the specific role.	
18	Use of core accredited trained control room operators.	Agreed	Documentation of processes and procedures and the development of a post order (duty statement) to significantly clarify the role and expected actions to be undertaken by control room operators.	In progress – completion expected by end August 2011.
			Identify the minimum/core training requirements of staff undertaking control room duties and implementation quality assurance process to ensure that only trained control room officers operate the control room during the night shift.	In progress - completion expected by end October 2011.
19	Internal and off-site auditing of security operations.	Agreed	Review of electronic security maintenance arrangements including contractual arrangements covering preventive and responsive maintenance elements.	In progress – new contractual arrangements expected to be in place early in 2011-12.
			Develop an independent audit program of electronic security arrangements, to be undertaken on an annual basis.	In progress – the first review of the electronic security arrangement was undertaken as part of the Tomas review. An annual program will be developed and the next audit is to be planned to be undertaken before February 2012.
2C	Development and implementation of Standard Operating Procedures encompassing spot tests and walk tests of electronic systems,	Agreed	Documentation of processes and procedures and development of post orders (duty statements) to significantly clarify the expectations of staff responsible for monitoring the performance of the security system.	In progress – completion expected by end of August 2011.
			Embed robust internal compliance processes in the	In progress – completion

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	Recommendation	Agree/Not Agreed/Noted	Actions in Response	Status
	control room operations.		process and procedural review in progress as part of the change management program.	expected by end August 2011.
			As an interim compliance audit strategy, officers from Moore Street to visit the centre on a weekly basis to undertake compliance checks on safety and security related matters.	Ongoing.
21	Detailed review and formal establishment of electronic maintenance contracts and monitoring thereof.	Agreed	Review of electronic security maintenance arrangements including contractual arrangements covering preventive and responsive maintenance elements.	In progress – discussions have commenced with the current provider. New arrangements to be in place by end December 2011.
22	Perimeter lighting rectification and weed removal and maintenance thereof.	Agreed	Replace light bulbs.	Completed, with ongoing maintenance checks.
			Undertake weed removal.	Completed, with ongoing maintenance checks.
23	Detailed review of past electronic system breakdowns and analyse any repeated system failures.	Agreed	See response to Recommendation 15.	See response to Recommendation 15.
24	Rectify duress system alarm positional accuracy.	Agreed in principle	Complete risk assessment of accuracy of duress alarm system and identify mitigating risk management strategies.	In progress - completion expected by end October 2011.
			A process of daily testing of duress alarms and quality assurance process is to be put in place.	Completed, with ongoing maintenance checks.
25	That the space above the wet area half wall in the cabins, which is constructed of concrete block work, be filled into the ceiling with a solid and secure panel.	Agreed in principle	The issue identified is being addressed by the 2011-12 Budget announcement of capital works for the Bimberi Youth Justice Centre.	In progress - procurement documentation is being prepared with commencement of works planned for early July 2011.
26	That a risk assessment be	Not agreed	Grills on windows are not considered appropriate or	Not proceeding.

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	Recommendation	Agree/Not Agreed/Noted	Actions in Response	Status
	undertaken to assess if grills should be fitted to the windows as per the Victorian "Safe Cell & Fire Guidelines".		consistent with the design philosophy for Bimberi Youth Justice Centre.	
27	Consideration should be given to install ¼ or ½ convex polycarbonate mirrors, back filled with expandable foam, in all cabins and introduce procedures to help control attempts to interfere with the reflected image.	Agreed in principle	The issue identified is being addressed by the 2011-12 Budget announcement of capital works for Bimberi Youth Justice Centre. An alternate solution is being progressed.	In progress - procurement documentation is being prepared with commencement of works planned for early July 2011.
28	If a post-occupancy review of the facility has not been undertaken, such a review is to be commissioned as soon as practical. That an annual review of the physical structures, fittings, fixtures and furniture is set in place and that this review develops a forward maintenance and replacement program for the next ten years.	Agreed in principle	Include this scope of work in the review of electronic security maintenance arrangements.	In progress - discussions with current provider commenced June 2011, with new arrangements to be in place prior to December 2011
			Undertake planning for a post-occupancy review of Bimberi Youth Justice Centre during the fourth year of operation.	In progress.
29	That the TV Cabinets be upgraded to the level proposed in this report.	Agreed in principle	The issue identified is being addressed by the 2011-12 Budget announcement of capital works for Bimberi Youth Justice Centre. Further investigation is occurring of the best solution for television housing given other cabin works being progressed.	In progress - procurement documentation is being prepared with commencement of works planned for early July 2011.
			As an interim measure, physical inspections of the television cabinets to occur daily.	Ongoing.

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	Recommendation	Agree/Not Agreed/Noted	Actions in Response	Status
30	That the service duct doors be fitted with square bolted deadlocks and that procedures be put in place for the bolt to be locked in the extended position when maintenance is being carried out.	Agreed in principle	The issue identified is being addressed by the 2011-12 Budget announcement of capital works for Bimberi Youth Justice Centre. Further investigation is occurring of the best solution for the service duct doors given other cabin works being progressed.	In progress - an implementation plan for the timely delivery of the capital works is being developed.
31	Taking into account cabin upgrades, undertake a risk assessment to ascertain if any of the aluminium doors and door frames located in secure areas should be replaced with folded steel frames and steel clad or cored doors.	Not agreed	Folded steel frames and steel clad or cored doors are not considered consistent with the design philosophy for Bimberi Youth Justice Centre.	Not proceeding.
32	That as electric strikes fail, these be replaced with electric locks of an appropriate standard, where practical to do so.	Agreed	Implement as part of the ongoing maintenance budget for Bimberi Youth Justice Centre.	Ongoing as part of maintenance activities.
33	That a risk assessment be undertaken to establish if external building modifications are justified to limit the ability to gain roof access.	Agreed	The issue identified is being addressed by the 2011-12 Budget announcement of capital works for Bimberi Youth Justice Centre.	In progress - procurement documentation is being prepared with commencement of works planned for early July 2011.