



Office of the
**Custodial
Inspector**
Tasmania



**Security contractor transport
of young people in custody:**

Safeguarding review 2025

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Content warning

This report contains images and content that may be distressing.



Office of the Custodial Inspector Tasmania

About this review

This review describes the findings and recommendations from the Custodial Inspector arising from a use of force incident in November 2024. The incident led to a wider review into services provided by private security officers to children and young people in detention.

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Enquiries about this report and/or requests for it in alternative formats should be directed to:

Mail: GPO Box 960 Hobart, Tasmania 7001

Telephone: 1800 001 170 (free call)

Email: ci@custodialinspector.tas.gov.au

Website: www.custodialinspector.tas.gov.au

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From the Custodial Inspector

Since the *Child and Youth Safe Organisations Act 2023* (Tas) came into force in Tasmania, people working with children have strived to embed child-safe principles into the fabric of their organisations. This has included revising policies and codes of conduct, altering hiring practices and physical and online environments, and improving processes to value and include children's voices.

Children and young people in detention appear not to be fully benefiting from these changes.

Earlier this year, my Office released a report titled *Children in Tasmania's prisons*. This report argued that children and young people should not be held in adult prisons—environments which, by their very nature, are not designed to provide physical and psychological safety for children and young people. It demonstrated that the safeguards enshrined in the *Child and Youth Safe Organisations Act 2023*, as well as those recommended by the 2023 *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings*, are not always applied to children and young people in custody.

Unfortunately, this review, *Security contractor transport of young people in custody: Safeguarding review 2025*, has identified another gap in the safeguarding of children and young people in custody. When children and young people are transferred from adult prison to Ashley Youth Detention Centre (AYDC), they are escorted by private security officers. When they travel offsite from AYDC—to appointments, court, and other activities—they are also escorted by security officers.

My inspection officers began investigating this practice in December 2024 after learning of an incident where, while in the care of security officers, a young person's safety and wellbeing were put at risk. This incident was later described in an internal Department for Education, Children and Young People (DECYP) email as 'potentially an example of a systemic failure to meet the basic needs of a young person'.¹ This report confirms it was a systemic failure.

¹ Internal Department for Education, Children and Young People email, January 2025.



My inspection officers' review into this incident led them to identify several gaps in the safeguards that generally apply to children and young people in DECYP's care. They found that basic requirements of the *Child and Youth Safe Organisations Act 2023* were not being met by security officers, nor by DECYP in its management of their work. They found that two years on from the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings*, basic protections were missing. The incident showed that where safeguarding gaps endure, unsafe practices will arise. This highlights the need for continuous improvement.

My Office inspects and monitors youth detention against our *Expectations on the treatment of children and young people deprived of their liberty*. These Expectations set out treatment of children and young people in detention in line with best practice and human rights standards. This review found that several Expectations were not being met in the context of security officers' care, and therefore, that several human rights were not being upheld.

Our vision is that Tasmanians trust that the human rights of people deprived of their liberty are fully respected. Human rights are inherent to the person; they are not dependent on whether a child or young person is located in a detention centre, a transport vehicle, or an adult prison. It is vital that children and young people's rights to care and safety are upheld across the youth justice system and that Tasmanians can trust this is occurring.

Independent oversight is a crucial part of ensuring human rights are respected. DECYP has made multiple positive changes in response to this review and supported our 11 recommendations. We appreciate their transparency and willingness to act on these matters. We must ensure safeguards designed to protect children and young people are fully implemented across all youth detention settings.

Dr Grant Davies
Custodial Inspector
December 2025



Thank you

We thank the children and young people in custody who shared their experiences with us on this issue. At times this was difficult for some; they shared their experiences knowing it would not change what happened to them but may improve the future treatment of others. Some feared reprisal for speaking up and we have respected their desire for anonymity while using their information to inform our findings. We greatly value their contributions.

We particularly thank the young person involved in the incident which prompted this review. We also thank staff at Ashley Youth Detention Centre who facilitated our conversations with the young person.

We would like to thank the staff who engaged with us at the Department for Children, Education and Young People (DECYP) and Ashley Youth Detention Centre (AYDC). While they are legislatively obliged to assist, their cooperation with the process and desire to improve systems were very welcome.

Throughout our review, staff engaged willingly with our requests for information and spoke openly about issues raised and how to address them. Staff from DECYP's Office of Youth Justice were particularly helpful in providing us with timely information.

We are also grateful to Sophia Mallick, who worked with us for a semester as part of a placement through the University of Tasmania's School of Law and assisted with research for this review.



List of recommendations

Recommendation 1

The Department for Education, Children and Young People should:

- a) educate staff about the risks of spit hoods and improvised spit hoods
- b) update relevant policies and procedures to prohibit their use.

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Recommendation 2

The Tasmanian Parliament should legislate to ban the use of spit hoods and improvised spit hoods in all circumstances.

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Recommendation 3

The Department for Education, Children and Young People should:

- a) develop improved protections for staff at risk of exposure to bodily fluids, and make these readily accessible to all staff and contractors
- b) ensure staff training focuses on relational security, while also including information about appropriate techniques to respond to spitting and the physical and psychological risks of assaults and bodily fluid exposure.

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Recommendation 4

The Department for Education, Children and Young People should improve governance processes for contractors providing transport for Ashley Youth Detention Centre. This includes:

- a) tender processes that require demonstrated expertise in working with children and young people and evidence of compliance with the *Child and Youth Safe Organisations Act 2023*
- b) initial and ongoing vetting of staff
- c) ongoing monitoring of compliance with contractual obligations and child-safe principles
- d) providing and tracking completion of comprehensive, ongoing training that focuses on relational security and de-escalation techniques
- e) providing contractor staff with the information, equipment and ongoing support required to fulfil their roles
- f) regular executive oversight and auditing, including processes to capture children and young people's experiences of the service.

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Recommendation 5

The Department for Education, Children and Young People, alongside Ashley Youth Detention Centre staff and children and young people, should develop therapeutic, restorative post-incident processes that are in line with best practice.

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Recommendation 6

Legislation introduced to amend (or replace) the *Youth Justice Act 1997* should cover use of force against children and young people in custody that occurs outside of youth detention centres.

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Recommendation 7

The Department for Education, Children and Young People should strengthen oversight of external transport providers by:

- a) developing processes to monitor, investigate and review staff conduct and incidents that occur offsite
- b) promptly addressing operational and training needs identified during review.

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Recommendation 8

The Department for Education, Children and Young People, in consultation with Ashley Youth Detention Centre staff and children and young people, should purchase purpose-built vehicles that safeguard children and young people, staff, and the public, and reflect therapeutic care principles.

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Recommendation 9

The Department for Education, Children and Young People should urgently improve the complaints management framework, including:

- a) timely reporting and action when significant misconduct or child safety concerns are detected
- b) robust systems to capture and track concerns
- c) expediting investigations into Ashley Youth Detention Centre staff in recognition of critically low staffing levels
- d) requiring the same standard of care from all staff, including contractors, working with children and young people in detention. This must be accompanied by creating the conditions staff require to meet these standards, such as ongoing training, development, and support.

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Recommendation 10

The Department for Education, Children and Young People should explore means of implementing therapeutic and trauma-informed care principles during external clinical appointments.

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Recommendation 11

The Tasmanian Government and the Department for Education, Children and Young People should:

- a) as an interim measure, provide sufficient funding and resources for Ashley Youth Detention Centre staff to accompany children and young people during transport (this includes taking immediate steps to prioritise staff wellbeing and retention)
- b) in line with the principles of the *Youth Justice Model of Care*, phase out use of security officers and establish more therapeutic means of transporting children and young people.

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Processes used to conduct this review

This review is the result of issues arising from monitoring the treatment of children and young people in custody at Ashley Youth Detention Centre (AYDC). The review process involved us conducting the following activities:

- multiple on-site visits and inspections at AYDC
- conversations with children and young people in custody
- meetings with AYDC leaders
- conversations with AYDC staff
- written inquiries to, and responses from, AYDC, the Department for Education, Children and Young People (DECYP), the Department of Health, Tasmania Police, the Interim Commissioner for Children and Young People, and the Ombudsman
- meetings and correspondence with the Office of the Independent Regulator
- reviewing Closed-Circuit Television and body-worn camera footage
- seeking input from Essential Security and the two AYDC staff involved in the incident
- background research
- review of documentation.

A draft or excerpts of the draft of this report were provided to the following (for comment and fact-checking):

- DECYP and relevant staff within that Department (including AYDC)
- Department of Health
- Department of Justice
- Department of Police, Fire and Emergency Management
- Interim Commissioner for Children and Young People
- Independent Regulator
- Child Safety Reform Implementation Monitor
- Minister for Children and Youth
- Essential Security
- Previous security contractor.

DECYP's response is included in Appendix 2. Essential Security's response is included in Appendix 3 with sections that contain identifying information or relate to matters under investigation redacted. Comments and feedback from other responses are incorporated where relevant throughout this report.



1. Introduction

1.1 Safeguards

This review commenced as an investigation into a single incident that occurred in November 2024 during the transport of a young person in custody. Security officers reported that the young person was spitting, so they covered his head with his own t-shirt while his hands were handcuffed behind his back.

The young person told us the improvised spit hood made it ‘hard to breathe’.²

Children and young people in custody are routinely transported from Hobart and Launceston Reception Prisons to Ashley Youth Detention Centre (AYDC), as well as from AYDC to medical appointments, court and other offsite activities. Most of these journeys are fulfilled by security officers from Essential Security, a private company contracted by the Department for Education, Children and Young People (DECYP).

The information we gathered about the November 2024 incident raised serious concerns. It also quickly revealed a broader issue: the lack of safeguards protecting children and young people in detention while they are in the care of Essential Security staff. We found that human rights standards and child-safe principles that should apply in these circumstances were absent. We also found that security officers were not equipped and supported to manage risks and make safe decisions.

This report details our investigations into the November 2024 incident and the systemic issues it highlighted, including the lack of legislation prohibiting spit hood use in Tasmania. It examines several safeguards protecting children and young people in detention and the extent to which they have been applied to transport. These include:

- vetting, training and support of staff
- providing staff with appropriate equipment
- electronic surveillance
- timely and fulsome reporting
- listening to and valuing the voice of children and young people

² Conversation with young person in detention (Custodial Inspector staff).

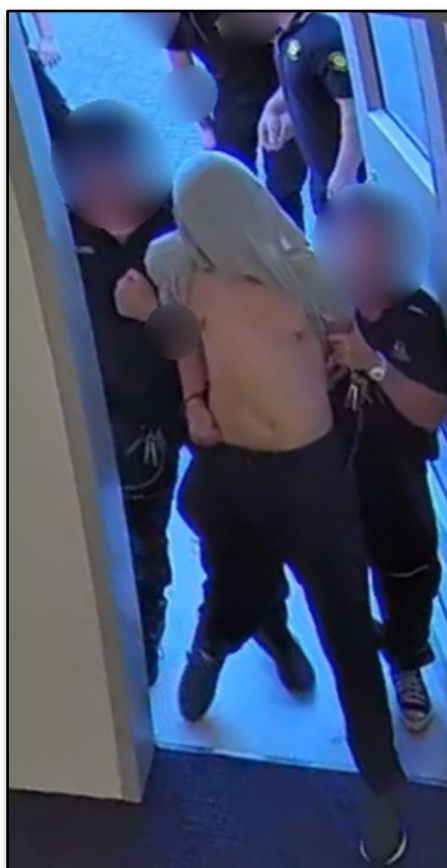


- independent review of use of force and restraints
- investigation of incidents of concern
- scrutiny of staff conduct
- supporting staff to provide relational security.

This examination found inconsistency in the application of these safeguards. The strict safeguarding requirements at AYDC were lacking for transport, which we consider directly contributed to the November 2024 incident. We found that the young person was no longer protected by safeguards once he was handed to Essential Security, despite still being in DECYP's care and custody. DECYP has acknowledged that:

...there were clearly unacceptable failures in some of our processes and procedures...This led to the safety of children and young people being compromised, which is inconsistent with our own, and community expectations.³

Figure 1. CCTV image of the young person being walked through a door at AYDC by two AYDC staff.



³ Letter from Ginna Webster, Secretary, Department for Education, Children and Young People, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Department for Education, Children and Young People response to draft report'). Refer to full response at Appendix 2.



1.2 Oversight

In 2017, the national *Royal Commission into Institutional Responses to Child Sexual Abuse* detailed the ways in which institutional settings, including youth detention, place children at higher risk of abuse.⁴ As one means of mitigating this risk, it recommended that all state and territory governments ensure there is independent oversight of youth detention.⁵ Similarly, the 2023 *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* stated that oversight is a 'vital part of safeguarding children in detention facilities' and recommended increasing oversight of youth detention in Tasmania in several ways.⁶ It heard evidence that off-property activities at AYDC were 'well known among the young people in detention' as a key time where they would be abused by staff.⁷ Away from cameras and other staff, 'there was no oversight'.⁸

Our investigations for this review revealed that while DECYP has gone to great lengths to increase oversight of AYDC in recent years, this oversight gap—offsite activities—has largely persisted.

Independent oversight has also significantly increased at AYDC. Oversight is provided by the Commissioner for Children and Young People, the Independent Regulator, the Ombudsman and the Custodial Inspector (our office). However, this review demonstrates that even when concerns about transport were highlighted by these independent bodies, DECYP did not act.

While DECYP had some safeguards to protect children and young people during transport, they did not have systems in place to oversee their use and effectiveness. This report seeks to emphasise that safeguards can only protect children and young people if they are consistently applied, meaningfully embedded and overseen by robust internal systems as well as independent bodies. In their response to a draft of this report, DECYP indicated their recognition of 'the essential role of independent oversight in safeguarding the rights and wellbeing of young people'.⁹

⁴ *Royal Commission into Institutional Responses to Child Sexual Abuse* (Final Report, 2017) vol 15, 18.

⁵ Ibid vol 15 recommendation 15.10, 18.

⁶ *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* (Report, August 2023) vol 1 recommendations 12.36–12.39, 64.

⁷ Ibid vol 5 book 1, 142.

⁸ Ibid vol 5 book 1, 111, 126, 142.

⁹ 'Department for Education, Children and Young People response to draft report' (n 3).



The report makes recommendations to improve safeguarding of children and young people during transport within the current system. However, it also considers whether private security officers are best placed to transport vulnerable children and young people, and whether this practice is compatible with the therapeutic care principles DECYP is seeking to apply—not just at AYDC, but across Tasmania’s youth justice system.

1.3 Essential Security disagreed with parts of this report

While conducting this review, we invited Essential Security to speak with us so that we could understand their perspective.¹⁰ They did not respond to this invitation, and we chose not to require them to speak with us (a power provided by our governing legislation).¹¹ We then sent Essential Security a draft of the report—a further opportunity to share their views and respond to adverse comments.¹²

In response, a lawyer acting on behalf of Essential Security provided a letter addressing many aspects of the report. We have included this response in Appendix 3, with sections that contain identifying information or relate to matters under investigation redacted. Essential Security’s comments are also incorporated throughout the report.

The lawyer advised us that Essential Security ‘do not accept many of the factual assertions against them’.¹³ In addition:

Essential Security are concerned that the report contains untested, false and defamatory representations that may impact on its reputation and those of its employees. They are extremely concerned that the anonymity and lack of particulars concerning many of the allegations makes them impossible to counter and their inclusion in the report is unfair.¹⁴

Essential Security requested that ‘untested allegations’ be omitted, and if included then it be made ‘very clear that the allegations are untested’ and that Essential Security has not been able to ‘properly respond’ to some allegations.¹⁵

¹⁰ Letter from Richard Connock, Custodial Inspector, to Essential Security, 20 March 2025.

¹¹ *Custodial Inspector Act 2016* (Tas) pt 2 s 8(e)(ii).

¹² In accordance with the requirements of the *Custodial Inspector Act 2016* (Tas) s 20.

¹³ Letter from Douglas & Collins Lawyers, acting for Essential Security, to Dr Grant Davies, Custodial Inspector, 19 November 2025 (‘Essential Security response to draft report’). Refer to Appendix 3.

¹⁴ *Ibid.*

¹⁵ *Ibid.*



We acknowledge the potential impact of this report and its allegations about Essential Security. We considered these concerns with regard to our governing legislation, the *Custodial Inspector Act 2016* (Tas), and believe they are outweighed by public interest considerations in favour of disclosure.¹⁶

We note that the purpose of this report is to highlight and propose solutions to systemic issues, rather than target individual behaviour. We recognise that these systemic issues have negatively affected not just young people in detention but also Essential Security staff.

We seek to protect the identity of people who share information with us and therefore could not provide Essential Security with the specifics of many allegations, including names, dates and other identifying information.¹⁷ We understand that consequently Essential Security did not have the opportunity to respond to some allegations, and emphasise that anecdotal information in this report has not been tested in a court. However, we note that our investigation process includes seeking corroborating evidence from different sources wherever possible. We are satisfied that similar concerns about Essential Security were expressed to us by different people in different contexts. We also reviewed a substantial number of documents to inform our findings.

Importantly, listening to and considering the voices of people in detention settings is an essential means of fulfilling the Custodial Inspector's legislative obligations to provide 'independent, proactive, preventative and systemic oversight of custodial centres'.¹⁸ Our role is to illuminate issues that are usually unseen and exist in an environment of significant power imbalance.

Despite rejecting 'many of the factual assertions made against them' and having concerns about some elements of this report, Essential Security made it clear that they 'take their statutory obligations seriously' and 'welcome reform and clarity'.¹⁹ They advised us that with the exception of Recommendation 11 (refer to Section 10.5), they support the changes suggested in the report and will 'abide by any directions and recommendations that result'.²⁰

¹⁶ *Custodial Inspector Act 2016* (Tas) s 22.

¹⁷ *Ibid.*

¹⁸ *Ibid* s 3.

¹⁹ 'Essential Security response to draft report' (n 13).

²⁰ *Ibid.*



2. Background

2.1 We heard about the incident during a routine visit

In early December 2024, two inspection officers from our team made a routine, unannounced monitoring visit to Ashley Youth Detention Centre (AYDC). They attended an Incident Review Committee (IRC) meeting scheduled for that morning.

The IRC was established in 2022 and is responsible for ‘critically reviewing all serious incidents occurring [at AYDC] in the previous week’, which includes use of force and use of isolation.²¹ IRC members review video footage and incident reports, and consider each incident with a focus on several factors, including:

- compliance with departmental procedures and policies as well as laws and international conventions
- accuracy and detail of reporting
- whether actions were justified
- any opportunities for feedback and learning.²²

During the December 2024 meeting, the IRC reviewed an incident that had occurred in November 2024 in which a young person required clinical attention at the Launceston General Hospital (LGH). AYDC engaged Essential Security to escort the young person to and from the LGH.²³

The IRC’s role was solely to review the actions of AYDC staff; Essential Security officers do not fall under the IRC’s remit. Closed-Circuit Television (CCTV) footage available to the IRC commenced when the transport vehicle returned to AYDC. It showed the young person being removed from the vehicle with his hands handcuffed behind his back and his t-shirt pulled up over his face and head. Two AYDC staff physically moved the young person into a holding cell while he was handcuffed, and the t-shirt was over his head.²⁴ Essential Security staff followed behind.

²¹ Tasmanian Government (Department for Education, Children and Young People), ‘Ashley Youth Detention Centre Incident Review Committee Terms of Reference’, 1.

²² Ibid 1.

²³ Ashley Youth Detention Centre, ‘AYDC Shift Summary’ (November 2024).

²⁴ CCTV footage supplied by Ashley Youth Detention Centre (November 2024).



The young person was physically resisting being moved and managed to headbutt one of the AYDC workers. At one point, the t-shirt slipped slightly from the young person's head and the worker pulled it back up.²⁵ The young person was able to remove the t-shirt once secured in a cell, and the AYDC worker soon removed the handcuffs.²⁶

Figure 2. CCTV image of two AYDC staff holding onto the young person, whose face and head have been covered by his t-shirt. Three Essential Security staff are standing to the side.



The inspection officers observed that IRC members were visibly shocked and concerned by the CCTV footage. The AYDC incident report made no mention of the t-shirt being used as an improvised spit hood.²⁷ Members immediately indicated that this was unacceptable and decided to refer the matter to AYDC leaders for further review. Minutes from the meeting state: 'Refer to Director Youth Detention to seek further training for Essential Security and reasons as to why [the young person's] t-shirt was over his head on arriving back to AYDC'.²⁸

We determined this incident presented serious risks to the young person's safety and wellbeing and started making enquiries.

²⁵ Ibid.

²⁶ Ashley Youth Detention Centre, 'AYDC Incident Report' (November 2024).

²⁷ Ibid.

²⁸ Tasmanian Government (Department for Education, Children and Young People), 'Meeting Minutes: Incident Review Committee' (4 December 2024) 13.

2.2 AYDC leaders acted to minimise further harm

We learned that when AYDC leaders heard about the November 2024 incident, they acted by:

- requesting information about the incident from Essential Security
- providing personal protective equipment to Essential Security to protect against spitting (although Essential Security told us that this has not occurred)²⁹
- exploring how dysregulated children and young people can be transported safely
- researching more appropriate vehicles for transporting children and young people
- identifying Essential Security's training needs and initiating meetings to discuss 'vehicles, policy and procedures and a proposed induction for their staff'.³⁰

AYDC records show that the young person's wellbeing was monitored and supported by staff after he returned from the LGH.³¹ Workers continued talking to the young person as well as conducting ten-minute observations, reporting that he was 'in a great space' soon after the incident.³² The young person was also checked by the onsite nurse (which is AYDC procedure following any use of force).³³

We were reassured by these actions but decided the incident warranted further exploration. We requested additional documentation from AYDC.³⁴ We also requested documentation and CCTV footage of the young person's visit to the LGH from the Department of Health.³⁵

²⁹ Letter from Douglas & Collins Lawyers, acting for Essential Security, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Essential Security response to draft report'). Refer to Appendix 3.

³⁰ Conversation with Ashley Youth Detention Centre leader (Custodial Inspector staff, December 2024); Email from Ashley Youth Detention Centre to Office of the Custodial Inspector, February 2025.

³¹ 'AYDC Incident Report' (n 26).

³² Tasmanian Government (Department for Education, Children and Young People), 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (19 May 2025).

³³ Ashley Youth Detention Centre, 'Concern Notice' (23 January 2025).

³⁴ Email from Office of the Custodial Inspector to Ashley Youth Detention Centre, December 2024.

³⁵ Letter from Richard Connock, Custodial Inspector, to Dale Webster, Secretary, Department of Health, 9 December 2024.



2.3 Initial enquiries raised further concerns

The incident report initially provided by Essential Security officers contained minimal detail.³⁶ AYDC staff requested more information and received a detailed email account of the events that transpired during the journey.³⁷ These included the young person displaying challenging behaviours such as verbal abuse, kicking, spitting, punching and headbutting. The email described security officers physically restraining the young person and using handcuffs several times during the journey, both inside the vehicle and at the LGH.³⁸

The email stated that at the LGH, Essential Security staff became concerned about managing the young person's behaviour on the return drive. They requested assistance from Tasmania Police, who advised they could only follow behind the vehicle. This was described by the Essential Security officer as 'a very pointless act'.³⁹

The Essential Security officer who had been driving the vehicle stated that he was distracted by the young person spitting, which made him concerned about safety. He instructed another worker to pull the young person's 't-shirt up over his face so he could not spit on anyone again'.⁴⁰ He went on to say:

I am genuinely concerned with the not fit for purpose vehicles we are using as this is a prime example that if this transport was done with other people that wasn't as physically capable as the three guards that were there this could have had a very different outcome my concern is also not just for the guards and the public but also the young person this incident without my intervention could also have gone the other way and had people using deadly force to ensure there own safety and then having them facing court and loosing their livelihood [*sic*].⁴¹

This account prompted us to consider numerous questions about this incident as well as broader systemic issues. We sent a letter to the Secretary of DECYP outlining our concerns and requesting information.⁴²

³⁶ Essential Security, 'Incident report form' (November 2024).

³⁷ Email from Essential Security to Ashley Youth Detention Centre, 9 December 2024.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Letter from Richard Connock, Custodial Inspector, to Ginna Webster, Secretary, Department for Education, Children and Young People, 11 March 2025.



2.4 DECYP acknowledged concerns and acted

DECYP's response to our letter noted that the November 2024 incident highlighted 'procedural and process gaps' and

the need for better processes for safely transporting young people off-site, as well as relevant resources to ensure both contractors and AYDC staff clearly understand their responsibilities and requirements to uphold the rights and dignity of young people.⁴³

DECYP collaborated with AYDC to address the concerns. Immediate actions included supporting learning and development initiatives for Essential Security staff, investigating a fit-for-purpose vehicle, and implementing a new system to track contract worker registration and training.⁴⁴

DECYP and AYDC acted promptly in response to our enquiries, but we considered the November 2024 incident highlighted systemic safeguarding gaps needing to be addressed. This was not the first time concerns had been raised about Essential Security and not the first opportunity for DECYP to make changes responding to those concerns. We decided to commence a review.

2.5 The young person gave us permission to write this report

Before deciding to publicly report on this review, we spoke with the young person involved in the November 2024 incident. We asked how he felt about us investigating and talked to him about different ways we could address the issues. We told him we would only write a public report with his permission and would only include (de-identified) images if he wanted us to. We explained that if we wrote a report it would be available for anyone to read.

The young person gave his permission and did not express any concerns. We later showed him CCTV images of the incident and he said he did not mind if they were used in the report. We followed up with the young person several times while conducting our review to determine if he had any concerns or wanted to change his mind. This included showing him sections of the draft report. The young person told us each time that it was okay with him.⁴⁵

We also invited Essential Security staff and AYDC workers involved in the

⁴³ Letter from Ginna Webster, Secretary, Department for Education, Children and Young People, to Richard Connock, Custodial Inspector, 19 May 2025.

⁴⁴ Ibid.

⁴⁵ Conversations with young person in detention (Custodial Inspector staff).



incident to share their perspectives with us.⁴⁶ Essential Security's comments are included throughout this report and their response is reproduced in Appendix 3.

2.6 There have been issues with Essential Security before

In late 2023, the Commissioner for Children and Young People raised concerns about Essential Security with AYDC leaders and the Secretary of DECYP. These related to confidentiality, unreasonable use of force, painful application of handcuffs, and abusive and threatening language.⁴⁷ Essential Security advised us that they were not told about these concerns and therefore could not investigate them.⁴⁸

Subsequently, three young people made complaints to the Ombudsman relating to these allegations as well as about gender of staff transporting female children and young people.⁴⁹ Essential Security refuted the latter allegation.⁵⁰ AYDC determined that Essential Security officers involved with the complaints had been approved to transport young people and were trained in handcuff use.⁵¹ DECYP addressed specific confidentiality issues and arranged for Essential Security to provide weekly reports to AYDC.⁵² Ombudsman staff advised us that additional evidence was not available to determine the accuracy of the young people's allegations. They suggested DECYP consider installing CCTV in transport vehicles or requiring Essential Security officers to wear body-worn cameras.⁵³ These suggestions were not implemented. Essential Security told us they have requested body-worn cameras, which are yet to be provided (for operational reasons).⁵⁴

We also raised concerns with DECYP in November 2023 about Essential Security's use of handcuffs, and requested information about their training.⁵⁵

⁴⁶ Letter from Richard Connock, Custodial Inspector, to Essential Security, 20 March 2025; Email from Office of the Custodial Inspector to Ashley Youth Detention Centre, September 2025.

⁴⁷ Tasmanian Government (Department for Education, Children and Young People), 'Responses to additional secure transport questions' (August 2025).

⁴⁸ 'Essential Security response to draft report' (n 29).

⁴⁹ 'Responses to additional secure transport questions' (n 47).

⁵⁰ 'Essential Security response to draft report' (n 29).

⁵¹ Email from Office of the Ombudsman to Office of the Custodial Inspector, 13 February 2025.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ 'Essential Security response to draft report' (n 29).

⁵⁵ Letter from Richard Connock, Custodial Inspector, to Timothy Bullard, Secretary, Department for Education, Children and Young People, 21 November 2023.



We were advised that Essential Security ‘has worked with AYDC to understand the relevant policies and procedures’ and that ‘Essential Security must ensure that Security Officers are skilled professionals with the highest ethical standards’.⁵⁶ The extent to which these requirements were applied in practice is examined in Section 5.

2.7 There have been concerns with transport for years

We made a recommendation about transport in 2021 after identifying problems with travel distance and lack of breaks for toileting, food and water.⁵⁷ Although the recommendation was supported, we heard similar concerns while undertaking an inspection in 2023 (the security company contracted at the time provided a response which is included in the inspection report).⁵⁸ Our report noted that transport delays negatively impacted children and young people by prolonging their stays in reception prisons—environments that, as detailed in our 2025 *Children in Tasmania’s prisons* report, are unsafe and inappropriate for children and young people.⁵⁹

We have heard recently from children and young people that delays in transport from reception prisons are exacerbated when there is more than one young person requiring transport: Essential Security staff escort one young person from Hobart to AYDC, then return for another. This means the second young person is waiting at least an additional six hours. We have also been told about delays of up to eight hours before Essential Security officers collect children and young people from Launceston.⁶⁰ Under their contract with DECYP, Essential Security is required to arrive in Hobart within three hours and Launceston within two hours.⁶¹ Essential Security rejected any implication that they are responsible for any long waiting times or have breached their contract. They suggested any delays could be the result of blockages within the justice system or delayed contact by AYDC (matters they have no control over) and said they

⁵⁶ Letter from Jenny Burgess, Associate Secretary, Department for Education, Children and Young People to Richard Connock, Custodial Inspector, 11 December 2023.

⁵⁷ Office of the Custodial Inspector, *Environmental health and hygiene inspection report: Inspection of youth custodial services in Tasmania* (Report, 2021) recommendation 6, 21.

⁵⁸ Office of the Custodial Inspector, *Youth health care inspection report* (Report, 2023) appendix 6, 159.

⁵⁹ Ibid 75; Office of the Custodial Inspector, *Children in Tasmania’s prisons: review report 2025* (Report, 2025).

⁶⁰ Conversations with children and young people in detention (Custodial Inspector staff); Conversations with reception prison staff (Custodial Inspector staff, 2025).

⁶¹ Ashley Youth Detention—Secure Escort Transportation (Contract between The Crown in Right of Tasmania and Essential Security, 24 August 2023) 12.



welcome any information to address perceived delays.⁶²

Our 2023 report noted that when a young person's basic needs and sense of safety are not provided during transport, they are more likely to be dysregulated, which can lead to negative interactions with their environment.⁶³ It recommended review of policies and procedures with a focus on protecting basic physiological needs and psychological safety during transport.⁶⁴ A June 2025 update from DECYP stated that this recommendation is 'in progress' and cited recent training Essential Security officers attended (refer to Section 5.5).⁶⁵

It is unclear whether these recommendations resulted in change.

We were recently told by children and young people that 'it's not fair' because stops are not allowed, including for food and drink, while Essential Security staff can eat and drink in the vehicle. We also heard from an AYDC youth worker that they requested a food stop for a young person on a lengthy trip and security officers refused.

Essential Security advised us that under their guidelines, they cannot 'deviate from their authorised transport routes' for comfort breaks, that they are not responsible for supplying food and drinks, and that previously AYDC packed food and drink for young people.⁶⁶ DECYP indicated that plans for improved preparation for offsite appointments will include 'the provision of food and drinks for hospital visits if long waiting periods are anticipated'.⁶⁷ This would improve compliance with our Expectation 10.1 (refer to Section 3).

It was evident from reviewing prior issues that concerns about transport are not new and still require attention.

⁶² 'Essential Security response to draft report' (n 29).

⁶³ *Youth health care inspection report* (n 58) 76. The issue of 'comfort breaks' was also raised in an earlier inspection report: Office of the Custodial Inspector, *Custody inspection report: inspection of youth custodial services in Tasmania* (Report, 2018).

⁶⁴ Ibid recommendation 9.

⁶⁵ Tasmanian Government (Department for Education, Children and Young People), 'Update to progress made towards recommendations made in the youth health care inspection report 2023' (June 2025).

⁶⁶ 'Essential Security response to draft report' (n 29).

⁶⁷ Letter from Ginna Webster, Secretary, Department for Education, Children and Young People, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Department for Education, Children and Young People response to draft report'). Refer to full response at Appendix 2.



3. Rights and standards

3.1 Human rights apply to issues raised in this review

We inspect Ashley Youth Detention Centre against our *Expectations on the treatment of children and young people deprived of their liberty* (Expectations), which set out best practice in youth detention according to national and international standards and human rights instruments.⁶⁸

When we are considering whether an organisation is meeting an Expectation, we look for a number of indicators. Below we have listed Expectations that are particularly relevant to this review, along with several indicators that we consider were lacking regarding the November 2024 incident and the systems connected to it.

Expectation 3.2 Treatment

Children receive treatment, sensitive to their needs, from competent staff in environments that promote dignity and maintain privacy.

Indicators:

- Child patients are treated with dignity and respect.
- Child patients are seen in private, except in exceptional circumstances.⁶⁹

Expectation 6.7 The use of force

Force is used only as a last resort, to a minimum degree and for the shortest possible time, and if applied is used legitimately by trained staff. The use of force is minimised through preventive strategies and alternative approaches which are monitored through robust governance arrangements.

Indicators:

- Staff have up-to-date training in de-escalation and in using the appropriate, approved techniques.
- Batons or spit hoods are never used on children.

⁶⁸ Tasmanian National Preventive Mechanism and Office of the Custodial Inspector, *Expectations on the treatment of children and young people deprived of their liberty* (Version 1.1, May 2024).

⁶⁹ Ibid.



- All use of force incidents are filmed with sound (including body-worn video cameras). Recordings and documentation are promptly retained and reviewed.
- Use of force documentation is completed within 24 hours and is routinely scrutinised by a senior manager to ensure force is used as a last resort and is lawful.
- Children can learn how to manage and take control of their behaviour and are given the opportunity to talk about their experience as soon as possible after an incident.
- Children receive an explanation of why force was used and this is recorded and used to inform other plans relating to the care of the child.

Expectation 6.8 Restraint

Restraint techniques are only used legitimately and as a last resort when all other alternatives have been explored. Restraint techniques are not used as a punishment or to obtain compliance with instructions.

Indicators:

- Restraint techniques are only used as a last resort and for the shortest time possible, when there is immediate risk to the safety of the child or others, and when all other alternatives have been explored.
- Any incidents of restraint are properly authorised and accurately recorded.

Expectation 7.2 Relationships between staff and children

Children are treated with care and respect for their human dignity at all times. Relationships between staff and children are warm, compassionate and helpful, with appropriate boundaries maintained.

Indicators:

- Staff behave in a fair and consistent way, care for children as individuals and respond to their different needs.
- Staff take time to build relationships with children and know their strengths and weaknesses, show genuine interest, and listen to children.
- Staff understand the impact of life experiences, such as trauma, abuse, and mental illness, on behaviour.



Expectation 9.5 Training and development

All staff must be appropriately trained and receive ongoing development, and reaccreditation where necessary.

Indicators:

- The organisation provides regular opportunities to educate and train staff on child safety and wellbeing and procedures and evidence-based practice.
- All staff receive regular training to maintain and update their skills (and qualifications where relevant) and be able to access professional development activities.
- Staff are trained and aware of their responsibilities toward children who are deprived of their liberty.
- There is a formal training plan to coordinate the training of staff. Accurate and up-to-date records are kept of all staff training.
- Staff with direct detainee contact/supervision receive training in 'soft skills' (such as communication and de-escalation) as well as use of force and other security-focused procedural training.

Expectation 9.6 Workplace Safety

Effective emergency management, Workplace Health and Safety and other systems are placed to ensure safety.

Indicators:

- The facility provides a safe working environment for all staff (including visiting or external staff).
- An incident response capability is in place that is commensurate with assessed risk.
- Staff are trained in workplace health and safety and specific training for the use of emergency equipment is provided.
- Physical and procedural security assists with the management, monitoring and responding to incidents.

Expectation 11.1 Protection from harm and neglect

Children are provided with a safe and secure environment which protects them from harm and neglect. They receive services that are designed to ensure safe and effective care and support.



Indicators:

- Staff are subject to recruitment and screening procedures in accordance with policy and legislation, including working with children checks.
- Children feel safe and are protected from harm.
- There are mechanisms for notifying relevant authorities of significant child safety events.
- Staff take appropriate action to protect children from harm.
- Injuries and incidents of violence, including restraint, bullying and self-harm, are closely monitored. There is good data collection and regular analysis to help identify patterns and trends and to implement preventive measures.
- Staff model caring, respectful and non-violent behaviour.

Expectation 10.1 Travel

Children travel in safe, secure, decent conditions, are treated with respect and attention is paid to their individual needs. Children should only be transported when it is absolutely necessary.

Indicators:

- Escort staff are aware of the individual needs of the children in their care and provide a written and verbal briefing to receiving staff.
- Any issues regarding the safety of children under escort are quickly resolved.
- Restraint techniques are only used as a last resort and for the shortest possible time, when there is an immediate risk to the safety of the child or others, and when all other alternatives have been explored. Where restraint is used, this is documented and reported.
- High security escorts, while ensuring security and safety, have regard to the welfare and dignity of young people.
- Children are given adequate toilet breaks and refreshments during travel or transfer (as a guide, every 2 to 2.5 hours).

3.2 Child and Youth Safe Standards

The November 2024 incident can also be considered in the context of Tasmania's *Child and Youth Safe Standards* (Standards), which came into effect in 2024 under the *Child and Youth Safe Organisations Act 2023*.⁷⁰

⁷⁰ *Child and Youth Safe Organisations Act 2023* (Tas) sch 1.



Standards we consider to be most relevant here, and which were not always evident in how transport is managed, are:

Standard 1

Child safety and wellbeing is embedded in organisational leadership, governance and culture.

Standard 2

Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.

Standard 5

People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

Standard 6

Processes to respond to complaints and concerns are child-focused.

Standard 7

Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

Standard 8

Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

Standard 9

Implementation of the Child and Youth Safe Standards is regularly reviewed and improved.

Standard 10

Policies and procedures document how the organisation is safe for children and young people.

We refer to these Standards and our Expectations throughout this report. They provide the foundations necessary to ensure children and young people in detention are safe and cared for appropriately.



4. Spit hoods

4.1 A spit hood prevents the wearer from spitting and biting

A spit hood is a hood placed over the face of a person to prevent them from spitting or biting. An improvised spit hood is the use of something (usually fabric, such as a shirt or blanket) for the same purpose. Spit hoods come in different forms but are usually made from a combination of elastic and fabric or plastic. The most well-known design in Australia—still used in prisons in Western Australia and previously used by the Australian Federal Police (AFP)—has elastic over the nose and fabric that hangs over the mouth to allow any fluid to run freely from the wearer’s face.⁷¹

4.2 Spit hoods are designed to protect staff

Generally, spit hoods are used to prevent the spread of infectious disease via the transfer of blood or saliva.⁷² They are also used to protect police and correctional officers from the ‘extremely unpleasant experience’ of being spat on.⁷³ A 2019 survey of police officers in England found that the vast majority (many of whom had been spat at or bitten while working) wanted to be able to use spit hoods.⁷⁴ In their response to a draft of this report, Tasmania Police emphasised that there is ‘psychological trauma associated with assaults through body fluid transmission’ and that violence, aggression and assaults in the workplace can have a significant and cumulative impact on staff.⁷⁵

⁷¹ The TranZport Hood. Office of the Children’s Commissioner (NT), *Use of spit hoods and restraint chairs on children* (Position Paper, June 2023) 2.

⁷² Australian Federal Police, *Review of the use of spit hoods by the AFP* (Review, April 2023) 3; Irish Council for Civil Liberties, Submission to An Garda Síochána, *ICCL Submission to An Garda Síochána Re Spit Hoods* (26 August 2020); ‘Avon and Somerset Police apology over spit hood statement’, *BBC* (Online, 22 November 2017) <<https://www.bbc.com/news/uk-england-somerset-42068820>>.

⁷³ Australian Federal Police (n 72) 3, 4.

⁷⁴ ‘National Chair welcomes Commissioner’s spit guard decision’, *Police Federation* (Online, 7 February 2019) <<https://polfed.org/news/latest-news/2019/national-chair-welcomes-commissioner-s-spit-guard-decision/>>.

⁷⁵ Letter from JC Higgins APM, Deputy Commissioner of Police, to Dr Grant Davies, Custodial Inspector, 13 November 2025 (‘Tasmania Police response to draft report’).



We recognise that being spat on is a form of ‘degrading treatment’ that no one should be subjected to.⁷⁶ It has been described as ‘one of the most disgusting and disrespectful acts that can be perpetrated’ against frontline staff.⁷⁷ While it is likely confronting for anyone, we were told that some Ashley Youth Detention Centre (AYDC) staff experience spitting as the most abhorrent form of assault. In addition, AYDC staff do not know young people’s infectious disease status which can create considerable anxiety while waiting for test results.⁷⁸ Police officers have also reported significant mental health effects related to ‘health uncertainty’ after being spat on; it can take months to learn whether they have contracted a disease.⁷⁹ Tasmania Police noted additional concerns for ‘immune compromised workers and/or family members’ can further impact staff.⁸⁰

4.3 Spitting rarely causes disease transmission

Despite a widely held belief, we found limited evidence that spitting causes disease transmission.⁸¹ This may be partly due to a lack of research and officially recorded cases of disease transmission.⁸² However, even with these limitations, one researcher who studies spitting practices believes that the ‘public health risks are commonly exaggerated’ and ‘relatively unproven’.⁸³ A 2018 literature review on the subject concluded that there is a ‘negligible’ risk of transmission of hepatitis B and C via spitting, and a ‘low’ risk of transmission via biting.⁸⁴ Another study found ‘a lack of robust evidence’ that spitting carries a

⁷⁶ Ombudsman Northern Territory, *Extraordinary restraint: Spit hood and emergency restraint chair use on children in police custody* (Report, June 2023) 3.

⁷⁷ Paul McCue, ‘A spit in the eye for NT Police’, *Northern Territory Police Association* (Online, 30 April 2023) <<https://www.ntpa.com.au/knowledgebase/article/KA-01153/>>.

⁷⁸ Conversations with Ashley Youth Detention Centre staff (Custodial Inspector staff, 2025).

⁷⁹ Lottie Twyford, ‘Tears, stress, anxiety and fear: police share harrowing details of being spat at on the beat’, *Region* (Online, 1 September 2022) <<https://region.com.au/tears-stress-anxiety-and-fear-police-share-harrowing-details-of-being-spat-at-on-the-beat/589982/>>.

⁸⁰ ‘Tasmania Police response to draft report’ (n 75).

⁸¹ Refer, for example: Kieran M. Kennedy et al, ‘The use of spit guards (also known as spit hoods) by police services in England, Wales and Northern Ireland: to prevent transmission of infection or another form of restraint?’, *Journal of Forensic and Legal Medicine* (2019) 66 147–154; FV Cresswell et al, ‘A systematic review of risk of HIV transmission through biting or spitting: implications for policy’, *HIV medicine* (2018) 19(8) 532–540; Northern Ireland Policing Board, *A review of PSNI’s use of spit and bite guards by the NI Policing Board’s Human Rights Advisor* (Review, February 2022).

⁸² Kieran M. Kennedy et al (n 81).

⁸³ Sanchita Sharma, ‘Link between spitting and disease transmission is overstated: Professor Ross Coomber’, *Hindustan Times* (Online, 17 April 2020) <<https://www.hindustantimes.com/india-news/link-between-spitting-and-disease-transmission-is-overstated-professor-ross-coomber/story-kkxhiiKKdUaCBkihVb7QkM.html>>.

⁸⁴ Hannah Pintilie and Gary Brook, ‘Commentary: A review of risk of hepatitis B and C transmission through biting or spitting’, *J Viral Hepat* 25(12) 1423–1428 (December 2018).



high risk of infection.⁸⁵ In the United Kingdom in 2017, the Hepatitis C Trust and National AIDS Trust publicly stated that they ‘wish to make clear that hepatitis C and HIV cannot be transmitted via spitting’ and that transmission of these diseases ‘should not be used as a justification’ for spit hood use.⁸⁶ The AFP banned the use of spit hoods following a 2023 review that found there is insufficient risk of disease transmission via spitting to justify the use of spit hoods (and more evidence to support vaccination as a risk-mitigating measure).⁸⁷ The COVID-19 pandemic prompted increased research into this topic as well as renewed spit hood use as a means of protecting staff.⁸⁸ This was despite manufacturers advising at the time that spit hoods are not designed to stop the spread of airborne pathogens or droplets.⁸⁹

However, Tasmania Police’s response to a draft of this report considered that our conclusion that spitting rarely causes disease transmission is ‘a misrepresentation of the issue’.⁹⁰ They went on to state:

The report is silent on the issues of there being 48 notifiable diseases listed on Tasmania’s Public Health website, many of which can be contracted through saliva/body fluid transmission.⁹¹

⁸⁵ Kieran M. Kennedy et al (n 81). Refer also: Irish Council for Civil Liberties (n 72) 6.

⁸⁶ The Hepatitis C Trust, ‘The Hepatitis C Trust and NAT respond to spit hoods debate’ (Media Release, 28 February 2017) <<https://www.hepctrust.org.uk/blog/2017/02/hepatitis-c-trust-and-nat-respond-spit-hoods-debate/>>.

⁸⁷ Australian Federal Police (n 72) 3–5. Refer also: Northern Ireland Policing Board (n 81) 4.

⁸⁸ Refer, for example: Yuqing Li et al, ‘Saliva is a non-negligible factor in the spread of COVID-19’, *Mol Oral Microbiol* (2020) 35(4) 141–145; G Kampf et al, ‘Persistence of coronaviruses on inanimate surfaces and their inactivation with biocidal agents’, *Journal of Hospital Infection* (2020) 104(3) 246–251; Jared Strote et al, ‘Prevalence and correlates of spitting on police officers: New risks in the COVID era’, *Forensic Science International* (2021) 322(4); Legislative Assembly for the Australian Capital Territory, Select Committee on Estimates (2022–2023) *Estimates 2022* QON No. 302; Ian Freckelton, ‘Spit hoods: Reforms to law and practice’, *J Law Med* (2023) 30(3) 507–519; Julian O’Neill, ‘Coronavirus: Amnesty says police spit hoods offer “no protection”’, *BBC News* (Online, 24 June 2020) <<https://www.bbc.com/news/uk-northern-ireland-53155638>>; Camilla De Camargo, ‘The weaponising of COVID-19: Contamination prevention and the use of spit hoods in UK policing’, *Police Journal: Theory, Practice and Principles* (2021) 1–22.

⁸⁹ Letter from Amnesty International and Irish Council for Civil Liberties to Commissioner Drew Harris, Garda Commissioner, 25 June 2020.

⁹⁰ ‘Tasmania Police response to draft report’ (n 75).

⁹¹ *Ibid*.



The list of diseases notifiable by laboratories in Tasmania (publicly available on the Department of Health website) has 76 individual entries.⁹² Our research indicates 18 of these are potentially transmissible through spitting, however only 11 had at least one notified case in Tasmania in 2024.⁹³ Vaccines are available

⁹² Tasmanian Government (Department of Health), *Notifiable diseases in Tasmania – a guide for laboratories* (Web Page, 31 May 2024)

<<https://www.health.tas.gov.au/publications/notifiable-diseases-tasmania-guide-laboratories>>.

⁹³ Australian Government (Department of Health, Disability and Ageing), *National Notifiable Disease Surveillance System* (Web Page, accessed 21 November 2025)

<<https://nindss.health.gov.au/pbi-dashboard/>>; Tasmanian Government (Department of Health), *Tasmanian infection prevention and control surveillance report annual report 2023* (Report, 2024); Tasmanian Government (Department of Health), MJ Buscot et al, *Vaccine preventable diseases surveillance report 2024* (Report, 2025); University of New South Wales (Kirby Institute), *HIV* (Web Page, accessed 21 November 2025)

<<https://www.data.kirby.unsw.edu.au/hiv>>; Tasmanian Government (Department of Health), SA Ahmed et al, *Tasmanian acute respiratory illness surveillance report – End of year report 2024* (Report, 2025); Australian Government (Department of Health, Disability and Ageing), *National Guidelines for yellow fever vaccination centres and providers* (2025); United States Government (Centers for Disease Control and Prevention), *Anthrax; Campylobacter Infection (Campylobacteriosis); Cholera; Diphtheria, Meningococcal Disease; Monkeypox; Smallpox; HIV* (Web Pages, accessed 21 November 2025) <<https://www.cdc.gov>>; Australian Government (Australian Centre for Disease Control), *Middle East Respiratory Syndrome (MERS)* (Web Page, 10 June 2025) <<https://www.cdc.gov.au/topics/middle-east-respiratory-syndrome-mers>>; Bradley J Blitvich et al, 'Sexual transmission of arboviruses: A systematic review', *Viruses* (2020) 12(9) 933; Eric PF Chow and Christopher K Fairly, 'The role of saliva in gonorrhoea and chlamydia transmission to extragenital sites among men who have sex with men: new insights into transmission', *J Int Aids Soc* (2019) 22(6); Government of New South Wales (NSW Health), *Bird flu (avian influenza); Brucellosis; Creutzfeldt-Jakob disease (CJD); Hepatitis E; Cryptosporidiosis; Leprosy; Leptospirosis; Rabies and Australian bat lyssavirus infection; Psittacosis (Ornithosis); Typhoid and paratyphoid; Q fever; Shiga toxin-producing Escherichia coli (STEC) infection and Haemolytic Uraemic Syndrome (HUS); Shigella (shigellosis); Tularemia; Invasive Group A Streptococcal control guideline* (fact sheets) (Web Pages, accessed 21 November 2025) <<https://www.health.nsw.gov.au/>>; Healthdirect, *Hepatitis A; Hepatitis B; Legionnaires' disease; Respiratory syncytial virus (RSV); Severe acute respiratory syndrome (SARS); Syphilis; Viral haemorrhagic fevers; Dengue fever* (Web Pages, accessed 21 November 2025) <<https://www.healthdirect.gov.au/>>; Cleveland Clinic, *Botulism (Clostridium Botulinum); Chlamydia; Hepatitis C; Listeriosis; Varicella-Zoster Virus (VZV); Campylobacter Infection* (Web Pages, accessed 21 November 2025) <<https://my.clevelandclinic.org/>>; Government of South Australia (South Australia Health), *Donovanosis (granuloma inguinale) - including symptoms, treatment and prevention; Plague - including symptoms, treatment and prevention; Rickettsial infections - including symptoms, treatment and prevention; Rotavirus infection - including symptoms, treatment and prevention; Yersinia infection - including symptoms, treatment and prevention* (Web Pages, accessed 21 November 2025) <<https://www.sahealth.sa.gov.au/>>; Tasmanian Government (Department of Health), *Haemophilus influenzae type b (Hib); VRE - Vancomycin-Resistant Enterococci* (Web Pages, accessed 21 November 2025) <<https://www.health.tas.gov.au/>>; Tasmanian Government (Department of Natural Resources and Environment), *Hydatid Disease* (Web Page, 9 April 2024) <<https://nre.tas.gov.au/biosecurity-tasmania/animal-biosecurity/animal-health/sheep/hydatid-disease>>; Hepatitis Australia, *Hepatitis D* (Web Page, 7 November 2022) <<https://www.hepatitisaustralia.com/hepatitis-delta>>; Mayo Clinic, *Malaria; Mpox (monkeypox): What is it and how can it be prevented?; Staph infections* (Web Pages, accessed 21 November 2025) <<https://www.mayoclinic.org/>>; Australian Government (Department of Health, Disability and Ageing), *Middle East Respiratory Syndrome (MERS); COVID-19 symptoms, spread and prevention* (Web Pages, accessed 21 November 2025) <<https://www.health.gov.au/>>; Damian P Kotevski et al, 'Epidemiology of lymphogranuloma venereum in New South Wales, 2006-2015',



for nine of these 11 diseases.⁹⁴ In addition, while a virus may be present in saliva, it does not necessarily follow that it can be transmitted via this means.⁹⁵

Even if the risk of disease transmission is low, we agree with Tasmania Police that staff should be protected from being spat on (refer to Sections 4.11 and 4.12) and, as much as possible, from exposure to disease. Many diseases that can be spread via saliva are also spread through coughing, sneezing and nasal secretions, so simply being in a confined space (such as a vehicle) with an infected individual may be sufficient to contract a respiratory illness.⁹⁶

Regardless, educating staff about perceived versus actual risks associated with spitting could help alleviate some of the psychological impact. In 2012, a Canadian judge stated that:

...I see many victim impact statements from police officers outlining the intense anxiety they and their families feel when they believe they are at risk for contracting a life-threatening illness because of contact with saliva. Evidence shows that this fear is not justified...If we want to deter suspects from spitting on police officers, we need to educate these officers about the real risks involved, and not perpetuate their anxiety by repeating urban myths.⁹⁷

4.4 Spit hood use is incompatible with human rights

In Australia, spit hoods have been scrutinised in recent years, notably since their use on children in the Northern Territory was brought to national attention by a 2016 documentary.⁹⁸ The ensuing *Royal Commission into the Protection and Detention of Children in the Northern Territory* recommended that ‘spit hoods should continue to be prohibited’.⁹⁹ In 2023, the Northern Territory Office of the Children’s Commissioner stated that ‘[t]here is no safe way to use a spit

Comm Dis Intell (2019) 43; Queensland Government (Health and wellbeing), *Vibrio vulnificus infection* (Web Page, 7 September 2017) <<https://www.qld.gov.au/health/condition/infections-and-parasites/bacterial-infections/vibrio-vulnificus-infection>>; World Health Organization, *Tuberculosis* (Web Page, 13 November 2025) <<https://www.who.int/news-room/questions-and-answers/item/tuberculosis>>; Victorian Government (Department of Health) *Vibrio parahaemolyticus infection* (Web Page, 8 April 2025) <<https://www.health.vic.gov.au/infectious-diseases/vibrio-parahaemolyticus-infection#mode-of-transmission-of-vibriosis>>.

⁹⁴ Australian Government (Australian Government Department of Health and Aged Care), *Australian Immunisation Handbook* (2022).

⁹⁵ Paul L A M Corstjens et al, ‘Saliva and viral infections’, *Periodontol 2000* (2015) 70(1) 93–110.

⁹⁶ Yuqing Li et al (n 88).

⁹⁷ *R. v. Ratt* 2012 SKPC 154 S.J. No. 590 [35] and [44].

⁹⁸ ‘Australia’s Shame’, *Four Corners* (Australian Broadcasting Corporation, 25 July 2016).

⁹⁹ *Royal Commission into the Protection and Detention of Children in the Northern Territory* (Final Report, November 2017) recommendation 13.1, 30.



hood on a child'.¹⁰⁰ Spit hoods are also a subject of concern and controversy internationally.¹⁰¹

Human rights organisations consider that the use of spit hoods is incompatible with Australia's responsibilities under Article 2 of the *United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, which concerns State responsibility to prevent acts of torture, and under Article 37 of the *United Nations Convention on the Rights of the Child*.¹⁰² The latter enshrines the right of children deprived of their liberty to 'be treated with humanity and respect for the inherent dignity of the human person' and without subjection 'to torture or other cruel, inhuman or degrading treatment or punishment'.¹⁰³ Spit hood use can also be considered to be in contravention of other human rights instruments.¹⁰⁴

Following a visit to Australia in 2022, the United Nations Subcommittee on Prevention of Torture expressed concern about ongoing use of spit hoods and recommended the practice be ended 'in all circumstances across all jurisdictions'.¹⁰⁵

¹⁰⁰ Office of the Children's Commissioner (NT) (n 71) 22, 26.

¹⁰¹ Ombudsman Northern Territory (n 76) 4. Refer also: Northern Ireland Policing Board (n 81); Kieran M. Kennedy (n 81); Rosalind Comyn, 'The rise of spit hoods: Dangerous, degrading and unjustified', *Liberty* (Online, 21 February 2019) <<https://www.libertyhumanrights.org.uk/issue/the-rise-of-spit-hoods/>>; Alexander McClelland et al, 'Tracking (In)Justice releases fact sheet: Spit hoods and deaths in custody in Canada', *Tracking (In)Justice* (Online, 27 November 2023) <<https://trackinginjustice.ca/tracking-injustice-releases-fact-sheet-spit-hoods-deaths-in-custody-in-canada/>>; Youth Justice Legal Centre, 'Children's rights, policing and the increasing use of spit-hoods and taser—new briefings published', *YJLC* (Online, accessed 17 September 2025) <<https://yjlc.uk/resources/legal-updates/childrens-rights-policing-and-increasing-use-spit-hoods-and-taser-new>>; Irish Council for Civil Liberties (n 72).

¹⁰² Australian Human Rights Commission, Submission to *The Australian Federal Police's review on its use of spit hoods* (Submission, 17 February 2023) 3–5; Amnesty International Australia, 'Use of spit hoods can amount to torture in youth detention or anywhere else' (Media Release, 26 February 2022) <<https://www.amnesty.org.au/use-of-spithoods-can-amount-to-torture-in-youth-detention-or-anywhere-else/>>; *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, opened for signature 10 December 1984, UNTS vol 1465 85 (entered into force 26 June 1987) pt 1 art 2.

¹⁰³ *Convention on the Rights of the Child*, opened for signature 20 November 1989, 1577 UNTS 3 (entered into force 2 September 1990) pt 1 art 37.

¹⁰⁴ For example: *United Nations Rules for the Protection of Juveniles Deprived of their Liberty*, GA Res 45/113, UN Doc A/RES/45/113 (2 April 1991, adopted 14 December 1990) art 64; *United Nations Standard Minimum Rules for the Treatment of Prisoners*, GA Res 70/715, UN Doc A/RES/70/75 (8 January 2016) r 47.

¹⁰⁵ Committee against Torture, *Concluding observations on the sixth periodic report of Australia*, 75th sess, UN Doc CAT/C/AUS/CO/6 (5 December 2022) para 14; Marie Lutz et al, 'Physiological effects of a spit sock', *The American Journal of Emergency Medicine* (2019) 37(2) 291–293.



4.5 Spit hoods can cause physical harm

While spit hoods are designed to be safe for the wearer, if improperly used or used on people with underlying health conditions, they can restrict breathing and lead to suffocation.¹⁰⁶ Importantly, staff cannot see the wearer's face clearly and are therefore unable to monitor their health via observing skin tone.¹⁰⁷ The instructions for the spit hood still used in Australia state that 'improper use may result in serious injury or death due to asphyxiation, suffocation or drowning in one's own fluids'.¹⁰⁸ Spit hood use has 'resulted in numerous injuries and deaths of people in custody throughout Australia and the world'.¹⁰⁹

4.6 Spit hoods can cause psychological harm

Spit hoods are widely viewed as having the potential to cause psychological harm, including 'fear, panic and distress'.¹¹⁰ They may cause re-traumatisation, particularly when used on people who have experienced adverse childhood experiences (such as abuse or neglect). This includes most children in youth detention.¹¹¹ Spit hood use on children and young people may also create 'immediate trauma' and have 'potential impacts on development'.¹¹² Amnesty International Australia has called spit hoods 'a tool of torture' that can cause 'profound damage and trauma'.¹¹³ They are frequently viewed as degrading and 'inherently dehumanising'.¹¹⁴

¹⁰⁶ Office of the Children's Commissioner (NT) (n 71) 21–22; *Royal Commission* (n 99) vol 2A, 13, 246.

¹⁰⁷ Ombudsman Northern Territory (n 76) 20.

¹⁰⁸ Packaging of the Safariland TranZport Safety Hood, in Australian Federal Police (n 72) 17.

¹⁰⁹ Office of the Children's Commissioner (NT) (n 71) 23. Refer also: Camilla De Camargo (n 88); Ian Freckelton (n 88); Ryan Felton, 'Lawsuit over Michigan man's death in jail focuses on officers' use of "spit hood"', *The Guardian* (Online, 11 January 2016) <<https://www.theguardian.com/us-news/2016/jan/11/michigan-death-jail-jack-marden-spit-hood>>; Edwin Budge, 'Improper use of spit hoods: A recipe for disaster', *Police brutality and jail death litigation blog* (Online, 9 November 2015) <<https://budgeandheipt.com/blog/improper-use-of-spit-hoods-a-recipe-for-disaster/>>; Mike Carter, 'Father's lawsuit blames Seattle police for son's injuries', *The Seattle Times* (Online, 7 June 2011) <<https://www.seattletimes.com/seattle-news/fathers-lawsuit-blames-seattle-police-for-sons-injuries/>>; 'Daniel Prude: New York police used "spit hood" on man who died of asphyxiation', *BBC* (Online, 4 September 2020) <<https://www.bbc.com/news/world-us-canada-54007884>>; Jared Strote et al (n 88).

¹¹⁰ Ian Freckelton (n 88).

¹¹¹ Office of the Children's Commissioner (NT) (n 71) 26.

¹¹² Ombudsman Northern Territory (n 76) 7.

¹¹³ Amnesty International Australia (n 102).

¹¹⁴ Lorraine Finlay, Human Rights Commissioner, Australian Human Rights Commission, *Opening statement to the UN Committee Against Torture* (Geneva, 11 November 2022); Irish Council for Civil Liberties (n 72).



4.7 Spit hoods are no longer used in most parts of Australia

In Australia, spit hood use on adults is now limited to the Northern Territory and Western Australia. Spit hoods have mostly been prohibited in youth detention since 2019, either through legislation or an operational ban (though they may still be used by police in some jurisdictions).¹¹⁵ Tasmanian authorities advised the South Australian Ombudsman in 2019 that youth detention facilities in Tasmania ‘do not authorise or otherwise make use of spit hoods’ and that they have ‘never made use of spit hoods’ or considered doing so.¹¹⁶ Nevertheless, South Australia is the only state to entirely prohibit spit hood use by law. 2021 legislation defines spit hoods as ‘a covering (however described) that is intended to be placed over a person’s head to prevent the person from spitting on, or biting, another person’, which would include improvised spit hoods.¹¹⁷ In New South Wales, 2024 legislation prohibits spit hood use in detention, while 2024 legislation in Victoria prohibits their use on children.¹¹⁸

4.8 Bans do not prevent improvised spit hoods

Even when spit hood use is prohibited, this may not prevent the use of improvised spit hoods. These carry additional risks. Specifically designed spit hoods are accompanied by strict guidance such as constant observation to monitor safety. Instructions for the spit hood used in Australia state that the wearer ‘must be under constant visual supervision and **never left unattended**’ [original emphasis].¹¹⁹ A review in Northern Ireland recommended extensive training and procedures to reduce the risks of spit hood use.¹²⁰

By contrast, improvised spit hoods are made with something close to hand, such as a blanket, belt or item of clothing, that has not been designed to mitigate risk and is not governed by policies and procedures. A 2021 Inspector of Custodial Services review in Western Australia found that while there were processes for recording spit hood use, these did not apply to improvised spit

¹¹⁵ Ombudsman South Australia, *Investigation concerning the use of spit hoods in the Adelaide Youth Training Centre* (Report, September 2019) 23.

¹¹⁶ Ibid 23.

¹¹⁷ *Statutes Amendment (Spit Hood Prohibition) Act 2021* (SA).

¹¹⁸ *Detention Legislation Amendment (Prohibition on Spit Hoods) Act 2024* (NSW); *Youth Justice Act 2024* (Vic).

¹¹⁹ Packaging of the Safariland TranZport Safety Hood, in Australian Federal Police (n 72) 17.

¹²⁰ Northern Ireland Policing Board (n 81) 4–8.



hoods.¹²¹ While spit hoods were banned for use on children and young people in that jurisdiction, it was noted that the ‘ungoverned use’ of improvised spit hoods ‘puts young people at greater risk of injury’.¹²² These issues were used as an argument in favour of spit hood use in England: a Police Federation representative expressed the view that if workers are not adequately protected by approved spit hoods, ‘they will improvise to protect themselves which is potentially more problematic’.¹²³

Despite an overall lack of data about improvised spit hoods, there have been multiple reports of their use on people in detention.¹²⁴ This includes deaths where a contributing factor may have been lack of guidance for safe application of items used as improvised spit hoods.¹²⁵

4.9 Spit hoods were not explicitly banned at AYDC

DECYP told us that AYDC practice has been for workers to use face shields to protect themselves rather than using spit hoods on children and young people. However, they confirmed that at the time of the November 2024 incident, spit hoods were not explicitly prohibited at AYDC by either legislation or policy (spit hoods were not referenced at all).¹²⁶ By contrast, Tasmania Prison Service issued an Internal Memorandum in June 2022 stating that ‘the use of spit hoods on juveniles is not permitted under any circumstances’, and the use of spit hoods for any purpose was then prohibited in 2024.¹²⁷

¹²¹ Office of the Inspector of Custodial Services (WA), *Use of force against prisoners in Western Australia* (Review report, May 2021) 2–3.

¹²² Office of the Inspector of Custodial Services (WA), *Behaviour management practices at Banksia Hill Detention Centre* (Review Report, June 2017) 42.

¹²³ Tina Orr Munro, ‘Spotlight On: Spit guards’, *Policing Insight* (Online, 28 August 2018) <<https://policinginsight.com/feature/analysis/spit-guards/>>.

¹²⁴ Refer, for example: Ian Freckelton (n 88); ‘Pillowcase “hood” used by jail staff on spitting inmate’, *The Yorkshire Post* (Online, 1 December 2012) <<https://www.yorkshirepost.co.uk/news/pillowcase-hood-used-by-jail-staff-on-spitting-inmate-1877066>>; Office of the Inspector of Custodial Services (WA) (n 121) 41.

¹²⁵ Nicholas Keung, ‘Inquest jury into refugee’s death calls for end to holding immigration detainees in jails’, *Toronto Star* (Online, 10 February 2023) <https://www.thestar.com/news/canada/inquest-jury-into-refugee-s-death-calls-for-end-to-holding-immigration-detainees-in-jails/article_f5935a71-610d-5c7e-9f44-4942697d9417.html>; ‘Thomas Orchard: Inquest finds police failures may have contributed to death following prolonged restraint’, *Inquest* (Media Release, 22 December 2023) <<https://www.inquest.org.uk/thomas-orchard-inquest-concludes>>.

¹²⁶ Tasmanian Government (Department for Education, Children and Young People), ‘Responses to questions raised by Custodial Inspector in letter dated 11 March’ (19 May 2025).

¹²⁷ Tasmanian Government (Tasmania Prison Service, Department of Justice), ‘Spit Hoods and Juveniles’, *Internal Memorandum* (23 June 2022) 1; Tasmanian Government (Tasmania Prison

Spit hoods were nevertheless implicitly prohibited at AYDC (and during transport) by not being listed as an approved restraint in the relevant procedure, 'Use of Mechanical Restraints (handcuffs)'. The procedure further states that

[a]ny other type of mechanical restraint or device designed to restrict a person's free movement or apply force is strictly prohibited.¹²⁸

4.10 Spit hoods are now prohibited in policy and should be prohibited by law

We consider spit hoods, and improvised spit hoods, should be explicitly prohibited in policies and procedures to remove confusion and prevent future harm.

Following our request for information, DECYP told us they have now communicated to AYDC and Essential Security staff that all spit hoods, including improvised spit hoods, are prohibited.¹²⁹ This information will be included in updated policies and procedures as well as in AYDC *Awareness, De-escalation and Protection* training.¹³⁰ DECYP further advised us that the prohibition will be included in private security contracts.¹³¹

Prohibiting spit hoods by law would provide an even stronger safeguard. As noted by the Northern Territory Ombudsman, policy banning spit hoods can easily undergo 'rapid reversal' in response to 'social pressures or changes in key leadership roles'.¹³² There is still support for spit hood use; their prohibition is viewed by some as placing 'a higher value on the rights of criminals' than those of workers.¹³³ A change in government in the Northern Territory recently resulted in reintroducing spit hood use on children.¹³⁴ This decision was

Service, Department of Justice), 'Director's Standing Order 1.02: Use of Force' (20 December 2024).

¹²⁸ Tasmanian Government (Children and Youth Services), 'Use of Mechanical Restraints (handcuffs)' (21 October 2019).

¹²⁹ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 126).

¹³⁰ Ibid.

¹³¹ Letter from Ginna Webster, Secretary, Department for Education, Children and Young People, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Department for Education, Children and Young People response to draft report'). Refer to full response at Appendix 2.

¹³² Ombudsman Northern Territory (n 76) 95.

¹³³ Paul McCue (n 77).

¹³⁴ Anisha Pillarisetty, 'Youth justice advocates condemn NT government proposal to reverse ban on using spit hoods on children', *ABC News* (Online, 7 September 2024) <<https://www.abc.net.au/news/2024-09-07/nt-spit-hoods-clp-policy-youth-justice-advocates-warning/104308508>>.



condemned in a joint statement by members of the Australian National Preventive Mechanism, which restated its position ‘that the use of spit hoods against children should be banned in all Australian jurisdictions’.¹³⁵ The Custodial Inspector, in his capacity as the Tasmanian National Preventive Mechanism, was a signatory to this statement. Other organisations focused on protecting children and human rights have also condemned the decision.¹³⁶

Recommendation 1

The Department for Education, Children and Young People should:

- a) **educate staff about the risks of spit hoods and improvised spit hoods**
- b) **update relevant policies and procedures to prohibit their use.**

Recommendation 2

The Tasmanian Parliament should legislate to ban the use of spit hoods and improvised spit hoods in all circumstances.

4.11 Workers’ health and safety must be considered too

These changes must be accompanied by better protections for staff. The current Chair of the AYDC Incident Review Committee, a former Commander with Tasmania Police, has repeatedly expressed concerns about work health and safety practices at AYDC and how they are managed by the Department for Education, Children and Young People (DECYP). In March 2025, the Chair recommended to AYDC leadership that they revisit policy and procedures concerning bodily fluid exposure. He stated that exposure occurs regularly at

¹³⁵ Australian National Preventive Mechanism, ‘Joint statement: Rushed youth justice reforms won’t make NT safer’ (Online, 1 August 2025) <https://www.ombudsman.gov.au/__data/assets/pdf_file/0019/320716/Australian-NPM-Joint-Statement-NT-Youth-Justice-Reforms.pdf>.

¹³⁶ Australian Lawyers for Human Rights, ‘Human rights lawyers condemn NT reintroduction of spit hoods for children’ (Media Release, 31 July 2025) <<https://alhr.org.au/nt-spit-hoods/>>; ‘Advocates criticise “dangerous” NT plan to reintroduce spit hoods in youth detention centres’, *The Guardian* (Online, 30 July 2025) <<https://www.theguardian.com/australia-news/2025/jul/30/spit-hoods-northern-territory-youth-detention-nt-ntwnfb>>.



AYDC, raising ‘serious work-place health and safety issues’ that may not have been ‘given proper consideration’.¹³⁷

The Chair reiterated these concerns in July 2025, noting that spitting is ‘generally considered a serious assault by the justice system’.¹³⁸ The view that spitting can constitute an assault has been confirmed by case law.¹³⁹ Safe Work Australia recognises both spitting and biting as forms of workplace violence and aggression.¹⁴⁰

Tasmania’s *Work Health and Safety Act 2012* is underpinned by ‘the principle that workers and other persons should be given the highest level of protection against harm to their health, safety and welfare from hazards and risks arising from work’.¹⁴¹ In the context of this report, this means that ‘so far as is reasonably practicable’, DECYP is required to ensure the health and safety of AYDC staff and contractors.¹⁴² In their response to a draft of this report, DECYP told us they are ‘working to improve psychological supports’ for staff as well as recruiting a Work Health and Safety consultant ‘to continuously improve safety practices’.¹⁴³

4.12 Protecting staff from spitting is not easy

Measures to protect staff include personal protective equipment (PPE) such as face shields, ‘tactical body positioning, and improved training on strategies to anticipate and de-escalate such behaviour’.¹⁴⁴ However, in early 2025, Custodial Inspector staff spoke informally with several Tasmania Police officers. They told us anecdotally that on occasion a person’s shirt could be used as an improvised spit hood. This feedback was not consistent; some officers said that this mode of improvised spit hood was not used, while some officers explained that it is not always practical or possible to fit PPE when unexpected situations

¹³⁷ Chair, AYDC Incident Review Committee, *AYDC IRC Jan Feb Monthly Reports* (Report, 3 March 2025).

¹³⁸ Chair, AYDC Incident Review Committee, *AYDC IRC July 25 Monthly Report* (Report, 25 August 2025).

¹³⁹ Patricia Blazey-Ayoub, ‘The law of spitting’, *Criminal Law Journal* (1998) June (22) 151–158.

¹⁴⁰ Safe Work Australia, ‘Types of workplace violence and aggression’, *Workplace violence and aggression* (Web Page, accessed 17 September 2025) <<https://www.safeworkaustralia.gov.au/safety-topic/hazards/workplace-violence-and-aggression/overview>>.

¹⁴¹ *Work Health and Safety Act 2012* (Tas) pt 1 div 2 s 3(2).

¹⁴² *Ibid* pt 2 div 2 s 19(1).

¹⁴³ ‘Department for Education, Children and Young People response to draft report’ (n 131).

¹⁴⁴ Ombudsman Northern Territory (n 76) 8.



arise.¹⁴⁵ Face shields, while they may protect staff, come with impracticalities and limitations, including usually being fitted only after a worker has already been spat on.¹⁴⁶ In the Australian Capital Territory, police have expressed the view that

PPE items are fragile, easily damaged and/or fall off when a person in custody is violent or otherwise resisting police. PPE can also impair a police officer's situational awareness and ability to access and use [use of force] options in a confrontational or violent situation.¹⁴⁷

Despite these issues, PPE is regularly recommended or required in health settings to avoid disease transmission.¹⁴⁸ Face shields may also reduce risk to police officers.¹⁴⁹ Further protections may be recommended for staff at increased risk of disease transmission for a variety of reasons (such as being immunocompromised).¹⁵⁰ DECYP told us that staff have been instructed to wear face shields if they believe a young person is a spitting risk, and that these are now available to staff.¹⁵¹

Relational security is another protective measure. A 2023 Northern Territory Ombudsman report noted that 'spitting can be reduced by improved understanding of, and communication with, children'.¹⁵²

AYDC leaders told us that periods of low staffing, which result in fewer opportunities to build strong relationships with children and young people, lead to an increase in assaults on staff, including spitting.

However, in their response to a draft of this report, Tasmania Police stated that 'the suggestion that improved communication alone can reduce spitting does not align with established [Work Health and Safety] risk management

¹⁴⁵ Conversations with Tasmania Police officers (Custodial Inspector staff).

¹⁴⁶ Office of the Inspector of Custodial Services (WA) (n 121) 41; 'Thousands of Met Police officers "want spit hoods"', *BBC News* (Online, 23 October 2018) <<https://www.bbc.com/news/uk-england-london-45951204>>.

¹⁴⁷ Legislative Assembly for the Australian Capital Territory, Select Committee on Estimates (2022-2023) *Estimates 2022* QON No. 302.

¹⁴⁸ Yuqing Li et al (n 88); Uzoamaka A Eke and Ahizechukwu C Eke, 'Personal protective equipment in the siege of respiratory viral pandemics: strides made and next steps', *Expert Rev Respir Med* (2021) 15(4) 441–452.

¹⁴⁹ Jared Strote et al (n 88).

¹⁵⁰ Cleveland Clinic, *Immunocompromised (Immunosuppressed)* (Web Page, 17 December 2024) <<https://my.clevelandclinic.org/health/diseases/immunocompromised>>; *Notifiable diseases in Tasmania – a guide for laboratories* (n 92).

¹⁵¹ 'Department for Education, Children and Young People response to draft report' (n 131).

¹⁵² Ombudsman Northern Territory (n 76) 1.



hierarchies'.¹⁵³ While clearly noting that 'spit hoods are not used by Tasmania Police', their response emphasised youth detention's 'complex operational environment' and the need to treat young people 'in accordance with the threat level they pose' to ensure staff safety.¹⁵⁴ They asserted that workplace health and safety, 'the fundamental rights of workers', and the legal requirements placed on employers had not been adequately considered by this report.¹⁵⁵

Essential Security also stressed that any changes made in response to this report must balance the rights of young people with the safety of workers and the public.¹⁵⁶ We agree that staff health and safety rights are critically important and must be better protected in youth detention. However, there is no simple solution. A study on the use of spit hoods in policing noted that

the vulnerability of detainees, and in particular the universally declared vulnerability of children, requires that they be at all times protected against treatment that is potentially harmful. A balance needs to be struck between perceived health and safety needs of [staff] and the human rights of detainees, and risks to particularly vulnerable groups.¹⁵⁷

We consider that more work is required to strike this balance. Strengthened protections for staff could include:

- facilitating and reimbursing vaccinations for infectious diseases, while educating staff about perceived versus actual risk of transmission
- ensuring staff have appropriate, readily accessible PPE
- educating staff about tactical body positioning and other means of protecting themselves from spitting
- providing psychological support to staff who have been exposed to spitting and recognising that this is an assault
- ongoing training and support to practise relational security to prevent incidents of assault, including spitting.

We acknowledge that these measures are imperfect and that work health and safety considerations require ongoing attention.

¹⁵³ 'Tasmania Police response to draft report' (n 75).

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ Letter from Douglas & Collins Lawyers, acting for Essential Security, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Essential Security response to draft report'). Refer to Appendix 3.

¹⁵⁷ Kieran M. Kennedy et al (n 81) 153.



Recommendation 3

The Department for Education, Children and Young People should:

- a) develop improved protections for staff at risk of exposure to bodily fluids, and make these readily accessible to all staff and contractors**
- b) ensure staff training focuses on relational security, while also including information about appropriate techniques to respond to spitting and the physical and psychological risks of assaults and bodily fluid exposure.**

Implementing the recommendations in this section will improve DECYP's compliance with our Expectations 6.7, 6.8, 9.6 and 11.1, as well as Standards 7 and 10 (refer to Section 3), and Tasmania's *Work Health and Safety Act 2012*. DECYP advised us they are now delivering training 'on how to identify when someone is preparing to spit and protective measures that can be taken' to both AYDC and Essential Security staff.¹⁵⁸ They are also developing 'AYDC Infection Prevention and Control Guidelines' and adding information about bodily fluid exposure to future training.¹⁵⁹

¹⁵⁸ 'Department for Education, Children and Young People response to draft report' (n 131).

¹⁵⁹ Ibid.



5. Child-safe organisations

5.1 Security officers are contractually required to be vetted

Standard 5 requires that people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.¹⁶⁰ This reflects an indicator of our Expectation 11.1 (refer to Section 3). To better understand how these principles are applied to transport services, we viewed the contract between the Department for Education, Children and Youth People (DECYP) and Essential Security, signed on 24 August 2023.¹⁶¹

The contract states that Essential Security officers working for Ashley Youth Detention Centre (AYDC) must be ‘skilled professionals with the highest ethical standards’.¹⁶² Each officer must show proof of security and driver licences and registration under the *Registration to Work with Vulnerable People Act 2013* (Tas).¹⁶³ Registration involves consideration of available information such as criminal history (including non-conviction information) and whether the person applying poses risk of harm to vulnerable persons.¹⁶⁴ DECYP must approve each security officer and retains its discretion to revoke approval at any time.¹⁶⁵

5.2 Security officers were not adequately vetted

We requested evidence from DECYP that the three security officers involved in the November 2024 incident had been approved according to contractual requirements. We received emails demonstrating that in 2023, DECYP requested each Essential Security officer’s licence under the *Security and Investigation Agents Act 2002* (Tas) as well as documents to authorise use of DECYP vehicles.¹⁶⁶ However, DECYP confirmed that while one of the three staff members had been approved via this process, it had ‘no record of the

¹⁶⁰ *Child and Youth Safe Organisations Act 2023* (Tas) sch 1.

¹⁶¹ Ashley Youth Detention–Secure Escort Transportation (Contract between The Crown in Right of Tasmania and Essential Security, 24 August 2023).

¹⁶² Ibid 18.

¹⁶³ Letter from Jenny Burgess, Associate Secretary, Department for Education, Children and Young People to Richard Connock, Custodial Inspector, 11 December 2023; Secure Escort Transportation Contract (n 161) 18–19.

¹⁶⁴ *Registration to Work with Vulnerable People Act 2013* (Tas) pt 4 s 23.

¹⁶⁵ Secure Escort Transportation Contract (n 161) 20.

¹⁶⁶ Internal Department for Education, Children and Young People emails, July–August 2023; Email from Department for Education, Children and Young People to Essential Security, July 2023.



other two staff involved in the incident'.¹⁶⁷ In addition, while the Registration to Work with Vulnerable People status of Essential Security officers was checked in 2023, 'this process did not continue as the contract progressed'.¹⁶⁸ Essential Security confirmed that 'no one has asked for the documents until the review', but stated that all staff undertaking work for AYDC hold the required licences and registration; their software does not allow rostering of staff without these.¹⁶⁹

Nevertheless, DECYP had not vetted two staff involved in the November 2024 incident—the minimum required to check if someone is suitable to work with children and young people. This omission can be attributed both to Essential Security, who is contractually obliged to seek approval for each employee, and to DECYP, who did not have processes in place to ensure it held current information. DECYP confirmed it has not undertaken any audits of Essential Security, nor does its Internal Audit Office 'currently provide scheduled audits within the AYDC setting'.¹⁷⁰

We received confirmation that the three Essential Security officers involved in the November 2024 incident nonetheless held registration under the *Registration to Work with Vulnerable People Act 2013*. However, a check of their status undertaken at the time of writing found that two of the staff had no employer recorded on their registration.¹⁷¹ This means that should their registration status change—for example, if an allegation of child abuse were reported—DECYP may not be notified. This significantly reduces the effectiveness of the scheme. In addition, registration, while important to detect some previous harmful conduct, does not detect everything and cannot guarantee that future conduct will be safe; it must be combined with other safeguards.

¹⁶⁷ Tasmanian Government (Department for Education, Children and Young People), 'DECYP Fleet—evidence of driver records in database' (as at 15 April 2025).

¹⁶⁸ Tasmanian Government (Department for Education, Children and Young People), 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (19 May 2025).

¹⁶⁹ Letter from Douglas & Collins Lawyers, acting for Essential Security, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Essential Security response to draft report'). Refer to Appendix 3.

¹⁷⁰ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 168); Tasmanian Government (Department for Education, Children and Young People), *Internal Audit Plan 2024-2027*.

¹⁷¹ Tasmanian Government (Department of Justice), *Check RWVP status* (Web Page, accessed 6 April 2025).



DECYP advised us they have rectified vetting issues via an online induction system that stores contractors' data and provides them with important information. They are also acquiring documentation for all Essential Security staff working for AYDC.¹⁷² However, Essential Security told us they have not been informed about the new online induction system.¹⁷³

It will still be necessary to verify that Essential Security officers working for AYDC have been approved. At present, security officers who arrive to escort children and young people are not checked against DECYP's system. This safeguarding gap allowed the two staff members who had not received approval to escort the young person during the November 2024 incident.

DECYP must improve systems for vetting and ongoing compliance. If it is engaging external employees to escort vulnerable children and young people on unsupervised journeys, it has a responsibility to ensure those employees are suitable to work with children. DECYP recently advised us that they plan to move 'contract worker screening and ongoing safeguarding support' from AYDC to their Strategic Commissioning Unit to 'improve systems for vetting and ongoing compliance'.¹⁷⁴ To further support ongoing safeguarding, DECYP should create processes to capture children and young people's experiences of transport, including complaints, and ensure these inform the service. This would also improve compliance with Standards 2 and 6 (refer to Section 3).

5.3 Security officers are contractually required to be trained

Standard 7 states that staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.¹⁷⁵ Our Expectations 6.7, 6.8 and 9.5 also state the importance of staff training (refer to Section 3).

¹⁷² 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 168).

¹⁷³ 'Essential Security response to draft report' (n 169).

¹⁷⁴ Letter from Ginna Webster, Secretary, Department for Education, Children and Young People, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Department for Education, Children and Young People response to draft report'). Refer to full response at Appendix 2.

¹⁷⁵ *Child and Youth Safe Organisations Act 2023* (Tas) sch 1.



We requested information about Essential Security officers' training and practices in 2023 (refer to Section 2.6).¹⁷⁶ DECYP advised us that Essential Security staff are trained according to AYDC policies and procedures and that orientation training includes an emphasis on:

the underlying philosophy to be followed in the delivery of the Department's requirements. This includes that young people are transported in a way that is safe, therapeutic and trauma informed.¹⁷⁷

Under their contract, Essential Security is responsible for providing orientation and ongoing training, education and development to its staff.¹⁷⁸ This includes training in first aid, use of force, and handcuff use as well as 'recurrent training...in negotiation and dispute resolution skills' as a strategy 'to ensure that force is used only as a last resort'.¹⁷⁹

5.4 Security officers were not trained to work with vulnerable children and young people

Despite Essential Security's contractual obligation to train its staff, until recently DECYP did not require evidence of training.¹⁸⁰ DECYP advised us they are now using an online process for tracking compliance and annual completion of DECYP *Safeguarding* training.¹⁸¹ Monitoring training records should provide a safeguard to ensure training occurs.

We asked for evidence of Essential Security staff training and received certificates for DECYP *Safeguarding* training undertaken in March 2025—after the November 2024 incident and the initiation of our review.¹⁸² There was no certificate for the security officer who directed other staff to pull the young person's t-shirt over his head and described the possibility of using 'deadly force'.¹⁸³ In addition, *Safeguarding* training consists of a short (13-minute) video that outlines reporting obligations. It is the basic training DECYP asks parents to complete before attending school excursions and does not cover the areas required for Essential Security (outlined in Section 5.3).

¹⁷⁶ Letter to Timothy Bullard, Secretary, Department for Education, Children and Young People, from Richard Connock, Custodial Inspector, 21 November 2023.

¹⁷⁷ Letter from Jenny Burgess (n 163).

¹⁷⁸ Secure Escort Transportation Contract (n 161) 22, 11.

¹⁷⁹ Ibid 15.

¹⁸⁰ Ibid.

¹⁸¹ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 168).

¹⁸² Documents supplied by Department for Education, Children and Young People (May 2025).

¹⁸³ Email from Essential Security to Ashley Youth Detention Centre, 9 December 2024.



We consider this is insufficient for contractors tasked with caring for children and young people in custody—outside of training, there is no requirement for Essential Security officers to have any understanding of youth work or therapeutic care. By contrast, officers providing transport services in the Australian Capital Territory are required to complete annual training in 14 areas, including human rights and suicide and self-harm awareness.¹⁸⁴ Insufficient training is known to create risk: lack of training in appropriate procedures was argued to be a contributing factor to the 2008 death of a person in custody during transport in Western Australia.¹⁸⁵

Essential Security advised us that all staff working for AYDC have received inductions, as well as training in mechanical restraint use and ‘de-escalation and code black training’.¹⁸⁶ This does not appear to have been complemented by training from DECYP. We have heard several anecdotal reports from experienced correctional officers that some Essential Security officers are not competent in applying handcuffs.¹⁸⁷ There have also been complaints about their handcuff use (refer to Section 2.6). Essential Security told us they would welcome ‘clear guidance and directions’, including additional training in handcuff use if DECYP considers it necessary (though they noted they have not been told about concerns and therefore cannot investigate or comment further).¹⁸⁸

In relation to the November 2024 incident, Essential Security expressed that

there was not adequate training, resources and clear guidance from DECYP to support a safe response to challenging behaviours.¹⁸⁹

DECYP acknowledged ‘that the training element of the Essential Security engagement has been inadequate’ and that ‘stronger processes are required to guide security staff’.¹⁹⁰ This situation was attributed to critically low staff numbers at AYDC and competing priorities when the contract commenced. Improved training, communication and resources are now under development.¹⁹¹

¹⁸⁴ Inspector of Correctional Services (ACT), *Report of a review of the ACT Corrective Services Court Transport Unit* (Report, November 2020) 35.

¹⁸⁵ Human Rights and Equal Opportunity Commission, Submission to the Coroners Court of Western Australia, *Inquest into the death of Mr Ward (File No 8008/08)* (Submission, 28 May 2009) [121]; Refer also: Inspector of Correctional Services (ACT) (n 184) finding 7, recommendation 14, 36.

¹⁸⁶ ‘Essential Security response to draft report’ (n 169).

¹⁸⁷ Conversations with reception prison staff (Custodial Inspector staff, 2025).

¹⁸⁸ ‘Essential Security response to draft report’ (n 169).

¹⁸⁹ ‘Responses to questions raised by Custodial Inspector in letter dated 11 March’ (n 168).

¹⁹⁰ Ibid.

¹⁹¹ Ibid.



5.5 Security officers have now received training

Since we commenced this review, AYDC staff have worked hard to provide Essential Security officers with tailored training in trauma-informed care, procedural requirements, and responsibilities towards children and young people, as well as training from the company that provides *Awareness, De-escalation and Protection* training to AYDC staff.¹⁹² These sessions were short and could only deliver basic content, but DECYP advised us they ‘will be improved and adapted’.¹⁹³ DECYP also noted that AYDC staff meet with Essential Security managers each week for ongoing support.¹⁹⁴

We acknowledge these efforts and the realities of a resource-scarce environment while noting there were prior opportunities to rectify the lack of training—opportunities that could have been identified by quality control or audit processes, or in response to earlier concerns about transport (described in Sections 2.6 and 2.7). Transport was demonstrably an area requiring additional safeguards.

We also note that one trainer reported several concerns following their session with Essential Security, including supervisors ‘joking around and making inappropriate comments’, one officer making racist comments, and only a minority of participants taking the training seriously.¹⁹⁵ They noted that some participants talked about refusing to agree to any requests from young people, including turning up heating or pulling over if a young person is unwell.¹⁹⁶ Concerningly, the trainer reported that some participants challenged content about spitting and implied they ‘will do whatever they want to stop being spat on’.¹⁹⁷ Another trainer shared that Essential Security staff were rolling their eyes and displaying other ‘worrying’ reactions during a session about trauma-informed care.¹⁹⁸ Essential Security told us that the person ‘involved in the mouthing off in the session was spoken to after the training’ and is no longer an employee, and that they were not made aware of any other concerning behaviour including racist comments.¹⁹⁹

This alleged conduct raises ongoing concerns about the suitability of some Essential Security staff to work with children and young people in detention.

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

¹⁹⁵ Email from training provider to Department for Education, Children and Young People, 2025.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Conversation with Ashley Youth Detention Centre staff member (Custodial Inspector staff).

¹⁹⁹ ‘Essential Security response to draft report’ (n 169).



5.6 Child and Youth Safe Standards should be applied

This section has demonstrated that at the time of the November 2024 incident, DECYP lacked adequate processes to ensure Essential Security officers' suitability to work with children. This is despite Tasmania's *Child and Youth Safe Organisations Act 2023* (the Act) requiring compliance from DECYP as well as Essential Security.²⁰⁰ We asked for evidence of Essential Security's compliance with the Act and were informed that DECYP now captures Registration to Work with Vulnerable People status and *Safeguarding* training.²⁰¹ Given the breadth of the Act, this represents only the minimum requirement.

We recognise that the Act only came into effect at the beginning of 2024, and that DECYP has undertaken a significant amount of work towards compliance, with limited resources. We further recognise that Essential Security may have been unaware it had obligations under this legislation.

However, the November 2024 incident revealed critical gaps in DECYP's compliance with the Act and thus in its safeguarding of children and young people. DECYP must undertake more work to implement the Act in its governance of external providers. This particularly reflects Standard 1, as well as our Expectation 11.1 (refer to Section 3).

This gap in compliance demonstrates that legislation (along with policies and contracts) is meaningless if not implemented and monitored for continual compliance. This ongoing work is expected by Standard 9—implementation of the *Child and Youth Safe Standards* is regularly reviewed and improved.²⁰²

²⁰⁰ *Child and Youth Safe Organisations Act 2023* (Tas) sch 1.

²⁰¹ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 168).

²⁰² *Child and Youth Safe Organisations Act 2023* (Tas) sch 1.



Recommendation 4

The Department for Education, Children and Young People should improve governance processes for contractors providing transport for Ashley Youth Detention Centre. This includes:

- a) tender processes that require demonstrated expertise in working with children and young people and evidence of compliance with the *Child and Youth Safe Organisations Act 2023***
- b) initial and ongoing vetting of staff**
- c) ongoing monitoring of compliance with contractual obligations and child-safe principles**
- d) providing and tracking completion of comprehensive, ongoing training that focuses on relational security and de-escalation techniques**
- e) providing contractor staff with the information, equipment and ongoing support required to fulfil their roles**
- f) regular executive oversight and auditing, including processes to capture children and young people's experiences of the service.**



6. Reporting

6.1 Security officers were contractually required to report

At the time of the November 2024 incident, Essential Security staff were contractually required to record details of each shift in a notebook, and to provide incident reports for events including use of force, threats of self-harm, challenging behaviour, and injury to any party.²⁰³ Use of force is classified in the contract as a 'serious incident' that must be reported 'as soon as practicable', with the written report 'to be provided within 24 hours of the incident'.²⁰⁴ In addition, the contract required monthly reports detailing activity against several key performance indicators (KPIs) as well as quarterly and annual reports to the Department for Education, Children and Young People (DECYP) procurement section. Reporting requirements were a KPI requiring one hundred per cent compliance.²⁰⁵

6.2 Security officers did not initially submit a written report

Despite the requirements set out in Section 6.1, Essential Security did not initially provide Ashley Youth Detention Centre (AYDC) with a written report about the November 24 incident. Essential Security advised us they verbally communicated the incident to an AYDC leader and attempted to contact them about it again multiple times.²⁰⁶ Information was requested by AYDC following the Incident Review Committee meeting where members saw Closed-Circuit Television (CCTV) footage of the improvised spit hood.²⁰⁷ Had this not been visible, AYDC may not have been aware that force was used.

²⁰³ Ashley Youth Detention–Secure Escort Transportation (Contract between The Crown in Right of Tasmania and Essential Security, 24 August 2023) 16.

²⁰⁴ Ibid 16–17.

²⁰⁵ Ibid 18, 27–28, 37.

²⁰⁶ Letter from Douglas & Collins Lawyers, acting for Essential Security, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Essential Security response to draft report'). Refer to Appendix 3.

²⁰⁷ Conversation with Ashley Youth Detention Centre leader (Custodial Inspector staff, December 2024); Tasmanian Government (Department for Education, Children and Young People), 'Meeting Minutes: Incident Review Committee' (4 December 2024) 13.



An AYDC staff member noted ‘no formal report was generated, which appears to be a potential issue within the [Essential Security] system’.²⁰⁸ When the incident report arrived—outside the required 24-hour timeframe—another AYDC staff member commented that it was ‘light on in detail’ and, among other information, did not include how Tasmania Police became involved, the improvised spit hood, names of Essential Security officers present, or a timeline of events.²⁰⁹

We viewed the November 2024 incident report and observed that it focused on the young person’s behaviour and did not describe Essential Security officers’ actions. Nor did it detail mechanical and physical restraints used and their justification (which is expected in any use of force against a young person). For example:

[The young person] Assaulted us with kicks in the Van while we had to defend ourselves from this violent client. Threatened Nurses at the hospital while also attempting to yank security in handcuffs. Attempted to headbutt myself and [another officer] on the way back as we attempted to stop the individual from spitting on us.²¹⁰

AYDC requested a more detailed account of the November 2024 incident, which was provided on 9 December 2024 (refer to Section 2.3).²¹¹

6.3 We found broader concerns about reporting

We requested Essential Security’s incident reports over the six months prior to March 2025 to assess whether they were aware of, and adhering to, reporting obligations more widely. We discovered that the required notebooks did not exist and that only one other incident was reported during this period.²¹² An AYDC staff member commented that ‘the reports we do receive are not as detailed or explanatory as I would expect’.²¹³

²⁰⁸ Internal Ashley Youth Detention Centre email, February 2025.

²⁰⁹ Email from Ashley Youth Detention Centre to Essential Security, February 2025.

²¹⁰ Essential Security staff member, ‘Incident report form’ (November 2024).

²¹¹ Email from Essential Security to Ashley Youth Detention Centre, 9 December 2024.

²¹² Correspondence from Essential Security to Ashley Youth Detention Centre, 2025.

²¹³ Internal Ashley Youth Detention Centre email, February 2025.



The Department for Education, Children and Young People (DECYP) acknowledged 'that incident reporting has been sub-standard'.²¹⁴ We understand there has been ongoing dialogue between Essential Security and AYDC since the November 2024 incident about requirements, and reports are improving.²¹⁵ DECYP advised us they are developing and trialling new handover and reporting processes.²¹⁶ Essential Security indicated they have prepared 'pre and post trip report templates' that are currently being considered by AYDC prior to implementation.²¹⁷

DECYP should actively monitor reporting to ensure improvements continue, as per Recommendation 4 of this report (refer to Section 5). Incident reporting and review are indicators of compliance with our Expectations 6.7, 6.8 and 11.1 (refer to Section 3) and are a critical safeguard for protecting children and young people in detention.

The absence of reports should have raised red flags prior to the November 2024 incident. First, reporting was a contractual requirement that was not being met (which reflects insufficient monitoring). Second, prior concerns had been raised about Essential Security and the previous contractor (refer to Sections 2.6 and 2.7), demonstrating that this area required oversight. Third, given the regular occurrence of incidents at AYDC (an average of 17 per week in 2024), it would be logical to assume that incidents were occurring during transport—situations which can be stressful for children and young people.²¹⁸ Figure 3 depicts the frequency of incidents occurring at AYDC.

²¹⁴ Tasmanian Government (Department for Education, Children and Young People), 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (19 May 2025).

²¹⁵ Conversation with Ashley Youth Detention Centre staff member (Custodial Inspector staff, September 2025); Email from Ashley Youth Detention Centre to Essential Security, January 2025.

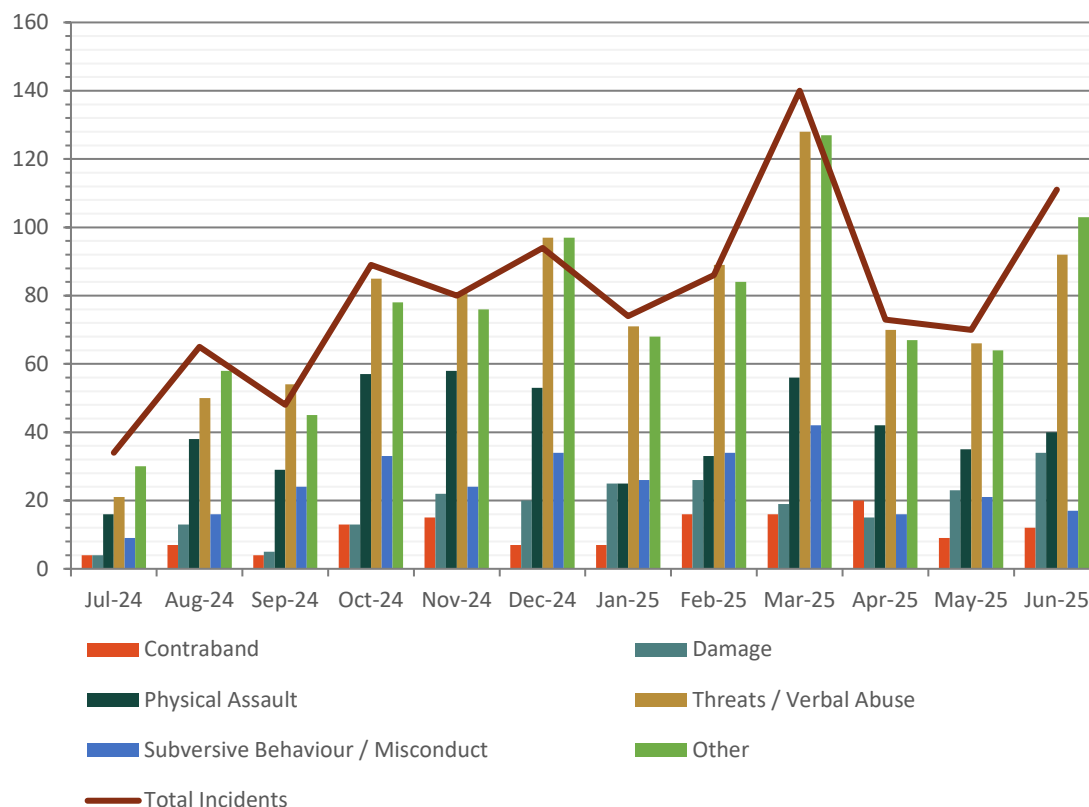
²¹⁶ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 214); Tasmanian Government (Department for Education, Children and Young People), 'Responses to additional secure transport questions' (August 2025).

²¹⁷ 'Essential Security response to draft report' (n 206).

²¹⁸ Data calculated by Custodial Inspector staff based on monthly reports generated by AYDC.



Figure 3. Number and type of incidents involving children and young people at Ashley Youth Detention Centre. Note: the types of incidents do not equal the total number of incidents as one incident may involve several different types.



6.4 AYDC staff did not report the improvised spit hood

In contrast to Essential Security's reporting, one of the AYDC workers who received the young person when he returned to AYDC completed a detailed incident report as well as other required paperwork, including use of force, isolation and observations records.²¹⁹ The incident report described physically moving the young person into a holding cell while he resisted, and concluded when he calmed and handcuffs were removed.²²⁰

However, the incident report did not mention the improvised spit hood or the AYDC worker refixing it when it slipped down. DECYP told us that this omission had 'not gone unnoticed' and that:

²¹⁹ Ashley Youth Detention Centre, 'AYDC Incident Report', 'Authorisation for Use of Isolation', 'Observation Record', 'Report on Use of Physical Force' (November 2024).

²²⁰ 'AYDC Incident Report' (n 219).

Low staff numbers on the evening of the incident may have contributed to the lack of detail in the incident report. The fact that the t-shirt being re-applied to the young person's face was not mentioned in reports may have been due to a lack of staff training and guidance on the issue.²²¹

We contacted the AYDC staff involved to ask if they would like to speak with us about this review but did not receive a response.²²² We acknowledge that AYDC staff did not instigate the improvised spit hood, nor did they have the opportunity to talk to Essential Security staff about it; the young person was attempting to assault the workers and they had to react immediately.²²³ They moved the young person into a cell, where he removed the t-shirt, in less than a minute. We also acknowledge that staff had not received guidance on improvised spit hoods.

However, we consider that these details should have been included in reporting. Staff involved have since received additional training and guidance.²²⁴ Their conduct is discussed further in Section 9.

6.5 The young person's views were absent from reporting

The November 2024 incident report did not include the young person's experience, stating that he was released from custody before he could make a statement.²²⁵

While the young person did leave custody soon after the incident, he returned within a short timeframe, enabling opportunities for seeking his input, particularly once AYDC leaders realised that he had been subjected to an improvised spit hood. The young person told us that AYDC staff did not ask him about this aspect of the incident or check in with him about it.²²⁶ Observation notes from the following day report that the young person made several phone calls and spoke twice with his case manager, which suggests he had the opportunity to speak about the incident generally.²²⁷

²²¹ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 214).

²²² Email from Office of the Custodial Inspector to Ashley Youth Detention Centre, 2025.

²²³ CCTV footage supplied by Ashley Youth Detention Centre (November 2024).

²²⁴ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 214).

²²⁵ 'AYDC Incident Report' (n 219).

²²⁶ Conversation with young person in detention (Custodial Inspector staff).

²²⁷ Ashley Youth Detention Centre, 'Observation Record for SASH Levels 1–3', 'Case Note' (November 2024).



More broadly, while AYDC's incident report template includes space for children and young people to make a statement, we have observed it is frequently left blank. Post-incident processes for checking in with children and young people, seeking their views or attempting restorative justice are not clearly documented and appear to vary. Anecdotally, we know that case management staff check in with children and young people and some youth workers conduct restorative conversations. AYDC leaders have told us they would like to improve and build on these processes.²²⁸

The young person involved in the November 2024 incident said it is 'really good' for relationships when youth workers talk to them about what happened.²²⁹

Apart from being good practice and an important learning opportunity, children and young people's participation is now expected under Standards 2 and 6, and their involvement in post-incident processes is an indicator of our Expectation 6.7 (refer to Section 3). DECYP told us the views of case management staff as well as those of a consultation group comprised of children and young people in detention would inform improvements to transport services.²³⁰ The Secretary of DECYP advised us that they contacted the young person involved in the November 2024 incident to acknowledge and apologise for his experience.²³¹ The young person sent us a copy of his response to the Secretary and consented to us including it in the report. Both of these letters can be found at Appendix 1.

Recommendation 5

The Department for Education, Children and Young People, alongside Ashley Youth Detention Centre staff and children and young people, should develop therapeutic, restorative post-incident processes that are in line with best practice.

²²⁸ Conversations with Ashley Youth Detention Centre staff (Custodial Inspector staff).

²²⁹ Conversation with young person in detention (Custodial Inspector staff).

²³⁰ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 214).

²³¹ Letter from Ginna Webster, Secretary, Department for Education, Children and Young People, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Department for Education, Children and Young People response to draft report'). Refer to full response at Appendix 2.



7. Use of force and restraints

7.1 The young person's account of the incident

The young person involved in the November 2024 incident told us he did not make a complaint about Essential Security officers because of the way he was behaving towards them; he said he was 'kicking off'. He was nonetheless happy for us to investigate their actions to prevent future incidents. The young person told us he thinks the t-shirt was over his head for approximately 15 or 20 minutes. He said 'it was hard to breathe' and he could not see. He was unhappy about his vision being restricted, particularly because he had unintentionally 'nearly punched' an Ashley Youth Detention Centre (AYDC) worker. The young person also told us security officers swore at him and pulled out a chunk of his hair. He said that when he was at the Launceston General Hospital (LGH), Essential Security officers restrained him and placed him on his stomach then sat on his legs, while his hands were handcuffed behind his back, which hurt his wrists.²³²

7.2 Security officers are allowed to use force

Transporting children and young people to and from AYDC is undoubtedly challenging. Essential Security officers are responsible for ensuring the safety and security of the young person as well as the safety of the public, and in so doing must 'balance security and welfare'.²³³ Children and young people may be heightened, attempt to escape, or display challenging behaviours including physical violence. Essential Security asked us to recognise in this report that while the majority of young people they transport are well-behaved, some can be 'dangerous' or 'violent'.²³⁴

Like staff within AYDC, Essential Security officers are permitted to use force to manage these behaviours. The company's contract with the Department for Education, Children and Young People (DECYP) states that should a young person attempt to escape, security officers may 'attempt to apprehend and

²³² Conversation with young person in detention (Custodial Inspector staff).

²³³ Ashley Youth Detention—Secure Escort Transportation (Contract between The Crown in Right of Tasmania and Essential Security, 24 August 2023) 35, 9.

²³⁴ Letter from Douglas & Collins Lawyers, acting for Essential Security, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Essential Security response to draft report'). Refer to Appendix 3.



restrain' them 'using minimum reasonable force'.²³⁵ It further states that security officers should only use force 'as a control measure when absolutely necessary' and 'as a last resort', in accordance with AYDC policies and procedures and legislative requirements.²³⁶

Use of force that does not comply with these requirements may constitute reportable conduct under the *Child and Youth Safe Organisation Act 2023* (Tas).²³⁷ Contractually, Essential Security must meet a key performance indicator requiring '[n]il occasions where force applied is determined by the Contract Manager to be excessive'.²³⁸

The applicable legislative requirements are not specified in Essential Security's contract. Under Tasmania's *Youth Justice Act 1997*, the use of physical force in a detention centre is prohibited unless it is 'reasonable' and 'necessary' to prevent harm to the young person, others, or property.²³⁹ This Act provides no similar provision regarding the use of force outside of a detention centre—where Essential Security staff would use force against a young person.

Essential Security staff must nonetheless comply with the criminal law of assault, which applies to all people in Tasmania, and likely the provisions in Part 4A of the *Corrections Act 1997* (Tas) which relate generally to the use of force on people in custody. We consider these provisions could apply because of s23 of the *Youth Justice Act 1997*, which ensures that Tasmanian laws relating to custody not addressed in this Act apply to children and young people. However, the *Youth Justice Act 1997* would benefit from further clarity in relation to the use of force outside of a youth detention centre.

Use of force in youth detention was considered by the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings*, though it did not discuss use of force outside of a detention centre. Nonetheless, its Recommendation 12.33 on use of force should apply to both settings. Part of this recommendation states:

²³⁵ Secure Escort Transportation Contract (n 233) 13.

²³⁶ Ibid 15.

²³⁷ *Child and Youth Safe Organisations Act 2023* (Tas) pt 1 s 7(1).

²³⁸ Secure Escort Transportation Contract (n 233) 37.

²³⁹ *Youth Justice Act 1997* (Tas) pt 6 div 3 s 132(b).



1. The Tasmanian Government should introduce legislation to amend the *Youth Justice Act 1997* to provide that:
 - a. subject to sections 25E and 133, force may only be used when reasonable and necessary to prevent an imminent and serious threat of harm to a person or to prevent an imminent escape, and when all other means of control have been exhausted
 - b. force must be used for the minimum time necessary
 - c. force must never be used to punish a child or young person, or solely to secure their compliance with an instruction or direction
 - d. using force in contravention of the Act is a criminal offence.²⁴⁰

Part 4A of the *Corrections Act 1997* sets a lower threshold for the use of force than this recommendation and our Expectation 6.7. To avoid any doubt, and to better safeguard children and young people, we consider any legislative amendments to use of force provisions in the *Youth Justice Act 1997* should encompass situations where a child or young person is in custody but not located in a youth detention centre. This would include when they are being transported by security officers.

Recommendation 6

Legislation introduced to amend (or replace) the *Youth Justice Act 1997* should cover use of force against children and young people in custody that occurs outside of youth detention centres.

7.3 Security officers are allowed to use handcuffs

Essential Security officers are permitted to use handcuffs in line with DECYP's 'Use of Mechanical Restraints (handcuffs)' procedure. Use of handcuffs must be 'proportionate, reasonable and necessary' and staff must be trained to use them.²⁴¹ While offsite, 'discretion may be necessary to conceal the handcuffs to protect the dignity of the young person'.²⁴² Essential Security's contract further requires '[n]il occasions of inappropriate use of handcuffs'.²⁴³

²⁴⁰ *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* (Report, August 2023) vol 1 recommendation 12.33, 64.

²⁴¹ Tasmanian Government (Children and Youth Services), 'Use of Mechanical Restraints (handcuffs)' (21 October 2019).

²⁴² *Ibid.*

²⁴³ Secure Escort Transportation Contract (n 233) 37.



Other mechanical restraints are ‘strictly prohibited’—which, as discussed in Section 4.9, implicitly includes spit hoods—and staff are directed to ‘never’

[p]lace a young person in a position that restricts or prevents them from breathing adequately while being handcuffed or wearing handcuffs.²⁴⁴

Our Expectation 6.8 notes that restraint use should be ‘the minimum necessary’ as well as ‘properly authorised and accurately recorded’ (refer to Section 3).

7.4 Use of mechanical restraints was not always appropriate

We examined whether Essential Security’s use of mechanical restraints during the November 2024 incident was in accordance with the requirements outlined in Section 7.3.

We consider that Essential Security officers used the young person’s t-shirt as a mechanical restraint, and that this was not an approved restraint but rather was ‘strictly prohibited’ under the relevant AYDC procedure. Given the young person was handcuffed behind his back, the restraint was further prohibited by placing the young person ‘in a position that restricts or prevents them from breathing adequately while being handcuffed’.²⁴⁵ Essential Security advised us that the young person did not tell security officers ‘it was hard to breathe’, and that if he had, ‘immediate steps would have been taken to address it’.²⁴⁶

We asked DECYP whether use of force and restraints during the November 2024 incident was the ‘minimum necessary in the circumstances’. DECYP told us that Essential Security officers would have decided handcuff use was within agreed guidelines, including being ‘proportionate, reasonable and necessary’.²⁴⁷ However, DECYP has not verified this statement via investigation. In addition, it is unclear how the security officers who had neither been approved nor received training from DECYP on policies and procedures could have ensured handcuff use was ‘within agreed guidelines’. We asked LGH clinical staff about the young person’s allegation that handcuffs were causing pain, and they confirmed that the young person reported his wrists were hurting. Notes written by the AYDC nurse the day following the incident

²⁴⁴ ‘Use of Mechanical Restraints (handcuffs)’ (n 241).

²⁴⁵ Ibid.

²⁴⁶ ‘Essential Security response to draft report’ (n 234).

²⁴⁷ Tasmanian Government (Department for Education, Children and Young People), ‘Responses to questions raised by Custodial Inspector in letter dated 11 March’ (19 May 2025).



also state that the young person reported a painful wrist and that the nurse observed bruising.²⁴⁸

At the LGH, a member of clinical staff asked Essential Security to remove the handcuffs so they could thoroughly examine the young person, who had calmed. The security officer refused, believing handcuffs were necessary ‘for the safety of all involved’.²⁴⁹ The medical officer told us they decided to work around the handcuffs—even though they made examination difficult—but would have insisted on their removal if necessary.²⁵⁰ DECYP advised us that improved training and resources ‘will emphasise that handcuffs must be removed at the request of a medical practitioner’.²⁵¹ However, Essential Security believes ‘they are under no obligation to remove handcuffs if they deem there to still be a threat’.²⁵² The Department of Health told us it is best practice ‘that restraints are removed, allowing for a confidential and appropriate engagement between the medical officer and patient’.²⁵³ They further stated that if handcuffs must remain, this should be ‘clearly communicated to the medical staff prior to the patient’s arrival’ so that they may form a ‘suitable treatment plan’.²⁵⁴

The different perspectives here suggest a need for broader conversations between DECYP, the Department of Health, AYDC and Essential Security about how young people’s health care is managed in community settings, including at what point transfer of care occurs and what this means in practice.²⁵⁵

External Closed-Circuit Television (CCTV) footage at the LGH shows that on arrival, the young person’s hands were handcuffed in front of his body, with a second set of handcuffs used to attach his wrist to the wrist of a uniformed security officer. There appears to be no attempt to conceal the handcuffs.²⁵⁶ This image is shown in Figure 4.

²⁴⁸ Conversations with clinical staff (Custodial Inspector staff, 2025).

²⁴⁹ Email from Essential Security to Ashley Youth Detention Centre, February 2025.

²⁵⁰ Conversation with Ashley Youth Detention Centre staff (Custodial Inspector staff, 2025).

²⁵¹ ‘Responses to questions raised by Custodial Inspector in letter dated 11 March’ (n 247).

²⁵² ‘Essential Security response to draft report’ (n 234).

²⁵³ Letter from Dale Webster, Secretary, Department of Health, to Dr Grant Davies, Custodial Inspector, 19 November 2025 (‘Department of p response to draft report’).

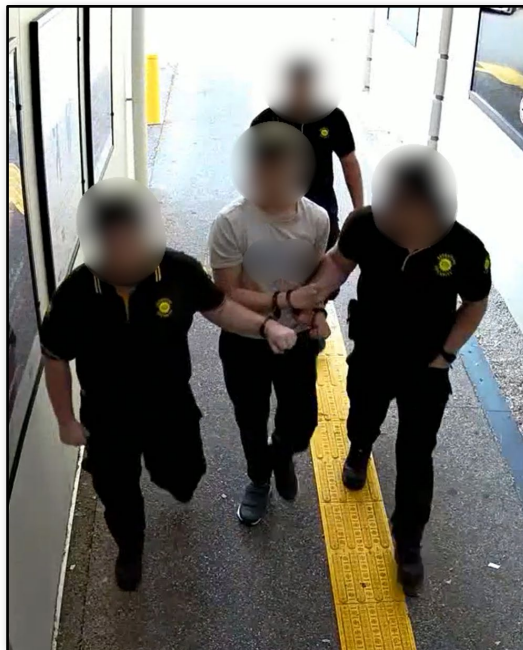
²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ External CCTV footage at the Launceston General Hospital (November 2024) supplied by Tasmania Health Service (4 April 2025).



Figure 4. CCTV image of the young person being walked into the LGH by uniformed security officers.



We have observed other instances of security officers handcuffing themselves to children and young people. We consider this practice may compound an already challenging situation by causing children and young people to become further dysregulated. It also fails to promote their dignity and confidentiality, which is an element of DECYP's mechanical restraints policy.²⁵⁷

We have heard that some children and young people feel particularly bothered by being handcuffed in public places, saying 'everyone stares at you'.²⁵⁸

AYDC staff told us that they have commenced work with Essential Security to reduce handcuff use and that security officers are increasingly wearing plain clothes to protect children and young peoples' privacy.²⁵⁹ These practices are more in line with our Expectations 6.7, 6.8 and 10.1 (refer to Section 3). This information was disputed by Essential Security, who told us they are not aware of this work and would have safety concerns about these practices.²⁶⁰ Regardless, any changes do not remove the need for DECYP to monitor Essential Security's use of mechanical restraints. This oversight is an essential safeguard.

²⁵⁷ 'Use of Mechanical Restraints (handcuffs)' (n 241).

²⁵⁸ Conversation with young person in detention (Custodial Inspector staff, 2025).

²⁵⁹ Conversation with Ashley Youth Detention Centre staff member (Custodial Inspector staff).

²⁶⁰ 'Essential Security response to draft report' (n 234).

7.5 We investigated security officers' use of force

Essential Security asked us to make it clear that in their view, none of their actions during the November 2024 incident were unlawful.²⁶¹ Their account states that they used 'necessary force' to put the young person face-down and cuff him behind his back in response to spitting as well as attempts to kick, punch and headbutt them.²⁶² An incident report by LGH security staff supports this account, stating that the young person was 'aggressive and spitting on staff'.²⁶³ Clinical staff told us that the young person was dysregulated and shouting.²⁶⁴

Essential Security deny the young person's claims that officers swore at him and sat on his legs—their response states that a hospital staff member held the young person's legs while security officers moved his handcuffs from the front to the back, and that he was placed on his stomach for no more than 40 seconds.²⁶⁵ The allegation about hair-pulling was not mentioned by clinical staff either at the hospital or at AYDC.²⁶⁶ Essential Security is adamant it 'did not occur' and 'would have been picked up by the nurse in her assessment back at AYDC'.²⁶⁷

To examine Essential Security's use of force at the LGH, we formally required information from the Department of Health under the *Custodial Inspector Act 2016* (Tas), including documentation and CCTV footage.²⁶⁸ We asked for a response within 14 days and the Department of Health requested an extension. We granted the extension on the proviso that the Department guarantee that footage would not be deleted (CCTV footage is generally only retained for a short time).²⁶⁹

The Department of Health provided a late response that was missing some of the requested CCTV footage, notably of Essential Security's use of force and of

²⁶¹ Ibid.

²⁶² Email from Essential Security to Ashley Youth Detention Centre, February 2025.

²⁶³ Hospital security staff, 'Department of Health—Incident Reporting' (November 2024).

²⁶⁴ Conversation with clinical staff (Custodial Inspector staff, 2025).

²⁶⁵ 'Essential Security response to draft report' (n 234).

²⁶⁶ Conversations with clinical staff (Custodial Inspector staff, 2025).

²⁶⁷ Conversation with Ashley Youth Detention Centre staff (Custodial Inspector staff, 2025); 'Essential Security response to draft report' (n 234).

²⁶⁸ *Custodial Inspector Act 2016* (Tas) ss 8(b) and 31; Letter from Richard Connock, Custodial Inspector, to Dale Webster, Secretary, Department of Health, 9 December 2024.

²⁶⁹ Emails between Office of the Custodial Inspector and Department of Health, December 2024–January 2025.



the young person exiting the hospital.²⁷⁰ We immediately questioned the incomplete footage but were told that it had been automatically deleted due to the passage of time.²⁷¹ We communicated our disappointment about the failure to fully comply with our formal requirement.²⁷² Essential Security also expressed disappointment about the incomplete footage.²⁷³ In response, the Department of Health described the situation as ‘deeply regrettable’ and attributed it to human error and ‘process failures’ that it intends to improve.²⁷⁴ We have since requested and promptly received comprehensive CCTV footage in relation to another matter. The Department of Health advised us they are currently reviewing their security-related technology and hope to move to ‘a more appropriate model with far greater integrity around access and retention’.²⁷⁵

7.6 Transport is not captured by camera footage

Our concerns about the November 2024 incident were increased by the lack of CCTV or body-worn camera footage from inside the vehicle. In the absence of independent information, we were not able to properly investigate the young person’s allegations. There was also no footage of security officers applying the improvised spit hood.

The 2017 *Royal Commission into Institutional Responses to Child Sexual Abuse* stressed the importance of supervision via electronic surveillance in youth detention settings. It explained that ‘gaps in oversight’ can provide opportunities for abuse:

CCTV footage acts as a deterrent for abuse and can corroborate allegations of abuse, giving children a voice where they may have previously been disbelieved. CCTV cameras should be considered where blind spots exist...body-worn cameras...may provide an additional layer of transparency and accountability.²⁷⁶

²⁷⁰ Letter from Professor Dinesh Arya, Acting Secretary, Department of Health, to Richard Connock, Custodial Inspector, 22 January 2025.

²⁷¹ Emails between Office of the Custodial Inspector and Department of Health, January 2025.

²⁷² Letter from Richard Connock, Custodial Inspector, to Dale Webster, Secretary, Department of Health, 9 April 2025.

²⁷³ ‘Essential Security response to draft report’ (n 234).

²⁷⁴ Letter from Sally Badcock, Associate Secretary, Department of Health, to Richard Connock, Custodial Inspector, 24 April 2025.

²⁷⁵ ‘Department of Health response to draft report’ (n 253).

²⁷⁶ *Royal Commission into Institutional Responses to Child Sexual Abuse* (Final Report, 2017) vol 15, 81, 117.



Similarly, the 2023 *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* recommended introducing body-worn cameras at AYDC and ensuring all public areas of the facility are covered by electronic surveillance.²⁷⁷ DECYP implemented this recommendation but did not extend it to transport vehicles, despite the Commission of Inquiry hearing that offsite activities provided opportunities for abuse.²⁷⁸ The Ombudsman also suggested in 2023 that DECYP consider installing CCTV in transport vehicles or requiring Essential Security staff to wear body-worn cameras (refer to Section 2.6).²⁷⁹ DECYP advised us they are now exploring these options as well as new communication systems.²⁸⁰

7.7 DECYP did not investigate security officers' use of force

We asked DECYP what steps it had taken to investigate Essential Security officers' use of force during the November 2024 incident. We were told that due to the relevant AYDC leader going on extended leave and 'the volume of competing priorities, an investigation involving Launceston General Hospital has not progressed'.²⁸¹ DECYP further advised us that Essential Security is not contractually expected to investigate such matters.²⁸² Similarly, the Incident Review Committee (IRC) reviews use of force and isolation within AYDC and does not cover transport services.²⁸³

This absence of investigation extends to all escorts provided by Essential Security. We asked what processes are in place to ensure their use of force and restraints conforms to DECYP policies and procedures. DECYP advised us they are enhancing Essential Security officers' understanding of policies and procedures and improving briefings to 'enable them to plan non-physical responses to challenging behaviours'.²⁸⁴

²⁷⁷ *Commission of Inquiry* (n 240) vol 1 recommendation 12.17, 64.

²⁷⁸ *Ibid* vol 5 book 1, 111, 126, 142.

²⁷⁹ Email from Office of the Ombudsman to Office of the Custodial Inspector, 13 February 2025.

²⁸⁰ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 247); Email from Department for Education, Children and Young People to Office of the Custodial Inspector, October 2025.

²⁸¹ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 247).

²⁸² *Ibid*.

²⁸³ Tasmanian Government (Department for Education, Children and Young People), 'Ashley Youth Detention Centre Incident Review Committee Terms of Reference', 1.

²⁸⁴ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 247).



These initiatives are important but do not address the need for investigation and review of use of force and restraints. These safeguards are an important indicator of compliance with our Expectations 6.7 and 6.8 (refer to Section 3). At present, these safeguards exist at AYDC but are not applied to Essential Security. As outlined in Section 1.2, oversight is critically important to prevent harm in youth detention. DECYP must apply consistent safeguarding standards across this system.

In response to a draft of this report, DECYP advised us they are intending to equip security officers with body-worn cameras, with footage to be reviewed by the IRC, and will 'prioritise the development of processes to monitor, investigate and review staff conduct and incidents that occur offsite'.²⁸⁵ We will monitor any changes and once again note that these safeguards should have been introduced earlier.

Recommendation 7

The Department for Education, Children and Young People should strengthen oversight of external transport providers by:

- a) developing processes to monitor, investigate and review staff conduct and incidents that occur offsite**
- b) promptly addressing operational and training needs identified during review.**

²⁸⁵ Letter from Ginna Webster, Secretary, Department for Education, Children and Young People, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Department for Education, Children and Young People response to draft report'). Refer to full response at Appendix 2.



8. Vehicles

8.1 Security officers did not have an adequate vehicle

Currently, Essential Security officers are required to transport children and young people in a standard van, in contrast to other jurisdictions where purpose-built vehicles are used. For example, in New South Wales people in custody are transported in vehicles fitted with Closed-Circuit Television (CCTV) monitoring and duress buttons.²⁸⁶ Significant safety issues associated with transport of people in custody—including deaths—have been identified and investigated in several national and international jurisdictions. Some of the safety issues related to inadequate vehicles.²⁸⁷

Essential Security's account of the November 2024 incident described concerns that the vehicle did not adequately restrain the young person, who was displaying challenging behaviours. Security officers were so worried about safety that they requested assistance from Tasmania Police prior to departing Launceston General Hospital (LGH).²⁸⁸

We verified these statements by viewing the body-worn camera footage of Tasmania Police officers who attended LGH to assist.²⁸⁹ It was evident that Essential Security staff believed they could not manage the young person's

²⁸⁶ Inspector of Custodial Services (NSW), *Inspection of inmate transport in NSW* (Report, June 2022) 9.

²⁸⁷ Department of Corrections (New Zealand), *Investigation by John Belgrave, Chief Ombudsman and Mel Smith, Ombudsman of the Department of Corrections in relation to the transport of prisoners* (Report, August 2006); Office of the Inspector of Custodial Services (WA), *Thematic review of custodial transport services in Western Australia* (Review Report No. 43, May 2007); Western Australian Prison Officers' Union, *WAPOU Submission to the Inquiry into the transport of persons in custody in Western Australia* (Submission, March 2015); The Marshall Project: Nonprofit journalism about criminal justice, 'Inside the deadly world of private prisoner transport' (Online, 7 June 2016) <<https://www.themarshallproject.org/2016/07/06/inside-the-deadly-world-of-private-prisoner-transport>>; John Doyle, Auditor-General (Vic), *Prisoner Transportation* (Audit report, 2014); Edith Bevin, "No protection" for prisoners in Tasmania Police transport vans, union says', *ABC News* (Online, 2 September 2019) <<https://www.abc.net.au/news/2019-09-02/tasmania-police-vans-not-safe-for-prisoners-union-says/11468814>>; Dominic Giannini, 'Prison warned Camry not fit for transport two weeks before escape', *Region* (Online, 15 July 2021) <<https://region.com.au/prison-warned-camry-not-fit-for-transport-two-weeks-before-escape/477591/>>; Legislative Council Standing Committee on Environment and Public Affairs (WA), *Inquiry into the transportation of detained persons: The implementation of the Coroner's recommendations in relation to the death of Mr Ward and related matters* (Report 23, July 2011).

²⁸⁸ Email from Essential Security to Ashley Youth Detention Centre, February 2025.

²⁸⁹ Tasmania Police body-worn camera footage (November 2024), viewed by Custodial Inspector staff (May 2025).



behaviour. As Tasmania Police could only help by following behind their car, Essential Security officers proceeded with the journey.²⁹⁰ Police officers told us informally that in the same circumstances, they would not have felt safe to drive. The vehicle used to transport children and young people is shown in Figure 5.

Figure 5. Photograph of interior of DECYP vehicle currently used by Essential Security. The young person typically sits in the rearmost seat, with a security officer in the middle section.



An Essential Security officer indicated that due to using a standard vehicle, the November 2024 incident could have ‘gone the other way and had people using deadly force’ against the young person.²⁹¹ As outlined in Section 4, spit hoods can kill people, so the force used was already at the level of being potentially ‘deadly’ and therefore contrary to our Expectations. However, Essential Security’s concerns regarding the vehicle need to be considered. The Department for Education, Children and Young People (DECYP) must address the significant safety risks to staff, children and young people and the public by providing appropriate vehicles.

²⁹⁰ Ibid.

²⁹¹ Email from Essential Security to Ashley Youth Detention Centre, February 2025.

8.2 Concerns about vehicles have been raised before

Ashley Youth Detention Centre (AYDC) leaders told us they have previously asked DECYP for better vehicles.²⁹² Options for different vehicles have been explored but not provided, and in one instance, a new vehicle was provided but then deemed unsuitable. It was subsequently sold to the Tasmania Prison Service.

Tasmania Police told us they raised concerns with the Secretary of DECYP in June 2023 about the security of children and young people during transport, in the context of escapes (though DECYP has no record of this).²⁹³ They said the general view within operational areas is that AYDC's vehicles are 'inadequate' to ensure staff safety, while a purpose-built vehicle would 'enhance security and eliminate risks'.²⁹⁴

An investigation into a young person's escape during transport in 2023 recommended using vehicles with vehicle cameras and secure separation of driver and young person.²⁹⁵ The security company contracted at the time also investigated the escape and asserted the 'vehicles are no longer fit for purpose, including the layout and internal capacity for transporting youth safely'.²⁹⁶ Their account stated that the young person's behaviour made it 'unsafe to continue driving' and the situation 'could have very easily turned into an occurrence of serious consequence'.²⁹⁷ These comments echo those made by Essential Security about the November 2024 incident and demonstrate that DECYP has known about vehicle concerns for some time. In response to a draft of this report, the previous security contractor referred us to documents showing that they also raised concerns about the vehicles in May and December 2022.²⁹⁸ The company stated that cameras were fitted to their transport vehicles in 2022 at their own initiative and cost.²⁹⁹

²⁹² Conversation with Ashley Youth Detention Centre leaders (Custodial Inspector staff, 2025).

²⁹³ Tasmanian Government (Department for Education, Children and Young People), 'Responses to additional secure transport questions' (August 2025).

²⁹⁴ Letter from R.C.G Blackwood, Acting Deputy Commissioner of Police, to Custodial Inspector staff, 23 June 2025.

²⁹⁵ Tasmanian Government (Department for Education, Children and Young People), *Investigation report: Escape incident Hobart* (Report, 2 May 2023) 7.

²⁹⁶ Security contractor, 'Summary of incident' (April 2023).

²⁹⁷ Ibid.

²⁹⁸ Letter from previous security contractor to Dr Grant Davies, Custodial Inspector, 17 November 2025 ('Previous security contractor response to draft report').

²⁹⁹ Ibid.



We consider that Essential Security and the previous contractor could potentially have addressed their safety concerns via a protected disclosure under Tasmania's *Public Interest Disclosures Act 2002* (PID Act).³⁰⁰ We asked DECYP what information is provided to Essential Security about this legislation and were told they could not 'find evidence that this information was sent' when they signed the contract in 2023.³⁰¹ The previous security contractor also told us they were never provided with information about the PID Act.³⁰² They further stated they 'did not consider this would have been or should have been an appropriate mechanism for a corporate entity to use' to address concerns when dealing with a state government—they considered the concerns should simply have been addressed.³⁰³ The PID Act, however, provides an avenue for concerns of serious or significant improper conduct to be investigated, especially when alternatives have been exhausted.

8.3 A fit-for-purpose vehicle would provide safeguards

We consider Essential Security officers were not equipped to manage the elevated safety risks present during the November 2024 incident. If they had not believed their safety was threatened and felt distracted by the young person's behaviour in the car, they may not have applied an improvised spit hood. A fit-for-purpose vehicle would be one way to prevent this situation and reduce risks. It would also add a layer of safeguarding and be more consistent with Standard 8 and Expectation 10.1 (detailed in Section 3). Essential Security told us they 'very strongly agree' that purpose-built vehicles are needed and would mitigate risks to young people, staff and the public.³⁰⁴

Since we commenced this review, DECYP has given AYDC approval to lease and design a van 'to accommodate young people safely, securely and therapeutically'.³⁰⁵ We understand this vehicle has been ordered and will include 'flexible secure enclosures that can be left open or closed, depending

³⁰⁰ *Public Interest Disclosures Act 2002* (Tas) pt 2 s 6.

³⁰¹ Tasmanian Government (Department for Education, Children and Young People), 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (19 May 2025).

³⁰² 'Previous security contractor response to draft report' (n 298).

³⁰³ Ibid.

³⁰⁴ Letter from Douglas & Collins Lawyers, acting for Essential Security, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Essential Security response to draft report'). Refer to Appendix 3.

³⁰⁵ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 301).



on risk, and designed so handcuffs are not required at all times'.³⁰⁶ However, Essential Security advised us they would not allow young people to be transported without handcuffs due to staff safety considerations.³⁰⁷

If a new vehicle is designed according to best practice, provided and successfully piloted, we encourage DECYP to purchase a second vehicle to facilitate all AYDC transport. This could assist with delays, improve staff safety and ensure all children and young people in custody benefit from additional safeguards. In the interim we understand DECYP is seeking to reduce delays by leasing an additional standard vehicle to be based in Hobart.³⁰⁸

DECYP also advised us that information about the PID Act (as well as information about the Ombudsman and Integrity Commission) has now been added to the Service Provider Guide given to Essential Security workers during induction. DECYP further plans to include a disclosure statement to contract templates.³⁰⁹ However, Essential Security told us this information is 'yet to be communicated' with them.³¹⁰

Recommendation 8

The Department for Education, Children and Young People, in consultation with Ashley Youth Detention Centre staff and children and young people, should purchase purpose-built vehicles that safeguard children and young people, staff, and the public, and reflect therapeutic care principles.

³⁰⁶ Letter from Ginna Webster, Secretary, Department for Education, Children and Young People, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Department for Education, Children and Young People response to draft report'). Refer to full response at Appendix 2.

³⁰⁷ 'Essential Security response to draft report' (n 304).

³⁰⁸ Email from Department for Education, Children and Young People to Office of the Custodial Inspector, October 2025.

³⁰⁹ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 301).

³¹⁰ 'Essential Security response to draft report' (n 304).



9. Scrutiny of staff

9.1 Staff conduct review processes are complex and fallible

The conduct of the two Ashley Youth Detention Centre (AYDC) staff during the November 2024 incident was initially reviewed by the Incident Review Committee (IRC), who referred it to AYDC leaders.³¹¹ These leaders were responsible for deciding next steps within Department for Education, Children and Young People (DECYP) systems. The workers' conduct was then examined by:

- DECYP Workplace Relations
- DECYP Complaints Management Oversight Unit (CMOU)
- Office of the Independent Regulator (OIR).

The following timeline demonstrates the complexity of this system. We have referred to the two AYDC employees as 'AYDC worker 1' and 'AYDC worker 2'.

November 2024 incident Timeline of reporting and reviewing AYDC staff conduct	
Late November 2024	Paper-based incident report and associated documents completed by AYDC worker 2. ³¹²
4 December 2024	IRC reviewed incident, detected improvised spit hood and referred to AYDC leaders. ³¹³
4 December 2024	Custodial Inspector staff spoke with AYDC leader, who advised steps to address concerns.
6 December 2024	Custodial Inspector staff commenced enquiries.
7 January 2025	Custodial Inspector staff raised incident with OIR, assuming they had received referral from DECYP. They had not.
8 January 2025	OIR contacted CMOU about the incident. ³¹⁴

³¹¹ Tasmanian Government (Department for Education, Children and Young People), 'Meeting Minutes: Incident Review Committee' (4 December 2024) 13.

³¹² Ashley Youth Detention Centre, 'AYDC Incident Report', 'Authorisation for Use of Isolation', 'Observation Record', 'Report on Use of Physical Force' (November 2024).

³¹³ 'Meeting Minutes: Incident Review Committee' (n 311).

³¹⁴ Emails between Department for Education, Children and Young People and Office of the Independent Regulator, January 2025.



22 January 2025	CMOU instructed AYDC leaders to complete Concern Notices* for AYDC staff involved in the incident. ³¹⁵
23 January 2025	AYDC submitted Concern Notice about AYDC worker 1 to CMOU. ³¹⁶
23-24 January 2025	CMOU considered incident and corresponded with OIR. ³¹⁷
28 January 2025	CMOU submitted notification to OIR about AYDC worker 1 but deemed this unnecessary for AYDC worker 2. ³¹⁸
20 February 2025	OIR asked CMOU whether Strong Families, Safe Kids Advice and Referral Line and Registrar for the Registration to Work with Vulnerable People scheme had been notified. They had not. CMOU referred matter to DECYP Workplace Relations for consideration and possible notifications. ³¹⁹
15 April 2025	After further engagement with DECYP, OIR advised they required notification about AYDC worker 2.
16 April 2025	CMOU submitted notification about AYDC worker 2.
August 2025	Both investigations finalised.

* A Concern Notice is an internal form required by DECYP 'as soon as possible after learning of a concern about an employee's conduct towards children or young people'.³²⁰

This timeline highlights several systemic issues. The first is the complexity of the system, which has multiple individuals and groups involved in the review of a single incident. There is, as a result, the possibility of incidents failing to be reported to relevant parts of this chain. It is unclear whether the November 2024 incident would have been lost in the system had we not raised it with the OIR, who in turn raised it with the CMOU.

³¹⁵ Tasmanian Government (Department for Education, Children and Young People), 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (19 May 2025).

³¹⁶ Ashley Youth Detention Centre, 'Concern Notice' (23 January 2025).

³¹⁷ Emails between Department for Education, Children and Young People and Office of the Independent Regulator, January 2025.

³¹⁸ Email from Department for Education, Children and Young People to Office of the Independent Regulator, January 2025.

³¹⁹ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 315).

³²⁰ 'Concern Notice' (n 316).



The second issue is the reliance on individual AYDC leaders to refer matters of concern. We understand that delayed reporting in this instance was unintentional; the AYDC leader managing the incident went on unexpected leave and it was not reallocated.³²¹ This reflects staff shortages at AYDC but also highlights the need for a stronger system for managing child safety concerns. A DECYP employee observed that the situation revealed ‘a prime example demonstrating how critical it is we improve our internal processes’.³²²

The third issue is the length of time taken to review possible staff misconduct. This leaves child safety concerns unresolved and leaves staff members—who are often suspended from work—living with uncertainty. These issues have been frequently raised with us by AYDC staff. They directly and significantly affect staff wellbeing and already low staffing levels at AYDC. Low staffing has a substantial negative impact on children and young people in detention.

We understand an independent review examining some of these issues has recently been completed. To date, this has not resulted in improved and simplified systems. Recommendation 9 seeks to address this situation.

9.2 AYDC staff members’ conduct was closely scrutinised

While the two AYDC workers had only minimal involvement in the November 2024 incident, their actions were reviewed according to usual AYDC processes.³²³ AYDC initially addressed concerns via additional information and training. AYDC worker 1, who refixed the t-shirt over the young person’s head, met with a leader to discuss and reflect on their actions.³²⁴

At the DECYP level, the CMOU examined the workers’ conduct in terms of possible reportable conduct (in this case, physical violence and significant neglect) as defined in Tasmania’s *Child and Youth Safe Organisations Act 2023* (the Act).³²⁵

³²¹ Email from Department for Education, Children and Young People to Office of the Independent Regulator, January 2025.

³²² Ibid.

³²³ Tasmanian Government (Department for Education, Children and Young People), ‘Ashley Youth Detention Centre Incident Review Committee Terms of Reference’, 1.

³²⁴ ‘Responses to questions raised by Custodial Inspector in letter dated 11 March’ (n 315).

³²⁵ *Child and Youth Safe Organisations Act 2023* (Tas) pt 1 s 7.



The CMOU considered that AYDC worker 1's use of force had lawful justification.³²⁶ However, they considered that actions regarding the improvised spit hood constituted reportable conduct—specifically, significant neglect—in that they

neglected to meet the young person's physical and emotional needs. It appears the young person was very distressed, and the t-shirt over his head was likely heightening his distress and likely causing him to experience fear (i.e. by not being able to clearly see what was happening to inform his sense of safety and possibly obstructing his ability to breathe).³²⁷

They notified the OIR accordingly.³²⁸

In the case of AYDC worker 2, the IRC and CMOU deemed their use of physical force to be lawfully justified in the context of the young person's behaviour risking harm to himself and others.³²⁹ The worker's inaction (they did not remove the t-shirt from the young person's head) was initially assessed as constituting reportable conduct for the same reasons outlined for AYDC worker 1.³³⁰ However, further examination by another CMOU employee determined these actions did not constitute reportable conduct. This was based on in-depth analysis of available information, which found a lack of:

- legislation prohibiting spit hoods or improvised spit hoods
- evidence demonstrating a direct connection between the worker's behaviour or inaction 'and any emotional or psychological harm suffered'
- evidence of intentional or reckless neglect.³³¹

We consider this lack of clarity can be partially attributed to spit hoods not being explicitly prohibited by policy and law (refer to Section 4.9). As a result, deliberations were complex. Ultimately the OIR determined that AYDC worker 2's conduct could constitute reportable conduct and DECYP referred the matter.³³²

³²⁶ Internal Department for Education, Children and Young People email, 24 January 2025. Use of force was considered to be lawful under the *Youth Justice Act 1997* (Tas).

³²⁷ Internal Department for Education, Children and Young People emails, January 2025.

³²⁸ Email from Department for Education, Children and Young People to Office of the Independent Regulator, January 2025.

³²⁹ Internal Department for Education, Children and Young People emails, January 2025.

³³⁰ Ibid.

³³¹ Ibid.

³³² 'Meeting Minutes: Incident Review Committee' (n 311).



9.3 Scrutiny of security officers' conduct was a grey area

Sections 9.1 and 9.2 describe the complex incident review process and intense examination of AYDC staff members' conduct by DECYP and the OIR under the reportable conduct element of the Act. This is in stark contrast to DECYP's lack of scrutiny of Essential Security staff despite the significant concerns raised by the November 2024 incident (refer to Section 7.7).

We spoke with the OIR to ascertain whether Essential Security officers' conduct fell under the Act (the OIR's governing legislation). We were initially informed that, according to information shared with the OIR, subcontracted workers of relevant entities (DECYP is an entity under the Act) represented a gap in the OIR's legislative reach.³³³

Once the matter was referred to the CMOU, they also asked this question of the OIR, stating that they were

...grappling with how to handle the alleged conduct of the three Essential Security staff members involved in this matter and whether they would be considered workers of DECYP under the Act, given the contractual relationship that exists...unless the Act applies, the Independent Regulator would not have the authority to compel the entity (Essential Security) to conduct an investigation.³³⁴

This reflects the understanding that staff employed by organisations who held contracts with DECYP were not considered *employees* of DECYP for the purposes of the Act.³³⁵ This interpretation meant that Essential Security was not obliged to report or investigate possible reportable conduct.

9.4 The Reportable Conduct Scheme was found to apply

We engaged with the OIR to explore this potential safeguarding gap. Under information-sharing provisions, we provided Essential Security's contract to the OIR to assist them to definitively establish jurisdiction.³³⁶ The OIR subsequently determined that as Essential Security is engaged specifically to provide services to children and young people under the *Youth Justice Act 1997*, it is considered

³³³ Custodial Inspector staff, 'Meeting notes' (meeting with Independent Regulator staff, January 2025).

³³⁴ Email from Department for Education, Children and Young People to Office of the Independent Regulator, January 2025.

³³⁵ Ibid.

³³⁶ Information sharing is permitted in certain circumstances under the *Child and Youth Safe Organisations Act 2023* (Tas) pt 5 s 38.



an entity under the Act.³³⁷ Essential Security was therefore required to comply with the Reportable Conduct Scheme.

We consider that the requirements of the Act constitute an important safeguard for children and young people in the care of Essential Security officers. However, DECYP still holds ultimate responsibility for overseeing the safety and wellbeing of children and young people in its care. If an AYDC staff member had used a t-shirt to cover a young person's face for an extended period and talked about 'deadly force', it is likely they would be suspended from work pending investigation. As it stands, while under the contract DECYP can remove approval for any Essential Security officer, they have not chosen to do so.³³⁸ Nor have they scrutinised Essential Security officers' conduct.

This situation is inconsistent and incompatible with ensuring children and young people's safety. Expectations and Standards apply regardless of whether children and young people are in the care of AYDC or Essential Security. We further note that the scrutiny processes detailed in this section could be improved by including children and young people's perspectives, as is required by Standards 2 and 6 (refer to Section 3).

Recommendation 9

The Department for Education, Children and Young People should urgently improve the complaints management framework, including:

- a) timely reporting and action when significant misconduct or child safety concerns are detected**
- b) robust systems to capture and track concerns**
- c) expediting investigations into Ashley Youth Detention Centre staff in recognition of critically low staffing levels**
- d) requiring the same standard of care from all staff, including contractors, working with children and young people in detention. This must be accompanied by creating the conditions staff require to meet these standards, such as ongoing training, development, and support.**

³³⁷ Email from Office of the Independent Regulator to Office of the Custodial Inspector, 21 March 2025; *Child and Youth Safe Organisations Act 2023* (Tas) sch 3 cl 2(h).

³³⁸ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 315).



10. Therapeutic care

10.1 Security companies cannot provide therapeutic care

This report has mostly focused on identifying and addressing safeguarding gaps in the current system for transporting children and young people in detention. However, our review also demonstrated that security officers are not best placed to care for vulnerable children and young people. This reflects the fact that the usual focus of their work is security—not therapeutic care. A worker at AYDC described this as a ‘power over’ approach to caring for children and young people.³³⁹

The Tasmanian Government’s *Youth Justice Model of Care*

provides a coordinated and consistent approach to the delivery of trauma-informed, evidence-based and culturally safe services to children and young people.³⁴⁰

It further ‘defines an operating philosophy across the youth justice service continuum’ which includes ‘upholding the rights of children and young people’ and delivering ‘therapeutic’ responses.³⁴¹

This report has shown that transport services for children and young people in custody are not underpinned by a therapeutic, rights-based operating philosophy and are therefore not demonstrative of a ‘coordinated and consistent approach’ across youth justice. This lack of consistency is also evident in the practice of holding children and young people in adult prisons, as detailed in our *Children in Tasmania’s prisons* report.³⁴² We consider that the temporary physical location of a child or young person in custody should not determine the level of therapeutic care they receive.

³³⁹ Conversation with Ashley Youth Detention Centre staff member (Custodial Inspector staff, 2025).

³⁴⁰ Tasmanian Government (Department of Premier and Cabinet), *Youth Justice Model of Care* (December 2024) 4.

³⁴¹ Ibid 5.

³⁴² Office of the Custodial Inspector, *Children in Tasmania’s prisons: review report 2025* (Report, 2025).



10.2 Clinical care also needs to be therapeutic

We learned that during the November 2024 incident the young person was dysregulated to the point of initially refusing clinical care. We understand from speaking to him that he did not want to go to the hospital and consequently refused to comply.³⁴³ According to the Essential Security account of the incident, the young person was verbally abusive towards clinical staff and refused care.³⁴⁴ We were told by clinical staff that Essential Security officers used physical and mechanical restraints to manage this challenging situation and did not try to de-escalate the young person in the way they spoke with him.³⁴⁵ Essential Security disagreed, stating that they used de-escalation techniques while waiting to see clinical staff, and that they also contacted an AYDC leader to seek guidance for clinical staff in order to 'get the best outcome for the young person'.³⁴⁶

Clinical staff told us that entering the hospital via the main public entrance while handcuffed and accompanied by uniformed security officers often leads to escalation of behaviour. They were concerned that negative experiences in hospital can condition children and young people to have future difficulties accessing clinical care.³⁴⁷ This was reinforced by the Department of Health, who told us that:

Children and young people involved with youth justice represent a high-risk cohort, often with significant histories of trauma. Poor health care experiences can exacerbate anxiety, fear, and mistrust of health professionals, leading to disengagement from services and poorer health outcomes.³⁴⁸

The Department of Health also advised us they have received reports of 'similar concerns regarding the delivery of trauma-informed and child-focused interventions by security staff in hospital settings' and are working on these issues internally.³⁴⁹

³⁴³ Conversation with young person in detention (Custodial Inspector staff).

³⁴⁴ Email from Essential Security to Ashley Youth Detention Centre, February 2025.

³⁴⁵ Conversation with clinical staff (Custodial Inspector staff, 2025).

³⁴⁶ Letter from Douglas & Collins Lawyers, acting for Essential Security, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Essential Security response to draft report'). Refer to Appendix 3.

³⁴⁷ Conversation with clinical staff (Custodial Inspector staff, 2025).

³⁴⁸ Letter from Dale Webster, Secretary, Department of Health, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Department of Health response to draft report').

³⁴⁹ Ibid.



We consider that therapeutic care across the youth justice continuum should include healthcare. Under our Expectations 3.2, healthcare should be provided in environments that promote dignity and maintain privacy (refer to Section 3). The Tasmanian Health Service's guidelines for managing children with 'acute behavioural disturbance' recommend a 'focus on verbal and non-verbal de-escalation' in a '[c]alm and quiet environment', based on trauma-informed principles such as 'safety, trustworthiness, choice, collaboration and empowerment'.³⁵⁰ In their response to a draft of this report, the Department of Health emphasised their support for a trauma-informed approach that is consistent with the *Child and Youth Safe Organisations Act 2023* (Tas).³⁵¹

Ideally, children and young people's experiences of clinical care should be more trauma-informed and less challenging for all involved. Strategies could include ensuring a supportive adult is present, avoiding restraints and use of force, exploring alternatives to using main entrances and busy areas, and concealing handcuffs (if used). The Department of Health stated they support these suggestions and Recommendation 10 (below), and would like to work collaboratively with DECYP, the Chief Psychiatrist, and children and young people on these matters.³⁵² DECYP's response to a draft of this report also indicated agreement 'that young people's experiences of clinical care off-site must be trauma-informed and uphold dignity and privacy' and referenced current work to support this.³⁵³

Recommendation 10

The Department for Education, Children and Young People should explore means of implementing therapeutic and trauma-informed care principles during external clinical appointments.

³⁵⁰ Tasmanian Government (Tasmanian Health Service), 'Acute Behavioural Disturbance (Paediatric)' (Guideline, November 2024).

³⁵¹ 'Department of Health response to draft report' (n 348).

³⁵² Ibid.

³⁵³ Letter from Ginna Webster, Secretary, Department for Education, Children and Young People, to Dr Grant Davies, Custodial Inspector, 19 November 2025 ('Department for Education, Children and Young People response to draft report'). Refer to full response at Appendix 2.



10.3 Security officers generally cannot provide relational security

The *Youth Justice Model of Care* emphasises the importance of ‘relational development and trust’.³⁵⁴ Similarly, an indicator of our Expectation 7.2, which requires ‘warm, compassionate and helpful’ relationships between staff and children, is that:

Staff take time to build relationships with children and know their strengths and weaknesses, show genuine interest, and listen to children.³⁵⁵

We have frequently observed the positive relationships many AYDC staff form with children and young people and their ability to use relational security to diffuse potential incidents. Essential Security officers do not have the same opportunities to build relationships. Their primary de-escalation tools are therefore force and restraints. As noted in Section 4.12, relational security is a fundamental tool for reducing incidents such as spitting.

We asked several young people for their views about Essential Security staff. Some young people complained about treatment (including swearing, name-calling, and rough treatment), others said that staff ignore them and do not interact, some said they are ‘okay’, and others said that some staff are good and others are not.³⁵⁶

Essential Security asserted that these ‘statements are very prejudicial and unfair as they cannot be properly tested’.³⁵⁷ They noted they are unable to ‘comment and properly answer the allegations’ as they do not have further details.³⁵⁸ Our reasons for including the views of young people in this context are discussed in Section 1.3.

We have heard some reports of positive relationships between Essential Security officers and children and young people, but it does not appear to be

³⁵⁴ *Youth Justice Model of Care* (n 340) 16.

³⁵⁵ Tasmanian National Preventive Mechanism and Office of the Custodial Inspector, *Expectations on the treatment of children and young people deprived of their liberty* (Version 1.1, May 2024). Refer also to Section 3.

³⁵⁶ Conversations with children and young people in detention (Custodial Inspector staff, 2025).

³⁵⁷ ‘Essential Security response to draft report’ (n 346).

³⁵⁸ *Ibid.*



the norm. Recently, we were told that some security officers refuse to speak to or give their names to children and young people, demonstrating a clear unwillingness to build relationships and provide therapeutic care.³⁵⁹ One young person told us they would feel safer knowing the names of security officers.³⁶⁰ Essential Security's view is they can provide licence numbers to young people, but providing names could 'create risks for employees'.³⁶¹

10.4 AYDC staff are better placed to support young people

The young person involved in the November 2024 incident told us it would be better if youth workers could escort children and young people to appointments 'because they can support you and that'.³⁶² He reiterated this view in his letter to the Secretary of DECYP, responding to the Secretary's apology about the incident. Both of these letters can be found at Appendix 1. This view has been shared with us by several other children and young people.³⁶³

AYDC staff, including youth workers, have also told us AYDC should be responsible for escorting children and young people offsite. A member of the case management team noted it is far more trauma-informed for young people to travel with a known, trusted adult, particularly for stressful activities like court and medical appointments.³⁶⁴ Another worker told us transport is challenging for children and young people because it is a transition. They believed that during transitions, such as leaving the community to enter detention, children and young people require understanding and compassion.³⁶⁵

AYDC leaders observed that when their staff accompany children and young people offsite, there are fewer incidents. They told us about a young person who was anxious about an upcoming dental appointment and requested that a particular youth worker accompany them. The youth worker's support enabled the young person to receive necessary dental care with minimal stress. The leaders' view was that the young person's anxiety would have been unmanageable if they had been accompanied solely by security officers.³⁶⁶

³⁵⁹ Conversations with Ashley Youth Detention Centre staff (Custodial Inspector staff, 2025).

³⁶⁰ Conversations with children and young people in detention (Custodial Inspector staff).

³⁶¹ 'Essential Security response to draft report' (n 346).

³⁶² Conversation with young person in detention (Custodial Inspector staff).

³⁶³ Conversations with children and young people in detention (Custodial Inspector staff).

³⁶⁴ Conversations with Ashley Youth Detention Centre staff (Custodial Inspector staff).

³⁶⁵ Ibid.

³⁶⁶ Conversations with Ashley Youth Detention Centre leaders (Custodial Inspector staff).



The Australian Capital Territory Inspector of Correctional Services stated in a 2020 report that the youth justice facility ‘should provide a staff member to accompany young detainees to court, if for no other reason than to provide support to the young detainees’ as well as to assist transport staff who may not have the training and experience to work effectively with children and young people.³⁶⁷ A DECYP investigation into the escape of a young person during transport in 2023 recommended that AYDC staff undertake escorts of children and young people.³⁶⁸

10.5 Funding and staff shortages prevent improvements

AYDC case managers assist children and young people with planning and preparing for offsite activities.³⁶⁹ In addition, children and young people frequently request that AYDC staff accompany them offsite, which leaders willingly facilitate wherever possible—but this is frequently prevented by resourcing constraints.³⁷⁰ Leaders expressed frustration that they have not received additional funding for transport, despite requests. They considered that rostering an extra worker to accompany children and young people would resolve many transport concerns.³⁷¹

In our letter to DECYP about the November 2024 incident we suggested several interim improvements, including ensuring a youth worker accompany children and young people on all journeys.³⁷² DECYP advised us that ‘AYDC will aim to assign a Youth Worker to transports where resourcing permits’.³⁷³ In practice, insufficient staff and funding are significant barriers to this happening. In their response to a draft of this report, DECYP indicated that ensuring youth workers can attend offsite journeys is dependent on increasing staff numbers, which is currently a ‘key priority’. This includes marked efforts to enhance staff wellbeing.³⁷⁴

³⁶⁷ Inspector of Correctional Services (ACT), *Report of a review of the ACT Corrective Services Court Transport Unit* (Report, November 2020) 40.

³⁶⁸ Tasmanian Government (Department for Education, Children and Young People), *Investigation report: Escape incident Hobart* (Report, 2 May 2023) 7.

³⁶⁹ Tasmanian Government (Department for Education, Children and Young People), ‘Responses to questions raised by Custodial Inspector in letter dated 11 March’ (19 May 2025).

³⁷⁰ Conversations with Ashley Youth Detention Centre staff (Custodial Inspector staff).

³⁷¹ Conversations with Ashley Youth Detention Centre leaders (Custodial Inspector staff).

³⁷² Letter from Richard Connock, Custodial Inspector, to Ginna Webster, Secretary, Department for Education, Children and Young People, 11 March 2025.

³⁷³ ‘Responses to questions raised by Custodial Inspector in letter dated 11 March’ (n 369).

³⁷⁴ ‘Department for Education, Children and Young People response to draft report’ (n 353).



Recommendation 11

The Tasmanian Government and the Department for Education, Children and Young People should:

- a) as an interim measure, provide sufficient funding and resources for Ashley Youth Detention Centre staff to accompany children and young people during transport (this includes taking immediate steps to prioritise staff wellbeing and retention)**
- b) in line with the principles of the *Youth Justice Model of Care*, phase out use of security officers and establish more therapeutic means of transporting children and young people.**

10.6 Essential Security was successful in a recent tender process

An internal DECYP document provided to us stated that:

There is insufficient resourcing to use Youth Workers to provide security and transport services instead of an external security provider. This would be highly expensive and have impacts on Operational Staffing Shortages at AYDC.³⁷⁵

Another document, intended for DECYP executives, included the following background information:

There have been several identified issues with Essential Security's practices. However, if Essential Security ceases to provide security and transport services to the Department, there is a serious risk of market failure as there is a limited supply of security services in Tasmania.³⁷⁶

DECYP has committed to using Essential Security's services: the company's contract was extended following the November 2024 incident, and they were successful in a recent tender process.³⁷⁷

³⁷⁵ Internal Department for Education, Children and Young People document (May 2025).

³⁷⁶ Ibid.

³⁷⁷ 'Responses to questions raised by Custodial Inspector in letter dated 11 March' (n 369).



This is despite our investigations raising concerns about Essential Security's compliance with key performance indicators (KPIs) related to:

- response times
- using only approved officers
- mechanical restraints
- training
- use of force
- reporting.

A further KPI states that contractual compliance requires '[n]il investigations that substantiate complaints or criticisms by any other authority or stakeholder about Security Officers or vehicles'.³⁷⁸

AYDC staff advised us they intend to exercise greater scrutiny under the new contract, including interviewing prospective security officers and regularly tracking KPIs.³⁷⁹ DECYP told us that contract specifications 'are currently under consideration' and that governance arrangements are being strengthened, including oversight and performance monitoring (refer also to Section 5).³⁸⁰

10.7 We are hearing new concerns about Essential Security

AYDC staff told us they have seen improvements in Essential Security's services since implementing changes prompted by the November 2024 incident and our review.³⁸¹ However, Essential Security officers' behaviour during recent training did not indicate improved attitudes and understanding (refer to Section 5.5).³⁸² We have also heard reports about ongoing conduct issues. One AYDC staff member told us Essential Security staff treat children and young people 'like animals, like second-class citizens'.³⁸³ Essential Security stated that the particulars of these 'highly defamatory' allegations have not been communicated to them which makes it 'impossible to properly respond'.³⁸⁴ Refer to Section 1.3 regarding our reasons for including these comments.

³⁷⁸ Ashley Youth Detention–Secure Escort Transportation (Contract between The Crown in Right of Tasmania and Essential Security, 24 August 2023) 35–38.

³⁷⁹ Conversations with Ashley Youth Detention Centre staff (Custodial Inspector staff).

³⁸⁰ 'Department for Education, Children and Young People response to draft report' (n 353).

³⁸¹ Conversations with Ashley Youth Detention Centre staff (Custodial Inspector staff).

³⁸² Email from training provider to Department for Education, Children and Young People, 2025.

³⁸³ Conversation with Ashley Youth Detention Centre staff member (Custodial Inspector staff).

³⁸⁴ 'Essential Security response to draft report' (n 346).



Two complaints were made in recent months, the first including allegations about Essential Security officers driving dangerously, swearing and treating a young person in a way that 'caused him to react'.³⁸⁵ The second complaint was made by a young person about treatment by Essential Security officers and is still under investigation.³⁸⁶ Essential Security advised us they deny these complaints.³⁸⁷

Another young person told us recently that Essential Security officers are generally very rough and pull handcuffs too tightly, leaving marks. We also heard allegations from several sources about Essential Security officers breaching confidentiality, including sharing sensitive information with children and young people about other children and young people and failing to conceal handcuffs.³⁸⁸

Essential Security told us they would like these allegations to be raised with them 'so that they can be properly responded to' and reiterated that such comments are 'highly defamatory and prejudicial when they cannot be tested'.³⁸⁹

Reception prison staff recently shared concerns about some Essential Security officers' conduct. This included generally unprofessional behaviour including 'scruffy' appearance, rudeness, and instances of failing to have identification when they arrive to collect children and young people.³⁹⁰ Essential Security officers are required to adhere to 'appearance standards' and display identification cards at all times.³⁹¹ Other staff reported ongoing concerns about handcuff competency and ability to safely transport children and young people, with one person telling us the company seems to 'hand out uniforms and handcuffs to anyone and off they go'.³⁹² Essential Security again noted these allegations have not been raised with them, including 'competency issues' that may need attention.³⁹³

³⁸⁵ Internal Ashley Youth Detention Centre email, 2025; Tasmanian Government (Department for Education, Children and Young People), 'Briefing note to the Secretary' (May 2025).

³⁸⁶ Tasmanian Government (Department for Education, Children and Young People), 'Responses to additional secure transport questions' (August 2025).

³⁸⁷ 'Essential Security response to draft report' (n 346).

³⁸⁸ Conversations with Ashley Youth Detention Centre staff and children and young people (Custodial Inspector staff).

³⁸⁹ 'Essential Security response to draft report' (n 346).

³⁹⁰ Conversations with reception prison staff (Custodial Inspector staff).

³⁹¹ Secure Escort Transportation Contract (n 378) 23.

³⁹² Conversations with reception prison staff (Custodial Inspector staff).

³⁹³ 'Essential Security response to draft report' (n 346).



10.8 We are still concerned about children and young people

The reports in Section 10.7 suggest significant and ongoing concerns about children and young people's safety and wellbeing in the care of Essential Security. Our investigations did not reassure us that DECYP is sufficiently addressing all concerns.

We recognise that DECYP's decision to continue engaging Essential Security can be attributed to resourcing and staffing challenges rather than reluctance to support children and young people. However, DECYP must recognise the risks inherent in contracting out the care of vulnerable children and young people to companies who may not be equipped to provide it. Moreover, these challenges do not affect DECYP's ability to implement the safeguards and oversight required in their management of Essential Security.

DECYP has indicated they support the intent of our recommendations and are already implementing measures 'to continuously improve the safety and wellbeing of young people, staff and contractors'.³⁹⁴

We acknowledge that Essential Security indicated their support for the majority of our recommendations as well as their commitment to improving services.³⁹⁵ However, the issue remains that using private security officers to accompany children and young people in custody—without a known, safe and supportive adult attending—does not represent therapeutic, trauma-informed and consistent care. It is not in alignment with DECYP's *Youth Justice Model of Care*, nor is it in the best interests of children and young people.

Essential Security disagrees with this position. They consider that rather than phasing out use of security contractors:

it would be preferable for security officers to be given the tools and knowledge to do the work in a way that aligns with the principles of the Youth Justice Model of Care. Essential Security would have very significant concerns about the safety of the public if security officers were not involved.³⁹⁶

³⁹⁴ 'Department for Education, Children and Young People response to draft report' (n 353).

³⁹⁵ 'Essential Security response to draft report' (n 346).

³⁹⁶ Ibid.



11. Conclusion

This review started with a single incident. Our enquiries soon revealed systemic issues in how the Department for Education, Children and Young People (DECYP) manages the services of Essential Security, the private security company contracted to transport children and young people in detention.

The review highlighted several safeguarding gaps, including an absence of policies and laws about spit hoods, inadequate protections for staff, and insufficient vetting, training, monitoring, and oversight of security staff. Our investigations revealed significant inconsistencies in DECYP's safeguarding of children and young people: the incident reporting and review processes used to assess the conduct of Ashley Youth Detention Centre workers are not applied to Essential Security officers—staff who are far less equipped to provide safe, therapeutic care to children and young people.

Our *Expectations on the treatment of children and young people deprived of their liberty* require children to be treated with care and respect for their human dignity at all times.³⁹⁷ The incident that prompted this review demonstrated that despite substantial efforts to improve treatment of children and young people in detention, and despite DECYP's genuine intention to care for children and young people and respect their human dignity, these Expectations are not always upheld. Safeguarding gaps and inconsistencies still exist. In these gaps, children and young people's safety and wellbeing can be compromised and in this case they were.

Children and young people in detention need 'coordinated and consistent' care.³⁹⁸ The scrutiny we have applied throughout this review has already resulted in significant improvements. We hope this report will provide greater awareness of the ongoing need to identify and address safeguarding gaps in the care of children and young people.

³⁹⁷ Tasmanian National Preventive Mechanism and Office of the Custodial Inspector, *Expectations on the treatment of children and young people deprived of their liberty* (Version 1.1, May 2024) expectation 7.2.

³⁹⁸ Tasmanian Government (Department of Premier and Cabinet), *Youth Justice Model of Care* (December 2024) 4.



Appendix 1 – Correspondence between the Secretary and young person

Letter from Secretary of the Department for Education, Children and Young People

Department for Education, Children and Young People

Office of the Secretary

GPO Box 169, Hobart, TAS 7001 Australia

P (03) 6165 5757

E OfficeoftheSecretary@decyp.tas.gov.au



File no: [REDACTED]

18 November 2025

[REDACTED]
c/o Ashley Youth Detention Centre
4260 Meander Valley Highway, Deloraine
TAS 7304

[REDACTED]

I am writing on behalf of the Department for Education, Children and Young People to apologise for your experience on the Ashley Youth Detention Centre transport van back in December 2024.

Having a T-shirt pulled over your head must have been scary and I am sorry this happened to you.

This is something that is not allowed at Ashley Youth Detention Centre or on any journeys to or from the Centre. We have told our workers that this is never to happen again.

Thank you for having the courage to come forward and report your experience. By doing so, you have helped us to make improvements so journeys to and from Ashley are better for young people.

We are improving our training for staff and workers on transports to help them to understand how a young person may be feeling during van journeys.

We are also working to introduce a new van that will be more comfortable, safe and secure for young people. There are also plans for our transport workers to wear Body Worn Cameras, which will mean that any incidents are recorded and we can learn from them.

Hiring more Youth Workers to work at Ashley is a priority. With enough Youth Workers at the Centre every day we will be able to make sure that during van journeys all young people have someone from the Centre that they know and trust with them.

Thank you again for being so open and brave. I hope your experience at Ashley is a positive one and wish you all the very best for your future.

Yours sincerely

A handwritten signature in black ink, appearing to read "Ginna Webster".

Ginna Webster
Secretary



Letter from the young person involved in the November 2024 incident

24 November 2025

Secretary DECYP

Via email: OfficeoftheSecretary@decyp.tas.gov.au

Dear Secretary,

Thank you for your letter dated 18 November 2025 regarding my experience back in December 2024. I really appreciated hearing from you.

I have asked the CCYP Advocate for Young People in Detention to help me reply to your letter and pass on some feedback I have.

I think Ashley Youth Detention Centre staff should come with us on all transports. It makes a real difference when you are with people you have rapport with, or who know how to talk to young people.

This would have made a big difference for me during that time in December last year.

Essential Security are often transporting us during really stressful times, like going to court, going to hospital and times when you don't know what's happening.

Often Essential Security staff refuse to talk to us altogether. Some Essential workers are alright, but others don't treat you like you're even a human being.

I hope my experience will help make some changes at Ashley and with Essential, so that other young people like me don't have to go through what I did.

Yours sincerely,

A black rectangular box redacting the signature of the young person.

CC: Custodial Inspector

Appendix 2 – Department for Education, Children and Young People Response

Department for Education, Children and Young People

Office of the Secretary

GPO Box 169, Hobart, TAS 7001 Australia

P (03) 6165 5757

E OfficeoftheSecretary@decyp.tas.gov.au



File no: DOC/25/202528/1

19 November 2025

Dr Grant Davies
Custodial Inspector
ci@custodialinspector.tas.gov.au

Dear Dr Davies

Thank you for providing the Custodial Inspector Tasmania's '*Security contractor transport of young people in custody: Safeguarding review 2025*'.

I would like to acknowledge the children and young people in custody who shared their experiences, particularly the young person involved in the incident described in your review. I am very sorry that this young person was subject to this treatment, and I have formally written to them to apologise. I hope that young people are encouraged to speak up and I want to assure you that we take their complaints and concerns seriously.

The Department acknowledges the significant work undertaken by your office and your continued commitment to ensuring that children and young people are safe, respected and supported when in detention or being transported.

The Department recognises the essential role of independent oversight in safeguarding the rights and wellbeing of young people. We support the intent of the recommendations and have outlined our planned responses and next steps in the attached Response to Recommendations.

As the Department for Education, Children and Young People (DECYP) acknowledged when we became aware of this incident, there were clearly unacceptable failures in some of our processes and procedures, particularly as they relate to transferring and escorting children and young people within Ashley Youth Detention Centre (AYDC). This led to the safety of children and young people being compromised, which is inconsistent with our own, and community expectations.

Work is underway to strengthen the safety, transparency and consistency of secure transport services. This includes improving transport handover and journey reporting processes, enhancing post-transport debriefing arrangements, and providing clearer guidance and support to secure transport workers. These improvements will complement the foundational training already provided, which focused on understanding the experiences of young people in detention and de-escalation approaches.

The combination of all of these measures aim to continuously improve the safety and wellbeing of young people, staff and contractors



Spit hood prohibition and protective measures

Spit hoods had already been prohibited at AYDC and are NOT in use, however, I have recently provided recent advice to include 'improvised or makeshift' spit hoods. This direction extends to private contractors transporting young people to and from the AYDC and will be included explicitly in the terms of the new contract. AYDC Operations staff have been given clear direction through targeted briefings that spit hoods of any type – including makeshift spit hoods such as t-shirts – must not be used at AYDC or during transports. If staff believe a young person is a spitting risk, they have been instructed to wear single-use spit shields (a form of Personal Protective Equipment or PPE), which are available in office units. Secure transport workers have also been provided with spit shields. If AYDC staff believe that a young person presents a spitting risk, this information will be conveyed to transport officers to ensure that they can protect themselves accordingly.

The Awareness, De-escalation and Protection (ADP) training provided to AYDC Operations staff, including new Youth Workers, now includes a section on how to identify when someone is preparing to spit and protective measures that can be taken. A condensed version of this training that contains the same advice on protective measures has also been provided to Essential Security workers.

AYDC's Use of Force procedure will also be updated to include this information on spit hoods (including makeshift spit hoods of any kind). AYDC Infection Prevention and Control Guidelines are also being developed. This document will be based on existing DECYP guidelines that draw on Department of Health advice and the current 'Standard Precautions' e-learn module that is part of Youth Worker induction. Once developed, the guidelines can support training to provide workers with accurate information on spitting risks.

Body worn cameras and vehicle improvements

We are progressing work to provide body worn cameras (BWCs) to contracted transport officers to provide a safer environment for children and young people and transport officers increase transparency and accountability in incident reporting and reduce the length of time taken to investigate any complaints.

Work is also progressing on the number and type of vehicles available to transport children and young people. The Department is in the process of replacing one of the existing vehicles with a larger van that will be customised to meet safety, security and therapeutic requirements. This van will be customised in Tasmania to ensure a more comfortable and safer journey for children and young people. This vehicle has been ordered, with a delivery time to be confirmed.

The procurement of an extra transport van, to be based at Essential Security's new Hobart site, has also recently been approved. Having a van close to Hobart will reduce the time children and young people in the south spend waiting to be moved to AYDC – and potentially improve the travel experience for everyone.

Workforce availability for transports

When your review commenced, AYDC committed to a Youth Worker joining transports where resources permitted. As you are aware, increasing staff levels is a key priority of the new AYDC Stabilisation Taskforce, which is driving urgent workforce, safety and wellbeing changes. Nine new Youth Workers will join AYDC in November and, subject to final offers, it is expected that an additional 20+/- will undertake induction training in December 2025 and January 2026. When staff levels stabilise, Youth Workers will be more available for transport duties.



AYDC's sustainability is also dependent on a range of extremely committed non-operational staff who manage the Essential Security working relationship. However, this is one of many competing priorities demanding their attention in the complex and dynamic environment. To improve systems for vetting and ongoing compliance, the Strategic Commissioning unit in the Child Safety and Youth Justice portfolio has been approached to provide contract worker screening and ongoing safeguarding support.

Enhanced Wellbeing and Work Health and Safety support for AYDC

As part of its wellbeing focus, the AYDC Stabilisation Taskforce is also working to improve psychological supports pre and post incidents. Proposed improvements include appointing a Wellbeing Officer, establishing a Wellbeing Room to support staff post-incident, and implementing operational supports and processes to embed mandatory wellbeing check-ins and reflective practice sessions.

A Work Health and Safety consultant is currently being recruited for AYDC. The consultant will work with centre management and staff to continuously improve safety practices; including identifying hazards and implementing controls that are reasonably practical to mitigate risks to staff and young people.

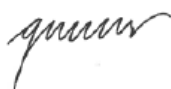
Clinical care and complaints handling

We agree that young people's experiences of clinical care off-site must be trauma-informed and uphold dignity and privacy. We are reviewing procedures to ensure gender-appropriate staffing, availability of relief workers during extended hospital attendance, and improved communication with young people throughout the journey and treatment process.

Furthermore, a whole of agency Complaints Framework is under development, led by the Complaints Management Oversight Unit. Once finalised in July 2026, it will be accompanied by training and capability-building to ensure consistent, child-centred complaint response across youth justice settings.

Thank you again for the constructive and collaborative approach taken throughout this review. We look forward to continuing to work closely with your office as we strengthen safety, dignity and wellbeing for young people in detention

Yours sincerely,



Ginna Webster
Secretary



Response to the recommendations

- 1 The Department for Education, Children and Young People should:**
- educate staff about the risks of spit hoods and improvised spit hoods**
 - update relevant policies and procedures to prohibit their use.**

Response

Spit hoods are prohibited and not in use at Ashley Youth Detention Centre (AYDC). Operations staff have been advised by direction and via briefings that this includes spit hoods of any type – including makeshift spit hoods such as t-shirts or any material that covers the face. This extends to use on transports to or from the centre. This is due to the risk of suffocation posed as well as risk of causing psychological harm to the young person.

If staff assess a risk of spitting, they have been advised that single-use spit shields (a form of Personal Protective Equipment or PPE) are available in office units. Transport officers will be advised if a young person is at risk of spitting and contracted transport officers have also been provided with spit shields.

The Awareness, De-escalation and Protection (ADP) training provided to AYDC Operations staff, including new Youth Workers, now includes a section on how to identify when someone is preparing to spit and protective measures that can be taken. A condensed version of this training that contains the same advice on protective measures has also been provided to Essential Security workers.

AYDC's Use of Force procedure is being updated to include this information on spit hoods (including makeshift spit hoods of any kind). Information on spitting and spit hoods will also be included in the AYDC Infection Prevention and Control Guidelines currently being drafted, as well as a fact sheet.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.



2 The Tasmanian Parliament should legislate to ban the use of spit hoods and improvised spit hoods in all circumstances.

Response

The Department acknowledges the significant risks associated with spit hoods and is actively progressing work to ensure practices remain aligned with contemporary therapeutic models.

The Youth Justice Act 1997 is currently under comprehensive review, which provides an opportunity to consider legislative reinforcement of existing operational prohibitions.

We are supportive of ongoing examination of legislative pathways to strengthen alignment across the youth justice system, noting that this will be progressed in phases, alongside broader legislative reform and stakeholder engagement.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.

- ## **3 The Department for Education, Children and Young People should:**
- a) develop improved protections for staff at risk of exposure to bodily fluids, and make these readily accessible to all staff and contractors**
 - b) ensure staff training focuses on relational security, while also including information about appropriate techniques to respond to spitting and the physical and psychological risks of assaults and bodily fluid exposure.**

Response

- a) Work to tailor Infection Prevention and Control guidelines for the youth detention environment is underway in a staged manner, drawing on existing departmental and health system resources. Once refined, these materials will be considered for inclusion in future training cycles as capacity permits. Personal Protective Equipment (PPE) is available for use where assessed as appropriate.



As part of their induction, Youth Workers currently complete a one-hour 'Standard Precautions' e-learn module, which outlines work practices required to achieve a basic level of infection prevention and control.

- b) The Awareness, De-escalation and Protection (ADP) training provided to AYDC Operations staff, including new Youth Workers, was developed by Resolution Australia in consultation with the Department to support greater situational awareness, build strong de-escalation skills and ensure that our AYDC Operations staff feel safe and well-equipped to fulfil their duties.

The training provides a foundation for participants to build the capability and confidence to address challenging behaviours. Drawing on a relational security model, ADP provides a toolkit to keep children, young people and staff safe. The ADP training program has been updated to include a section on how to identify when someone is preparing to spit and protective measures that can be taken to appropriately respond.

A condensed version of this training that contains the same advice on protective measures has also been provided to Essential Security workers.

AYDC Operations staff have been made aware via briefings that spit hoods of any type – including makeshift spit hoods such as t-shirts – must under no circumstances be used at AYDC or on transports to or from the centre.

The physical and psychological risk of assaults and bodily fluid exposure will also be added to the training, which is continually being updated to align with procedural updates and workplace needs.

Our training program is currently under review and we are working to continually improve the currency of the information provided to staff.

A Work Health and Safety consultant is currently being recruited for AYDC. The consultant will work with centre management and staff to continuously improve safety practices, including identifying hazards and implementing controls that are reasonably practical to mitigate risks to staff and young people.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.



- 4 The Department for Education, Children and Young People should improve governance processes for contractors providing transport for Ashley Youth Detention Centre. This includes:**
- a) tender processes that require demonstrated expertise in working with children and young people and evidence of compliance with the Child and Youth Safe Organisations Act 2023**
 - b) initial and ongoing vetting of staff**
 - c) ongoing monitoring of compliance with contractual obligations and child-safe principles**
 - d) providing and tracking completion of comprehensive, ongoing training that focuses on relational security and de-escalation techniques**
 - e) providing contractor staff with the information, equipment and ongoing support required to fulfil their roles**
 - f) regular executive oversight and auditing, including processes to capture children and young people's experiences of the service.**

Response

Strengthening governance arrangements for secure transport services is an ongoing area of focus, and work is currently progressing to enhance contractor screening, safeguarding oversight, training expectations and performance monitoring.

The contract specifications for transport of children and young people to and from AYDC are currently under consideration to ensure they are fit for purpose.

The newly established Strategic Commissioning team within DECYP has been engaged to support planning and staged implementation. Monitoring, training provision and equipment support are already occurring and will continue to be refined and extended progressively, aligned with broader Youth Justice reform sequencing and workforce capacity.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.



5 The Department for Education, Children and Young People, alongside Ashley Youth Detention Centre staff and children and young people, should develop therapeutic, restorative post-incident processes that are in line with best practice.

Response

As part of its Wellbeing focus, the AYDC Stabilisation Taskforce is working to improve post-incident processes – as recommended through the 2025 Incident Review Committee (IRC) Rapid Review commissioned by DECYP. Deliverables include:

- Emergency Response training, focusing on incident leadership (IRC Rec 42)
- Commence undertaking incident ‘Hot debriefs’ after incidents (IRC Rec 40)
- Providing training in reporting skills, recording observations and supporting resources. (IRC Recs 3, 4, 37 and 41)
- Explore greater use of CCTV to help workers to learn from incidents and enhance reflective practice noting this will require procedure review.

The establishment of a Wellbeing Officer and providing a quiet space for staff to move to after a serious incident are also being considered as part of the AYDC Stabilisation Plan. The Plan also focuses on improving AYDC rostering to provide training days, which will create an environment for practice improvement and reflection.

Further development of restorative, therapeutic and wellbeing-supportive post-incident processes will be considered over time, informed by consultation with staff and young people, operational learning and the broader implementation of relevant Commission of Inquiry recommendations.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.



6 Legislation introduced to amend (or replace) the *Youth Justice Act 1997* should cover use of force against children and young people in custody that occurs outside of youth detention centres.

Response

The review of the *Youth Justice Act 1997* provides an opportunity to consider how use-of-force provisions apply across custodial contexts, including transports and community interfaces.

Relevant considerations have been noted for ongoing legislative development work, which is being undertaken in stages with extensive stakeholder engagement and will continue to evolve over time.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.

7 The Department for Education, Children and Young People should strengthen oversight of external transport providers by:

- a) developing processes to monitor, investigate and review staff conduct and incidents that occur offsite**
- b) promptly addressing operational and training needs identified during review.**

Response

The Department is progressing a series of improvements and processes to support the monitoring and review of staff and secure transport workers offsite.

These include:

- Equipping secure transport workers with body worn cameras (BWCs), with footage to be reviewed through the Incident Review Committee (as per Youth Worker BWC footage that records incidents).
- Improved transport booking (Notice of Engagement) and reporting forms that prepare contracted workers for transports and supports the reporting of pertinent information from the young person's journey to share with AYDC staff.



- An accessible guide for transport staff that includes clear processes will also be developed.
- The provision of improved training to contracted workers can also be considered as part of AYDC's training program, which is currently being reviewed.

The department will prioritise the development of processes to monitor, investigate and review staff conduct and incidents that occur off site.

The department will work with the Custodial Inspector to ensure that new and updated operational and training provisions relating to off-property transports comply with the intent of this review.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.

-
- 8 The Department for Education, Children and Young People, in consultation with Ashley Youth Detention Centre staff and children and young people, should purchase purpose-built vehicles that safeguard children and young people, staff, and the public, and reflect therapeutic care principles.**

Response

Work is progressing on the number and type of vehicles available to transport children and young people.

The Department is in the process of replacing one of the existing vehicles (leased) with a larger Mercedes Sprinter van that will be customised to meet safety, security and therapeutic requirements.

This leased van will be customised in Tasmania to ensure a more comfortable and safer journey for young people. The customised features will be designed to be re-fitted into subsequent leased Mercedes Sprints.



To ensure the fit-out is therapeutic, safe and comfortable for young people, the customised van will:

- Include flexible secure enclosures that can be left open or closed, depending on risk, and designed so handcuffs are not required at all times.
- Enable young people to see where they are going and ensure young people and staff can communicate easily and see each other at all times.
- Be well lit, temperature-controlled and well ventilated.
- Be relatively uncomplicated yet be able to safely secure the passenger. Young people with physical disabilities should be considered.
- Be anti-ligature – especially the seat, seatbelt and inside cavity.
- Enable swift and easy entry and exit, especially in an emergency.
- Be comfortable, with seating suitable for a long journey.

This Mercedes Sprinter has been ordered, with a delivery time to be confirmed. Once delivered, the design can be progressed in consultation with clinical practice and safety experts, AYDC staff, children and young people in detention and oversight bodies.

A further van is being leased to be located in Hobart to minimise the time young people will wait for transport to AYDC.

Level of acceptance	Supported in principle (noting DECYP leases rather than purchases vehicles)
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.



- 9 The Department for Education, Children and Young People should urgently improve the complaints management framework, including:**
- a) timely reporting and action when significant misconduct or child safety concerns are detected**
 - b) robust systems to capture and track concerns**
 - c) expediting investigations into Ashley Youth Detention Centre staff in recognition of critically low staffing levels**
 - d) requiring the same standard of care from all staff, including contractors, working with children and young people in detention. This must be accompanied by creating the conditions staff require to meet these standards, such as ongoing training, development, and support.**

Response

A DECYP-wide Complaints Framework has been confirmed for delivery by the Complaints Management Oversight (CMO) unit by 1 July 2026. A dedicated resource has been assigned to the project to ensure delivery within this timeframe.

Deputy Commissioner of Tasmania Police, Jonathan Higgins undertook a secondment to DECYP for three months from 28 April 2025. The Deputy Commissioner was able to draw on his executive-level policing experience and expertise to support and guide the development of an agency-wide approach to complaint management. Although his secondment has concluded, Deputy Commissioner Higgins continues to co-chair a steering committee established to oversee and support the development and implementation of the Complaints Framework and the Complaints and Incident Reporting System.

The overarching objective of the Complaints Framework is to strengthen the Department's response to complaints and ensure greater consistency by, in the first instance, clarifying (or establishing, where necessary) the standards, expectations, and legislated obligations as they relate to complaints management within DECYP, and particularly where they relate to child safeguarding concerns.

Once these elements are finalised, the Framework will, in a subsequent stage of work, encompass training and professional development to support staff meet the standards and requirements.

The Complaints Framework will be relied upon to substantively deliver Commission of Inquiry (CoI) Recommendation 12.35 (a–e), which requires an update of DECYP's complaints procedure and practice advice for youth detention.

Improvements that have been made to date in line with Recommendation 12.35



include:

- Information about young people’s rights when making a complaint, including who can support them through the process, is now provided through a revised Complaint Help Form.
- A new phone line has been established to enable young people in detention to contact the Department directly and speak with the Complaints and Projects Officer. If a call is missed or occurs outside business hours, the caller is prompted to leave a message and will be contacted as soon as possible via AYDC administration.

The CMO is partnered with Business Operations and Supportive Services regarding the development of a centralised Complaints and Incident Recording System, to support and complement the Complaints Framework, and to deliver on Col Recommendation 9.31(2).

The Complaints and Incident Recording System project has received only partial funding, impacting the scope and ability of the system to adequately capture complaint management. The Department continues to prioritise internal investment to address budget shortfalls, however this does not adequately meet all funding gaps.

In the interim, the Chief Practitioner’s Practice Quality Assurance (PQA) team has been using a Microsoft Forms and Lists solution to capture and track young people’s complaints. While not a full system, this approach enables the Department to keep centralised records and manage workflow while supporting our reporting.

Additionally, since May 2025, the CMO Unit has triaged and coordinated responses to oversight bodies, including the Ombudsman. This has resulted in more timely acknowledgements and updates, and consistent, coordinated responses across the Department.

As part of Deputy Commissioner Higgins’ work, an AYDC Workplace Relations Panel was established on 30 May 2025. The Panel has been designed to assess investigations into AYDC staff conduct and expedite outcomes for the worker and young person, as appropriate.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	To be assigned to the appropriate business unit following further internal consideration.



10 The Department for Education, Children and Young People should explore means of implementing therapeutic and trauma-informed care principles during external clinical appointments.

Response

Children and young people's experiences of clinical care while in custody should be more trauma-informed and less challenging for all involved.

While current procedural advice for off-property journeys includes techniques for protecting the privacy and dignity of children and young people – such as taking a spare jacket to cover handcuffs and using discreet entryways – there is more to be done in this space.

Areas where work is underway or planned to progress includes:

- Ensuring an appropriate gender ratio for each transport, indicated in the Notice of Engagement (booking form)
- Engaging an extra worker/s to relieve secure transport staff during particularly long waiting periods at hospital
- Improving how workers communicate with young people around medical treatments and set clear expectations
- Ensuring a Youth Worker can accompany a young person to medical appointments to provide support. The current concerted effort to increase Youth Worker numbers is expected to support this.
- Better preparation for medical appointments, including the provision of food and drinks for hospital visits if long waiting periods are anticipated.

The department will continue to liaise with the Department of Health in relation to this recommendation as the implementation will also be dependent on their engagement.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.



- 11 The Tasmanian Government and the Department for Education, Children and Young People should:**
- a) as an interim measure, provide sufficient funding and resources for Ashley Youth Detention Centre staff to accompany children and young people during transport (this includes taking immediate steps to prioritise staff wellbeing and retention)**
 - b) in line with the principles of the Youth Justice Model of Care, phase out use of security officers and establish more therapeutic means of transporting children and young people.**

Response

Staffing is a key priority of the new AYDC Stabilisation Taskforce, which is driving urgent change in the areas of workforce, safety and wellbeing.

The Department is currently taking steps to boost Youth Worker numbers at AYDC.

Nine new Youth Workers will join AYDC in November and, subject to recruitment being finalised, up to 24 more are expected to be trained in December and January 2026. We are also scoping contingency workforce arrangements to supplement staffing as required.

When staff numbers stabilise, Youth Workers will be more available to accompany young people on transports and the Centre will be better placed to establish more therapeutic means of transporting children and young people.

Due to unpredictable journey times and staff availability, using an external security contractor to transport young people currently makes logistic and financial sense. DECYP is also exploring basing a leased van in Hobart, which will reduce the time young people wait to be collected from the south and driven to Deloraine.

The Taskforce is also prioritising a range of staff wellbeing supports including:

- engaging a dedicated wellbeing support officer based at AYDC to provide best practice wellbeing support (modelled on other jurisdictions).
- exploring options for a dedicated, confidential Wellbeing Room (interim and long-term fit-for-purpose solution) to support on-site staff wellbeing.
- implementing operational supports and processes to enable the embedding of mandatory wellbeing check-ins to provide support, gauge mood, fatigue and morale, as well as reflective practice sessions with the Australian Childhood Foundation.



The AYDC Stabilisation Plan also focuses on improving AYDC rostering to provide training days, which – in addition to higher staffing levels – will create an environment for practice improvement and reflection.

Level of acceptance	Supported in principle
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	To be assigned to the appropriate business unit following further internal consideration.
Proposed completion date	Timeframe to be clarified following further internal scoping and prioritisation processes.

Appendix 3 – Essential Security Response

DOUGLAS & COLLINS

DIRECTORS

Rohan J. Foon
Robert J. Hegarty
Kai M. Beyerle
CONSULTANT
Geoffrey W. Arnott
SENIOR ASSOCIATES
Sarah C. Pearce
Samuel D. Claessens
Simon D. Tonks
Isaac Anderson
Ben C. Ashman

LAWYERS



Our Ref: RJF:MS:2513026

19 November 2025

Office of the Custodial Inspector Tasmania
GPO Box 960
HOBART TAS 7001

By Email: ci@custodialinspector.tas.gov.au

Dear Custodial Inspector

Re: Security contractor transport of young people in custody: Safeguarding review 2025

We act for Essential Security Tas Pty Ltd (“Essential Security”).

Our client has provided us with a copy of your letter of 22 October 2025 and the confidential draft report. They have asked us to provide a response on their behalf. We confirm being provided with Amended Recommendations of the report on 18 November 2025, one day before the extended response date of 19 November 2025. The Amended Draft Recommendations have been considered by our client in this submission.

Essential Security was established in 1999. It has approximately 170 employees. In addition to the Ashlely Youth Detention Centre (“ADYC”) transportation they undertake static guarding, crowd control, alarm response and patrol services. Approximately 20 of their staff are trained for the ADYC transport work.

All Essential Security staff in the field have a security license, a working with vulnerable people card and police checks. All Essential Security staff for ADYC transport have had additional baton and handcuff training, as well as de-escalation and code black training, they are all given an induction upon commencing.

Essential Security take their statutory obligations seriously. They will abide by any directions and recommendations that result from the review. Whilst they do not accept many of the factual assertions against them, they do support the revised recommendations of the report save for Amended Draft Recommendation 11. They support the Original Draft Recommendation 11 which stated:

“the Tasmanian Government and the Department for Education, Children and Young People should provide sufficient funding and resources for ADYC staff to accompany children and young people during transport. This includes taking immediate steps to improve staffing levels and prioritising staff wellbeing”.

DOUGLAS & COLLINS PTY LTD

HAVELOCK CHAMBERS 9-13 George Street, Launceston, Tasmania P.O. Box 994, Launceston, Tasmania 7250

TELEPHONE (03) 6332 3400

FACSIMILE (03) 6332 3499

EMAIL: office@douglascollins.com.au

WEB: www.douglascollins.com.au



With respect to the current Recommendation 11(b), rather than the phasing out of the use of security officers, Essential Security believes it would be preferable for security officers to be given the tools and knowledge to do the work in a way that aligns with the principles of the Youth Justice Model of Care. Essential Security would have very significant concerns about the safety of the public if security officers were not involved in the transportation of young people/young offenders. Given the history and difficulty of AYDC being able to retain and attract staff, Essential Security would have concerns that 11(b) could even be put into effect. Essential Security agrees with the original draft recommendation 11 and, therefore, suggest the deletion of the words “*as an interim measure*” from Amended Draft Recommendation 11(a) and the deletion of 11(b).

They welcome reform and clarity. However, they want it to be made very clear that despite the concerns that have been raised in the report none of Essential Security’s actions during the November incident were unlawful according to the Laws of the State of Tasmania as they existed a year ago (or now).

Essential Security are concerned that the report contains untested, false and defamatory representations that may impact on its reputation and those of its employees. They are extremely concerned that the anonymity and lack of particulars concerning many of the allegations makes them impossible to counter and their inclusion in the report is unfair.

Essential Security is also concerned that it is being represented that things have changed or have been implemented, when those are yet to have been communicated to them.

They also want it recognised that although dealing with the transport of young persons, just because they are young, does not mean they are not dangerous. Many young persons in custody do not pose a safety risk when being transported, however, others do. Some are violent and are in custody for offences of violence or might not be in custody with respect to offences of violence, but because they are coming down from drugs or are drug affected, act violently. [REDACTED]

That being said the majority of young offenders transported are well behaved and understand that the security guards are just doing their job.

Essential Security would like and welcomes clear guidance and directions for the transport of young persons that still have due regard to the safety of its employees performing their jobs in a workplace and also balances the safety of the public. They are concerned to ensure that any modifications in the future to transport practices strike a proper balance between those and the rights of the young person being transported.

Essential Security very strongly agree that the purpose-built vans are needed to make not only the young person feel safe and secure but also the transport staff which will put everyone at ease and hopefully make transportation less stressful and mitigate risks for the young person, Essential Security employees and the public.

Essential Security has raised some matters with the report as set out below; in making these statements it is important to note that a Director of Essential Security was present during the November incident and can therefore speak directly about what occurred. In our submission where what the Directors have already said to you (or in these comments) differs from what the young offender has said the Director should be accepted.

Specific Comments

1. *Page 15 Paragraph 1.* Whilst it is accepted that the young person may have said that to the investigator, Essential Security want it noted that not once did the young person during the incident state it was hard to breathe, and their staff were speaking to him the whole way to try



and stop his behaviours. Had the young person stated that it was hard to breathe immediate steps would have been taken to address it.

2. *Page 20 (2.2) states that AYDC now supply PPE to protect against spitting.* Essential Security has instructed that this has not yet been provided to them.
3. *Page 23 (2.6)*
 - a. *states that in late 2023 concerns were raised in relation to confidentiality, unreasonable use of force, painful application of handcuffs and abusive and threatening language.* With respect to this, the concerns were not raised with Essential Security and details were not provided to Essential Security so investigations could be performed. This should have been provided to Essential Security so an investigation could be performed.
 - b. *Allegations about gender of staff transporting female detainees.* We are instructed the complaint is false. On the off chance that Essential Security have not been able to provide a female guard a female youth worker has been taken along on the transport. This is stated in their contract and adhered to all times.
 - c. *also states that suggestions for body worn cameras be implemented.* This has been requested by Essential Security. We are instructed that difficulties arise because of the DECYP requirement that it needs to be stored for 49 years. So DECYP are now trying to get Essential Security some cameras for vehicles the same as the centre that can be backed up when going into the centre. Essential Security believe it won't be implemented until a new purpose built vehicle is obtained.
 - d. *also states concerns were raised about the training of handcuffs;* However, Essential Security instructs nothing has been asked for except for the training certificates for the handcuffs, which has been previously submitted. Essential Security believe they are under no obligation to remove handcuffs if they deem there to still be a threat. Essential Security has asked their training provider to supply further information about the training course in support; however, it is not yet available. The actual course is designed for dealing with adults so, if Department thinks another course specific to young persons is required then they should be providing or making available, a specific course.
4. *Page 24 2.7 last paragraph states excessive wait time for young people in remand.* Essential Security deny any breach of their Contract, or any excessive wait time referable to them. We are instructed the only time there has been a significant delay is once when Essential Security had multiple pickups in a day and one of the vans supplied by DECYP had been put off the road due to damage. With respect to the question of delay, the young persons opinion of delay should accord no weight without disclosing the factual basis for that opinion. Delay should be referred to the Court and various remand centres for comment as what the children think might be a delay referable to the transporter, could, in fact, be a delay in Essential Security being contacted. For example, the Court has to provide paperwork after a young person is remanded in custody and then AYDC is contacted, who then contact Essential Security. Delays with paperwork are common and Essential Security has no control of the delay prior to them being contacted. Essential Security welcome any information to deal with perceived delay.
5. *Page 25 states there are no stops allowed for food and drink.* We are instructed this is correct as per protocol Essential Security are not responsible for supplying food and or drink to the young people and to deviate from their authorised transport routes means that they would be outside their guideline's as a risk assessment is conducted by the centre prior to any transport and to deviate would mean a reassessment. This has previously been communicated to the centre. We are instructed after communication to the centre verbally in meetings under the previous company's contract the centre provided a small go pack with food and drink that could be supplied to the young person if needed on a trip to alleviate any issues of hunger that could trigger the person but as yet this has not been brought back in.



6. *Page 28, regarding the working with children checks.* We are instructed Essential Security's rostering software will not allow a person without a card or an expired one to be rostered.
7. *Page 40, the contract states officers working need a driver's license and working with children checks and security license.* Again, Essential Security's rostering system won't allow them to be rostered without these credentials and that no one has asked for the documents until the review.
8. *Page 41 4th paragraph DECYP advised they have rectified vetting issues via an online induction system.* Essential Security instructs that if DECYP have rectified the issues, the online system induction system has not been communicated to them as at the time of this submission.
9. *Page 44 paragraph 2 correctional officers offering comments on use of handcuffs,* Essential Security is unable to comment on these allegations without knowing what was said, by who and why. The matters have not been reported to Essential Security so that they can be investigated by management.
10. *Page 45 paragraph 2 regarding the training* Essential Security has not been made aware of any supervisor making comments especially racist ones, however the person involved in the mouthing off in the session was spoken to after the training (as the Director was in that class) and he no longer is employed by Essential Security.
11. *Page 47 Essential did not report the incident.* That is false. The incident was reported, but is accepted it was not reported in writing until later. Essential Security instructs that the incident was verbally communicated to the Acting Director at the time. The Director of Essential Security was present and called for some guidance in relation to what was going on including handing his phone to several clinical staff so they could speak with the Acting Director of ADYC also to get the best outcome for the young person. We are instructed that a Essential Security Director tried multiple times to re-engage the Acting Director after the incidents to which phone calls went unanswered or returned. To this day they still have no clear guidance on where the Acting Director has gone, and Essential Security is now dealing with several other points of contact one of these contacts asked for the report in writing a month later. Which then occurred.
12. *Page 48, 6.3 Incident reports.* Essential Security have a pre and post trip report templates sitting ready to go. The post shift report had been submitted in the latest tender process. It is yet to be implemented as the Essential Security contact at AYDC had concerns of the data being stored on Essential Security's system and the other contacts at AYDC wanted to implement some changes to the actual forms to capture some slightly different information to ensure everything is documented. As at the date of the report, Essential Security have not received the revised edition for implementation.
13. *Page 53 7.1 swearing and a chunk of hair being pulled out.* We are instructed that at no point when whilst the Essential Security Director was in the room did he hear the young person being sworn at. We are instructed that all the bad language came from the young person. If hair was pulled out in chunks as stated, you would expect the young person would have made it well known and the Director would have heard something. We are instructed that it did not happen. The Director was half a metre away driving the vehicle and instructs that the young person certainly made every other opinion known. As for the stating the young person legs were sat on the Essential Staff did not sit on his legs at all. The legs held down by an LGH staff member whilst guards moved cuffs from front to back for the safety of all involved and he was placed on his stomach no more than 40 seconds and was then turned over and sat up mouthing off and trying to bite and head butt.



14. *Page 57 paragraph 2 stating that AYDC have commenced work in reducing handcuff use and wearing plain black clothing.* If AYDC have commenced this work, it has yet to be communicated to Essential Security. They would have concerns about this. They understand that under the *Security Act* they must remain in uniform and visible unless written permission from the police commissioner is sought and that's only for covert retail theft prevention. If they were in plain clothes, they may have all sorts of trouble with the public thinking that they have just randomly handcuffed a young person, which would put people in danger. The non-use of handcuffs on young persons whilst being transported is a Work Health & Safety Risk and any consequences of a change in policy would need to be carefully considered.
15. *page 58 paragraph 3, regarding the CCTV footage not being available due to the timeframe.* The lack of other footage is unfortunate as I am instructed that it would show all of the behaviours of the young person and I am instructed to express disappointment that all of the footage was not obtained at the same time, so it was all available.
16. *Page 59 Paragraph 1, refers to the hair pulling again.* Essential Security states that the young person's hair was not pulled. The Director was driving the van and would have heard it, and it would have been picked up by the nurse in her assessment back at ADYC if it has occurred. It did not occur.
17. *Page 65, using secure belts in the cars removing the need for handcuffs.* We are instructed that this has not been discussed with Essential Security, and the Director personally would not allow the transportation of a youth offender without cuffs for the safety of his staff. This addition to the induction is yet to be communicated to Essential Security.
18. *Page 65 Paragraph 4 DECYP advised that information in the Public Interest Disclosure Act 2002 has been added to Essential Inductions HR.* This has yet to be communicated with Essential Security.
19. *Page 73 Paragraph 1 stating Essential Security did not use deescalation the young person.* We are instructed that it was used several times in the ED waiting room prior to the clinical staff getting involved and Essential Security tried to reassure the young person that if he let the staff do their job without hindrance he would be let go back to AYDC where he wanted to go. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
20. *Page 74 paragraph 4 several young people reported views of Essential Security.* In the absence of proper particulars of who, what and where, it is not possible for Essential Security to comment and properly answer the allegations. The statements are very prejudicial and unfair as they cannot be properly tested.
21. *Page 74 paragraph 5 staff won't give names.* Security guards are taught to give licence numbers, and most staff are very reluctant to give names. With social media these days its not to hard-to-find people which creates risks for the employees and the risk that inappropriate contact may occur
22. *Page 78 (10.7),*
 - a. *Paragraph 1 treating young people like animals or second class citizens.* With respect to the comments of the ADYC staff in paragraph 1, these have not been put to Essential Security. In the absence of them being reported, they cannot be addressed. Without being provided with particulars, it is impossible to properly respond to the allegation which is highly defamatory.



- b. *Paragraph 2.* Essential Security is aware of the two complaints in recent months. The allegation concerning the driving dangerously, etc. has been denied. The second complaint has been denied, and Essential Security has provided a response and they have heard nothing further from ADYC. [REDACTED]
- c. *Paragraph 3.* If there are allegations about Essential Security breaching confidentiality and sharing sensitive information with children and young persons, they ought to be raised so that they can be properly responded to. Once again, these comments are highly defamatory and prejudicial when they cannot be tested. Essential Security suggests that ADYC might wish to review confidentiality within their workplace so that Essential Security are aware of staff telling inmates about the others and also private information about their teammates. [REDACTED]
- d. *Paragraph 4.* With respect to the reception prison staff comments, once again, these comments are highly prejudicial and defamatory when they haven't been provided with particulars of when it is alleged to have occurred. They have not been raised with Essential Security to investigate. Essential Security is very concerned with an allegation that its employees, who have undergone handcuff training, have competency issues. These are matters that they would be expect would be raised with them.

Conclusion

In conclusion, whilst not agreeing with the opinions expressed based on factual material Essential Security cannot properly respond to, Essential Security agree and support the recommendations of the report, save as for Amended Draft Recommendation 11. Essential Security supports the Original Draft Recommendation 11.

Essential Security is very concerned that the report contains a number of untested allegations to which it is not possible to respond without particulars. They would request that the report omits those allegations or if, in the circumstances, some of them are unable to be omitted, that the report make it very clear that the allegations are untested and whilst Essential Security has been given the opportunity to respond to the draft report, they have not been given identifying particulars in which to properly respond.

If, as a consequence of this response, you would like to meet and discuss the matters raised with Essential Security's Director he is happy to meet to discuss further.

Yours faithfully
DOUGLAS & COLLINS



ROHAN FOON
Email: rohanf@douglascollins.com.au



List of acronyms and abbreviations

[the] Act	<i>Child and Youth Safe Organisations Act 2023</i>
AIDS	Acquired Immunodeficiency Syndrome
AFP	Australian Federal Police
AYDC	Ashley Youth Detention Centre
CCTV	Closed-Circuit Television
CMOU	Complaints Management Oversight Unit (Department for Education, Children and Young People)
DECYP	Department for Education, Children and Young People
Expectations	<i>Expectations on the treatment of children and young people deprived of their liberty</i>
HIV	human immunodeficiency virus
IRC	Incident Review Committee
KPI	Key Performance Indicators
LGH	Launceston General Hospital
OIR	Office of the Independent Regulator
PPE	Personal Protective Equipment
Standards	<i>Child and Youth Safe Standards</i>





Office of the
**Custodial
Inspector**
Tasmania

Telephone: 1800 001 170 (Free call)

Email: ci@custodialinspector.tas.gov.au

Website: www.custodialinspector.tas.gov.au