

National Inquiry into Children in Immigration Detention 2014

Canberra Public Hearing

Friday, 22 August 2014

President	Can I now call for Ms Deborah Homewood who is the Managing Director of MAXimus Solutions. Thank you Ms Homewood, I'm sorry we have delayed you a little bit, but thank you for patiently waiting. I will now ask you to take an oath of the affirmation.
	<i>Swearing in of witness</i>
President	Ms Homewood do you have a statement that you would like to make to begin.
Ms Homewood	<p>Yes, I do, thank you very much. I would like to take the opportunity to provide if I may some context to MAXimus Solutions and the services that we deliver. We have been delivering services to unaccompanied minors and held detention since July 2012. More broadly, for more than twelve years, we have been delivering services to assist disadvantaged clients across Australia. Our core services are focused on finding jobs and changing lives. Our MAX values are that we are active, empowering, driven, responsible and connected. We deliver services in each State and Territory and at any one point in time, are working with more than 110,000 clients including 11,000 in our disability services. More than 7,000 indigenous Australians and 20,000 from culturally and linguistically diverse backgrounds. We currently support a total of 40 unaccompanied minors in held detention through our contract with the Department of Immigration and Board of Protection. A total of 26 of these unaccompanied minors are on Christmas Island with the balance on the mainland. While the numbers are small, as the Commission is aware, they are a group of unique and somewhat vulnerable individuals. We have a team of dedicated, experienced and professional staff working to support them as best we can. As you are aware, I was very keen for the Commission to engage with my staff and managers on the ground throughout the course of their visits to the various immigration detention facilities. I note that the Commission took the opportunity to speak at length with our program manager on its first visit to Christmas Island. While I hope you were able to gain a good understanding of our role and services as a part of that discussion, I think it would be beneficial for me to provide as a part of this opening statement, a brief overview of all of our services. There are some important points to note.</p>
	We provide two separate and distinct services. One service is focussed on support to the unaccompanied minors in their general well-being and the other is independent observer services which are provided as part of formal interviews. In terms of our

	<p>support services, we provide these in the core locations of Christmas Island, Darwin and Melbourne. We are also currently providing shorter term services in Sydney where we have two clients and Brisbane where we have one client. Our staff have a diverse mix of experience and life skills to ensure we can provide the best and most rounded support to the unaccompanied minors and assist in the development of independent living skills. It is important that this mix includes some staff from similar cultural backgrounds to the unaccompanied minors or have relevant language capabilities beyond English. We have found that this has helped to build communication and understanding between unaccompanied minors and all stakeholders. We aim to be proactive in supporting the well-being of each young person. A key focus of our staff is to try and keep the client active and engaged. We support and encourage them to participate in programs and activities to develop them as individuals. These programs and activities have a balance between sport, fun and educational support and include such things as soccer which is a big passion for many of the boys, cricket even Ping-Pong, dance, arts and crafts, cooking through to study support, homework clubs and conversational English. Our staff have daily and close interaction with each of the unaccompanied minors. Where they observe changes or concerns in mood and behaviour or general well-being they report these through the required departmental processes. We do not have a role in the immigration status resolution process but do ensure that when unaccompanied minors have concerns and questions in relation to these matters they are supported to access the appropriate information and talk to their departmental case manager or the delegated guardian. It is also worth noting that when required the Department may formally request that we arrange and provide support services to children of family groups. For example, when the parent may have medical or other issues that need to be attended to and cannot provide full or proper care for their child for a period of time. Moving briefly if may to independent observer services.</p>
	<p>As I mentioned earlier, this is a distinct and separate service and is aimed at supporting the well-being of unaccompanied minors while they undergo formal interviews. Our independent observers are there to ensure the interview process is adequately explained and understood by the young person. The independent observer watches the conduct of the interview and the demeanour and presentation of the unaccompanied minor. Where they observe signs that indicate a need to take a break during the interview, they will request that one is taken. They can and will also raise any concerns with the interviewer about any perceived emotional or anxiety issues. This could also include the physical state of the unaccompanied minor and ensure that all questions that the young person may have are addressed prior to conclusion of any interview. It should be noted that it is not within the realm of the independent observer to coach, guide or advocate on behalf of the unaccompanied minor. I truly hope that this information has been useful and I would welcome any questions that the Commission has. Thank you.</p>

President	Thank you very much and I will pass you if I may to Counsel's assistant. Thank you.
Ms Sharp	To your understanding, why has the Australian Government contracted with MAXimus to provide support for unaccompanied children?
Ms Homewood	As you would all ... we are all aware this is a particularly vulnerable cohort group of young people and it is a requirement ... the Department has a requirement of these. There is a focus on these young people. There is a care given. That is all we are responsible for is the care of the unaccompanied minors outside these other services but our support staff are 100% responsible for the welfare of those young people. So in often in the ... and I think if it makes ... make a less formal understanding of how that works, if I may, is that sometimes we see it in somewhat a slightly half a parent role and that is around doing things like, you know, observing small changes that in the cut and thrust of daily life when other service providers have other priorities and there may be other things happening in other parts of the centres that we operate, we are 100% focussed on these young people. So we can detect slight changes in their mood or their demeanour, if they are sleeping late or, you know, these kinds of things. We pick these up far quicker and I think the Department is aware that there is a requirement for that service. We have meals with them, we talk with them and we interact only with them and so we get to understand the nuances of the young people in our care and we can report quickly back to the other service providers and the Department if necessary.
Ms Sharp	If I could ask you a little bit more about the reporting lines. What are they exactly? How do you make your reports to the other service providers?
Ms Homewood	They are many and they are regular. So we have of course a daily reporting lines on each location. They come in many forms and there are handovers between other service providers and us particularly at the end of a shift and the start of a time. We on Christmas Island, for example, we are working from 07:00 to 23:30. They are our hours and there is a handover period at the end or beginning of each changeover shift with SERCO. We also have daily reports with a delegated guardian. We meet with them daily on site to discuss various issues. There are joint provider meetings. So there are those daily reporting both formal and informal that occur. There are weekly reports to the Department and there are monthly and quarterly reports to the Department as well.
Ms Sharp	And of these are daily, weekly, monthly, quarterly and annual reports, are they in writing or are they made orally?
Ms Homewood	There is a combination but certainly the formal reports are all in writing.

Ms Sharp	I beg your pardon which ones? Sorry.
Ms Homewood	There is a combination but the formal reports are in fact in writing.
Ms Sharp	And what are the formal reports?
Ms Homewood	So we have weekly, monthly and quarterly reports to the Department about a variety of matters on the island and of course if there is an incident we also have a submitted written incident reports.
Ms Sharp	Okay and who do you submit the incident reports to?
Ms Homewood	So they are the Department representatives on the island and also nationally we use an organisation to present monthly and quarterly reports through to national office in Canberra.
Ms Sharp	At what national office in Canberra is the Department?
Ms Homewood	The Department.
Ms Sharp	Okay, thank you. Does MAXimus have any role at all in making recommendations to the Department about changing practices with respect to children in closed immigration detention?
Ms Homewood	So I need to say we are not medical. Not medical staff. So we do make recommendations where we may see, you know, deterioration of a young person or we know. We talk to them. So I think an example we will note a young person may seem to be a bit detached or not engaging or not eating, we will talk to that young person. And sometimes it may be something, you know, a phone call home. You know, their mother is unwell. You know it's not necessarily such related to the fact that they can't speak to their family or their ... they are away from their family and they feel helpless around that. So we will do a couple of things. One is, of course, we will recommend that that young person goes and seeks help with IHMS if we think that is important. If they are frightened or they want us to accompany them we can do that at their request. But we will also have daily conversations with a delegated guardian about these matters on each individual young person in our care as we observe things happening. You know these are ... we are ... they are readily available for us to talk to them at any time.
Ms Sharp	Right. So you have a role with respect to making recommendations about the management of individual accompanied minors. Does MAXimus have any role at all with making recommendations about accompanied minors as a cohort? That is

	making recommendations about the treatment of unaccompanied minors as a group?
Ms Homewood	So no, we don't make recommendations as a group. They are on an individual needs basis very much geared for that young person's specific requirements as they happen.
Ms Sharp	Okay. What training is provided to MAXimus staff before they commence working in detention centres to provide support for the unaccompanied minors?
Ms Homewood	So I think it is worth noting that what qualifications we insist they come with them as well, I think that is very important. So they have the National Police Check of course and the Working with Children check is mandatory. They also have to have as a minimum requirement, and I will talk to that in a minute, in community Cert IV in communities, youth or child services or child care. However we note that the majority of our staff have degree qualifications in one or more of these areas. The majority of our staff are certainly at the very least bilingual in languages that are relevant to the group of young people we can't really look after and in fact in many cases they can speak 5 to 6 and in one case we have at the moment up to 7 languages. On top of that we have our training, we have mental health, first aid care, we have a full induction process for all our staff that they go through across not just obviously on the mainland but on Christmas Island. These are mandatory processes that everyone goes through an induction process. It talks about some very basic HR practices about how to report and lodge complaints. We have a very strong probity department that in fact to ensure that all staff get a fair hearing that probity has a dotted line that reports above myself so that if there was any question that I was directing some body or a staff member to do something that was inappropriate or unethical there is a safe line for them to go and we will act swiftly. So all those sorts of normal induction processes and also how to look after themselves and we provide EAP services while they are on particularly in the work we are doing in detention.
Ms Sharp	And what procedures if any does MAXimus have to evaluate the services that it is providing to unaccompanied minors in detention?
Ms Homewood	So obviously we work with the Department. They audit, I mean so our procedures are we work very closely with the Department and other service providers, there are joint providers and you know we solicit and receive feedback on the provision of our services under that. We have a management team that also, you know visit, like myself I visit these detention centres as a management team on a regular rotation to visit our locations, to make assessments of the work we are doing there. You know we have a complaints and compliments feedback from the UAMs as well, that is reported on, so you know there are multiple processes. We have our normal internal processes which are that we measure our own complaints from staff members and they are brought to my attention. So across the board whether they be HR related or

	<p>of a more serious nature. If they are of a serious nature they are brought to my attention, I get a report on the level of instances that have occurred from a staffing level, EAP access etc. We understand and measure those regularly.</p>
Ms Sharp	<p>Thank you. I wanted to ask you some questions now about what kind of problems the unaccompanied children have been reporting to MAXimus while they have been in immigration detention?</p>
Ms Homewood	<p>Certainly, I think the Commission has heard this repeatedly before and this morning, the lack of education on Christmas Island. Certainly up until the last few weeks I think has been, and even as recent as my last visit a couple of months ago I sat down with the boys and spent considerable time, and that was the overriding complaint that was received by them about the schooling and the lack of education and even the brief amount of time that they were there that the teaching was, it was really just almost like a day care. They weren't really being taught to a level that they wanted. So there was a frustration with that because these are very bright young people, you know they have achieved even though we don't talk about that a lot. I mean we talk about the sadness, if you will, of where they find themselves now but we should also remember that these are in their own way remarkable young people who have, you know, had an incredible journey and they really want to be educated, they want to be able to think at the highest levels and many of them can. There is a huge broad range of course and so that was a real frustration with them, that they weren't getting this constant challenge and it was really, you know it was really remarkable to sit and talk with them about their thirst for learning and they do not have that. So I think particularly in Christmas Island that has been the overriding issue. I can say that certainly in the last three weeks, you know, apparently it is just like almost in some cases a different place. They have a uniform, they are going to school by choice, they are enjoying it and it is remarkable the difference this has made to the young people on Christmas Island which I am very very happy. I know it's late but I am delighted that it is there. The other issue of course is the sense of well, you know, what is going to happen? You know there is this sense of what does their future hold? You know will they ever make it to Australia, what will happen? Certainly there has been during that February period in the first moves to Nauru there were concerns about whether they would be moved as well. So look there is nothing unusual about what they have told us and what you would have already heard over the various hearings.</p>
Ms Sharp	<p>Are these unaccompanied children complaining of nightmares?</p>
Ms Homewood	<p>To our staff, look certainly, yes. As we heard earlier they talk about their experiences, and what they have seen on their journey here and their country of origin so they talk about nightmares and distress, certainly.</p>

Ms Sharp	Are any of these teenagers bedwetting?
Ms Homewood	Look I can't comment on that I am sorry I would have to investigate that. I can get back to you.
Ms Sharp	Okay. Are these teenagers crying regularly?
Ms Homewood	I have not, when I was there I certainly didn't witness that. I certainly witnessed some anger and some frustration, I didn't witness any tears. My staff have not reported, certainly I think to say that they don't cry would be ignorant of me but in regular conversations with my staff they are not saying that the mental health of the boys has deteriorated to the point where they are constantly crying and that distressed.
Ms Sharp	Are these unaccompanied minors experiencing mental health problems?
Ms Homewood	We have had some of course that have had some significant mental health problems.
Ms Sharp	Can I stop you there, what percentage?
Ms Homewood	I can't tell you the exact percentage of the cohort but I can tell you in the last report, since August on Christmas Island last year we have had, we had one just recently and we have had 2 instances of self-harm attempts in the last 12 months and in the current reporting period, I can give you if you bear with me, I can tell you the latest.
Ms Sharp	Thank you
Ms Homewood	And we don't, we can only report on what we actually witness. We don't report on other instances that other service providers have witnessed with our young people and I can tell you that all instances in total, and we haven't broken them down by self-harm, that is not how we report, are down in fact in the last reporting period, the last quarter from March to May are down to and some of that incidences the majority of that incidences are sporting injuries I'm afraid to say around cricket.
Ms Sharp	So what percentage of unaccompanied minors have engaged in self-harm?
Ms Homewood	I don't have that percentage I can give you the hard numbers are 2 of a cohort of 26.
Ms Sharp	Alright can you say is it the case that there was one serious suicide attempt very serious suicide attempt could you tell us about that please?
Ms Homewood	Yes. A young boy who had just been to visit the IMHS psychiatrist on the Island so he had that treatment there had been ongoing some care mental health care he was back from that treatment and has said to back in Bravo Compound and had said to

	<p>his friend that he was thinking about suicide and that he was sad he wanted to go to the mainland and his friend went to report that immediately to SERCO staff that was in Bravo Compound and lunch was taking place at the time immediately went to a marquee where the young man had attempted suicide. I don't think it's appropriate to go into in the form of this but immediately they were called I can talk about this because I was actually there so I witnessed this unfold. He was within less than 1 minute health staff were in attendance and he was taken by IMHS for further assessment and evaluation as I understand that young man is now on the mainland.</p>
Ms Sharp	<p>Alright and to be clear this was a very serious suicide attempt.</p>
Ms Homewood	<p>Yes it was.</p>
Naomi Sharp	<p>What proportion of unaccompanied minors presenting with physical health problems?</p>
Ms Homewood	<p>We you know when we look across so the entire cohort across all detention centres I should note that we don't notice any difference between Christmas Island and say Darwin or MITA in terms of incidences such as whether that be asthma or skin conditions we note that it is pretty well the same across the board. I can't tell you, we are not medical I don't have that statistics, we don't report on medical conditions they go immediately to IHMS they report they do the reporting so mine is just my staff would say but generally speaking we don't see a great incidence in the UAMs.</p>
Ms Sharp	<p>What proportion of unaccompanied minors for whom you are responsible have had backgrounds in trauma or torture?</p>
Ms Homewood	<p>Again we don't record those that is the role of IHMS we are not we provide welfare we don't report those statistics so but I can say that the majority of the people of the young boys in our care and the young children in our care would have a background of trauma and torture yes.</p>
Ms Sharp	<p>That they would have a background?</p>
Ms Homewood	<p>Yes they would.</p>
Ms Sharp	<p>Okay and sorry one of the functions MAXimus provides is to provide support to these children but is it the case that you don't readily collect data on the children who are experiencing physical health problems or mental health problems or who have a background in torture and trauma?</p>
Ms Homewood	<p>So we take obviously detailed reports on every young person in our care within days of them arriving so there's a process and so we understand so we take detailed</p>

	<p>reports. But I don't have the statistical information in front of me to be able to I can get that if you wish. However I would also say we are not doctors so we take as evidence of what they tell us not question and respond to those requirements as necessary and then we refer them immediately if particularly we feel that there is a significant physical or mental health issue we refer them immediately to IHMS.</p>
Ms Sharp	<p>What proportion of the unaccompanied children have received torture or trauma services?</p>
Ms Homewood	<p>I don't have the statistics in front of me I am afraid. I can if you wish provide how many are referred and then we have to IHMS would have to provide you that classification and it's not us we can tell you how many are referred to medical services and of what proportion they would be for mental health but I can't tell you what the diagnoses was after that if that's okay.</p>
Ms Sharp	<p>The Commission would be most grateful to receive the information I think on a few occasions you've said that it's information you can get a hold of and provide the Commission so we'll have the Commission get in contact with you and will obtain that information from you thank you very much.</p> <p>Look can I now ask you about an incident which occurred on Christmas Island on 24 March this year I take it you would be quite familiar with this incident. Essentially a number of unaccompanied children were moved from one camp to another, they were moved from Charlie to Bravo they didn't want to move to that new camp the information available to the Commission is that of the 38 teenagers in the camp 11 resisted the move in the end the SERCO representatives sought an authorisation to use force, force that authorisation was given, force an emergency response team was brought it, force was used, there seems to be information that with respect to 3 boys in particular wrist locks were applied and in 1 case something approaching head lock was applied in order to move these children. Now Commission staff have viewed the CCTV footage of this incident. I should say it was requested from the Department that that footage be made available today but we are advised that it wasn't possible to provide it within the timeframe have you seen that footage incidentally?</p>
Ms Homewood	<p>I haven't seen the footage but I am very very aware of that incident.</p>
Ms Sharp	<p>Familiar with the incident. Let me ask you this, was anyone from MAXimus contacted before an authorisation was sought to use force on these children?</p>
Ms Homewood	<p>No.</p>
Ms Sharp	<p>Was there any MAXimus staff representatives contacted before force was used on</p>

	these children?
Ms Homewood	No. Just me just ... we were in the middle of as it began to deteriorate we were advised as were the young people involved that if things didn't improve that force would be used ERT would be called but that wasn't I don't think that requesting advice I think that's just being told in the heat of the moment this is what's going to happen.
Ms Sharp	Yes you weren't consulted with in any meaningful way. Taking us back is it right that these boys had no prior notice that they would be moved isn't it?
Ms Homewood	They were told the morning of the move, being a Monday morning. There had been a cyclone on the weekend before. So they had been in lockdown at North West Point so that they have been moved they are out of their area in Charlie area compound anyway and were all in North West Point because of the cyclone for the weekend before, and our staff had been locked down with them we couldn't go. So we'd been with them for that period. On the Sunday evening we were advised that we could leave North West Compound because the roads were clear and the boys were going to be held in North West Compound for an additional night while they checked things like sewerage and water supplies and what have you to Charlie and Bravo compounds. The boys were advised on a Monday morning that they were going to be moved from Charlie Compound to Bravo Compound while they were still at Northwest.
Ms Sharp	And it's correct isn't it that MAXimus had no role in advising the children that they were to be moved?
Ms Homewood	Correct.
Ms Sharp	And MAXimus was not invited to have any consultation with the boys before they were moved?
Ms Homewood	No, we were made ... correct. We were made aware the night before, our program manager was made aware the night before. We noted that the boys seemed to be aware that something was up, that they may be being moved and we sent an email to the Department and a service provider saying that we felt that it was going to be difficult. The boys were very agitated and upset and they may like to be aware of that before they moved.
Ms Sharp	And you provided that email to the Department? Can you provide that email available to the Commission?
Ms	Yes, I'll have a look for it.

Homewood	
Ms Sharp	It's right that the MAXimus staff had no role in talking with the children before they were moved, about the move?
Ms Homewood	We were there, and I have ... I'm very familiar with this incident but I'm aware that I don't want to mislead unintentionally at the level of detail. We were there on the Monday morning when the boys were formally told that they were going to move. So we have staff there, and also at that time at Northwest Point interpreters were also available, at Northwest Point, to talk them through the reasons why they needed to move from their compound. The reason was the closing down of Lilac and Aqua and families needed to move into Charlie Compound.
Ms Sharp	Alright, now it's right that MAXimus staff had no role on the day in negotiating with the children who were reluctant to move?
Ms Homewood	We had no formal role. We were there and we tried very very hard. So if I may, can I just perhaps as in context rather, you know. So there were, when the boys boarded the bus to go from Northwest to Charlie there were two young boys that said they weren't going to board the bus. They weren't going to move and that was at Northwest Point. ERT spoke. That's all. There was no use of force.
Ms Sharp	And that's Emergency Response Team?
Ms Homewood	Yes.
Ms Sharp	And that's SERCO?
Ms Homewood	SERCO, correct. Spoke to the boys and they agreed to get in the car, a separate vehicle and accompany them to Charlie. So upon arrival at Charlie Compound where the boys were to get their belongings and then walk to Bravo, that's right next door, we were there and tried very hard to encourage the boys to take their belongings and go next door to Bravo. So it's not, so we were there, our staff were there on the ground in the compound with the boys at that time.
Ms Sharp	Was MAXimus notified at the time that an approval to use force against the children had been granted?
Ms Homewood	No.
Ms Sharp	Right. At any point, did the MAXimus staff who were there observe any of the boys spitting at guards.

Ms Homewood	Yes, but our staff were also spat on.
Ms Sharp	Right. At any point did the MAXimus staff observe any boys trying to jump a fence?
Ms Homewood	We saw them trying to run away. There were boys, you know, look it was a situation was rapidly, it went for about 2 hours you know, so there was constant negotiating. There was about a 2 hour negotiating period where various groups are negotiating with the boys to get them to move.
Ms Sharp	And so who was it that had the role negotiating with the boys? Was it the Emergency Response Team?
Ms Homewood	And SERCO staff and Department staff. There was a lot of people there.
Ms Sharp	Right. Based on the information provided to you about this incident, do you believe that the use of force was necessary against these unaccompanied minors?
Ms Homewood	I think the use of force, I think force was over-used. Yes I do. I don't think it was necessary. I think that the whole thing could have been handled very differently from the start.
Ms Sharp	And what, could you just explain that conclusion in a little more detail?
Ms Homewood	So it seems to me that we, so the boys were already on a bus with the exception of the two young boys I mentioned earlier. So the boys were already on a bus and perhaps, and they had been made aware that they were agitated and I think once conversations had taken place in North West it became very apparent that they were agitated and upset, even though it was explained that it really was, it was about the fact that we had to do something with these women and children. They needed somewhere to go. There was an urgency around that, which was a fact. There was no doubt that that was the truth and they were aware of that and Aqua and Lilac had been closed down. It had been damaged in the cyclone. They could not be re-used. There was no option for the families but to go somewhere else. However, that was their home and they were very distressed about being moved. They were then driven to Charlie. There were no interpreters at that point. While it is fair to say many of the young people do understand English quite well, they can speak English. In times of great stress and pressure and fear that skill, of course, goes away. So the fact that there were no interpreters and in a very high pressure situation I think may have exacerbated the situation as well. For me, common-sense and I know 20:20 hindsight is a wonderful thing and we can all sit here and say we would have done things better, but you know they're upset. You know they are going to be difficult, which is not necessarily unusual. The only circumstance that perhaps it would have

	<p>already on the bus rather than sort of risk it getting worse, maybe you should have taken them straight to Bravo and then sat with them and talked, had lunch. One by one walk them back to get their belongings. So then, of course, it just escalated and force was used.</p>
President	<p>Thank you. We've got some very graphic images of what happened there, including the description by the Department of things like how transport risk locks a place on them, how their heads are held, how they're forced into certain positions. This is obviously part of a protocol that's used when they want to move people who aren't otherwise, to use the Department's word, compliant.</p>
Ms Homewood	<p>Yes.</p>
President	<p>We're trying to understand the MAXimus role and I think you've been very forthcoming in describing it to us, but this is the context in which we'd like to know what you did when you witnessed this as I think you've said over two hours. You were there, you ...</p>
Ms Homewood	<p>No I wasn't.</p>
President	<p>Your staff were there.</p>
Ms Homewood	<p>Yes they were.</p>
President	<p>Your staff were there.</p>
Ms Homewood	<p>And I have had detailed briefings so I can talk to this.</p>
President	<p>You have had detailed briefings, but I'm mainly interested in what your staff did. Whether they tried to intervene, whether they tried to reason with the relevant officers who were carrying out this, what to certainly a lay person looks to be very very aggressive action by many many staff. So each child is surrounded in these pictures by two or three or four people. What were your staff able to do? What did they try to do? What's their responsibility in a situation like that to those children?</p>
Ms Homewood	<p>So they, within the structure of Christmas Island, they have no authority in this instance. None whatsoever. However, what occurred on that day, and I think, in fact I know that that is in the footage one of our staff yelling at the ERT, telling them to stop, you know, in fact it was, the instance I know you're referring to was the choke hold on the young boy, yelling at them telling them to stop. Our staff were very</p>

	<p>distressed and in fact as it heated up and as things started to ... they were constantly talking to the boys, you know, one on one saying look this, you know, and being honest with them saying look this is going to get worse. Pack up your things, and some boys did, you know, some boys did. They managed to get them out. They managed to get their belongings and they got them through to Bravo Compound safely and even though they were distressed they certainly did. As things started to wrap then boys started to run and you know it deteriorated very very quickly. They were there desperately trying to get boys to grab their things and in some instances were holding those sort of large plastic bags you know running across the compound, boys holding one hand and they're holding the other hand which did get them into Bravo. So they were doing all they could as it began to deteriorate and in fact threats were made against our staff members. They were spat on, they were physically threatened you know it really was an awful situation. They were ordered to leave the compound.</p>
President	Sorry who was ordered to leave the compound?
Ms Homewood	Our staff were ordered to leave the compound. Yes Correct.
Ms Sharp	Were any of the MAXimus staff involved in the debriefs following this incident and the reporting to the Department about this incident?
Yes Homewood	Yes we made a report. Certainly I was in our internal reporting I was made aware of it that evening by phone and requested as we would normally have a written report and was in constant contact with the site. Yes we were a part of the debrief. We also did submit a formal report to the Department advising them of our concern of the use of force and appropriateness of it.
Ms Sharp	And would you prepared to make that report available to the Commission?
Ms Homewood	Yes.
Ms Sharp	Thank you.
President	I think we would like to receive it in that case.
Ms Sharp	To your knowledge did the relationship between those unaccompanied minors and MAXimus staff deteriorate following that incident?
Ms Homewood	Significantly.

Ms Sharp	And how so?
Ms Homewood	<p>So there was some distress by the young people that we couldn't stop what happened. So that we couldn't protect them and that was their words. A formal complaint was made by a few of the boys. Some of the boys apologised the next day to our staff for spitting on them and being upset. But there was a group of boys that were very angry and said well what do you if you can't stop this, if you can't stop them doing this, then what do you do, we don't, you know you can't help us, you can't help us get out of detention and you can't stop this. So we had to spend a lot of time with the boys explaining that's not our role. Our role is we have no role in that. But it was a very distressing time for our staff as well because all of sudden any good we could do to talk to them, to make them feel that you know, was gone. I can report that, so we did a couple of things. We stood up. We obviously spoken about it and we responded to the report. The Department guardian also came and spoke to, delegated guardian, came and spoke to the boys and explained to them what MAXimus role was to the boys. You know at first some agreed, some were still very angry. They were just generally very angry about what happened which I think is perfectly acceptable. So we spend a lot of time working with them and ultimately they wrote the team an apology and said they were sorry and they understood. But the confusion was that there as welfare we're there to look after, we listen to them, we worry about them, we do things like check they've got their backpack to go to school, we you know normal, get them up and like normal teenage boys they you know why are you not wearing your shoes. We go back and we'd do that kind of thing so to them we do that and yet when they needed our protection we couldn't stop it. So while we don't pretend to be their parents, we don't, there is an element of that parenting that we do, which the Department wants us to do and I think it's a very valuable role but when in a moment of crisis like that we can't then take that next step and stop it, it was very distressing for the boys.</p>
President	That's extremely helpful and frank and very valuable evidence. You said that and answered the question from Counsel that this did affect your relationship with those boys. Has that relationship been repaired over time, since that incident?
Ms Homewood	Yes it has.
President	Your staff are now able to provide the level of assistance. Because I imagine much of this depends on trust?
Ms Homewood	Absolutely depends on trust and so yes it took some time and I, the staff, a couple of the things, the Department were very helpful. They were very very helpful in this instance. I think you know, quite a few people that incident was distressing to and very concerned and they were, the delegated guardian was fantastic and was very

	<p>very helpful in that, he listened to us, worked with us to try you know to ensure that we repaired that. That valued that relationship so that was very very helpful and we just continued to work with the boys. Our staff were very good. They understood that sometimes so we had to continue to gently and carefully work them, step back and allow them to be angry, just so they were excellent staff. I know that some of them you have met our program manager at the time, spent a lot of time in countries such as Afghanistan and working within human rights. She work very closely with her team to ensure that we gave them their time and their space. While they knew that we were there for them anyway and we kept a very close eye on them during that very very difficult time. So yes that I can report that now and there was some lingering for some time even three months ago when I was there the boys asked again what did we do, what could I do to you know protect them if this would happen again and we spoke about that but they are working very closely with our staff again and that trust is back which I'm delighted about.</p>
President	<p>Okay. Just a final question because we are concerned about the fact that this force was used and like to understand how it happened. Do you know who made that order or made the determination to use force?</p>
Ms Homewood	<p>No, I'm sorry I don't.</p>
President	<p>You really can't advise that?</p>
Ms Homewood	<p>No, that very detail I'm sorry. And probably I would suggest that in the heat of it, even my staff would not be able to tell you who it was. It was a really on all accounts, I've spoken to quite a few people about this event. It was disturbing.</p>
President	<p>Well for the future would you like to be advised or taken into the confidence of the Departmental officials if force is to be used in the future, have you got some protocol in place were this to happen again?</p>
Ms Homewood	<p>So I think what is a positive outcome, I know that's an inappropriate term of this, is that subsequently that joint-provider meetings, if there has been discussion about this being an issue and they might talk about moving an unaccompanied minor or a young person and there has been discussion that may include well we've got force. There was an incident were our program manager said no. That is we don't have any authority but what has been interesting our voice is being somewhat louder subsequent and so our advice is taken and a very different process was used and everything went very well. So it doesn't happen formally but in those conversations we don't have any formal.</p>
President	<p>No but you can have an influence somehow.</p>

Ms Homewood	I can say that now subsequent to that event we do appear particularly in those matters to have a greater influence and listened to and it's having an effect.
President	Good. Well that's a good note on which to finish. Thank you so much for giving your evidence. We do appreciate it and I think that brings this morning's, now this afternoon's hearing to a close. Thank you all very much for attending and for the considerable time that you have given to listening to this evidence. Thank you very much.