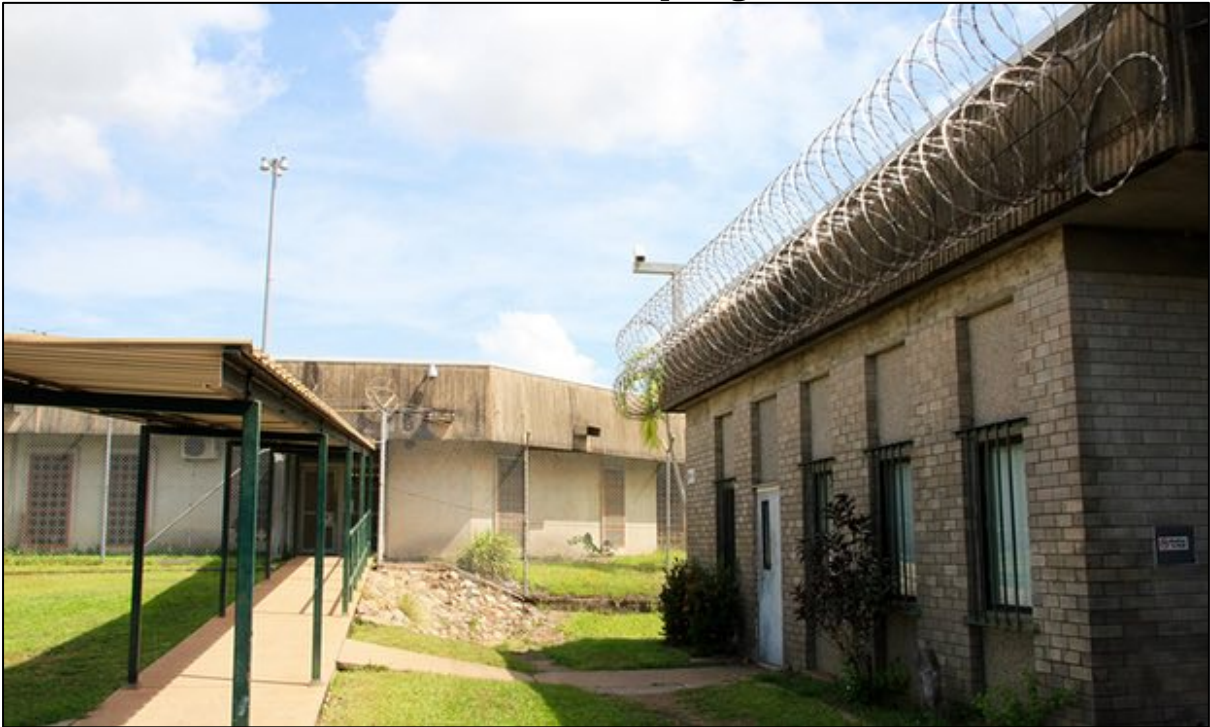


Youth detention staff respond to Dylan Voller allegations at royal commission

Current and former staff defend themselves against allegations of violence and intimidation in Don Dale and Alice Springs centres



Don Dale juvenile detention centre in Darwin. Former manager James Sizeland said it had to be run in crisis management mode after a mass breakout. Photograph: Helen Davidson for the Guardian

Helen Davidson
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Current and former staff members of Northern Territory juvenile detention centres have defended themselves against allegations of violence and intimidation made by Dylan Voller at the royal commission in Darwin.

On the first of three days set aside to hear responsive evidence against Voller's claims, witnesses including former guards Conan Zamolo, Ben Kelleher, and Derek Tasker, as well as former managerial staff including James Sizeland and Trevor Hansen, took to the stand.

Zamolo and Kelleher gave differing testimony about an August 2014 incident at Don Dale caught on CCTV, which cost Zamolo his job.

In footage shown to the commission, and which has previously been broadcast in media reports, Zamolo stood guard while Kelleher entered Voller's cell, threw a pear at the door and twice threw wet paper at the camera before leaning over Voller and talking to him.

Voller has alleged Kelleher threatened to break his arm, which Kelleher denies.

Kelleher also denied he was attempting to conceal anything from the camera, telling the commission he threw the paper to clean the camera because detainees often covered it up. Under questioning by Voller's lawyer, Peter O'Brien, Kelleher admitted he hadn't first checked to see it was dirty, but had just assumed it was.

Zamolo had earlier told the commission he had lied to the then corrections commissioner, Ken Middlebrook, about the incident, when he said he thought Kelleher was cleaning the cameras.

Kelleher told the commission he had a good relationship with Voller, and that while he was "having a go" at the detainee during the incident he had "no desire to physically impose myself on the young man".

He said he regretted throwing the wet paper and pear, swearing at Voller, and "the stance" he took, but didn't regret telling Voller that he had done the wrong thing.

"I've known the guy a long time, we had a great relationship up until that point, and I was disappointed in the way he acted continually, especially after the positive gains we had made in his behaviour," Kelleher said.

"I was upset with the guy and unfortunately the way that I did act has led us here ... I wish that I hadn't even gone into the cell that day, but I did not make any physical threats against him."

Kelleher said he came from a similar background to many of the detainees, and sought to help them.

Zamolo, who infamously filmed detainees going to the toilet and filmed himself using derogatory language and asking detainees to "suck my dick you little cunt", told the hearing he regretted his actions but they were never designed to humiliate, but rather help.

"Looking back, I got a bit too complacent and casual ... in attempts to help the detainees to have a few moments of fun during their time in detention," he told the commission.

The commission also heard from former deputy superintendent James Sizeland, who gave evidence about the 24-hour placements in the behavioural management unit at Don Dale.

Sizeland denied he had told Voller at the start of one such placement that he would be locked up for 72 hours – which needed authorisation from the commissioner.

He said Voller spat at him in the first few hours and so authorisation was sought and gained.

Under questioning by O'Brien, Sizeland said Voller's behaviour often worsened during the placements, and they would be extended. He said the placements were

helpful for the good order of the centre but not always for the behaviour of the detainees.

Sizeland said he made several changes when he took the job – including around staffing, training and detainee programs – but after a mass escape exposed flaws in the centre, the place entered crisis management mode.

Former Alice Springs detention centre guard, Derek Tasker, also gave testimony about his past actions against Voller, for which he had been charged and acquitted.

Mirroring his previous commission appearance, Tasker again maintained he did not grab Voller by the neck, despite videos shown of him with hands near Voller's neck, and repeatedly noted the finding of not guilty by the supreme court.

When directed to answer a question directly by Commissioner Margaret White, Tasker said he was “holding” Voller's neck, not “grabbing” it.

O'Brien read to the commission a finding by the children's commissioner which said the incident “involved an unwarranted, excessive and dangerous use of force against Dylan Voller”. Tasker said he was not aware of the finding.

“No one's ever told you about it within the department?” asked White.

“No,” he replied. Tasker said he and others did the best they could to keep Voller safe with the minimal training they had.

The commission continues.