

Casuarina Youth Community Space Protocol

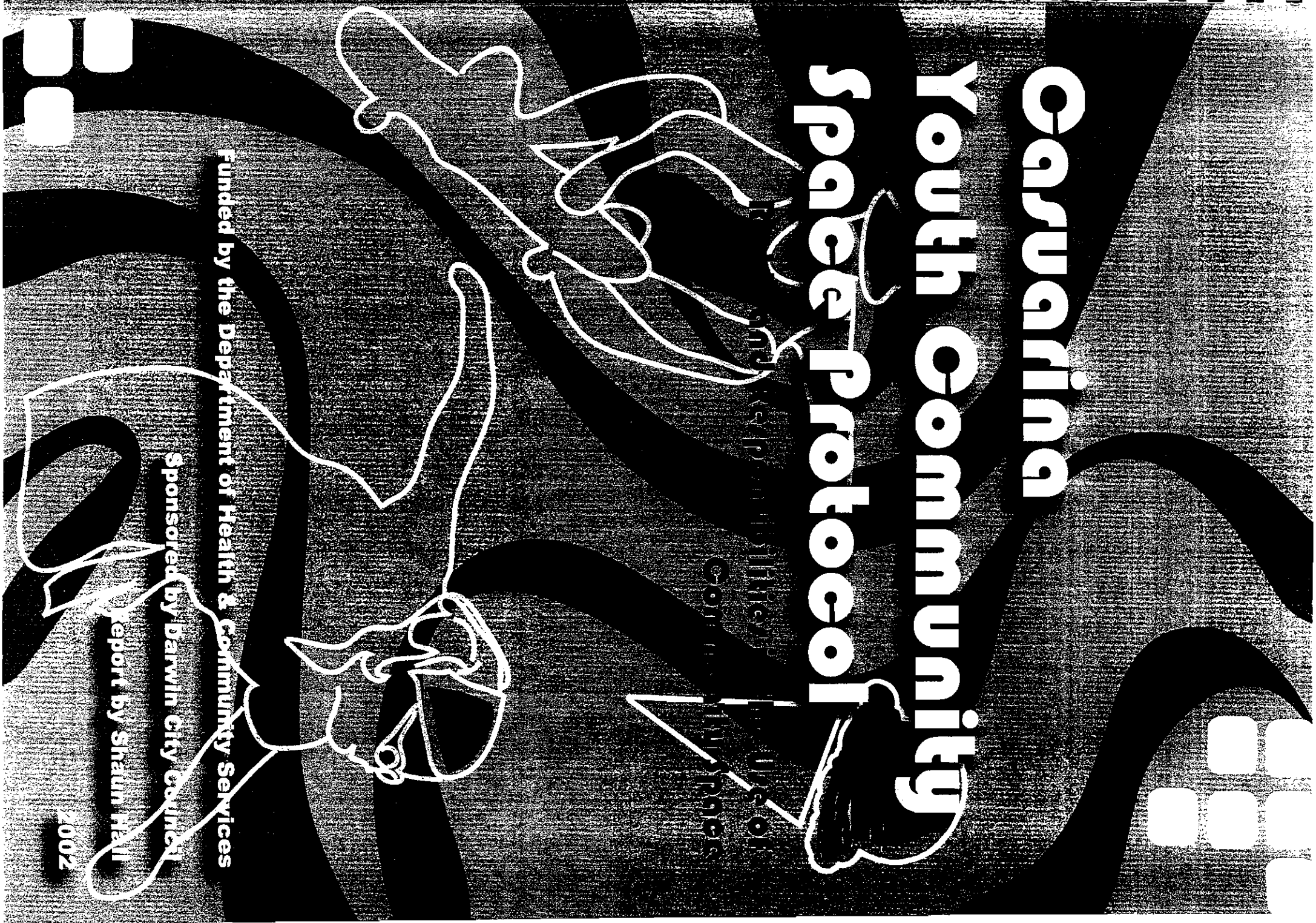
Community Development Unit
Community Services
Darwin

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Report by Shaun Hall

2002



Casuarina Youth Community Space Protocol

Rights and Responsibilities in the Use of Community Space

Shaun Hall 2002



Northern Territory Government
Department of Health and Community Services

Sponsored by Darwin City Council
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Thank you to Mr Andrew Purcell, QUT Social Work Student for your assistance in the research for this project.

Darwin City Council's Department of Community Services undertook the final editing of the three documents which make up the Casuarina Youth Community Space Protocol as these were incomplete when provided to the Department.

Section 1 Casuarina Youth Community Space Protocols - Rights and Responsibilities in the Use of Community Space

1 Foreword

In early 2002 the Northern Territory Government allocated funding to develop a Youth Night Patrol/ Outreach Service for young people in the Northern Suburbs of Darwin. Mission Australia has been awarded the contract to take up the 'Darwin Youth Beat' service which focuses on engaging and connecting with young people on the streets at night for the purpose of reducing 'at risk behaviour' through relationship building and the provision of information, referral and crisis response. It was also established that a related area of public concern was the perceptions of the wider community regarding the utilisation of public and community spaces by young people.

Following preliminary investigations by Mr. Phil Crane¹ (Queensland University of Technology: School of Humanities & Human Services), a recommendation was made for a public and community spaces strategy to be developed for Darwin. To this end, the Northern Territory Government allocated funding to Darwin City Council [between August and December 2002] to develop the Casuarina Youth Community Space Protocol [hereafter referred to as Casuarina Youth Protocol] for implementation in 2003.

Protocol refers to agreed ways for different parties to respond to particular scenarios. Protocols provide a clear outcome for communications [ie. preferred ways of responding to] and a framework [ie. who should do what when and how] for addressing certain types of behaviours and needs. Effective protocol needs to be an endorsed agreement that is readily available to all, in this case, Casuarina Business Area user groups. The protocol outlines responses to certain behaviours that are lawful, reasonable, consistent, transparent and, above all, fair.

Objectives of the Casuarina project were to develop:

- public and community space protocols that reduce tensions in public and community space in a way that recognises and values the rights of young people as an integral part of the community;
- protocols that recognise that building trust requires fairness and equity to all involved and, therefore, that prejudice or exploitation must be opposed;
- protocols that recognise young peoples rights and responsibilities in the use of public and community space.

The development of the Casuarina Youth Public Space Protocol was a 3-stage process.

Stage 1

An initial investigation was undertaken within the Casuarina Business Area² to gain an understanding of the diversity of stakeholder perspective's regarding the issues experienced by and relating to young people. The Casuarina Business Area Investigation provided the data that informed the Casuarina Youth Public Space Protocol.

¹ Crane, P. (2001) 'Reducing Public Space Tensions in NT': Report to NT Police & NTSafe. Brisbane: QUT.

² Defined as Casuarina Square and Casuarina Village (bordered by Trower and Dripstone Roads and Bradshaw Terrace), Casuarina Bus Interchange and the Casuarina Library complex.

Following examination of stakeholder perspectives differences appeared to be grounded in one underlying conflict in stakeholder orientation. Casuarina Business Area is viewed as both a private space for commercial purposes (ie shopping) and also as a community space for a range of social cultural and civic uses (ie 'hanging out'). This fundamental difference poses a number of problems in that whilst young people are encouraged into the Casuarina Business Area for commercial purposes their 'hanging out' is often perceived as problematic.

Data analysis produced a number of dominant themes³ that identified issues and areas of tension for young people within the Casuarina Business Area. Of most concern to this project were issues regarding the banning process which is largely influenced by legislation within Casuarina Business Area including:

- excessive numbers of banned/excluded young people⁴, often for excessive periods;
- young people often being banned for little or no apparent reason⁵;
- a lack of understanding (across all groups) of the systems and processes regarding codes of acceptable behaviour and the banning process;
- a large degree of arbitrariness and ambiguity re: the enforcement of some rules within the Casuarina Business Area.

The need for developing more inclusive security arrangements when dealing with young people has been acknowledged by the Shopping Centre Council of Australia (SCCA) who have stated the need for more constructive security responses and to separate stereotypes from reality and draw distinctions between youthful, boisterous behaviour and genuine criminal acts⁶.

Stage 2

From the dominant themes briefly outlined above, 2 sets of recommendations regarding young peoples use of Casuarina Business Area were developed; a set of 4 principal recommendations and a further set of 4 secondary recommendations.

Stage 3

The 4 principal recommendations were raised with focus groups for discussion. The focus groups included representation from young people. Through a process of facilitated consultation the 4 principal recommendations were refined and developed into the sets of working guidelines that eventually became the Casuarina Community Space Youth Protocol.

³ See Section 2 of this document.

⁴ Considered by stakeholders to be largely related to pertinent sections of the NT Trespass Act (2000) in particular the use of a 12-month 'blanket' ban by Security Officers and NT Police. See 'Casuarina Business Area: Investigation Report' [Hall, 2002].

⁵ Numerous reports of young people receiving information from Security Officers that was lacking in both clarity and consistency regarding banning procedures.

⁶ Rotherham, R. (2002). *Youth on the Streets: A better way to share our spaces*

2 Parties to the Protocol

The Casuarina Youth Protocol is an initiative of the Northern Territory Department of Health and Community Services. The Casuarina Youth Protocol was endorsed [see Appendix 1) by:

- Casuarina Square⁷;
- Casuarina Village;
- Casuarina Bus Interchange;
- Darwin Youth Beat
- Darwin City Council;
- SHAK⁸, and
- DARWWYN⁹

Each signatory to the protocol has an understanding of their individual role and responsibilities in the implementation, monitoring and review of the Casuarina Youth Protocol and associated systems and frameworks.

2.1 Roles of Parties to the Protocol

Darwin City Council

Casuarina Business Area is relevant to Darwin City Council in that the community space at its perimeter comes under the responsibility of the Council [ie Casuarina Library, most roads¹⁰ and footpaths around the precinct and some garden beds and footpaths within the precinct].

Darwin City Council will be responsible for the ongoing monitoring and assessment of the Casuarina Youth Protocol in the form of facilitating evaluation meetings and in the provision of relevant information and Feedback Packages¹¹. Darwin City Council will also facilitate, as far as possible, the involvement and participation of young people in relevant systems and processes.

Casuarina Square [LLR]

Casuarina Square is acknowledged as the key player within the Casuarina Business Area. In addition to shopping young people utilise Casuarina Square in a multitude of ways ie as a meeting and eating place, the hub of local public transportation and a cool, clean air-conditioned space in which to 'hang out'.

Casuarina Square will remain involved in the ongoing implementation, monitoring and assessment of the Casuarina Youth Protocol in the form of

⁷ Managed by Lend Lease Retail [LLR] - referred to throughout as Casuarina Square.

⁸ Secure Hangout for All Kids [A Red Cross youth initiative located in Casuarina Village]

⁹ Darwin And Rural Workers With Youth Network.

¹⁰ With the exception of Trower Road [maintained by the NT Government].

¹¹ See 8.1

participating in evaluation meetings and in the provision of relevant information and Feedback Packages.

Casuarina Bus Interchange

Casuarina Bus Interchange is a significant player within Casuarina Business Area in being the sole provider of public transport for all precinct users and young people are acknowledged as being significant users of public transport.

Casuarina Bus Interchange will remain involved in the ongoing monitoring and assessment of the Casuarina Youth Protocol in the form of participating in evaluation meetings.

Casuarina Library

Casuarina Library is located on the perimeter of Casuarina Business Area and plays a central role in the provision of information to young people in the Darwin community.

Casuarina Library will remain involved in the Casuarina Youth Protocol through provision of relevant information and Feedback Packages. It is noted that Casuarina Library is a Casuarina Youth Protocol Information Site¹² but is not a party/signatory to the Casuarina Youth Protocol.

Casuarina Village

Casuarina Village is significant as a multifaceted venue through which young people pass through to attend local schools and the SHAK youth centre and a number of fast food outlets and family restaurants are adjacent to the Casuarina Village site.

Casuarina Village will remain involved in the ongoing monitoring and assessment of the Casuarina Youth Protocol in the form of participating in evaluation meetings and in the provision of relevant information and Feedback Packages.

DARWWYN

DARWWYN is the peak Darwin based organisation for the youth sector. DARWWYN acts as an information service for local youth organisations and practitioners. The organisation draws on a regional membership with expertise in a range of youth issues.

DARWWYN will remain involved in the ongoing monitoring and assessment of the Casuarina Youth Protocol in the form of participating in evaluation meetings and ensuring that the perspective of youth sector agencies is included in the implementation, monitoring and further development of the protocol.

¹² See 8.1

The SHAK

The SHAK acknowledges that the Casuarina Youth Protocol impacts upon young people as users of Casuarina Business Area. One of the primary local youth service providers the SHAK will remain involved in the ongoing monitoring and assessment of the Casuarina Youth Protocol in the form of participating in evaluation meetings and in the provision of relevant information and Feedback Packages. The SHAK will also facilitate, as far as possible, the involvement and participation of young people in relevant monitoring and evaluation systems and processes.

Darwin Youth Beat

Mission Australia auspices the Darwin Youth Beat which has recently been funded to provide a youth outreach service to young people who are on the streets at night time. The focus of the service is on engaging and connecting with young people for the purpose of relationship building, information provision, referral and crisis response.

The Darwin Youth Beat operates from a near by location in Casuarina and will participate in the ongoing implementation and development of the Casuarina Youth Protocol as an information provider and through involvement in evaluation meetings and in facilitating as far as possible, the involvement and participation of young people in relevant monitoring and evaluation systems and processes.

3 Preamble to the Protocol

Young people are valued users of Casuarina Business Area making up a significant proportion of the area's diverse customer base. As such young people should be given the same rights and responsibilities as other precinct user groups.

Casuarina Square, Casuarina Village and Casuarina Bus Interchange recognise and support the rights of young people to access and utilise the facilities within Casuarina Business Area, in particular public and personal facilities such as financial institutions and transport services.

Darwin City Council, the SHAK, Darwin Youth Beat and DARWWYN support the rights of young people to access and utilise the facilities within Casuarina Business Area and to advocate for young people in the implementation, monitoring and evaluation of the Casuarina Youth Protocol.

Casuarina Business Area operates primarily as a commercial precinct. However, it is acknowledged that in addition to shopping, Casuarina Business Area has many unique roles in the lives of Darwin young people as a meeting and eating place, the hub of local public transportation and a cool, clean air-conditioned space in which to 'hang out'.

In fact much the same activities albeit using different terminology, are undertaken by all precinct users, for example 'doing lunch, grabbing a burger, window shopping, or hanging out. Therefore, when young people access Casuarina Business Area they shall be

treated with the same respect and dignity as other precinct users. Young people will not be judged or refused access to the precinct on the basis of their appearance, as long as their appearance conforms to general conditions of entry.

All parties to the Casuarina Youth Protocol, as far as is practicable, actively support public accountability and transparency in relevant decision making, including:

- ensuring young people are aware of their responsibilities as users of Casuarina Business Area through adequate promotion/presentation of relevant guidelines and conditions of entry;
- developing and maintaining a strong commitment to effective internal and external communication and in the interests of information sharing and providing and receiving feedback, committing to ongoing liaison with young people;
- developing and maintaining systems of security provision that are fair, efficient and effective whilst remaining minimally intrusive;
- encouraging and enabling young people to make a complaint when they feel they have been unfairly treated when using the Casuarina Business Area through use of the Grievance Protocol outlined in Section 8;
- all parties to the Casuarina Youth Protocol are responsible for ensuring that young people are sufficiently informed about the Grievance Protocol.

All parties to the Casuarina Youth Protocol seek to offer a community space that can meet the diverse needs and interests of the many and diverse Casuarina Business Area user groups. Casuarina Business Area is acknowledged as an adaptable space that has the capacity to respond to the changing and diverse needs of the Darwin community, now and into the new millennium.

4 Principles that guide the Casuarina Youth Protocol¹³

There are a number of principles underpinning the positive development, implementation, monitoring and evaluation of the Casuarina Youth Protocol. These principles are designed to help form broader, more inclusive, social policies related to young people and their use of public and community space. In addition it is acknowledged that only with increased liaison and advocacy for young people with Governments and other stakeholder groups with responsibility for issues related to young people's use of community and public space, will these systems and processes be realised.

¹³ Adapted from Heywood, P.; & Crane, P.; Eggington, A.; Gleeson, J. (1998). 'Out and About: In or Out? Better Outcomes from Young People's Use of Public and Community Space in the City of Brisbane'. Brisbane: Brisbane City Council.

4.1 Community & Commercial Objectives

A tension can and does, exist between shopping centre developments as both retail spaces and community spaces. Local Governments should encourage communication between stakeholders and encourage stakeholder involvement in policy development and processes to encourage privately owned spaces as vehicles for the achievement of both commercial and community objectives.

4.2 Community Safety & Crime Prevention

Ongoing community safety attention is required to the policies and practices for security provision and policing in major centres and shopping centres and this requires the involvement of all stakeholders. Crime prevention policies and objectives should aim to improve rather than diminish access by young people to community resources and spaces. In addition, young people should not simply be characterised as a threat to others but presented as people with legitimate needs for safety and security.

4.3 Inclusive Policy & Practice

Continued attention should be paid to better understanding how to respond to public and community space needs and issues as these relate to young people.

Young people are not a homogenous group and their needs are best understood when they are invited to contribute individual and sub-group perspectives. Young peoples valid perspectives and needs must be articulated to decision-makers and managers of public and community spaces for problem identification, response development and decision making. This process of 'active inclusion' is preferred to interventions that are exclusionary or regulatory.

Young people possess critical intelligence on how functional community and public spaces are and often know more about the built environment than just about anybody else. Therefore, as a major stakeholder, they have a legitimate right to participate in decisions about how such resources should be designed and evaluated¹⁴.

Policy development through consultation with young people, may better recognise and respond to the wide range of circumstances and contexts of young people's lives. For example, policy relating to public and community space should have input from young people who may be marginalised individually or collectively on the basis of gender, race, ethnicity, purchasing capacity or other discriminatory attributes.

¹⁴ Sercombe, H. (2000). 'Opting for Inclusion: keynote address presented to Local Government Association of Queensland'. Perth: Edith Cowan University.

4.4 Education

Promoting realistic and accurate information on young people to the broader community in public and community space contexts needs to be encouraged. Community education in this context such as developing awareness of expectations and responsibilities when using community spaces will challenge the current image within the community of young people as a problematic group¹⁵. Left unchecked, such perceptions can make the development and implementation of positive and constructive youth policies [such as the Casuarina Youth Protocol] and strategies extremely difficult for Governments and community services. Information provided to the community should generally include the perspectives of young people themselves and their advocates and should seek to foster more positive attitudes towards young people.

4.5 Collaboration & Communication

The development of mechanisms for ongoing liaison with interested parties, including young people, youth service providers, Darwin City Council, Northern Territory Police and other community services, is an important aspect of the Casuarina Youth Protocol. The Casuarina Youth Protocol will seek to encourage communication within Casuarina Business Area and with external stakeholders in order to promote positive public relations with young people and the wider community.

5 Guidelines for the Casuarina Youth Protocol

In addition to the categorised sets of guidelines [protocols] set out in Section 6 a framework of underlying guidelines reflecting the preamble has informed the Casuarina Youth Protocol:

- Everyone has the right to legitimately access and use Casuarina Business Area. Anyone accessing or using the facilities at Casuarina Business Area has the right to be treated fairly and with respect;
- Any rules or regulations regarding access and use of Casuarina Business Area will be displayed clearly at a range of accessible locations and explained if necessary;
- Security officers and other Casuarina Business Area staff dealing with young people will primarily see their role in terms of providing and promoting a safe environment for everyone accessing and using Casuarina Business Area.
- Security officers and other Casuarina Business Area staff will see themselves as providing an important non-intrusive customer service that is focused on solving problems through effectively communicating logical options. The provision of information to young people in a timely and appropriate manner can minimise difficulties;
- In terms of appropriate surveillance young people should be treated no differently than other Casuarina Business Area user groups. This means that any young person or group of young people will not be followed by security in Casuarina Business Area or questioned without a clear security related reason;

¹⁵ An image clearly contradicted by respondents in the Casuarina Business Area: Investigation Report [Hall, 2002].

- Verbal intimidation and harassment by any person or party is not acceptable under any circumstances. This form of behaviour only increases the chance that someone will behave inappropriately;
- Depending on the nature of the incident, excluding young people from Casuarina Business Area should only be seen as a last resort and used only after other, problem solving and inclusive, options have been employed.

The specific protocols in Section 6 focus on the minority of incidents where intervention is appropriate and where an intervention selected from a hierarchy of 4 responses can be applied. This can simply mean in the first instance, developing and maintaining a security presence or explaining why a particular behaviour is deemed inappropriate. This approach provides possible solutions and an opportunity for young people to modify their behaviour as opposed to a being simply excluded from the precinct. Using a more inclusive approach helps to provide choice for both young people and security officers and provides for consistency in responding to specific incidents. The process can also promote a standard of conduct that relates with the Casuarina Youth Protocol principles outlined in Section 4 and the guidelines in Section 5.

In all instances whereby a young person is deemed to be under 18 years of age it is appropriate to ask whether they are in Casuarina Business Area with a parent or guardian. If the young person is not with a parent or guardian they may be asked to leave the precinct depending in the first instance, on the seriousness of the behaviour and whether adequate supervision can be provided. If the young person is with a parent or guardian, the young person is asked to locate this person, under escort. When located the security officer explains the nature of the concern to the parent or guardian. At this point, depending on the nature of the incident and the outcome of the discussion, the security officer may allow the young person to remain in the Casuarina Business Area with their parent or guardian.

In all situations where a young person is asked to leave Casuarina Business Area they should, in the first instance¹⁶, be escorted to the security office¹⁷ where the incident will be appropriately addressed and relevant information provided. It is important that the young person is not physically grabbed or restrained by any Casuarina Business Area staff member. If the young person refuses to leave Casuarina Business Area, the security officers will inform the young person that in such instances they have been instructed to call the NT Police. In addition the security officer is required to remind the young person of the grievance procedure, contained within the Casuarina Youth Protocol.

6 Protocols for Responding to Specific Types of Needs and Behaviours

It is important to note that most young people access and use Casuarina Business Area in a responsible and respectful way. It is at the discretion of the attending/witnessing security officer to assess any given situation and in the first instance locate the behaviours [in the context of providing the most appropriate and inclusive response] within one of the following 4 genres of needs/behaviours:

¹⁶ See Section 7 'Exclusion Protocol'.

¹⁷ It is worth considering that many incidents happen on the move and people will not always comply when being asked to wait to formally address such issues.

- 1 Welfare Needs;
- 2 Nuisance Behaviours¹⁸;
- 3 Contravention of guidelines and 'Conditions of entry';
- 4 Illegal Behaviours.

This framework allows for a response from a hierarchy of 4 responses, in order to logically respond to any incident in a manner that is fair, consistent and in the most inclusive manner possible. The options enable security officers to differentiate between someone who has welfare needs and someone clearly undertaking illegal behaviour and to respond accordingly.

6.1 Welfare Needs Protocol

It is important to emphasise that it is not the role of Casuarina Business Area staff to directly deliver welfare or support services. However, as part of the 'Duty of Care' of all Casuarina Business Area employees there are situations where it may be appropriate to offer young people assistance with contact information for welfare or other support services.

A recommended information resource for security officers is the 'Darwin City Council: Youth Services Directory'. This publication contains the contact details for all welfare and youth service providers in Darwin and the Northern Suburbs.

It is important to stress that most youth specific services operate on a self-referral basis and therefore, appropriate that either the young person contacts the organisation themselves or consents to a security officer or other appropriate person i.e. staff at one of the Youth Protocol Information Sites, making contact on their behalf.

Examples of observed behaviour that may necessitate an approach regarding concern for the welfare needs of young people within Casuarina Business Area include:

- young people being present at inappropriate times, ie. late at night/early morning in areas of Casuarina Business Area;
- young people, clearly of school age, in areas of Casuarina Business Area during school hours;
- young people visibly exhibiting signs of needing assistance; looking for food/asking for money.

With regard to the structure of the week within the Casuarina Business Area, for young people, a common welfare response has been broken down into three approximate time periods.

- 1 During weekdays between the approximate hours of 0900 and 1500 young people of school age are required by law to attend school. It may therefore be considered inappropriate for a young person to be present in Casuarina Business Area during these hours. It is important to emphasise that it is not the role of Casuarina

¹⁸ 'something unauthorised that is obnoxious or injurious to the community at large...' [Collins Concise Dictionary, 1995]

Business Area staff to enforce the school attendance of young people however, this does not diminish the 'duty of care' of all Casuarina Business Area employees to young people accessing Casuarina Business Area.

It is conceivable that a security officer may approach a young person, clearly of school age, in the context of establishing the welfare needs of that young person. With the permission of the young person, this may include contacting family members, the school liaison officer or Counsellor, or welfare/youth service providers.

- 2 At all times outside of school hours and outside of the operating hours of the Darwin Youth Beat¹⁹, Casuarina Business Area security officers maintain a responsibility and duty of care for any young people accessing Casuarina Business Area. It is therefore, conceivable that a security officer may approach a young person in the context of establishing the welfare needs of that young person. Again, with the permission of the young person this may include contacting family members or welfare or youth service providers.
- 3 At all times during the operating hours of the Darwin Youth Beat, Casuarina Business Area security officers maintain a responsibility and duty of care for any young people who access Casuarina Business Area. It is therefore conceivable that a security officer may approach a young person in the context of establishing the welfare needs of that young person.

Regardless of the outcome of the initial contact the security officer has with the young person, the security officer is to make a formal referral, as soon as is practicable, to Darwin Youth Beat. It is envisaged that Darwin Youth Beat and Casuarina Business Area security provider[s] will be required to develop a sound communication network.

6.2 Nuisance Behaviours Protocol

This category is less defined and clear than other genres of behaviours due to the problems associated with isolating and articulating a nuisance type behaviour particularly when the problem relates to behaviours seen as non-problematic by many young people. Nuisance type behaviours may concern behaviours that may be problematic in some areas of Casuarina Business Area but not in others. In both cases being able to provide a rational, problem solving approach with the young person is vital.

Examples of nuisance behaviours in particular areas of Casuarina Business Area include:

- running inside shopping centres;
- assembling in large numbers;
- congregating in entrances.

A first response to nuisance behaviour may be for a security officer, upon receiving notice of the incident, to attend the scene. Security officers have stated that a security presence generally dissipates nuisance type incidents.

¹⁹ A Mission Australia initiative] focusing on engaging and connecting with young people for the purpose of relationship building, the provision of information, referral and crisis response [see foreword].

A secondary response should be in the form of an explanation of why the behaviour is inappropriate/dangerous in that part of Casuarina Business Area and how the behaviour may impact on other precinct users. This response can be reinforced by the security officer requesting that the young person either stop the behaviour or move to somewhere within the precinct where the behaviour will not cause a problem.

If the behaviour escalates there may be valid cause to employ an alternative type of intervention, for example asking the young person to leave the centre for a period of 24 hours.

6.3 Contravention of Guidelines and Conditions of Entry Protocol

It is essential that young people have the opportunity to be made aware of existing guidelines and any conditions of entry before entering relevant areas within Casuarina Business Area. This report recommend that 'Conditions of Entry' be prominently displayed and expressed in language and concepts that are sufficiently clear and well defined²⁰. Examples of behaviours that contravene 'conditions of entry' in particular areas of Casuarina Business Area include:

- riding bicycles or skateboards;
- not wearing shoes or a shirt;
- smoking.

Most incidents that contravene conditions of entry commonly involve lack of footwear, or inappropriate clothing, both of which can potentially present health and safety problems., for example in relation to escalators and the Food Court. It is likely that a security officer would respond 'first hand' to this type of behaviour.

A first response shall be in the form of explaining why these types of behaviours present a health and safety problem and advice that the behaviours are not permitted within a particular area of Casuarina Business Area is required.

The secondary response requires the security officer to request that the young person leaves the area and does not return until the guideline or condition is complied with. This approach is much more likely to get a reasonable response than simply telling young people they are not allowed in with little or no explanation.

If the behaviour escalates then there may be valid cause to employ an alternative type of intervention. In this case a warning may be offered to the young person. If the situation does not improve, in exceptional circumstances, a 24-hour ban may be issued.

²⁰ Up to date copies of Conditions of entry for relevant areas of Casuarina Business Area will be made available at Youth Protocol Information Sites.

6.4 Illegal Behaviours Protocol

As previously stated it is important to emphasise that most young people access and use Casuarina Business Area in a responsible and respectful way. It is also noted that the majority of incidents involving young people in Casuarina Business Area that require intervention do not constitute illegal behaviour however where alleged illegal behaviour occurs it is at the discretion of the security officer who witnesses the behaviours or attends the scene, to assess the situation and determine if the behaviour is considered illegal. Examples of behaviours that clearly constitute illegal behaviour in Casuarina Business Area [and in the wider community] include:

- Vandalism/Graffiti;
- Violence²¹;
- Stealing.

Where any person's behaviour is perceived to be illegal then it is appropriate to involve the Northern Territory Police [a process agreed upon in discussion between all stakeholders including Security Officers, NT Police and young people). Upon contacting the NT Police the security officer is to establish a Police estimated time of arrival (ETA) and escort the young person to the security office whilst awaiting police arrival²². NT Police have advised that no person should be intercepted by security under the pretence of undertaking illegal behaviour without clear evidence of that behaviour.

Where a person under the age of 18 years is intercepted questions about the alleged offence should not be directed at them without the presence of an independent adult. Security should also be mindful of the court rules and police requirements regarding the identification of alleged offenders. In any case, it is important to communicate the right of the young person to have an independent person present during any form of police questioning.

In all situations security officers will inform the young person of their right of appeal through the formal Grievance Protocol and that the relevant information is available from one of the six Youth Protocol Information Sites [see Section 8].

²¹ Should intervention be required during an incident of violence, in the interests of health and safety, NT Police have instructed that Security Officers should avoid placing themselves and others in unnecessary danger. Using force unnecessarily can also have the effect of escalating a violent situation further.

²² It is worth considering that many incidents happen on the move and people will not always comply when being asked to wait to formally address such issues.

7 Exclusion Protocol

The exclusion/banning of a particular person from Casuarina Business Area is considered a serious response and is not undertaken lightly by any stakeholder. The process is initiated when:

- other strategies have been employed, to encourage behaviour that conforms to the standards required within Casuarina Business Area, but have failed. In other words a problem solving approach to a nuisance behaviour or contravention of guideline incident has escalated;
- harassment towards Casuarina Business Area staff, retailers or other area users is not acceptable behaviour and may result in the young person/s being asked to leave Casuarina Business Area for a period of 24 hours;
- the behaviour is of such a serious nature that immediate exclusion from Casuarina Business Area is deemed to be required.

If a young person is excluded from Casuarina Business Area for more than 24 hours that young person must be provided with written details of:

- the reason for the ban;
- the length of ban;
- what behaviour needs to be modified for the ban to be lifted.

The young person must also be informed at this time of their right to make a complaint using the Grievance Protocol outlined in Section 8 of this document. In all instances of exclusion for longer than 24 hours security officers will inform the young person of their right of appeal through the formal grievance procedure and that the relevant information is available from one of the five Youth Protocol Information Sites [see Section 8].

8 Grievance Protocol

A grievance procedure/protocol, or complaints process is an essential component of an accountable and transparent organisation. In general, a grievance may be raised in relation to any injustice or feeling of resentment that is the result of a Casuarina Business Area staff practice or decision. The grievance procedure allows young people, as facility users, the opportunity to provide feedback to Casuarina Business Area management regarding issues they experienced whilst using or attempting to access the Casuarina Business Area.

Reference to the grievance procedure will be included in the formal conditions of entry displayed throughout Casuarina Business Area and available from Casuarina Youth Protocol Information Sites.

8.1 Obtaining Grievance Information

On any occasion where a young person indicates they are not satisfied with a decision or practice within Casuarina Business Area relevant parties to the Casuarina Youth Protocol have a responsibility to inform the person/s of their right to question that decision or practice.

If a young person seeks to make a complaint regarding a decision or practice within Casuarina Business Area they can obtain all relevant information needed to make the complaint from one of the 6 Casuarina Youth Protocol Information Sites:

- SHAK: Bradshaw Terrace, Casuarina;
- Darwin Youth Beat, Casi House, Vanderlin Drive, Casuarina;
- Casuarina Square, Customer Service Centre, Level 1;
- Centre Managers office, Casuarina Village;
- Casuarina Library, Bradshaw Terrace, Casuarina;
- Darwin City Council, Civic Centre, Darwin.

The 6 Youth Protocol Information Sites will have reference information available for young people as well as copies of the Feedback Package which contains:

- updated contact details for all parties to the Casuarina Youth Protocol;
- Casuarina Business Area: Grievance Procedure including a feedback form;
- Casuarina Youth Public Space Protocol [Summary];
- Casuarina Youth Public Space Protocol;
- Casuarina Business Area: Investigation Report²³;
- Conditions of entry [as appropriate];
- Guidelines [as appropriate];
- updated copies of Darwin City Council: Youth Information Card.

Staff at any of the 6 Casuarina Youth Protocol Information Sites will offer young people the Feedback Package and any assistance required in filling out the feedback form or in deciding which option they wish to pursue.

In the event that a young person is given a ban in excess of 24 hours they will be given a completed ban form from the Casuarina Business Area as well as a feedback package from the security officer issuing the ban.

8.2 How to Lodge a Complaint

In the case of a young person being issued with a ban of longer than 24 hours, the relevant security officer will provide the young person with a completed ban form and Feedback Package before escorting the young person from the relevant area of Casuarina Business Area. The security officer has a responsibility to inform the young person of their right to question the ban and that the process is outlined in the Feedback Package.

If a young person communicates the complaint to a parent/guardian or external agency, this party has the capacity to lodge a complaint on the young person's behalf, by phoning or writing to the relevant Casuarina Business Area Manager.

²³ Hall [2002]

It is anticipated that minor complaints and issues including 24 hour bans, will be dealt with by telephone or email by either the young person or the young person's advocate/support person.

In all other cases complaints will be lodged through submitting a completed feedback form to one of the 6 Casuarina Youth Protocol Information Sites. The form will then be directed to the relevant Casuarina Business Area management to commence the response process.

Hypothetically; a young person can disagree with a decision of a security officer at Casuarina Village, they can obtain and lodge the Feedback Form from Casuarina Library where the library will then forward the Feedback Form to Casuarina Village who will consider the grievance complaint.

8.3 Management Response to the Grievance

From the time a grievance is lodged with relevant Casuarina Business Area management, either in writing via the feedback form or verbally to relevant staff, parties to the protocol undertake to review the grievance and endeavour to respond within 5 working days. An appropriate response will outline:

- clarification of events, the reasons for the original decision and the length of ban if relevant;
- clarification that all of the relevant facts, not just security officer accounts have been taken into consideration;
- outline any changes to the original decisions;
- clearly state that the young person can seek to have the decision reviewed if they are not satisfied with the response.

All parties to the Casuarina Youth Protocol acknowledge that feedback forms must identify the person making the complaint otherwise they cannot be responded to. Where complaints are essentially threatening or abusive, correspondence will be referred to NT Police.

8.4 Lodging an Appeal

If the young person is not satisfied with the Casuarina Business Area response to their grievance through the above process they can appeal the decision by writing or phoning a youth advocate - details updated in Feedback Package.

A review meeting will be facilitated by the advocate and will also involve:

- the young person;
- the security officer who dealt with the original incident;
- the Casuarina Business Area staff member who responded to the initial grievance.

It is important that an appeal be lodged as close as possible to the young person being advised of the outcome of their initial grievance [as a general guide, within five working days]. A second decision will be made and communicated to the young person, in writing, within 5 working days of the review meeting. The second decision will clearly outline any changes to the original decisions.

8.5 External Grievance Procedures

If, after the review of the decision, the young person is still dissatisfied with the decision they, or their advocate[s], are to be advised that they may be able to raise their grievance with an external body, for example, relevant advocacy, rights or legal focused organisations or, should the grievance be of a discriminatory nature, the Anti-Discrimination Commission.

9 Monitoring and Adapting the Protocol

A meeting of all parties to the Casuarina Youth Protocol will take place at least three times per year with the first meeting to be scheduled for April 2003. The object of these meetings will be to monitor the operation of the protocol, maintain relationships necessary for the effective working of the protocol and make adjustments to the protocol by consensus. If there is a significant issue a meeting may be called immediately. Responsibility for convening these meetings rests with Darwin City Council.

During the pilot period the Casuarina Youth Community Space Protocol will be monitored and evaluated by Darwin City Council. During the pilot period a monitoring process will be utilised that allows concerns to be raised by individual parties covered by the protocol. Use of the protocol will also be documented during this period, both in terms of the type of incidents where the protocol was used and the workability of the protocol as a tool for responding to such incidents.

At any time the protocol may be altered through agreement of all signatories (see Appendix 1). Where agreed by all parties a third party may be invited to evaluate the protocol or matters related to it, facilitate a problem solving or mediation process, and/or provide expert advice.

10 Recommendations

Following data collection the information was analysed and issues raised by several members of one stakeholder group or across a number of stakeholder groups or in a number of contexts, were developed into themes as outlined in Section 5.

The themes previously outlined were subsequently grouped into two types of recommendation, those that were either within or outside the scope of the project as outlined in Section 6.1 and Section 6.2 respectively.

The 4 principal recommendations relate to issues that were within the scope of the project and each was raised in further focus group discussion. Through the process of facilitated consultation these 4 recommendations were refined and developed into the set of

working guidelines that eventually became the Casuarina Community Space Youth Protocol²⁴.

10.1 Principal Recommendations

In undertaking the Casuarina Business Area investigation it became apparent that whilst there were no issues that explicitly stood out as areas of tension between young people and other precinct user groups there were clearly issues for young people in areas such as:

- numbers of banned/excluded young people;
- young people often being banned in accordance with the law which is ineffectual and for too long;
- a lack of understanding amongst young people and others not associated with the operations of Casuarina Business Area regarding the systems and processes regarding codes of behaviour and the banning process.

It is clearly evident that grounds exist for developing a protocol to incorporate young peoples rights and responsibilities into more inclusive, as opposed to the current exclusionary, systems and processes when using community spaces such as Casuarina Business Area. The evidence of a young person who is unclear of the reason they have been banned or unaware of any grievance procedures is evidence of both an unfair and inequitable system.

Principal Recommendation 1

That protocols for appropriately and fairly dealing with young people's particular behaviours/needs are developed.

Young people behaving inappropriately will continue to be banned from Casuarina Business Area if the existing NT Trespass Act 2000 is used as a model for responding to young people's needs and behaviours by Security Officers within Casuarina Business Area.

As acknowledged at the outset by the Shopping Centre Council of Australia (SCCA) there is a need for a more constructive security responses and to separate stereotypes from reality and draw distinctions between youthful, boisterous behaviour and genuine criminal acts (Rotherham 2002, p.13). In the context of providing the most appropriate and inclusive response, it is recommended that in any given situation the behaviour being exhibited by a young person be located within one of 4 genres of needs/behaviours:

- 1 Welfare Needs;
- 2 Nuisance Behaviours²⁵;
- 3 Contravention of Guidelines and 'Conditions of Entry';
- 4 Illegal Behaviours.

²⁴ Hall [2022]

²⁵ 'something unauthorised that is obnoxious or injurious to the community at large...' [Collins Concise Dictionary, 1995]

This framework allows for the development of a response from the hierarchy of 4 types of response that best fits the situation. This approach will encourage relationship and trust building through collaborative problem solving in a consistent, fair and inclusive manner. The framework does allow for the exclusion of young people - for clearly illegal behaviours - whilst also ensuring that young people with welfare needs are not responded to in an arbitrary, unjust and simplistic manner.

Responsibility

All Casuarina Business Area stakeholders including young people.
Darwin City Council to monitor within the implementation of the Casuarina Youth Community Protocol document.

Timeframe: Immediate

Principal Recommendation 2

That a grievance procedure for young people who disagree with decisions made by Casuarina Business Area staff be developed

To ensure the system outlined in 6.1.1 remains open and transparent it is vital that a formal but basic grievance procedure be developed and promoted for all young people who may disagree with a decision of Casuarina Business Area management or security.

Responsibility

All Casuarina Business Area stakeholders including young people to be involved in discussion and review.
Darwin City Council to develop promotional material initially as part of this project and later to review within its monitoring role.

Timeframe: Immediate

Principal Recommendation 3

That training of Security Officers operating in community spaces include competencies for working with young people

Appropriately managing relationships is considered a central component of security officer training. To this end, a set of competencies²⁶ for working with young people in community spaces that may complement formal security officer training is proposed for Casuarina Business Area security providers. The competencies, either a security industry competency (SIC) or a youth sector competency (YSC) include:

²⁶ Taken from Heywood, P.; & Crane, P.; Eggington, A.; Gleeson, J. (1998). 'Out and About: In or Out? Better Outcomes from Young People's Use of Public and Community Space in the City of Brisbane'. Brisbane: Brisbane City Council.

- ability to identify the needs and rights of young people, including knowledge of relevant legislation (YSC);
- ability to respond to young people 'at risk' of violence (YSC), also 'at risk' of other related issues including welfare concerns [YSC];
- communication, negotiation and conflict resolution (SIC);
- responding to young people in crisis situations (YSC);
- the management of conflict (SIC);
- crowd control (SIC);
- cross-cultural communication.

Responsibility

Casuarina Square and Casuarina Village as employers of security providers. Also may include Northern Territory Government as custodians of Casuarina Bus Interchange should a security service be employed at Casuarina Bus Interchange.

Timeframe

Prior to implementation of Casuarina Youth Protocol for current security officers. As part of induction program for new Security Officers.

Principal Recommendation 4

That young people be made aware of the Casuarina Youth Protocol

The education process regarding the implementation of the Casuarina Youth Protocol is recommended to be extended to local schools through a formal schools presentation package.

The initiative requires a Casuarina Business Area delegation to outline the roles and responsibilities as well as expectations of young people within the contexts of the Casuarina Youth Protocol principles and guidelines. Casuarina Square Management are already proactive in this area and have commenced a similar although not formalised, initiative.

Responsibility

Delegation from Casuarina Business Area

Timeframe

Prior to implementation of Casuarina Youth Community Space Protocol

10.2 Secondary Recommendations

Secondary Recommendation 1

That a review be undertaken of the NT Trespass Act (2000) as it relates to the banning of people from community spaces

Issues raised pertaining to excessive numbers of banned/excluded young people in the context of the NT Trespass Act (2000) are developed into a summary report for presentation to the Darwin Community Legal Service and Darwin Community Legal Aid for consideration.

Responsibility

Darwin City Council to collate information and refer it to the Darwin Community Legal Service and Darwin Community Legal Aid.

Timeframe: Immediate

Secondary Recommendation 2

That issues regarding problematic behaviour by itinerant people within Casuarina Business Area be referred to the Northern Territory Itinerant Working Party

The problematic behaviour of itinerant people in the Casuarina Business Area was considered outside the scope of the Casuarina Youth Protocol project and no context was developed from which to make pertinent recommendations. The issues raised are developed into a summary report for presentation to the Northern Territory Itinerant Working Party.

Responsibility

Darwin City Council to collate information for referral to the Northern Territory Itinerant Working Party.

Timeframe: Immediate

Secondary Recommendation 3

That local schools be requested to inform security within the Casuarina Business Area of any known impending conflict

It is recommended that systems are put in place for schools to advise Casuarina Business Area security of any perceived/impending issues that may be transferred from school to Casuarina Business Area. The issue of transference will be made aware to young people through the schools presentation package [6.1.4].

Responsibility

Darwin City Council to refer this matter to local schools

Timeframe

Prior to implementation of Casuarina Youth Community Space Protocol

Secondary Recommendation 4

That a centralised security provider be considered for the whole Casuarina Business Area

More than one security service operating within the Casuarina Business Area is leading to 'grey areas' with regard to responsibility and jurisdiction.

It is considered that a common security service provider would be better able to enforce a common code of conduct and practice throughout the precinct, better communicate with and understand the welfare needs of local young people as well as initiate the development of trust and relationship building.

It is acknowledged that centralising the current security arrangements does have the potential to strengthen the existing exclusionary system however in the context of the Youth Protocol it may also have demonstrated advantages.

It is therefore recommended that individual stakeholders within the Casuarina Business Area including the fast food outlets, Casuarina Bus Interchange, Casuarina Village and Casuarina Square jointly consider combining their security resources to engage a single security service for the precinct. Such an initiative may well result in reduced security costs and increased property protection as well as have positive outcomes for a young people.

Responsibility

Northern Territory Government, Department of Health & Community Services to facilitate discussion between operators within the Casuarina Business Area.

Timeframe: Immediate

Secondary Recommendation 5

That 'Conditions of Entry' be prominently displayed and expressed in language and concepts that are sufficiently clear at entry points to the Casuarina Business Area

This report has recommend that Conditions of Entry signage be prominently displayed at entry points to the Casuarina Business Area and be available at Youth Protocol Information Sites.

Responsibility

Businesses and operators within the Casuarina Business Area

Timeframe: Immediate

Section 2 Evidence Informing the development of the Casuarina Youth Community Space Protocol - Casuarina Business Area Investigation Report

11 Project Background

This report is made to Northern Territory Government and Darwin City Council following initial recommendations from Phil Crane in the report 'Reducing Public Space Tensions in the Northern Territory' that "...a public and community accessed spaces strategy be developed for the Territory" (Crane, 2001, p.5).

Contemporary interest in public space management in Australia came about in the aftermath of an incident in Brisbane [1997] when a young man was banned from the Myer Centre for sporting a Mohawk hairstyle. The 'Mohawk incident' highlighted the existence of tensions and unrest in a community space whereby a young person, who did not meet a prescribed 'shopper' profile was subjected to a reactive and exclusionary security system. Subsequent public and media attention led in 1999, to the development of the Myer Centre Youth Protocol [Crane, Marston & Adkins, 1999]; a collaborative, formal agreement between the Myer Centre and Brisbane City Council. The Myer Centre protocol endeavoured to address areas of difference between diverse Myer Centre user groups by outlining agreed ways for all parties responding to a variety of different incidents. The Myer Centre protocol provides a clear outcome for communications [ie. preferred ways of responding to] and a framework [ie. who should do what when and how] for addressing certain types of behavioural issues. In short, the development of youth protocols attempts to introduce more inclusive, problem solving security approaches in lieu of the coercive, exclusionary responses currently in place in many community spaces.

Interest in the young people/community space dichotomy was eventually shown by the Shopping Centre Council of Australia (SCCA) who acknowledged the often questionable security techniques sometimes employed when dealing with young people in shopping centres. SCCA agreed to facilitate the development of more constructive alternatives and to separate stereotypes from reality in leading its stakeholders to draw distinctions between youthful, boisterous behaviour and genuine criminal acts (Rotherham 2002, p.13). Subsequently a variety of projects were developed throughout Australia to address the multifaceted usage of public space and the need to address the tensions that exist when a variety of groups use the same space for a variety of reasons simultaneously [Crane, 2001, p.12].

In early 2002 the Northern Territory Government allocated funding to develop a Youth Night Patrol/Outreach Service for young people in the Northern Suburbs of Darwin. 'Darwin Youth Beat', a Mission Australia project, focuses on engaging and connecting with young people for the purpose of reducing at risk behaviour by young people through relationship building, the provision of information, referral and crisis response.

It has also been established that a related area of public concern are the perceptions of the wider community regarding the utilisation of public and community spaces by young people. In particular, the Casuarina Business Area²⁷ was noted as being an area of interest in the context of tensions existing between young people and other precinct user groups. To this end, the Northern Territory Government allocated funding to Darwin City Council [between August and December 2002], as part of the Youth Night Patrol/

²⁷ Refers to Casuarina Square and Casuarina Village (bordered by Trower and Dripstone Roads and Bradshaw Terrace), Casuarina Bus Interchange and the Casuarina Library complex.

Outreach initiative, to develop the Casuarina Youth Community Space Protocol [hereafter referred to as Casuarina Youth Protocol] for implementation in 2003.

The initial stage of the development of the Casuarina Youth Protocol was the Casuarina Business Area investigation into the difference and tensions that exist for young people within the Casuarina Business area. This report presents an account of that investigation and is the primary source of information for the development, negotiation and brokering of the Casuarina Youth Community Space Protocol (Hall, 2002).

12 Project Brief

Northern Territory Government requirements for the Casuarina Youth Protocol included the development of:

- Inclusive public and community space protocols that reduce tensions in public and community space;
- Protocols that recognise young peoples rights and responsibilities, as an integral part of the community in the use of public and community space;
- Protocols that recognise that building trust requires fairness and equity to all involved and therefore that prejudice or exploitation must be opposed.

12.1 Scope of Project

The Casuarina Youth Protocol investigation applies only to the areas defined within the Casuarina Business Area and to no other shopping centre or public or community space in Casuarina or the wider northern suburbs or Darwin area.

The investigation initially set out to investigate areas of tension between young people and other Casuarina Business Area user groups. Issues that were uncovered but deemed outside the scope of the project have been developed into summary form for presentation to relevant agencies.

12.2 Project Definitions

Ban

A shopping centre grants to each member of the public an implied license to be on their premises. A ban may be seen as a process where that implied license to be on the premises is revoked (Grant, 2001, p.2).

Casuarina Business Area

Casuarina Business Area refers to Casuarina Square and Casuarina Village (bordered by Trower and Dripstone Roads and Bradshaw Terrace), Casuarina Bus Interchange and the Casuarina Library complex.

Community Space

In the context of this report community space refers to "...spaces that are commercially owned and which offer free access to and general invitation to the public and specialist public facilities"²⁸ (Crane, 2000, p.110).

Facility Stress

Facility stress refers to the inability of a particular space to cope well with the usage demands placed on it. Facility stress can be limited to times and is often more evident in respect of some users and not others (Crane, 2001, p.18).

Itinerant person

By the 1970s large numbers of displaced Aboriginal people, both Larrakia [traditional owners of the Darwin area] and others who had been relocated from their homelands elsewhere in Northern Australia, forcibly and otherwise, moved into Darwin. The new arrivals were resident on the edges of the town in the so-called 'long grass' and in camps along the beaches. They and various others living on the fringe have become known as 'long grassers' but will be referred throughout this document as 'itinerant people'.

Public space

Public space refers to publicly owned communal areas, outdoor spaces, open-air malls, parks and ovals etc.

Protocol

A protocol refers to an agreed way for different parties to respond to identified scenarios. Protocols provide a clear outcome for communications [preferred ways of responding to] and a framework [who should do what when and how] for responding to certain types of issues (Crane, 2001, p.7). The overall key objective of implementing a protocol is to develop effective communication and information sharing and an understanding of the rights and responsibilities of all, in this case, Casuarina Business Area user groups.

Young Person

Young person refers to anyone between the ages of twelve and twenty-five years as outlined by Commonwealth and Northern Territory Government definitions.

²⁸ For example, privately owned shopping centres.

13 Contextual Analysis

13.1 Literature Review

Contemporary interests in public and community space issues can be partly explained through the frameworks of late modernity where " ..risk has been continually individualised" (Furlong & Cartmel in Crane, 2000, p.120). The very lack of social and economic power exercised by particular groups such as young people (and Indigenous people) often through factors of limited employment and educational opportunities mean they can be easy targets for negative media portrayal. The negative images communicated to the wider community through the largely mainstream media depict young people as a dangerous group with the potential to do harm.

Much of the rhetoric surrounding young people in this way is developed around conservative notions of pathologising behaviours thus making young people appear as agents of their own lack of opportunity/misfortune. A common example of this is of young people hanging out in public and community space. This act is often perceived as hanging out because they are bored, bored because they have time on their hands, time on their hands because they do not want to gain employment.

Endemic to modernity has been the desire to rationalise space, to make it orderly, predictable, and unsurprising, basically the ordering and homogenization of social life (Shields in Roderick, 1995). The issue of this visible and dangerous group of young people therefore needs to be managed in a way that keeps public and community spaces as orderly, predictable and unsurprising to the wide population of consumers as possible.

It is widely acknowledged that different sections of the community use the space more often and are more visible than some other groups (Crane, 2001, p.12), this would include young people.

The need to manage community spaces in this way and address the element of risk to other user groups is discussed in the research of White, Kosky & Kosky (2001, p.17):

"Their [customer] perceptions of a shopping centre – the level of comfort and degree of safety they expect to find there – has as much influence on their decisions as other more traditional determinants such as convenience of access, range of products or price. In some cases perceptions of a centre can make or break it financially. "

Unfortunately the situation is generally managed through discouraging young people from utilising community spaces such as shopping centres for anything other than commercial transactions. In addition those who do not fit the profile of shopper' may be prone to exclusion from the centre for non-serious, nuisance type behaviours. In short, exclusion from community

spaces is often premised upon the assumption that security officers can distinguish consumers from non-consumers.

The combination of being 'bored' (through minimal recreational pursuits) and feeling unwelcome (through reactive and exclusionary processes and systems) in such public domains can have a negative impact on the young people, and make them resentful of the way in which they are always subject to scrutiny and social exclusion. This in turn can lead to various kinds of 'deviant' behaviour, such as young people playing cat and mouse with security guards for the fun of it, and it may also lead to the creation of gang like behaviour on the part of the young people so affected (Matthews, 2000).

The key objectives of policies such as the Casuarina Community Space Protocol are to develop more responsive and inclusive practices and to develop positive relationships between community space managers and security providers and the young people. Young people need to be recognised as legitimate users of public and community spaces as outlined by Sercombe (2000). Sercombe acknowledges young people as greater users of Local Government resources, the built environment and public open space than other populations; a group possessing critical intelligence on how functional these resources are but who are neglected in determining how these resources are designed and evaluated.

13.2 Demographics

Darwin is a city with a 'young' population of just over 70,000 (Northern Territory Government, 2002, p.5) and a median age of 29.6. This is six years less than the national average.

The popularity of the Casuarina Business Area is undeniable with 'traffic' through Casuarina Square alone in excess of 185,000 people per week (LLR, 2002, p.12).

Of the total number of people accessing Casuarina Square 22% are under the age of nineteen years and 25% are over the age of sixty years with an average age of thirty three years (LLR, 2002, p.4).

13.3 Physical Environment

Casuarina Business Area in the context of this report comprises four areas adjoining each other:

Casuarina Square Shopping Centre

Casuarina Square is a large suburban shopping centre managed by Lend Lease Retail Group (LLR). LLR manage twenty centres throughout Australia; Casuarina Square, opened in 1973 and is the only Lend Lease Managed facility in the Northern Territory.

Casuarina Square is acknowledged as a key stakeholder within the Casuarina Business Area. In addition to shopping, young people use Casuarina Square in a multitude of ways including as a meeting and eating place, the hub of local public transportation and a cool, clean, air-conditioned space in which to hang out .

Casuarina Square incorporates:

- 5 major retailers;
- 109 specialty shops (ie bags; books; communications; electrical; fashion; gifts; homewares; jewellery; musical; news; pets; shoes; toys & sport);
- 39 food outlets;
- 2 liquor outlets;
- 61 services (ie financial; hair & beauty; health; personal & professional);
- 2 entertainment venues.

Casuarina Bus Interchange

Casuarina Bus Interchange is a significant stakeholder within the Casuarina Business Area in being the sole provider of public transport for all precinct users. The Bus Interchange is partly located beneath Casuarina Square (although not recognised as part of the Square) and adjacent to Casuarina Village and opposite Casuarina Library.

Casuarina Library

Casuarina Library is located on the perimeter of the Casuarina Business Area and it plays a central role in the provision of information to young people in Darwin and the northern suburbs.

Casuarina Village

Casuarina Village is a small shopping centre with one major retailer. It is located along side a greater part of the precinct which accommodates a wide range of large stand alone retail and service outlets including the SHAK youth centre and a number of fast food outlets and family restaurants. Casuarina Village is significant as a multifaceted venue through which young people pass to attend local schools.

13.4 Pertinent legislation and current banning policy

Pertinent sections of the Trespass Act (2000) outline the roles of retailers, security, centre management and Northern Territory Police in the administration of Trespass Orders to people who are deemed to have undertaken behaviour contrary to the Trespass Act (2000). This piece of legislation is significant in that the number of people banned from Casuarina Square are either banned formally through the application of relevant sections of the NT Trespass Act or banned informally by security officers who use a model of banning grounded in the NT Trespass Act (2000).

To this end a ban of any kind, either a formal Police ban or an informal security officer ban, results in a young person being excluded from the Casuarina Business Area for a period of 12 months.

Due to the nature of the space and type of areas at Casuarina Business Area a number of retailers have their own private security patrols and individual store managers have the power to implement their own 'store ban'.

Without the benefit of a centralised information data base the author was unable to establish quantitative data regarding real numbers of persons banned and for what reasons.

It is acknowledged that centralising the current security arrangements/ information base has the potential to strengthen the existing exclusionary system, however it may also have advantages. The Casuarina Youth Protocol is a strategy designed to facilitate the inclusion of young people and it is hoped that all recommendations where acted upon will be developed through inclusive frameworks.

The banning of young people from Casuarina Business Area has a severe impact on the banned person through limiting access to essential and personal services (Turner, 2002 p.2). A ban from a community or public space in Darwin has more severe implications for young people due to the fact that Darwin offers limited alternate activities for young people. A 12 month ban from Casuarina Square for example denied the young person the opportunity to take part in what for many is the focal point of Darwin social life.

14 Project Methodology

A multi-dimensional, qualitative, research design²⁹ was employed for the project involving four sources of data collection as outlined below. Following data collection the information was analysed and issues that were raised by several members of one stakeholder group or across a number of stakeholder groups or in a number of contexts were developed into themes and are outlined in Section 5.

14.1 Observational Studies

Over an initial four week intensive period of observation the researchers developed a sound understanding of demographics as well as an overall 'feel' for the dynamics, operations and movements, of young people in particular, in and around the Casuarina Business Area.

Extensive observation was undertaken throughout the Casuarina Business Area during business hours as well as out of hours times, in particular night times and weekends. A systematic route throughout the area was

²⁹ Care was taken to obtain good cross section of groups from a variety of cultural and socio-economic backgrounds. For example, general retailers/youth specific retailers/adult specific retailers; local high school Student Representative Council/ indigenous young people/young people considered 'at risk'

developed to include all 'hot spots' and areas of perceived tension particularly around and within Casuarina Square. Observation continued on a casual basis throughout the twelve weeks of the project development.

14.2 Semi-structured interviews

Individual interviews were undertaken primarily with adult members of the various stakeholder groups. Templates of questions³⁰ were developed that were appropriate for each respondent interviewed in order to guide dialogue towards particular themes and points for discussion.

14.3 Semi-structured focus groups

Small group interviews were preferred both for young people; in order to maximise participation and development of dialogue and for major retailers in order to establish a cross section of staff perspective's due to the diversity of roles employed within the larger stores. Templates of questions³¹ were developed that were appropriate for each respondent interviewed in order to guide dialogue towards particular themes and points for discussion.

14.4 Anecdotal evidence

Whilst the vast majority of evidence came from 'first hand' respondent experience a number of accounts were based on information from friends and co-workers of respondents.

15 Summary of Findings

15.1 Problematic behaviour by itinerant people

Considerable concern regarding the problematic behaviour of itinerant people in and around the Casuarina Business Area became evident throughout the course of the investigation. Observational studies of the area fortified the accounts of stakeholder experiences with researchers witnessing a number of unsavoury incidents. Accounts from all stakeholder groups were given of behaviours centered around begging and drunkenness and extending to incidents of extreme violence.

Concerns raised about itinerant people were frequent. For young people in particular the threat posed by itinerant people was considered high particularly in regards to being challenged for money. Geographically, problems that arose were focused in the areas of proximity to liquor outlets in particular outside the Woolworth's end of Casuarina Square, the Casuarina Club area and the car park area in between both sites.

³⁰ see Appendix 1 for sample questions.

³¹ see Appendix 1 for sample questions.

15.2 Young people as a problem demographic

There was a distinct lack of focus on drug and alcohol use by young people in and around Casuarina Business Area [also in regards to the broader community]. There were minimal negative accounts of young people's behaviour and where issues did exist they were largely focused on nuisance behaviours and minor incidents with one or two accounts of fights and other more serious disturbances.

Throughout interviews the overwhelming feeling of respondents was that a primary cause of 'hanging out' [without reason] in Casuarina Business Area was the lack of recreational opportunities for young people in the Darwin, Northern Suburbs³².

Overall, young people presented as not being more of a problem demographic than other user groups. This outcome reinforces Crane's (2001, p.5) proposal following consultation with NT Police, that in the Casuarina Business Area a small number of offenders are responsible for most offences and that statistics are "...blown out of proportion".

15.3 Variance in usage of Casuarina Business Area by young people

It became clear that young people utilise Casuarina Business Area for a variety of activities. In addition to occasional shopping young people took part in: 'hanging out', socialising, meeting friends and family, eating, being entertained [ie cinemas/playing games – both at cost ie Einstein's, and for free ie K-Mart], window shopping, "...looking at the girls" and doing "laps" of Casuarina Square. Much the same activities albeit using different terminology, are undertaken by adult precinct users, for example "doing lunch", "grabbing a burger", "window shopping", or "hanging out". Young people see shopping centres as places where things happen.

15.4 Transference of issues to Casuarina Business Area

There was wide acknowledgment that many of the issues attributable to young people are issues generated outside of the precinct, primarily high school, and then transferred to Casuarina Business Area for a number of reasons. A consistent theme was that of fighting. Groups believed fights were largely generated at school but carried on at Casuarina Business Area for reasons such as 'saving face'.

15.5 Casuarina Business Area 'Hot Spots'

A number of areas were identified across all groups that were deemed dangerous in a number of contexts ranging from being threatened by itinerant people or 'perceived' threats such as the presence and movements

³² For current Darwin City Council youth recreation assessment see: Darwin City Council: Youth Recreation Needs Plan 2002-2005; Darwin City Council: 2001-2004 Recreation Strategy.

of groups of young people. Areas that respondents expressed concern about were [in descending order]³³:

- Casuarina Bus Interchange - mentioned by more than 90% of respondents, people afraid to wait at the bus stop.
- Woolworths escalator entrance - mentioned by more than 75% of respondents.
- Einstein's entrance - major entrance, issues of overcrowding.
- Subway/food court entrance - major entrance, issues of overcrowding.
- Mac's Liquor entrance - significant issues with itinerant people, drunken/begging behaviours.
- Liquorland entrance - significant issues with itinerant people, drunken/begging behaviours.
- When the students arrive 'en masse' after school - Casuarina Square and Casuarina Village are major thoroughfares for students en route from school to bus interchange and home.
- Friday evenings - major influx of young people to Casuarina Square, large representation of Indigenous young people, traditional shopping time for Indigenous boarders from 3 local boarding schools.
- Movie marathons - all night movie sessions that have traditionally presented with a multitude of issues. Casuarina Square management state that in recent times the issues have largely been addressed by an increased security presence.

15.6 Security banning policy

Casuarina Square employ the same security provider throughout the entire centre enabling a good cross section of consistent security officer specific accounts.

Casuarina Bus Interchange does not employ a security service and Casuarina Village retailers employ security companies on an 'ad hoc' basis; a system generally resulting in, among other things, grey areas regarding jurisdiction. For this reason it proved impossible to determine a general overview of security responses for the entire area.

The absence of Casuarina Village and Casuarina Bus Interchange from data analysis in the context of 'banning systems' inadvertently puts the role of security provision at Casuarina Square under the spotlight.

During the 12 months to 30 June 2002 there were 325 persons banned from Casuarina Square³⁴. Of the 325 trespass orders issued to centre users 80% were issued to people under 18 years of age; 70% for shoplifting; 20% for fighting and abusive behaviour (Crane, 2001, p.25).

³³ Casuarina Bus Interchange and Woolworth's escalator entrance were mentioned by in excess of 75% of respondents.

³⁴ During an early stakeholder meeting the Casuarina Square Centre Manger informed the researcher that this figure had now been reduced to around 180 banned persons.

Instrumental in what is considered an excessive number of banned young people is the use by Casuarina Square security officers of a model of 'banning practice' grounded in the NT Trespass Act [2000] an issue discussed in Section 3.5. Concern was raised by all groups regarding the inadequacies of the current banning system and how people were often banned for little or no apparent reason and often for too long. This attitude included responses from security officers who largely stated that their hands were tied by policy and guidelines.

Casuarina Square Centre Management and security officers expressed a sound, and consistent understanding of the existing banning procedure and systems and that it operates as an effectual tool without police backup which is dependant on police priorities at the time.

Other Casuarina Square staff and all other centre user groups, including young people, had virtually no idea of the banning systems and processes within Casuarina Square or the wider Casuarina Business Area. In addition there were no indications that people are aware of any grievance procedures in existence throughout the Casuarina Business Area.

15.7 Security/Young people relations

As outlined already, Casuarina Bus Interchange does not employ a security service and Casuarina Village retailers employ security companies on an 'ad hoc' basis; a system generally resulting in grey areas regarding jurisdiction. For this reason it proved impossible to determine a general overview of security responses for these two areas and again, inadvertently, puts the role of security provision at Casuarina Square under the spotlight.

Of all the interviews undertaken there were few accounts of 'force' being employed by security officers in the course of their duties.

Overall, based on the data received and observational studies it was evident that security officers at Casuarina Square are recognised by all stakeholder groups as generally having positive relations with young people.

**Section 3 Casuarina Youth Community Space
Protocol Report - Appendices**

Appendix 1: The Agreement

The Casuarina Youth Community Space Protocol is an endorsed, signed agreement between the stakeholders in a major commercial precinct.

The stakeholders include:

- Casuarina Square Centre Management, Casuarina Village Management and Casuarina Bus Interchange representing the Casuarina Business Area,
- DARWWYN, the SHAK and Darwin Youth Beat representing young people, and,
- Darwin City Council which maintains responsibility for the Casuarina Library and public areas surrounding the Casuarina Business Area. Darwin City Council will also facilitate ongoing monitoring of the implementation of the protocol for at least an initial 12 month period.

The Casuarina Youth Protocol aims to introduce inclusive options for addressing identified issues and tensions for young people and representatives of the Casuarina Business Area. The Casuarina Youth Protocol has been accepted by the core stakeholders for implementation in 2003. The document represents a cooperative approach to facilitating young people's use of Casuarina Business Area and outlines how issues that may arise can be responded to in a problem solving and inclusive manner. The protocol may be altered, through consensus of all parties, at any time.

Participation in the Casuarina Youth Community Space Protocol is voluntary however the core stakeholders agree that whilst remaining party to the Protocol they will commit to work in a manner consistent with the principles and guidelines of its implementation.

Signed on ____/____/2003

 Quentin Dennis
 Centre Manager, Casuarina Square

 Centre Manager, Casuarina Village

 Casuarina Bus Interchange

 Darwin Youth Beat

 Ian O'Reilly
 Convenor
 DARWWYN

 Criag Seilor
 SHAK

 Diana Leeder
 Darwin City Council
 Director, Community Services

Appendix 2: Protocol Definitions

Casuarina Business Area:

refers to Casuarina Square and Casuarina Village (bordered by Trower and Dripstone Roads and Bradshaw Terrace), Casuarina Bus Interchange and the Casuarina Library complex.

Casuarina Square:

[unless specifically stated] refers, to the Casuarina Square shopping centre and includes; Lend Lease Retail [LLR], Casuarina Square Centre Management, Lend Lease staff and contractors employed by LLR.

Community space:

refers to community accessed space; spaces that are commercially owned and which offer invitation and free access to the public to partake in commercial and social activities.

Facility Stress:

refers to the inability of a particular space to cope well with the usage demands placed on it. Facility stress can be limited to times and is often more evident in respect of some users and not others.

Protocol:

refers to agreed ways of different parties responding to different scenarios. Protocols provide a clear outcome for communications [ie. preferred ways of responding to] and a framework [ie. who should do what when and how] for addressing certain types of behaviours and needs.

Effective protocol needs to be an endorsed agreement that is readily available to all, in this case, Casuarina Business Area user groups and outlines that responses [to certain behaviours] are lawful, reasonable, consistent, transparent and, above all, fair.

The key objective when implementing protocol is to develop 'effective communication and information sharing and an understanding of the rights and responsibilities of all, in this case, Casuarina Business Area user groups'.

Public Space:

refers to publicly owned communal areas and outdoor space; open-air malls, ovals and so forth.

Young Person:

refers to anyone betw

een the ages of twelve and twenty-five years as outlined by Commonwealth and Territory Government definitions.

Appendix 3: References

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