NSW Shopping Centre Protocol –

Creating the Space for Dialogue: The Report

University of
Western Sydney

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A project team (Clancey, Doran and Robertson) from the University of Western Sydney developed, *Creating the Space for Dialogue: A Guide to Developing a Local Youth Shopping Centre Protocol* (available at http://www.yapa.org.au/pubs/shoppingprotocol.pdf). The development of this Guide was funded by the New South Wales (NSW) Crime Prevention Division and auspiced by the Youth Action and Policy Association and the Youth Justice Coalition. The Shopping Centre Council of Australia provided significant support and made a financial contribution to the project. This Report serves to support the Guide and to provide more detailed discussion of issues associated with young people and shopping centres. Both the Guide and the Report were developed with considerable assistance from a number of individuals and organisations. The project Steering Committee, which was a constant source of guidance and inspiration, consisted of:

- Dean Hart, Patrick Shepherdson and Rebecca Pinkstone - NSW Attorney General's Crime Prevention Division
- Kristy Delaney - Youth Action & Policy Association
- Christopher Grant - Youth Justice Coalition
- Anna Booth and Jo Gannon - Shopping Centre Council of Australia
- David Burfoot - NSW Commission for Children and Young People

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- Victor Gaspar – Jones Lang LaSalle
- Bill Kosky – Consultant, MCS Properties
- Richard Coller – Stockland
- Ron Glasel – Centro Properties Group (Roselands)
- Michael Lane - Deutsche Asset Management (DB Real Estate)
- Lillian Fadel - Westfield Shopping Centre Management (WSCM)
- Warwick Petschack – AMP Henderson Global Investors
- David Smith - Westpoint Shopping Centre, QIC
- Phil Noller - Lend Lease Retail
- David Ashton - FPD Savills/Byvan

Many other people contributed to the development of the Guide and the Report. While these are too numerous to mention, we are especially grateful for the contributions of the Commission for Children and Young People's Reference Group, the NSW Youth Advisory Council, staff involved in the Shellharbour Square Protocol, Marina Levitsky (Plumpton Marketplace), Chubb Security, Sonya Vaughan (NSW Retail Traders Association), Matt Roberts (Parramatta Council), Geoff Lowe and staff and young people from the various sites (Dubbo, Wyong, Erina, Penrith, Marrickville, Centrepoint, Wetherill Park, Liverpool, Bankstown) that we visited as part of this project.

We are also very grateful for the input and advice from various people involved in public space projects around Australia. The work and advice of many people (especially Matt Roberts and Sheree Turner) involved in previous projects helped in guiding our work.

Section 1: Project Background

Shopping Centres and Young People

Shopping centres have emerged in recent decades as venues where many young people congregate, socialize and recreate. Shopping centres play a vital role in the lives of many young people. Employment, low-cost (or free) recreation, safety, peer interaction, romantic attachment and the purchasing and consumption of goods and services, are but some of the reasons why young people utilize and visit shopping centres. Young people are not alone in their use of these facilities. People from diverse backgrounds with diverse interests and expectations intersect in shopping centres. Shopping centre managers, retailers, security personnel and shoppers of all ages have differing needs and expectations of shopping centres. For some, maximizing profit is the key objective; for others, the provision of a safe environment to consume and purchase will be important; while for others an enjoyable, easy shopping experience will be the goal. Not surprisingly then, Turner and Campbell concluded from their consultations with young people and security personnel, that "different individuals and groups have varying perceptions about the purpose of a shopping centre".[1]

These different opinions, perceptions and expectations have in recent years resulted in growing conflict in some shopping centres. In the report, *Hanging Out – negotiating young people's use of public space*, it was suggested that adults who work in or use public space[2] were concerned about antisocial behaviour by young people and most adults believed that there were particular groups of young people who were not using public space in a suitable manner.[3] White suggests that these observations and perceptions, coupled with wider demonisation of young people have resulted in young people being excluded from use of public space. Perceptions and "images of anarchy, 'ethnic youth gangs', juvenile crime waves and various moral panics over the state of youths today, have gone hand-in-hand with concerted campaigns to make young people unwelcome in our … shopping centres".[4] The attention that young people receive due to inappropriate behaviour, their dress, their limited consumption / spending and the perceptions of other users of shopping centres, has resulted in many young people feeling unwelcome in shopping centres and some young people being harassed or banned from shopping centres by security personnel.[5]

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[1] Turner, S. and Campbell, S. (1999) *Consultation with Young People and Security Officers – Report*, Western Sydney Public Space Project, Youth Action and Policy Association.

[2] For current purposes shopping centres have been included in the definition of public space, however, it is acknowledged that privately owned public space is a more appropriate description. This report will not tackle the issue of appropriately defining shopping centres as public, private or semi-private space.

[3] National Crime Prevention (1999) *Hanging out – negotiating young people's use of public space*, Report Findings, Commonwealth, Attorney General's Department, Canberra.

[4] White, R. (1997) Regulating Youth Space – Are young people losing the struggle for a space of their own?, *Alternative Law Journal*, Vol. 22, No. 1.

[5] See for example, Thomas, M. (2003) 'Hanging out in Westfield Parramatta', in Butcher, M. and Thomas, M. (eds.) *Ingenious: Emerging Youth Cultures in Urban Australia*, Pluto Press, North Melbourne.

Conflict, inappropriate behaviour and incidents between security guards and young people have proven unsatisfactory with key stakeholders and users of shopping centres. Retailers are concerned that fearful or unhappy shoppers will take their business elsewhere, resulting in a loss of income; shopping centre managers are concerned about occupancy rates of the stores and the impact of reduced income of retailers on occupancy rates; security personnel, engaged by shopping centre management, are concerned with safety (and perceptions of safety) of shoppers and maintaining an atmosphere conducive to consumption and spending; while young people seek enjoyment and entertainment. Conflict between these different stakeholders is detrimental to maintaining a (profitable) harmonious environment, which can have consequences for all stakeholders.

Conflict – A Case Study

The competing perceptions about shopping centres and how they should be used has resulted in conflict between young people and security personnel. Young people believe they have a right to access shopping centres, to meet friends and to utilise the facilities available, often without understanding that shopping centres are private or semi-private property. Security personnel often perceive young people as potential threats to retail trade and to the general order of a centre, often without acknowledging that centres deliberately seek to attract young people as consumers. The resulting clash can and does result in negative outcomes for both young people and security personnel. For young people, these conflicting perspectives can and have resulted in increased surveillance, significant contact with security personnel, admonishment, exclusion or banning and even criminal charges for trespassing (where bans are not abided). For security personnel, conflict with young people can result in ongoing tension, physical confrontation and allegations of illegal use of force.

Case Study – Young Person Banned

A young person was stopped by police and instructed that he was going to be charged with trespass because he had breached a banning notice issued by the local shopping centre. The young person, not having been informed of this ban, challenged the police and disputed the allegation. Police placed the young person under arrest. A scuffle ensued, when the young person reacted to being apprehended. Charges of assault police and resist arrest were added to the trespass charges, but were later dropped by police.

The young person returned to the centre to see centre management. Centre management explained that he had been banned from the centre for two years. This was disputed by the young person, but he felt that he had no recourse or opportunity to challenge the claims made by centre management.

The young person says that he has been previously harassed and pursued by security and that his friends have suffered a similar fate. He has now turned 18 years of age and would like to approach retailers in the centre for employment, but is unsure about the consequences of such an action.

This case study, based on actual events, demonstrates the potentially significant outcomes that can be derived from conflict between young people and security personnel (and police). Criminal charges resulting from an initial minor infraction is an unsatisfactory outcome. While there might be times where recourse to the criminal justice system is necessary, such a response will have potential consequences for the young person in terms of acquiring a criminal history. Time in processing the young person by police, court time and costs and the ongoing consequences all emanate from a relatively minor incident. Proper management of this incident, clearly articulated rules and consequences for inappropriate behaviour and open lines of communication between key stakeholders could have resolved this incident without needing to draw a young person into the criminal justice system.

Exclusionary Practices

Youth legal advocates and youth workers have anecdotally witnessed increasingly punitive means of managing young people in shopping centres and the use of banning notices in recent years. Concern about the legitimacy of banning notices[6], particularly as they effectively prohibit those persons banned from a centre from accessing the range of services available in a shopping centre (i.e. Medicare, Centrelink, banks, Australia Post, etc.), has resulted in some youth advocates challenging these banning notices in court. Such a process is time consuming and a significant impost on all individuals involved (often including security personnel and centre management) and can result in a banning notice being over-turned. In one such case where a banning notice was challenged in court, the magistrate stated the following:

> "I believe that the issues raised in this case cause concern in relation to the rights of individuals to access essential services e.g. doctors, dentists, banks, post offices, etc. when they are housed in structures such as the shopping centre. I also believe that the way in which these shopping centres bans are placed on young people and the length of the bans border on the harsh and unconscionable given that these shopping centres are placed in areas that service large residential suburbs and often are the only places available to young people to shop, meet, be entertained and carry out everyday business"
> P v SS (06 July 2000).

As anecdotal evidence began to grow that banning was becoming an increasingly utilised form of behaviour management, lawyers and youth advocates set about to gather relevant data on the use of banning notices and trespass charges resulting from breaches of banning notices.

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[6] See Grant, C. (2000) 'Banning the Banning Notice', *Alternative Law Journal*, Vol. 25, No. 1 for a discussion of the legitimacy of banning notices.

Trespass Charges and Banning Notices – The Data

Table 1: Trespass Charges Against Young People in NSW for Breaching Banning Notices
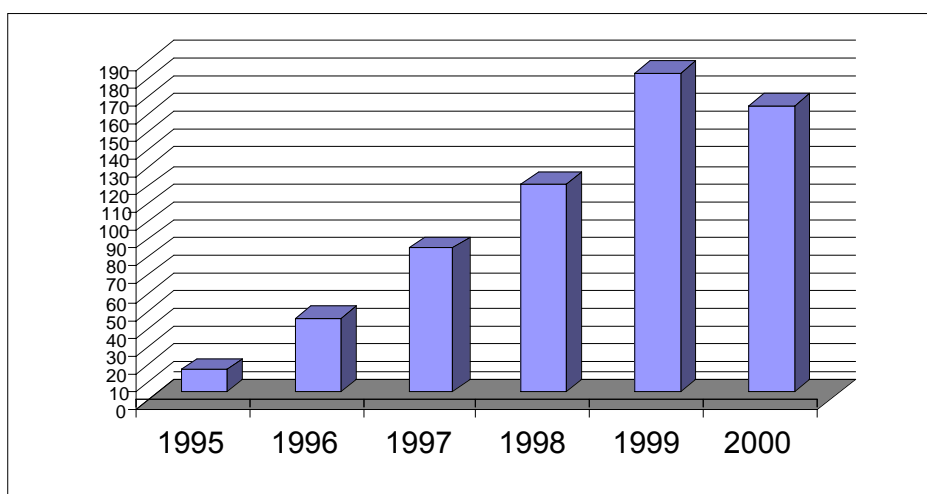
Source: NSW Bureau of Crime Statistics and Research

Table 1 shows the incidence of trespass charges in NSW for young people who have breached banning notices by entering a shopping centre. While the data on trespass charges for young people who have breached banning notices by entering a shopping centre demonstrates a steady increase in recent years, the numbers still remain relatively low. Anecdotal evidence suggests that those young people being charged with trespass are but a tiny fraction of the total number of young people being banned across NSW.

Collating data on the number of banning notices issued in a given period across the State is highly problematic. Some centres keep few records and as there are many companies which own and operate centres and even more security providers operating in centres, there is no centralized database of banning notices. Those centres that do keep statistics are often reluctant to place this information in the public domain regarding it as commercially in confidence or privileged information. As such, it is impossible to accurately state how many young people are banned annually from shopping centres.

One shopping centre kindly volunteered their records on banning notices. The data gleaned from these records is listed in tables 2 and 3.

Table 2: Duration of Banning Notices 2001-Feb 2003

Year	3mths	6mths	9mths	12mths	18mths	24mths	Other	Total
2001	94	71	1	56	4	15	3*	244
2002	84	66	0	33	0	14	5#	202
2003~	6	8	0	4	2	3	0	23

* 1 x life; 1 x 3yrs; 1x 5yrs
# 1 x life; 4 x 5yrs
~ 2003 is for the period up to 27 February

Table 2 shows that there were 244 banning notices issued in 2001 by this shopping centre. Of these notices, approximately 61% were for six months or longer. While the overall number of banning notices had fallen by 42 between 2001 and 2002, the percentage of banning notices for six months or longer in 2002 was approximately 59%, suggesting that the duration of the notices decreased little.

Information captured regarding the reasons for bans being imposed varied. Generally, little information was recorded. Reasons provided were frequently one-word explanations, such as: shoplifting, assault, intoxication and mis-behaviour. It was clear from reviewing the reasons for banning that many related to criminal activity within the shopping centre. Some of these criminal activities were extreme, including a serious altercation between two groups of young adults. It appeared that the shopping centre had been selected as a venue for a dispute to be resolved.

Clearly, activities such as this warrant intervention. What is unclear from the information recorded on the banning notices is whether police were involved in this and other criminal activities. A form of double jeopardy might apply in these cases were the person is charged with an offence and then also punished by the centre.[7]

Table 3[8]: Age of People Banned

Year	10-12 yrs	13-15 yrs	16-18 yrs	18 +	Unknown	TOTAL
2001	20	89	80	64	10	263
2002	8	63	54	52	25	202

Data from Table 3 shows the ages of people banned from the centre. It is clear that the bulk of people being banned from the centre were between 13 and 18 years of age for both 2001 (64%) and 2002 (58%), despite suggestions from centre management to the contrary.[9] For this centre at least, young people were the most likely group to be banned.

Interpreting this information or extrapolating from it is highly problematic. One could suggest that as there are in excess of 260 shopping centres in NSW, an annual average of 220 banning notices per centre could result in approximately 57,200 banning notices being issued across the State each year. Conversely, one could argue that as the centre from which this data was extracted was a large centre (approximately 7 million visitors per year), that the majority of centres across the State would be unlikely to have as many people banned. Furthermore, one could argue that given the large volume of people visiting a shopping centre annually, the banning rate is quite low. In the case of this centre, in 2001 the banning notice rate is 0.00035 per customer or one banning notice per every 28680 visitors.

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[7] Double jeopardy is the legal principle that states that a person should not be punished twice for the same offence.

[8] There are some discrepancies in the data presented in tables 2 and 3. The source of this error is unknown. The data has been presented despite the small discrepancy as a guide rather than an exact representation of the banning procedures adopted at this centre. Given the dearth of information about the numbers of banning notices, it was decided that it was important to include this information despite the limitations.

[9] In discussions with centre management prior to reviewing the banning notice logs, it was suggested that adults were the group most likely to be banned.

The perspective adopted will in part depend on the picture that is trying to be painted. What is certain is that many people will visit and use a shopping centre without any unwanted interaction with security personnel or without being banned for inappropriate behaviour. Nonetheless, of those persons banned, it is highly likely that the majority will be young people (aged below 18 years) and that thousands of young people are banned from shopping centres annually. These banning notices, when breached, do result in a small percentage of young people being charged with trespass, which has significant ongoing consequences. Extrapolating from the duration of banning notices from this centre also suggests that for many young people, a significant proportion of their life to date will involve being banned from a shopping centre. This has real implications for employment, commitments and obligations to government agencies (such as Centrelink) and for recreating and socialising.

Irrespective of the position adopted based on these figures, there is clearly grounds to consider developing alternative strategies to banning notices. At the very least, excluding thousands of people from a centre (predominantly young people) could have financial consequences, especially for retailers targeting young people. The spending of young people, the influence that they have on the spending of family members and their future spending capacity suggests that there are economic incentives to ensuring that young people are successfully integrated into the life of a shopping centre, rather than excluded from it.

Inclusive Approaches[10]

Banning may be necessary in some circumstances. However, there are many circumstances in which alternatives to banning notices could be legitimately adopted. Concerned about the anecdotal evidence that many young people were being banned and that the duration of some bans was excessive (for example, life time bans), youth lawyers and advocates sought alternatives to these practices. It was felt that if appropriate alternatives could be identified and introduced, then the reliance on banning notices would dissipate. A number of different alternative approaches were identified.

There are various approaches to improving relationships between young people, centre management and young people. A protocol outlining agreed behaviour standards, methods of dealing with and consequences for inappropriate behaviour and procedures for banning (if required as a last resort), is but one approach to inclusive shopping centre management. Other approaches have also proven successful. A protocol can complement or formalize these relationships.

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[10] There are many reports and articles that discuss various inclusive management practices. See Turner, S. (2002) *Shopping for a Solution: An evaluation of Western Sydney shopping centre youth projects;* Crane, P., Adkins, B. and Marsden, G. (2000) *Brokering Inclusion: The Myer Centre Youth Protocol*, Queensland University of Technology*,* White, R. (1998) *Public Spaces for Young People: A Guide to Creative Projects and Positive Strategies*, Australian Youth Foundation; and YAPA (1997) *No Standing: Young People and Community Space Project Research Report* for discussion of some of the different approaches adopted (and some of the problems encountered). This report in part reiterates information from these sources.

Centre-Based Youth Workers

Wetherill Park Stockland's Mall (NSW), Knox City (Victoria) and Midland Gate (Western Australia) shopping centres have employed or provided space for youth workers to operate from the centres. The youth workers in those locations engage the young people, include them in decisions about the management of aspects of the shopping centre, involve them in arts-based activities in the centre and provide referral to relevant local services where required. Centre-based youth workers are able to establish rapport with young people and work with security to mediate disputes and advise about approaches to reduce conflict.

Adoption of such an approach requires consideration of how particular issues will be addressed. Unsurprisingly, locating youth workers in a shopping centre will potentially attract young people to the centre. Consideration and development of guidelines to respond to large numbers of young people congregating near the youth work office, the location of the office, access to the youth worker if a young person is banned, relationships between the youth worker and centre management (and other important centre stakeholders such as security and retailers) and clarifying the goals for, and expectations of, workers in such a situation will all be important steps to ensuring such an approach is successful.

Youth / Community Space

Young people will naturally be attracted to shopping centres, as has been established. With this knowledge, some shopping centre developers have involved young people in planning or considered their needs. Areas specifically attractive to young people have been established, where shops and entertainment outlets catering for young people are located in close proximity. This provides opportunities for young people to congregate without affecting other shoppers or users of the centre.

Beyond developing 'youth precincts' within shopping centres, provision of youth or community facilities has been included in development of some shopping centres. Broadway and Erina Fair (NSW), for example, include community facilities. Space for recreational or educational activities and library facilities have been incorporated into the development (or re-development) of these centres.

Either approach acknowledges that young people are significant users of shopping centres and attempts to cater for these needs in a constructive way.

Youth Participation

Involvement of young people in aspects of management decisions can increase ownership and make an environment more youth-friendly. Young people, through local youth advisory committees (often operating in local government areas or by local councils) or the establishment of specific youth committees to work on particular projects for or with centre management are ways of increasing youth participation in decisions within the centre that are most likely to affect young people. Westpoint Shopping Centre (NSW)

engaged the local youth advisory committee to assist in the development of centre rules. Involving young people in such decisions can bolster the commitment of young people to adhere to these rules and to educate others about conditions of entry. Young people have also constructively contributed to design of shopping centres, training for security personnel and in responding to particular problems as they emerge.

Achieving proper youth participation can be difficult. It does require consideration of the needs of young people. The NSW Commission for Children and Young People has developed a useful resource, which provides a thorough explanation of participatory models and practices. An electronic version of the document can be found from the following website: http://kids.nsw.gov.au/publications/taking.html Youthsafe are currently developing a booklet on youth participation that also provides accessible suggestions of how best to engage young people in decision making.

Youth Displays

Young people are often perceived as being troublemakers, particularly in shopping centres, where the presence of a large group of young people can promote fear. Activities designed to showcase the positive contribution young people make to a community within a shopping centre promotes greater understanding and harmony. Miranda Westfield and Ballina Fair (NSW), for example, have provided opportunities for youth art displays in the centres. Through art, young people in these locations were provided opportunities to communicate to their communities on various issues. Similar opportunities and the presence of material or work generated by young people in shopping centres can attract customers as well as promote a youth-friendly environment. A sense of ownership and inclusion fosters regard for people within and the property of the centre.

Mediation / Conflict Resolution

Shopping centres are sites where people of different ages, ethnic origins, genders and expectations interact. Different norms and behavioural codes will accompany each person as they enter a shopping centre. Inevitably, people will expect and demand different standards within a centre. This is a site for potential conflict, particularly given the large volume of people who will utilise a shopping centre at anyone time (particularly on Thursday evenings and prior to Christmas). Managing these expectations and providing a safe and happy shopping experience is the responsibility of centre management (and their security providers). Ensuring safety and harmony, while also maintaining or increasing customers, expenditure and retailers is challenging. Time spent dealing with conflicts as they arise can be distracting.

Dealing with young people by banning them from entering the centre has in some instances resulted in reprisals and physical conflict. To avoid this outcome, Macquarie Centre (NSW) has adopted a mediation approach. When conflict arises, opportunity is provided for an independently mediated session. This approach has helped reduce the

need to resort to banning or exclusionary practices and provide opportunity for both parties to gain an understanding of each other.

Outreach Work

Local outreach or youth workers might be in a good position to assist in responding to the needs of young people at particular times. Given the number of young people at a shopping centre at particular times, it can be mutually beneficial for a youth worker to collaborate with centre management and security. Young people can be provided with information about local projects or programs, educational information can be disseminated, referral advice provided and assistance given to security to respond to young people.

Liverpool Westfield (NSW) and the Fairfield Liverpool Youth Health Team (FLYHT) have an arrangement, whereby the FLYHT outreach bus is parked near an entrance to the shopping centre periodically. Information is distributed from the bus. Liverpool Westfield and the local council have extended this project by jointly seeking (and receiving) funding for an outreach worker to be based in the local central business district, with specific responsibility for working with young people at the shopping centre. This worker now works in this community, spending time engaging young people within and near the shopping centre and developing programs for young people. This constructive relationship benefits the local young people, the centre and the youth service.

A Protocol

A protocol is an agreement between centre management, security, local council, young people and other stakeholders (such as police, retailers, youth services) outlining specific methods for responding to young people. Typically, a protocol will include formalising arrangements that have often been developed over time, possibly in conjunction with one of the above strategies or approaches. The protocol will define conditions of entry, consequences of inappropriate and criminal behaviour, procedures for exclusion or banning and strategies to deal with problems as they emerge.

Brisbane Myer Centre (Queensland) developed a protocol in 1999 following an incident where a young person was banned from the centre. The incident received media attention and highlighted the need to have agreed procedures and practices for managing future incidents. The protocol resulted in establishing dialogue between critical stakeholders and provided guidelines for the management of young people.

Shellharbour Square (NSW) recently developed a protocol. The protocol grew out of concerns of young people about their treatment by security. These concerns were communicated to the local youth centre. A youth worker from the centre and a local government representative (Crime Prevention Officer) contacted centre management and conducted a forum with local young people and security from the centre. The recommendations from the forum included developing a protocol to clearly identify what procedures would be adopted by security in certain circumstances. These guidelines have

been communicated to security personnel and young people, ensuring greater consistency and greater understanding.

Developing a protocol presents an opportunity for all stakeholders to come together to establish mutual expectations regarding behaviour and consequences (amongst other things). While the processes associated with developing a protocol and the final outcome in itself can be beneficial, bringing parties together with different perspectives and beliefs can pose challenges. Competing perspectives, limited interest, opposition to anything other than exclusionary practices and a belief that existing practices are working will all be barriers to the effective development of a protocol. By considering and understanding the different perspectives of key stakeholders and anticipating potential challenges, it is possible to work through these differences and make progress toward mutually agreed outcomes.

There are multiple approaches to improving relationships between centre management, security and young people. Approaches can be combined or individually selected to respond to particular issues. Approaches might also be adopted to prevent future issues emerging and to establish foundations for future work that might be undertaken by new or different personnel. There is no specific approach that should be adopted in certain circumstances. Rather, local needs, opportunities and conditions will influence what approach is adopted.

Selecting an Approach – Statewide Protocol

Numerous shopping centres across NSW have adopted different approaches to improve relationships between young people, security personnel, centre management and the wider shopping population. Many of these practices are consistent with the various models identified above.

Many of the schemes and projects have been very successful, although little or no (independent) evaluation of these projects has been undertaken.[11] Anecdotal evidence suggests that improved relationships and increased dialogue has often resulted from the genesis of these projects. However, a consistent threat to local projects is changing personnel.[12] During this project, key stakeholders discussed how changing personnel can

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[11] There have been numerous reports (previously identified), which discuss the types of projects conducted, some of which include some form of evaluation (Turner, S. (2002) *Shopping for a Solution: An evaluation of Western Sydney shopping centre youth projects* is a particularly good and thorough example of such a report). However, there has been little or no attention to comparing the benefits of different approaches. In practice, local circumstances tend to dictate whether a particular approach will be adopted, rather than analysis of which model will work best in a particular location. Also, the measures adopted to gauge success have generally been limited to feedback from key stakeholders. White, Kosky and Kosky (2001) attempted to include quantitative data on security costs and costs of repairs for malicious damage in determining whether a more inclusive management practice demonstrated improved outcomes when compared to an alternative centre not adopting such measures. Further work of this nature will continue to inform our understanding of what models work best under what conditions.

[12] Vernon, C. (2000) 'Young people and public space – a Western Australian perspective', *Rights Now* stated that "changes in shopping centre management have resulted in the forced relocation of this service

negatively affect progress or maintenance of programs and relationships. For example, a centre manager having invested considerable time and energy into developing relationships with the local youth sector departs for another centre. The new manager might adopt a very different approach, resulting in some of the good work previously undertaken to subside. Similarly, changes in security personnel, youth workers, local council staff or other key personnel could have repercussions for the longevity and progress of a project.

Consequently, our project operated at a macro rather than micro level. This means that the project sought input from and to work with senior management of shopping centre companies rather than individual centres and to establish a framework for how relationships can be improved locally. By working with senior management, it is anticipated that there will be a top down approach taken to these issues. Further to this approach, however, is a bottom-up focus, whereby the protocol seeks to demonstrate how local agencies and individuals can work together. By disseminating the protocol to local youth workers, shopping centres, police and local government, it is anticipated that where problems arise, the protocol will be utilized to inform the practices of the local stakeholders. And by developing a local protocol, relationships will be articulated in a document that can act as a benchmark for future negotiations, despite changes to personnel.

Furthermore, by brokering agreement across disparate parties involved in managing and operating shopping centres, the protocol established an agreed approach to managing these issues. As such, the protocol can be utilized in relevant training courses for shopping centre managers, youth workers, security personnel, retailers and others. This further elevates understanding of the issues and possible alternatives where such problems arise.

Project – Process of Development[13]

In 2001 the Youth Justice Coalition and the Youth Action and Policy Association submitted a joint proposal to the NSW Attorney General's Crime Prevention Division. This proposal sought a grant to develop a statewide protocol in response to the concerns regarding the exclusion of young people from shopping centres and subsequent charging of some of these young people for trespass. Having heard about the Brisbane Myer Shopping Centre Protocol and following dialogue between YJC and YAPA members and architects of the Brisbane Protocol, it was decided that a statewide protocol would be an effective way to tackle these concerns.

… despite the demonstrated success" (page 9). This points to the impact of changing centre management, even when positive results are accruing.

[13] While the process of development discussed here relates to this current project only, it is important to acknowledge the considerable previous work undertaken which significantly influenced the direction and outcomes of this current project. The Youth Action and Policy Association's previous work on public space and especially the work of Matt Roberts and Sheree Turner has helped to raise and maintain awareness of these issues and has assisted key stakeholders to work together. Furthermore, the interest and advocacy of the Juvenile Crime Prevention Advisory Committee assisted in funding being allocated to this project.

The proposal was submitted and proved successful. Members of YJC, YAPA, the Shopping Centre Council of Australia, the NSW Attorney General's Crime Prevention Division, the NSW Commission for Children and Young People and NSW Police were invited to form the Steering Committee. The Steering Committee advertised the project and received proposals from various individuals / agencies. The project team from the University of Western Sydney was ultimately successful and responsible for the following key projects aims:

1. Develop a shopping centre Protocol which is a generic document that can be adapted and amended to the needs and circumstances of individual shopping centres.

2. To consult with key stakeholders including the Shopping Centre Council to develop workable processes that facilitate and encourage adoption of the protocol by shopping centres in NSW.[14]

The project team responsible for the project met regularly with the Steering Committee and a sub-committee of the Shopping Centre Council of Australia, which had been established to specifically focus on and support this project. Both groups were vital to the outcomes of the project.

The project was to be undertaken within a 12-month period and within the allocated budget. Within these parameters, the Steering Committee sought the development of a statewide protocol, based on consultation with key stakeholders and growing out of two or three pilot sites. In response to these expectations, the project team developed a basic plan:

1. Literature review – review the growing body of literature from NSW, Australia and internationally on shopping centres and young people. A search and review of relevant literature from www.yspace.net/ and university libraries formed the basis of this literature review.

2. Project promotion – promote the project as a means of generating interest and support and to identify successful existing or emerging strategies. Promotion of the project was vital throughout, as raising awareness of the issues was regarded as a significant outcome. The process of promoting the project and the procedures adopted in developing the protocol were in part as important as the development of the protocol. The major avenues for promoting the project included newsletters, publications and electronic news services of: the Youth Action and Policy Association, the NSW Commission for Children and Young People, The

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[14] YAPA and YJC (2002) *Consultancy Brief – to research and develop a Shopping Centre Protocol for shopping centres in NSW.*

NSW Crime Prevention Division, the Youth Accommodation Association, the Local Government and Shires Association, Youth Field Xpress, the NSW Council of Social Services News, Property Council of Australia and via email groups of relevant practitioners.

3. Key informant interviews and focus groups – consulting key informants and groups was essential to gathering information about problems, where they existed, the views of different stakeholders, data (where possible) and positive strategies to inclusive management practices. These discussions also provided an opportunity to gain an understanding of the operational realities of the various individuals and groups involved shopping centre management and shopping centre security; areas that have been less frequently documented in the literature. Key informants consulted included: the NSW Youth Advisory Council, the Commission for Children and Young People's Reference Group, the Koori Youth Network and the Inspire Foundation's Reference Group; a representative of the Australian Retailers Association; representatives from Chubb Security; Centre Manager Brisbane Myer Centre; former Centre Manager Westfield's Liverpool centre; Parramatta Council staff member; Wyong youth meeting on shopping centres and various other key stakeholders.

4. Site visits – visiting shopping centres and talking with relevant stakeholders was central to developing the protocol. Initially, it was expected that the protocol would be developed following work done in two or three pilot sites. However, this expectation quickly changed, as it was recognized that the development of a local protocol would in many instances take longer than the project and that proper procedures for developing a protocol required local support and interest, which was unlikely to be generated via a central project. Site visits and discussions involved staff from: Shellharbour Square, Dubbo City Centre, Erina Fair, Plumpton Market Place, Broadway Shopping Centre, Wetherill Park Stockland Mall, Penrith Plaza, Bankstown Square and Westfield Centrepoint.

5. Draft and Finalisation – the final stage involved developing a draft protocol, which was circulated widely for review, prior to finalization. Printing, launching, distributing and promoting the protocol were then made possible. During August 2003, the protocol received endorsement from the Shopping Centre Council of Australia and the agencies on the Steering Committee. The Protocol was launched on 8 October 2003.

While each stage and aspect of the project uncovered numerous challenges, opportunities and interesting 'findings', the following section provides a summary of the key issues emerging during the above stages of the project. As a result of the different methods utilized in collecting information and the limitations of these procedures, these observations or findings should be interpreted cautiously. A scientifically rigorous methodology was not adopted and as such, the findings are not based on sound empirical analysis. Nonetheless, these findings are informative.

Section 2: Project Findings and Observations

Some of the key observations arising from discussions with various stakeholders are identified in the following section. These findings have been grouped into the following:
- Protocols and the Protocol Project
- Shopping Centres
- Security
- Change Agents

These somewhat arbitrary categories have been chosen as a means of sorting the key issues arising throughout the project. Many of these findings are not necessarily unique to this project, but are re-affirmed by observations during this project.

Protocols and the Protocol Project

Competing Perspectives

Opportunities arose during the project to present information to shopping centre manager forums conducted by two companies. These sessions involved in excess of fifty centre management personnel from two separate companies and were conducted by the individual companies as opportunities to provide information and facilitate information exchange between managers. Some of the centre managers in these two sessions were from inter-state. In meeting with these centre managers and senior personnel from various companies who own or operate shopping centres, it appeared that there were competing views regarding the validity of the project and of local protocols in general. Most centre managers identified young people as a particular group worthy of consideration, due to the difficulties that they directly caused (e.g. criminal activity or intimidating other shoppers) or indirectly caused (e.g. perceptions of young people gathering at the centre and the fear that this generated). Some centre managers saw merit in seeking alternatives to existing problems through inclusive management practices, while others expressed concern that more should be done to enable centres to exclude young people.

These competing perspectives reflect some of the wider sentiments regarding young people and their place in society. For many centre managers, any discussion of young people was prefaced by stating what their communities or shoppers have said to them regarding young people. The veracity of these claims and construction of community used to justify these comments are difficult to determine. What is know, however, that there are competing perspectives regarding the validity of developing youth protocols amongst shopping centre management personnel.

Good Work Unknown

It became apparent through discussion with shopping centre management in various locations that there is considerable effort invested to work with the local community and

youth groups. Many of these practices and activities are rarely identified in the literature on young people's use of shopping centres. Centre management at one centre spoke of the time and money that they had invested in renovating the local youth centre as part of a community day function. Others spoke of donations, the provision of access to the centre to raise funds for sporting or other clubs and working with local schools to raise funding or to educate the students about aspects of the retail and shopping centre industries. Many of these practices are unknown or unacknowledged.

Limited Mutual Understanding

It seemed that in some locations, different occupational demands and priorities made it difficult for workers from different sectors to fully appreciate each other's perspective. Shopping centre managers, with multiple pressing responsibilities sought swift resolution to particular matters. Their more business-oriented approach often means that they will seek solutions, have little time to spend in meetings and have less willingness to consult widely prior to arriving at an answer. In contrast, the more inclusive and participatory processes adopted by youth workers often places greater importance on the processes than the outcome. Also, youth workers, as advocates for young people, might often be less inclined to acknowledge the problems posed by young people in particular instances. These different perspectives, ethos and habitus can cause tensions and difficulties in collaboration. Understanding the potential differences will be important in working together.[15]

Beyond acknowledging differences, it would be ideal if strengths of each were well understood. The possibility of a mutually beneficial collaboration can strengthen relationships between shopping centre management, security personnel and youth workers. Shopping centre managers will have expertise in financial management, marketing and customer service; security personnel will have expertise in conflict resolution and maintaining order, while youth workers will have skills in community development, group processes and referral to appropriate services. Each of these skills can be used to assist other stakeholders. For example, centre management might agree to provide some financial management advice to the local youth centre, in exchange for assistance with a community profile or social plan for the centre. Understanding and utilizing the opportunities provided by collaboration will be beneficial to all stakeholders.

Need for Rigorous Evaluation

As has been briefly discussed previously, there is need for systematic evaluation of approaches adopted. Currently, much of the valuable information about the success or otherwise of particular approaches adopted to improve the inclusive management of shopping centres has involved feedback from key stakeholders and description of projects (much the same as this report). While approaches such as these have merit and have greatly improved what is known about young people's access to shopping centres, there

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[15] It is acknowledged that these descriptions are based on generalizations and do not totally reflect the experiences of all centre managers or youth workers. The information has been presented to illustrate some organizational features that may be evident in some locations.

is need for more rigorous evaluation. To date, few studies have provided a thorough analysis of whether outcomes have been consistent with project goals. For example, have the development of local protocols resulted in improvements in relationships between security personnel and young people? Have inclusive management practices resulted in a reduction of maintenance costs resulting from malicious damage caused by young people? Have banning notices been reduced as a result of improved relationships and dialogue between shopping centre management, young people and youth workers? Has the inclusion of particular covenants in the development application process delivered anticipated outcomes?

Little attention has been paid to re-visiting many of the projects showcased in reports on young people's access to shopping centres and public space. Improvements in methodology of such research will provide greater weight to the claims that particular approaches are in fact successful.

Inclusion of the 'Right' Stakeholders

An issue raised by centre managers in different locations was the difficulty of attracting those young people most affected by contact with security personnel to discussions about rules and consequences of inappropriate behaviour. For one centre manager who has been involved in the development of a protocol, he was concerned that young people involved in discussions were not the young people most likely to be affected by the end result. Identifying ways of engaging young people who may be less likely or willing to attend regular meetings or join an advisory committee was identified as an issue requiring attention in the development of a protocol.

Need to Consider and Influence Perceptions

Consistent with sentiments raised in the next section on shopping centres, numerous centre managers suggested the need to consider and influence perceptions of young people and of projects, such as developing a protocol, that might not be well received by the wider community. One centre manager who expressed considerable interest in working on a protocol and had demonstrated this commitment through various local projects designed to promote young people's positive involvement in the centre, said that he would not advertise his involvement in developing a protocol with and for young people to the community. He suggested that the perception would be that the centre was taking a 'soft approach' to young people, when in fact the community wanted a stricter approach.

Clearly there are difficulties in reliably assessing community wants and needs, but the sentiments raised by this centre manager point to a wider issue. Initially, it was anticipated that the development of a protocol would necessarily be seen as a positive development and could be promoted as demonstrating willingness of centre management to embrace new ideas and provide opportunities for young people to be included in decisions affecting them. However, as was identified, this may not be true in all communities or areas. As such, consideration of the perceptions of young people and

likely reception of a protocol will help in developing strategies to positively influence these perceptions.

Shopping Centres

Community Problems

Various shopping centre managers pointed out the difficulties of managing large facilities in areas of diverse and significant needs. It seems that those shopping centres in lower socio-economic areas perform better economically than centres in more affluent areas. As such, areas of great need and disadvantage will often be sites of large shopping centres. A consequence of the success of centres in such locations is that the problems confronting these communities will often impact on the operation of the centre. High unemployment, high crime, boredom, alcohol and other drug use, family breakdown and other social characteristics and community problems will impact upon the shopping centre environment. One centre manager discussed concerns about children (as young as six or seven years) being dropped at the centre during school holidays as a form of 'child care', while the parent or parents went to work or took care of other tasks. It was suggested that the development of a protocol in such an environment needed to recognize these challenges and develop strategies to tackle these issues.

Clearly, shopping centres reflect the communities within which they are located. Providing a safe shopping environment in such communities poses particular challenges. Recognising the challenges that certain community demographics, structures and services provide to the effective management of a shopping centre will be important to the nature of deliberations and discussions in the development of a local protocol.

Growing Recognition of Social Responsibilities of Shopping Centres

Increasingly there appears to be acceptance that shopping centres play a considerable role in some communities and the lives of some young people. It has been suggested that the shopping centre has replaced the old village green or town square. This has translated into greater attention to the social dimension of the 'triple bottom line' by some shopping centre managers and companies. One of the major shopping centre management companies requires its centres to develop a social plan, demonstrating links to the community and impact of centre operations on the community. This recognition of the social responsibilities of shopping centres provides opportunities to develop inclusive management practices.

Gathering Places

It is now generally accepted that shopping centres are attractive locations for young people and that in many locations, shopping centres will be central meeting and socializing points for young people. Accompanying the rise of shopping centres as focal points for young people to gather has been more flexible forms of youth work. No longer is youth work just carried out in neighbourhood or youth facilities, but rather, workers

reach out to the locations and sites where young people gather. Consequently, the attractiveness of shopping centres for young people provides an avenue for youth workers to engage young people. As has been identified, approaches to improving the management of young people in shopping centres have included cooperative arrangements whereby youth workers are located within or near centres or conduct outreach work on particular high volume times and days. This practice can increase the knowledge that young people have of youth facilities and services, serve to mediate potential disputes and provide youth workers with access to a significant number of young people.

Different Management Regimes

While it may be self-evident, it is useful to consider the diverse management arrangements that operate across centres and across centre management companies / owners. The managers of a centre will be influenced by an array of variables, including the ethos within the centre management company, expectations of owners, individual beliefs of the centre manager and local circumstances. Some centre management companies operate with greater centralized functions, while others will devolve responsibility for key decisions to centre managers. Some companies will only operate small facilities and may elect remote management models, whereby one centre manager is responsible for a number of centres. Other companies will only manage or own larger facilities and devote significant resources in establishing and supporting a centre management team. One company operates on a philosophy of rotating centre managers across centres and through business areas (as often as every 18 months). In comparison, some centre managers consulted during this project had remained at the same centre for as many as 11 years (despite the centre having different owners and centre management companies in this period).

Understanding the parameters, expectations and variables impacting upon the management of a shopping centre will be important in working with personnel from a centre.

Security

Uncertainty of Banning Procedures[16]

Many centres appear to use banning notices as a means of responding to inappropriate behaviour within centres. While the legality and legitimacy of banning notices have been challenged,[17] centres continue to adopt such practices. Despite the apparent relative widespread use of banning notices, there seems to be different understanding of what constitutes a ban. Questions such as: does a parent have to be present when a ban is

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[16] While banning notices are discussed throughout this report, it is important to stress that the project was established in part to encourage consideration and use of alternative procedures. *Creating the Space for Dialogue: A Guide to Developing a Local Youth Shopping Centre Protocol* identifies alternatives to banning notices, which should be adopted in preference to reliance of exclusionary practices.

[17] See Grant (2000) for discussion of the legality and legitimacy of banning notices.

issued?; What can be done if a young person refuses to go back to an office to receive a banning notice?; What should be included in a banning notice for it to be legal?; Can photographs be taken of the young person when they are banned? were frequently raised during discussions with centre management, security and youth workers.[18] Practices have, in many instances, evolved locally, with limited consultation with relevant legal personnel. Children's lawyers argue that the procedures often adopted to ban young people give rise to potential civil claims such as false imprisonment, age discrimination and breaches of privacy regulations. Many of the issues have yet to be tested. Some of the larger companies have developed very clear guidelines about the use of banning notices, the form that they should take in each State and Territory and the procedures that must be followed when issuing a ban. If banning notices are to be used, then such an approach is recommended. Having sought appropriate legal advice, this company had removed the need for locally developed practices and procedures.

Legal Issues

The actions and performance of security personnel can be made accountable through civil and criminal actions in the Courts. That is, complaints of assault or other breaches of duty of care may be brought against security personnel and by vicarious liability, the shopping centre management. The increased training of security personnel and a developed strategy of dealing with complaints will reduce the possible risk of litigation being taken. This is another reason for ensuring the key performance indicators for security encompass youth issues and is not just confined to purely bottom line financial considerations.

Limited Training for Security Personnel

A consistent theme throughout the project was the lack of relevant training for security personnel. It was frequently stated that security personnel holding basic security licenses receive limited training, little of which prepares them for significant contact with the public. It was highlighted that security training is universal, irrespective of the nature and environment where the individual will be deployed. As such, training focuses on universal considerations of powers and legislative requirements, rather than on customer service in environments such as shopping centres. Consequently, many security officers working in a shopping centre environment have received little or no specific training on youth issues. The provision of relevant training was identified as a critical consideration for improving the quality of relationships between security personnel and young people.

One security company who does provide training on youth issues provided materials utilized in this training. The length of training (three hours) and the limited quality of the

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[18] These questions persist for many centres. One shopping centre management company has effectively dealt with these issues by developing clear guidelines endorsed by appropriate legal experts. Adopting a similar approach is encouraged. Answers are not specifically contained in this report, as procedures and legal requirements will vary across jurisdictions and over time. As such, the most effective way of ensuring correct procedures are adopted, is to consult appropriate legal experts.

materials utilized demonstrated superficial attention to these issues. However, at least this company had some existing training documentation on youth issues.

One security manager revealed the critical barrier to the delivery of training on youth issues – money. He stated that for a small company, the provision of training was an expense that the company that could not be bear. Rostering staff to attend training requires payment from either the security company or the centre management company. Neither were necessarily likely to cover these costs, according to the said security supervisor.

Key Performance Indicators for Security Personnel

Companies owning and managing shopping centres appear to adopt different approaches to securing the provision of security services. Some companies opt for a more centrally imposed provider or have approved providers for local shopping centre managers to select from, whereas others devolve responsibility to local shopping centre managers to tender and select a security provider. Where responsibilities are devolved locally, some centre managers spoke of uncertainty about how they could use the tender process to better ensure that the right company and security operatives were selected. There seems to be little use of the tender process as a way of developing and monitoring key performance indicators that pertain to dealing with young people. Including key performance indicators into security contracts such as reducing the number of banning notices issued, improving relationships between security personnel and young people, greater liaison between security providers and local youth services and mandatory training prior to commencing work and on-the-job training on youth issues would help to improve the nature of the personnel operating in shopping centres. Given the competitive nature of the security industry, establishing key performance indicators for youth issues will help to ensure that these issues are adequately considered and addressed across the sector.

Continuity

Continuity of security personnel can be broadly affected by two key issues: a) rosters and b) changes in security companies. Centre managers have little or no control over the rosters of security personnel. Concerns were raised that for various reasons, often the better staff would not always be rostered on at times of greatest need (generally Thursday night and Saturday). Less experienced or less 'youth-friendly' personnel could be on during these busy periods, which could contribute to difficulties.

Youth workers and centre managers identified the rate of change of some security companies as problematic in building rapport with young people and establishing relationships with relevant local workers. It was suggested that one centre had engaged three separate security companies in three years. This created difficulties in establishing agreed expectations regarding appropriate behaviour within the centre and consistency of security guards.

Local vs Centralised Contracting[19]

A factor affecting the continuity of service providers in a particular shopping centre is that of local or centralized contracting procedures. During the project, major shopping centre management companies and owners were reviewing approaches to security contracts. Moves toward local providers appeared to be in part shifting back to centralised contracts.

Young People's Views of Security Personnel

Two groups of young people[20] were asked about their views of security personnel. The answers provided included the following:

Good Qualities	Less Good Qualities
Protection	Follow / harass you
Come up and have a yarn	Show off
Don't follow you around	Want to fight you
Knows what it is like to be a kid	Jump to conclusions – blame you for stealing
Speak to you nicely, even when moving you on	Swear at you
Be nice to them and they'll be nice to you	Move you on
Friendly but not judgemental	Try to be powerful
Forceful but not power hungry	Plastic cops – lock you up
Aware of stereotypes, so as to understand that a person should not be guilty by association	

These views are helpful in working toward acceptable forms of security. Clearly, the young people participating in these focus groups are aware that security personnel have an important role to play in the shopping centre. How this role is carried out will have an impact on the likelihood of compliance. Building rapport, a friendly approach, being forceful but not overtly powerful and not jumping to conclusions were all approaches suggested in these discussions.

By engaging young people at local centres in discussions of this nature, it is possible that local standards can be established. Young people understand that nature of the security function. Engaging them to consider what they will respond to and what will be effective in maintaining order will encourage ownership and acceptance of particular security practices.

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[19] In discussions with stakeholders during this project, it was identified that security personnel were contractors to the various centres. There might be instances in which security personnel are actually employees of the owners of the shopping centre rather than a sub-contractor. As this was not observed during this project, discussions regarding security will assume a sub-contracting arrangement rather than direct employee relationship.

[20] One group was the Commission for Children and Young People's Reference Group and the second group were young people from Dubbo who participated in a focus group.

Limited Knowledge of and Use of Complaint Procedures

It has been demonstrated that young people have little or no understanding of how to make a complaint against police or are unwilling to make complaints due to concern about repercussions.[21] The same can largely be said of complaint procedures associated with security guards. Discussions during this project suggest that young people are generally unfamiliar with the procedures that exist in making a complaint against a security guard. The existence of the Security Industry Registry and their role in monitoring the performance of security companies and personnel is largely unknown. As such, potential complaints are rarely brought to the attention of the appropriate authorities.

Change Agents

Developing a protocol and improving relationships between key stakeholders will often require a specific change agent or catalyst for change. While there are many potential reasons for key groups coming together to consider the development of a protocol, some less frequently explored or discussed are considered here.

Importance of Local Government

Local government potentially play a vital role in discussions about young people's access to shopping centre and in the development of a protocol. It was suggested by more than one shopping centre manager that their motivation to be involved in discussions about developing a protocol or improving the relationship between security personnel and young people was in part motivated by the involvement of local council. They identified a desire to keep the local council 'on side', especially if there were or could be plans to develop or re-develop the centre at any time in the future. Given the generally accepted view that centres (particularly larger centres) will undergo changes every seven years to remain attractive and competitive, there is often great incentive to maintain the confidence of the local council.

Development as an Opportunity

As has been stated, shopping centres are frequently seeking to expand or re-develop to continue to be competitive and to enhance the value of the property asset. Increasingly, development applications required for expansion or re-development provide opportunities for the local council to work with the developers on social and youth inclusion issues and strategies (although the council ethos toward development will affect whether such developments will pose opportunities for consideration of inclusive practices or whether the need for development will supercede such social considerations). Broadway Shopping Centre (NSW) is probably the most celebrated example of where the development application process was critical to securing ongoing funding for youth activities in an

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[21] Blagg, H. and Wilkie, M. (1995) *Young People and Police Powers*, The Australian Youth Foundation, Sydney.

around the centre and for the development of a community facility alongside the centre. Through discussions, it appears that there is merit in reviewing the nature of the outcomes of this original strategy, as there may well have been unintended consequences of such an approach. Nonetheless, the use of the development application process as a means of engaging the development company in discussion and consideration of inclusive management practices in relation to young people can prove constructive.

While the development application process is increasingly utilized as a means of gaining commitment to inclusive management practices or the provision of a youth or community space / facility, there seems to be diverse practices pertaining to what will be included and considered in the development application. Through discussion with various staff members at local councils, there seemed to be uncertainty as to what and how covenants could be incorporated into the development application process. One council staff member spoke of the requirement for the development company to include a youth plan with their application, but was uncertain what defining characteristics would determine appropriate attention to these issues. Another spoke of the lack of participation of the youth and community section of the council in discussions about such issues. It appeared that the development application was largely considered a technical planning issue, rather than a social issue. In contrast to these experiences, others demonstrated a specific understanding of what they expected from the development company. As such, greater communication between relevant local government staff across the State will result in greater consistency of the expectations of development companies and ensure that the development application process is used more effectively to anticipate and respond to potential youth concerns / issues.

Local 'Champions'

While in part, the NSW Shopping Centre Protocol Project was established to provide guidance for local projects on how to develop a protocol, in an attempt to avoid too heavy a reliance on any one individual, a local champion (or champions) still appears to be a vital component of successful projects. Someone assuming responsibility for and driving the project ensures that tasks are completed, issues remain on the agenda and progress is made. While reliance on one individual or a small group of individuals can be problematic due to the potential for the project to falter if staff change, it does seem that a motivated individual who is prepared to work through difficulties and maintain focus on the end goal or goals is necessary for a protocol to be developed.

These are some of the key observations of the project. The information provided is based on observations and discussions with key stakeholders, and data on banning notices from one shopping centre. As such, it can in no way be taken to be representative of the experiences of all shopping centres, youth advocates or young people within NSW. Rather, the information has been provided as a way of contributing to the greater knowledge of the issues associated with young people's access to shopping centres. It is hoped that further work will explore some of the issues identified.

Section 3: Supporting Information for the Development of a Local Shopping Centre Youth Protocol

Creating the Space for Dialogue: A guide to developing a local shopping centre youth protocol provides detailed instruction about how to develop a local protocol. The previous two sections have provided contextual information about the NSW Shopping Centre Protocol Project, which further assists understanding of key issues in the development of a local protocol. This final section addresses specific issues to help in the development of a local protocol. In discussing the roles of the key stakeholders and providing contact details of agencies that might be able to provide assistance, this section has been designed to give yet further insight into some of the issues associated with developing a local protocol.

Roles of Key Stakeholders

Increased understanding of the roles and responsibilities of staff in different industries will often help to break down barriers and provide opportunities to establish dialogue. The following information serves to provide a basic overview of some of the roles and functions of shopping centre management personnel, security personnel and youth workers. This information is far from exhaustive, but rather, is provided as a means of providing insight into the operational realities of people in the identified positions. Greater understanding of these roles will help in establishing communication, increase knowledge of the challenges associated with the role and provide the basis of commencing discussions. While this information is provided as indicative, there are many factors that influence the actual role of a person locally. Some smaller shopping centres have off-site managers; some youth workers are funded by organizations with a particular charter and some security personnel will have received training beyond their basic license requirements. As such, this information should not be assumed to necessarily reflect the circumstances of all workers identified.

Shopping Centres

Shopping centres vary in size and nature. Centres are generally graded according to their size, the rental returns by square metre and the number of annual visitors. Accordingly, centres will vary significantly in the number and nature of management staff present at the centre. Neighbourhood centres might have a management team of three staff, including administrative support, while a super centre might have a team of six or eight staff. The roles and functions of centre management staff will differ in accordance with the size of the centre. Increasingly the management of a centre might be conducted from an off-site location, in which a number of small centres will be managed from a central location.

Shopping centres are commercial entities; the critical function of a shopping centre is to produce profit to the owners, who are often superannuants. Shopping centres are

generally quite successful in generating profits. As Booth stated, "a quote from a publication in the US Urban Land Institute in 1999 is instructive: 'The shopping centre has been perhaps the most successful land use, real estate and retail business concept of the 20th century. It has become the most powerful and adaptable machine for consumption that the world has ever seen'".[22] To maximize profits, centres will seek to increase income, reduce operational costs and improve the physical character of the property.[23] Devising methods of achieving these outcomes will be the responsibility of the centre management team.

<u>Shopping Centre Manager</u>

A shopping centre manager is responsible for the overall operation of the shopping centre. This will include supervising various staff, which might include an operations manager, marketing manager and administrative positions. The centre manager will strive to increase the returns from the business to shareholders or the owners and might work for a company that manages the asset or owns the asset. The centre manager may have formal qualifications in shopping centre management and might have diverse retail, marketing and management experience. Some companies will encourage their centre managers to move frequently, ensuring that they retain their business edge in negotiating with retailers, while others will encourage centre managers to stay at the centre and build relationships with retailers and local services and community networks.

It has been suggested that the clients of shopping centre managers are the retailers. The rents paid by the retailers will be the way that the owner of the shopping centre will generate profit. The higher the rents and the greater the occupancy of the centre, the greater the chance for profits. To be able to charge high rents and to maintain high occupancy levels of shops, the centre will need to be attractive to shoppers, perceived as being safe, accessible and generally inviting. Transport to and from the centre, the overall look and feel of the centre, parking, disability access, promotions, marketing, facility management (i.e. cleanliness) and safety are just some of the factors that are likely to contribute to the attractiveness of a shopping centre. As a result, shopping centre managers will be attentive to the needs and demands of the retailers, views of shoppers and monitor trends in consumption, pedestrian traffic and profits of the various retailers.

Growing concern of litigation and risk management preoccupies centre managers today. The safety and security of the centre assumes substantial importance. Strict adherence to Occupational, Health and Safety statutes and vigilance in minimizing risks will be a specific concern of centre managers. This can provide an opportunity for promoting greater training for security personnel, but can also be a threat to the willingness that a manager might have of embracing inclusive management practices, as young people will often be perceived to be at greater risk of injury or harming others.

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[22] Booth, A. (2001) *Private Places / Public Spaces*, Conference Paper delivered to the WSROC Whose Place? Conference.
[23] Wakeham, S. (2002) 'Maximising Profits from Retail Property Investments', *Shopping Centre News*, Vol. 20, No. 2.

Operations Manager

Larger centres will have an operations manager. The operations manager will have responsibility for monitoring the performance of security and facilities management personnel (i.e. cleaners, but increasingly cleaning and security functions are performed by personnel from the one company or the same person) and maintenance contractors. Operations managers might also take responsibility for temporary leasing of space within the centre, such as mobile stalls that often appear in the lead up to a specific events (i.e. Christmas, Father's Day, etc.) Where an operations manager is deployed, they might have a specific role in banning procedures, such as signing off or issuing banning notices.

Marketing Manager

Larger centres will have an onsite manager responsible for marketing and promotional campaigns. They will be responsible for spending a marketing budget allocated from rental income, which seeks to increase human traffic through the centre and increase spending within the centre. It is often the marketing manager who will have an interest in community activities and be responsive to requests to collaborate on the development of a youth protocol or for youth art-based activities to be conducted within the centre. The marketing manager will also be involved in donations and funding for particular community events.

Security

The companies providing security services will vary significantly from large companies providing an array of security services to smaller, local companies managing one or two contracts. The size of the company, whether they are a local company, where they recruit and the strategies employed to engage, supervise and train staff will impact upon their preparedness to work at engaging young people and to assume a proactive stance on youth issues. As has been stated, there is significant competition between security providers. This can be beneficial in that competition can result in greater willingness to ensure staff have undertaken appropriate training, however, the frequency in which companies can change negatively impacts on building relationships with security providers.

Major shopping centre chains tend to assume different practices in engaging security companies. Some companies adopt a more centralized approach in which large security providers will service all centres owned or operated by the shopping centre company, whereas others will devolve responsibility to the local centre manage to select a security provider. If it is possible to generalize, it would appear that the trend away from centralized security services may be beginning to be reversed. As such, some of the large shopping centre companies appear to be in favour of engaging larger security companies to provide services across a number of sites.

Security Manager

Larger centres will often have an on-site security manager. The security manager will be responsible for monitoring the security operatives within the centre. They will ensure regular appropriate training is provided, monitor performance, supervise security

personnel, manage rosters and liaise with the operations manager about the performance of security personnel. It will be in the best interests of the security manager to ensure that the operations manager is generally satisfied with each of the security personnel and respond to any complaints or suggestions. The regular contracting of security services and the number of providers means that the provision of security is generally a competitive environment.[24] In such an environment, the security manager will seek to maintain their competitive advantage by finding ways to maintain the confidence of the operations manager.

Security Personnel

Security personnel are employed at shopping centres to maintain the order of the centre. Prevention of shoplifting and anti-social behaviour will be central goals of security personnel. There is debate about how best to achieve these outcomes. Some suggest quasi law enforcement approaches, whereby guards wear uniforms and adopt a zero tolerance approach to minor misbehaviour, whereas others suggest a customer service role, where guards are more casually dressed and are encouraged to engage with the shoppers, enabling more gentle and less confrontational reminders of what is acceptable in a shopping centre. In part, which approach is adopted will often be a function of the beliefs and attitudes of the centre manager, operations manager and the security supervisor, rather than relating to some independently validated analysis of which models work best under what conditions. It is also true that some centres will adopt a specific approach, such as 'zero tolerance' for a period and then relax this style once particular problems have been addressed. As such, it is unlikely that any approach adopted will necessarily be static. It is also likely that across personnel within any one location there will be different attitudes and approaches, whereby different practices will operate depending upon the actual personnel.

In the main, security personnel in shopping centres will have received basic training. Given the diversity of sites for which security personnel are trained (i.e. static deployment outside a single retail outlet, patrolling a business district late at night to working in a shopping centre which receives in excess of 14 million visitors per year), it is generally unlikely that they will have received any specific instruction on dealing with young people (or other specific sectors of the community). Some security personnel will be naturally better at managing interactions with young people and other members of the community, while others will be less good at such interactions. In the absence of specific training programs for the sector, it might be possible for local youth workers and other behaviour management specialists (school teachers, for example) to work with the security providers on strategies to enhance relationships with young people.

Local Government

There are two key functions which local government perform that ensure that they have an important role in deliberations regarding young people's access to shopping centres. Firstly, local government will be responsible for approving any development applications

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[24] This is likely to be true of larger metropolitan and rural areas than for smaller regional communities where there might be few security service provides.

submitted for the development (which is extremely rare now that there are very few green fields sites) or re-development of a shopping centre. The development application process enables the council to review strategies that the development or shopping centre management company have for consulting young people about the impact of the (re)development and what future strategies will be adopted to ensure that young people's access is managed constructively. Secondly, local government coordinates crime prevention planning. Shopping centres and their relationship with young people will often be an element of a local crime prevention plan. Some councils in NSW (i.e. Liverpool, Penrith, Fairfield, Gosford and Wyong) have made successful bids for crime prevention funding (or other sources of funding) to engage workers / consultants to focus on young people's access to shopping centres and public space issues more broadly.

Youth and Community Development Officers

The size of a local council will impact upon the number of and nature of the responsibilities for youth and community development officers. Larger councils will have more dedicated resources for these areas, whereas a smaller local government will have fewer resources. Irrespective of the size of the section of council allocated for these purposes, there will be a council staff member who can be of considerable assistance in developing a local youth protocol or helping more broadly with youth issues.

Where a Youth Development Officer exists, they will generally be responsible for coordinating the youth inter-agency meetings (a meeting of local youth and related workers); developing, maintaining and coordinating the activities of a local youth council or advisory committee; providing support and disseminating information about central youth initiatives to local providers; developing and implementing local youth programs or initiatives (particularly associated with annual Youth Week celebrations) and generally providing support and assistance to other council staff and community members on youth issues.

Council will also often employ youth workers to operate particular youth facilities or carry out specific functions associated with young people. In recent times, a number of councils have developed positions for public space workers, who focus on issues of access to and management of public spaces. These staff will liaise with key stakeholders, which might include shopping centre managers, transport providers, retailers and other business interests, to advocate on behalf of young people. Numerous councils also employ Crime Prevention Officers or Community Safety Officers, who will coordinate crime prevention and community safety activities. Where young people are identified as contributing to local crime and disorder, then it is possible that these officers will assume some responsibility for developing a local youth protocol or managing the development of initiatives to combat any problems emerging regarding access to shopping centres and public space more broadly.

As has been briefly identified, town planning staff within local councils will have a specific role in the development approval process. Youth and community development officers will have more or less contact with these town planning staff depending on the local arrangements. In some councils, these sections work cooperatively and have well

established procedures for involvement of youth and community development staff in reviewing development applications. In other councils, the relationship between the different sections of the council will not be so well established and town planning and community development sections might have limited contact and understanding of the role that each play.

The Youth Sector

The youth sector represents a diverse range of services and agencies. From sole workers in small neighbourhood centres to large, multi-purpose youth centres, youth workers are engaged in different work. Some workers provide outreach services, where they engage young people in environments where they congregate, while others provide recreation programs in government funded youth services. Providing a brief yet accurate description of the youth sector is difficult. The nature of funding, the essential purpose for the service and the type of clients targeted will all affect the nature and scope of services offered. In any one community, there will be various government and non-government agencies providing youth services.

The NSW Youth Action and Policy Association recently conducted a census of youth services. The findings from the census (available at http://www.yapa.org.au/census/index.htm) revealed that:

- 88% of the 770 youth projects identified via the census in NSW employed between 1 and 4 paid staff;
- Roughly a quarter have attended no training in the past 12 months; and
- 39% have less than 3 years experience in the youth sector.

These findings illustrate the limitations of the capacity of the sector. Many workers operate as sole workers or in facilities with few staff and a significant minority have received no training in the past 12 months, despite having less than three years experience in the sector. Consequently, it will not be uncommon for workers to experience difficulties maintaining commitments outside of their work environment. Participation on committees, access to infrastructure (including information and technology resources) and undertaking projects further to their direct work with young people will often be compromised.

Youth workers will often see a key function of their role to advocate for young people. As advocates, it will be important to highlight areas where the rights of young people have been neglected or compromised. In executing these duties, there will often be times where youth workers come into conflict with other stakeholders. Contesting particular policies or procedures can result in conflict. Given the often-limited power or opportunities that young people have in making or contributing to decisions that affect them, youth workers will often be required to advocate for young people.

Advocacy for young people, as with other forms of advocacy, often requires significant 'commitment to the cause'. This 'commitment to the cause', can lead to what some would describe as myopia or tunnel vision, in which the views and perspectives of other stakeholders are given little consideration. Recognition of the potential problems caused

by young people can in some instances be ignored by strong advocates, to ensure that the 'cause' is not lost or diluted. Understanding the dynamics of advocacy and the difficulties associated with reconciling problematic aspects of young people's behaviour with the demands of advocacy is important when engaging in consultation with youth workers.

Furthermore, it is also beneficial to have some understanding of the nature of the client group of youth workers. While again it is not possible to accurately generalize, it is important to consider the nature of the clients that individual youth workers deal with. By the very nature of the work, it is likely that many of the young people accessing services provided by youth workers will be experiencing some difficulties. Mental health, alcohol and other drug use, suicide ideation, criminality, family dysfunction, abuse and neglect and school failure are not uncommon characteristics of young people accessing youth services. This is not to say that all young people accessing youth services present with these difficulties, but it does suggest that those often requiring the greatest attention are often confronted by a multitude of challenges and difficulties. A quick review of some key facts provides some insight into the experiences of young people today:

- "In Australia in 1998, there were 446 deaths from suicide in the 15-24 year age group. Young males comprised 364 of these deaths"[25]
- "The recently completed *National Survey of Mental Health and Well-Being* (Sawyer at al 2000) revealed that the prevalence of depressive disorder in 12-to 16-year-olds was 4.8% for males and 4.9% for females. In a study of Australian children, Patton (1999) found that 5.6% of 15 year-old males and 14.4% of 15-year-old females suffered mild depressive episodes"[26]
- "Some degree of antisocial behaviour is normal in adolescence"[27]
- Multiple research studies have established that young people are over-represented as victims of crime. For example, data taken from the Australian Bureau of Statistics show the victimization rates of young people for various crime types:
    - There were 80,076 male and 55,742 female victims of assault. For both males and females, those aged 15-24 years recorded the highest victimisation rates
    - There were 2,804 male and 12,396 female victims of sexual assault. The highest victimisation rates were recorded for males aged 0-14 years and for females aged 15-19 years, with 61% of all victims aged 19 years of younger
    - There were 257 and 428 female victims of kidnapping / abduction with the highest victimisation rate being for 15-19 year old persons
    - There were 12,223 male and 6,140 female victims of robbery. The highest robbery victimisation rate was for males aged 15-19 years[28]

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[25] Mitchell, P. (2000) Valuing young lives: Evaluation of the National Youth Suicide Prevention Strategy, Australian Institute of Family Studies, Melbourne.

[26] Kowalenko, N; Wignall, A.; Rapee, R.; Simmons, J.; Whitefield, K. and Stonehouse, R. (2002) 'The ACE Program: working with schools to promote emotional health and prevent depression', *Youth Studies*, Vol. 21, No. 2

[27] Vassallo, S.; Smart, D.; Sanson, A.; Dussuyer, I.; McKendry, B.; Toumbourou, J.; Prior, M. and Oberklaid, F. (2002) *Patterns and precursors of adolescent antisocial behaviour*, Crime Prevention Victoria, Victoria.

[28] Australian Bureau of Statistics (2000) *Recorded Crime Australia 2000*, Australian Bureau of Statistics 30 May 2001 Canberra 4510.0

This brief review of some key research findings demonstrates how difficult life will be for many young people. Support provided by youth workers and youth organizations will be vital for survival, growth and hope of some young people.

While some of these statistics relate to only some sections of young people within our community, it is also worthwhile remembering that "adolescence is a time of experimentation and socialization … adolescents are just developing the decision-making skills that require formal operational thought, such as envisioning different options and weighing up the alternatives. That is, the ability to make decisions about risky behaviours has not yet developed".[29] Consequently, as a client group, young people will often be challenging to work with. Youth workers often assume a vital role in helping young people understand the consequences of their behaviour and to assist them to gain insight into how their behaviour effects others.

Police

Police will often be important stakeholders in discussions related to young people and shopping centres. Police will have data and intelligence on crime within and around shopping centres, most likely have established liaison with the security providers at the centre and more generally be aware of the crime and community safety concerns in the local area. Engaging police in discussions about these issues will be beneficial.

There are probably two police portfolios likely to be involved in such discussions. These roles include the Youth Liaison Officer and the Crime Prevention Officer. Depending upon the issues, officers such as an Intelligence Officer, the Crime Coordinator and Crime Manager and the Youth Program Officer (PCYC) might also be consulted.

Youth Liaison Officer (YLO)

Each Local Area Command (LAC) in NSW should have an appointed YLO. In some LACs there will be more than YLO, while in others the YLO will also perform various other duties. YLOs are responsible for youth crime and youth crime prevention within the LAC. This will entail monitoring the use of the *Young Offenders Act 1997*, issuing police cautions, attending youth justice conferences, providing advice to other officers on the Act and youth issues, liaising with relevant stakeholders in the local community, conducting anti-truancy campaigns, delivering Crime Prevention Workshops in schools and various other tasks.

Crime Prevention Officer (CPO)

As with YLOs, each LAC should have a CPO. CPOS are responsible for a range of programs related to crime prevention. These officers will often have an active role in assisting local councils with aspects of their crime prevention plans, they will coordinate campaigns designed to prevent particular crimes (such as motor vehicle theft, armed

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[29] Spooner, C.; Hall, W. and Lynskey, M. (2001) *Structural Determinants of Youth Drug Use*, ANCD Research Paper 2, ACT.

robbery, shoplifting, break and enter), will provide advice about how the design of environments can minimize crime and liaise with relevant community stakeholders.

This information has been provided to give some insight into the possible stakeholders in a particular community / shopping centre. While all communities and centres are different, there will often be key personnel in each of the areas identified. Understanding the constraints, challenges, goals and concerns of each group and individual will be important to increasing the opportunities to work effectively together.

Contacts / Supports

While it is hoped that the information contained in this report and *Creating the Space for Dialogue: A guide to developing a local youth shopping centre protocol* will provide sufficient information to facilitate the development of local protocols, it is recognized that problems and questions will still arise. As such, the following information on key relevant agencies and services has been provided. Each of these agencies should be able to provide some assistance on specific relevant issues:

Youth Action Policy Association (YAPA)

YAPA is the peak youth body in NSW. YAPA has had extensive involvement in public space issues and have wide networks within the youth sector. YAPA can provide advice about strategies to adopt, suggest people to contact for support or assistance or can provide ideas that might have been successful in other locations.

Telephone: (02) 9319 1100
Freecall: 1800 627 323
Website: www.yapa.org.au
Email: info@yapa.org.au

NSW Attorney General's Crime Prevention Division

The Crime Prevention Division provides advice to local government and other agencies across NSW. Regional Advisors within the Division have sound knowledge of local projects and have developed strong links with government, non-government and business organizations.

Telephone: (02) 9228 8307
Website: www.lawlink.nsw.gov.au/cpd.nsf/pages/index
Email: cpd_unit@agd.nsw.gov.au

NSW Commission for Children and Young People

The Commission for Children and Young People (CCYP) develop policy, advise government, undertake research and educate people about the needs of children and young people. CCYP has developed a number of useful resources, including *Taking Participation Seriously*, a guide to involving young people in making decisions which affect their lives.

Telephone: (02) 9286 7276
Website: www.kids.nsw.gov.au

Shopping Centre Council of Australia

The Shopping Centre Council of Australia is the peak advocacy body for shopping centre companies across the country. The Council promotes understanding of issues affecting the operation of shopping centres, advocates on behalf of shopping centre managers and companies and lobbies government. The Council has been significantly involved in reviewing issues associated with young people's access to shopping centres and can provide advice and resources relevant to this issue.

Telephone: (02) 9336 6902
Website: www.propertyoz.com/scca

Children's Legal Service, NSW Legal Aid Commission

The Children's Legal Service operates across NSW. The Service employs solicitors who work in Children's Courts and represent young people in other courts. The Service also operates a legal advice helpline, which enables young people to receive legal advice from appropriately trained solicitors most hours of the day / week / year.

Helpline Phone Number: 1800 101810

Urban Design Advisory Service

The Urban Design Advisory Service have developed guidelines (*Urban Design Guidelines with Young People in Mind*) for the development of public spaces affecting young people. These guidelines provide advice and direction about how young people can be involved and spaces designed to address the needs of young people. These guidelines can be accessed via the website.

Website: www.duap.nsw.gov/programservices/advisory.html

Y-Space Website

The Queensland University of Technology created and maintains the Y-Space website, which is a clearinghouse of publications, articles and information about public space projects. The website is an excellent resource and the information contained on the website can promote thinking about different, innovative ways to tackle public space problems.

Website: www.yspace.net/

Security Industry Registry

The Security Industry Registry (SIR) is the unit within NSW Police established to oversee the licensing arrangements for security provides and personnel and to monitor and manage complaints against security providers. Complaints about the behaviour of

security guards can be made to SIR. For further information about the SIR or about making a complaint about a specific security provider, contact SIR on the following:

Website: www.police.nsw.gov.au/sir
Email: sir@police.nsw.gov.au

Australian Centre for Security Research, University of Western Sydney

The Australian Centre for Security Research, University of Western Sydney conducts research and provides tertiary education for security providers on an array of relevant topics. The Centre can provide assistance in developing specific training programs for security personnel on issues associated with young people.

Telephone: (02) 9772 6676
Website: www.security.uws.edu.au
Email: acsr@uws.edu.au

There are many resources, support material and experienced workers who can be consulted on inclusive management practices of young people in shopping centres. Many of these resources have been identified throughout this report or are available via one of the websites listed above.

This Report has been developed in attempt to provide some background to *Creating the Space for Dialogue: A Guide to Developing a Local Youth Shopping Centre Protocol.* It is hoped that the information provided will help in the development of local shopping centre youth protocols and other strategies to improve young people's access to and use of shopping centres in NSW.

Summary and Conclusion

Shopping centres are central to the lives of many young people in NSW. With in excess of 260 shopping centres in the State, shopping centres are an important source of employment, a place to hang out, meet friends, socialize and to carry out duties such as maintaining mutual obligation commitments with Centrelink, pay bills and purchase services. Perceptions of young people as being a threat to a safe and harmonious shopping environment, often results in greater scrutiny and surveillance of their behaviour and presence. In some instances, this surveillance results in young people being excluded from a shopping centre, often for behaviours that would be acceptable if undertaken by other groups in the community (for example, gathering in groups). While young people will behave inappropriately on occasion, requiring sanctions or consequences, it has been an increasing concern of some youth advocates that young people are excluded and then charged for trespass for breaching a banning notice following a minor incident that could have been dealt with in an alternative fashion.

Many centres, recognizing the value of young people as customers and members of the community have developed approaches to facilitate young people's use of and access to shopping centres. A range of models or approaches have been adopted. One approach that has proven successful in increasing the communication between relevant stakeholders (security, young people, centre management, youth workers, police, etc.) has been the development of a protocol. A protocol is an agreement between these major stakeholders about what will be seen to be acceptable behaviour within a shopping centre and what consequences will result from particular inappropriate behaviour. Negotiating a protocol requires considerable discussion between the key stakeholders. This discussion and dialogue will often be critical to resolving any issues that have or will emerge.

While local protocols and projects have flourished in many areas of NSW, there has been concern that there was an absence of a systemic or macro response and that changes in workers adversely affected local arrangements. As such, the Youth Action and Policy Association and the Youth Justice Coalition with support from the Shopping Centre Council of Australia, successfully sought funding from the NSW Attorney General's Crime Prevention Division to fund the development of a statewide guide to developing local protocols. A project team from the University of Western Sydney developed *Creating the Space for Dialogue: a guide to developing a local youth shopping centre protocol*. This Guide provides a framework for the development of local shopping centres protocol.

This report complements the Guide. Information provided in the report should help those persons seeking to develop a local protocol understand the context of the project and gain an insight into issues relevant to the development of a local protocol. Observations and findings listed in this report might help structure discussions between key stakeholders.

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