



Government of Western Australia
Department of Corrective Services
Office of the Commissioner

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Our reference: AF34377

Professor Neil Morgan
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Dear Professor Morgan

Draft Report of the Announced Inspection of the Management of Girls at Banksia Hill Detention Centre

Thank you for your letter dated 24 September 2013 enclosing a copy of the draft report of the Announced Inspection of the Management of Girls at Banksia Hill Detention Centre.

Please find attached a copy of the Department's responses to the 8 recommendations as requested. A factual inaccuracies/comments report is also attached.

A copy of the Department's response will be provided to the Minister for Corrective Services for his information.

Yours sincerely

Heather Harker
A/COMMISSIONER

2/ October 2013

Attachment(s): *Responses to Draft Recommendations Banksia Hill Girls
Factual Inaccuracies /Comments Report*

Announced Inspection into the Management of Girls at Banksia Hill Detention Centre

Rec. No.	Recommendation	Level of Support	Responses
1	That Government examine alternative options for sentencing young girls to custody, such as safe and secure houses, or community-based accommodation.	Supported	The Department of Corrective Services supports the examination of alternative options for sentencing young girls to custody and will contribute to a whole of government review.
2	That the Department of Corrective Services develop new initiatives for the mixing of appropriately assessed girls and young adult women in custody to allow improved service delivery and correctional outcomes.	Supported in Principle	Government support for a legislative review would need to occur to enable this to happen.
3	That the Department broaden the range of life skilling, employment, training and educational opportunities for the female detainees at Banksia Hill.	Supported	The Department of Corrective Services supports the expansion of programs, education and life skills training for young girls and there is significant work progressing in this regard. Formal recognition has been provided for BHDC to facilitate the Stephanie Alexander Garden Program and a garden location has been identified. The barista course has also commenced and kitchen training for self-care girls has been resumed. Evening programs delivered by Youth Custodial Officers are in the process of being developed with a focus on life skills. The programs will include communication skills, hygiene, baby healthcare, food and nutrition, financial management, alcohol and substance misuse, establishing healthy sexual relationships and dealing with difficult situations.
4	That the Department introduced a means of booking medical appointments which both preserves the privacy of the female detainees and enhances their life skills.	Not Supported	The proposed method of medical bookings (i.e. detainees filling out appointment cards) would in fact diminish attempts to preserve the privacy of detainees given the majority of detainees would require an Officer to fill out the card for them (owing to the low literacy levels of the detainee population).
5	That the Department enhance and evaluate an integrated approach to service delivery and detainee management.	Supported existing Departmental initiative	BHDC supports the implementation of an integrated service delivery model and will reinstate weekly meetings to discuss the management of each young female detainee with all relevant stakeholders.
6	That the Department improve the recreation options for the female detainees at Banksia Hill including regular and structured access to the main oval and library.	Supported	BHDC supports the improvement of recreational options for female detainees and has identified an area that will be turfed for this purpose. The Yeeda Precinct Unit Plan includes options for recreation and other activities which has been developed and implemented in line with the Structured Day philosophy.
7	That the Department introduce inter- and intra-prison visits for detainees at Banksia Hill and their family members.	Supported	BHDC will explore options to improve inter- and intra- prison visits between female detainees and their family members.
8	The Department of Corrective Services build upon the positive beginnings achieved by Yeeda and must now i. Maximise the opportunities offered by the Yeeda Precinct to provide an enhanced service to girls, having regard to the diversity of the population it accommodates, and ii. Evaluate 'what works' for this cohort of girls in custody.	Supported existing Departmental initiative	BHDC supports the recommendation and will continue to embed the new philosophy and vision for the Yeeda Precinct through regular staff training, new initiatives and communication strategies. Current and future Entry Level Training Programs (ELTP) will also focus on working with female detainees and developing specific unit plans as part of their introductory training.

Inaccuracies and Comments for OICS Banksia Hill Girls Inspection

Reference 5 page 2 Holdom C, *Too few to count: detention centre practices for young women and girls in Australia and elsewhere (Unpublished paper, Department of Corrective Services, 2004).*

- This is a draft Department of Justice document that was prepared nine years ago for an interactive workshop, by a former Department of Justice employee, now employed by OICS.
It should be either removed or referenced correctly.

2.36 *Another significant contributor to the failure of the new operational philosophy was the constant change in leadership at all levels within Youth Justice over the duration of the project. Compounding this were decisions from head office management to consolidate or merge positions, or to not replace some key positions at all.*

- Clarification is required on which key positions were consolidated or merged and not replaced.

2.37 *Banksia Hill had five substantive Superintendents/Directors between the beginning of 2009 and the time of this inspection. At the start of 2012 the acting Director was only in place for a few months before being replaced. This replacement Director was also overseeing the capital works, in addition to being the project manager for the amalgamation. The capital works portion of the role was removed shortly after in an attempt to reduce the Director's workload.*

- As previously stated in comments to OICS the use of the word 'substantive' is incorrect. From 2009 to the start of the inspection, Banksia Hill has had only two substantive Superintendents/Directors.

2.38 *The reason for this acting Director having to take on so many roles was that, at the end of 2011, the project coordinator position had been abolished, leaving the amalgamation without a position dedicated to its progression for the first five months of 2012. Consequently, the Director at the time had to take on further project management responsibility in addition to the operational and strategic roles of being the Superintendent and Director.*

- As previously stated in comments to OICS, strategic responsibilities are also held by the Assistant Superintendent Youth Justice Services.

2.28 *The first disappointment for the Yeeda precinct was that the new operational philosophy developed through the working group process did not drive its physical design. Rather, the inspection found that the design for the expanded Banksia Hill predated the completed work of the groups and was driven primarily by cost and functional outcomes. Without infrastructure that would support the idea of a community living model, any chance for a therapeutic model to succeed was already jeopardised. Interviews with managers responsible for input to the physical design of Yeeda indicated a desire to try and match design and need more closely, however, the budget allocated to the project could not meet any of the outcomes required in a centre that would enable it to be more 'female centric'.*

3.22 *As indicated, the Yeeda precinct has a dedicated Programs Room for the use of the female detainees. This represents a considerable gain in infrastructure given that at Rangeview programs were run out of the two already cramped education rooms...*

- These two paragraphs contradict one another.

2.35 It was also concerning that various individuals who had been in leadership positions at different times during the project shared doubts about the proposed new operational direction, and the extent to which it would be supported by staff. While staff reluctance was possibly understandable, the statements raise the question of why management presented the model to CET as the preferred way forward, if they retained doubts about its implementation. Alternatively, if management believed in the new philosophy as the best option for change then it was incumbent on the leadership to bring staff on board and change manage the new way forward.

- This statement is opinion only and requires qualification.

3.7 Despite the extenuating circumstances of the January riot, it was a stark reminder that the promise of a girls-only precinct did not survive long. The placement of young males into a new unit that had only been operational for four months created precisely the type of environment it was intended to do away with. The primary needs of the girls had to be put to one side for the operational needs of the boys.

- That was an emergency situation which required decisions to be made for the welfare of all detainees. The Department requests the removal of this statement.

3.15 Prior to the riot at Banksia Hill in late January, some of the female detainees had regularly been working and training in the detention centre's kitchen. However the practice had halted following the incident, and given the degree of uncertainty across the juvenile estate at the time, it was difficult to predict when such activities would resume. It was disappointing that greater effort had not been made to reintroduce the girls to the kitchen, given the low numbers of young males on site at the time of the inspection.

- The practice of having young female detainees working and training in the detention centre's kitchen recommenced in early August 2013.

3.22 ...Somewhat ironically however, during the onsite phase of the inspection, the team observed an incident where a group of Banksia Hill staff (notably not on the Yeeda staff roster) had booked the Yeeda programs room for the purposes of a Staff Support meeting, during the only session of the week when the girls actually had a program to attend. Thus, instead of using their own programs room, the girls and their program facilitators were required to relocate to the dayroom of one of the unit wings. Whether this represented an act of subtle bullying by the officers using the room or merely very poor planning, the effect was that the girls were once again sidelined in their own 'dedicated' precinct.

- The suggestion that this was 'subtle bullying' is totally inappropriate and the department requests that it is removed.

3.27 Case management staff further noted that their work was hampered by a number of external factors, including a lack of through-care options, and prevention and diversionary programs in the community. An absence of community accommodation options, including those provided by the Department of Child Protection (DCP), made release planning particularly challenging. One of the young detainees being held in Yeeda at the time of the inspection provides a case in point. The young female detainee was under the care of the DCP, who had vouched for her at a recent bail hearing. However, upon hearing of her release, the DCP had requested that Banksia Hill continue to hold her indefinitely, as they had no placement options available. This indicates a degree of miscommunication and under-resourcing that would be comic were it not impacting so harshly a disadvantaged young person.

- When a young person in the Care of the CEO is admitted to BHDC, DCP is informed immediately. This communication also extends to future court appearances and early release and expiry dates. Given DCP have full legal responsibility for a young person in care it would be inappropriate for BHDC to be sourcing alternative accommodation placements which could undermine the integrity of DCP's case management of an individual detainee.

3.46 *Nonetheless, it also states that '[D]etention centre staff, contractors or service providers shall facilitate supervised, positive interaction between male and female detainees, which promotes and develops self-discipline and self-responsibility'.*

- Traditionally male and female detainees have interacted during various activities; this is to be reintroduced in the future.