

MEDIA RELEASE – EMBARGOED UNTIL 12 NOON ON TUESDAY 16TH JUNE 2015

Report No. 97 – Banksia Hill Juvenile Detention Centre

In his inquiry into the January 2013 riot at Banksia Hill Detention Centre, the Inspector of Custodial Services identified many risks and long-simmering problems, and called for wide-ranging reforms in the Department of Corrective Services (DCS) as well as at Banksia Hill itself.

In launching his latest report on Banksia Hill, Inspector Neil Morgan said:

‘In 2013 I concluded that youth justice should be transitioned out of DCS to a new commission or department, and that this new body should oversee and rationalise youth justice expenditure across a number of departments. This did not happen but the new DCS structure does address many of my concerns. After years where its focus on youth was diluted, DCS now has a division dedicated specifically to young people, and a Youth Justice Board has been appointed to provide additional strategic advice.’

Mr Morgan commended DCS for adopting a more open and innovative approach to engagement with Aboriginal organisations to provide diversion and support to young people in trouble with the law. Noting the contracts recently entered into with the Aboriginal Legal Service, the Wirrpanda Foundation and the Kimberley Aboriginal Law and Cultural Centre (KALACC), Mr Morgan said:

‘Such initiatives are very welcome and long overdue. And I hope this is just the start of such innovation. We must try different ways of doing business if we are to address the issues that impact on children being caught in the justice system.’

Projects like the KALACC-run Yiriman project in the Fitzroy Valley, which will be funded to the tune of \$440,000 over two years, can offer a more culturally productive approach to providing guidance and support. There is good reason to be optimistic about such programs, and the annual funding for Yiriman is less than it costs to keep just one child in Banksia Hill for a year.’

The report found that Banksia Hill itself has improved in many ways since the depths of 2012 and 2013 but that there are some fragilities and future risks. Mr Morgan said:

‘Certainly, many fundamental indicators are better. The Centre is far more stable than in 2012-13, when serious assaults and other challenges to authority, were occurring with alarming frequency.’

The management team has been bolstered, security procedures have improved, staff culture, morale and cohesion have lifted, HR processes are improving, unscheduled lockdowns have declined, and perhaps most importantly engagement between management, staff and young people has improved. These are all positive signs. Staff and management across the Department deserve credit and thanks for their continuing commitment and for what has been achieved.’

Mr Morgan also welcomed the stronger focus on older youth at Banksia Hill and on young adults held in the state’s prisons. Legally, juveniles must be treated separately from adults but older youth

and young adults face many of the same problems. Provided they are properly resourced, the state will benefit from the initiatives at Banksia Hill, the development of a Young Adult Unit at Acacia Prison, and the fact that numbers are now flowing through to the Wandoo Reintegration Facility.

However, Mr Morgan said that that progress had been slower than he had hoped:

‘Both at the time of the inspection, and now, the Centre still has some way to go before it will be totally confident, clear in its sense of direction and meeting high performance standards in all areas.

Education and training, mental health services, case management, and Aboriginal-focused programs are priority areas. The needs of girls should also be a much higher priority: they have different, and in many ways greater needs. More generally, it is important for youth justice to have a philosophy to guide practices in general and at Banksia Hill. Fortunately, the Minister and Commissioner accept this and a number of initiatives are in train.’

A major contributor to improved stability was a 25 per cent reduction in the detainee population, from over 200 to 150-160. The report cautions that if numbers return to previous levels, the Centre’s risks will increase and the gains of the last two years may be lost. While DCS puts the total capacity of Banksia Hill at 210, suggesting there is ample room for growth, the true operating capacity is much lower. The girls’ unit has 28 beds, leaving 181 male beds. However, some of these are designated for specific purposes such as crisis care or behaviour management, and should not be used as general accommodation. Some of the beds are also in double-bunked cells. Mr Morgan said:

‘It is important to be able to separate different groups of detainees according to gender, age, risk and need. Recently, even though the number of children in detention was still low, a number of younger boys were placed in the girls’ unit to relieve population pressures elsewhere. At the time there were very few girls on-site, but this is clearly not a long term option.

It is also important to avoid double-bunking children unless absolutely necessary. In exceptional circumstances, it may be appropriate for children to share cells which have been designed for sharing. But the forced sharing of single cells by children is inappropriate and must not be allowed to become routine practice. Unfortunately it will become routine if detainee numbers increase and no alternatives are developed’

In summary, Banksia Hill has improved in many areas over the last two years but remains a work in progress, and is at particular risk if numbers increase. It is still rebuilding its services and must be properly resourced to do this.

Neil Morgan
Inspector

15 June 2015

For Further Media Information

The Inspector, Mr Neil Morgan, will be available for comment from 12 noon on Tuesday 16 June and can be contacted on 6551 4201 or 0427 426 471.

The full report will be available on the Inspector’s website (www.oics.wa.gov.au).