



Response to the review of Behaviour Management Practices at Banksia Hill Detention Centre

Department of Corrective Services

May 2017

The Department of Corrective Services welcomes the findings of the Behaviour Management Practices at Banksia Hill Detention Centre (BHDC) review conducted by the Office of the Inspector of Custodial Services.

The Department has considered the report and noted a level of acceptance against the 17 recommendations.

The Department announced on the 8th May 2017 that decisions about the future of BHDC are being made in consultation with local management, staff and key stakeholders to ensure the ongoing safe operations at the centre.

The Department is looking at the operating model of BHDC, specifically the security and stability of the centre and a strategically focused project to look at youth custodial service delivery optimisation.

The Department is committed to providing a safe, secure and stable environment at BHDC that provides the best opportunity for young people in our care to rehabilitate through effective education and rehabilitation programs.

Appendix A contains a number of notes for your attention.

Response to Recommendations

1 The Department should continue to pursue a trauma informed model of treatment for young people in detention.

Response:

The Department acknowledges the Inspector's finding that the Department was right to promote a stronger rehabilitative model at BHDC and appreciates the Inspector's ongoing support for the principles that underpin a trauma informed model of care. The Department is committed to continuing trauma informed practice and evidence based behaviour management models, the implementation of which will continue as part of Project Banksia.

Level of Acceptance: Supported

2 Investigate opportunities for small residential youth justice facilities across Western Australia to keep young people close to their families and networks, and to increase the prospects of successful rehabilitation.

Response:

The Department supports the Inspector's findings that BHDC is a complex custodial facility housing young people with complex and diverse needs. While the Department agrees with the Inspector's premise that small, locally based custodial facilities for juveniles are a sound model of detention, the Department is limited to operations within its current infrastructure base. Significant capital investment would be required to comprehensively assess opportunities for small residential youth justice facilities across WA. The Department will consider this recommendation in line with government priorities and machinery of government changes across the youth justice portfolio.

Level of Acceptance: Supported in principle

3 Improve clarity and communication about short term and long term strategies of the Banksia Hill.

Response:

The Department has prioritised improved communication and clearer implementation of operational models at BHDC. The Department is taking learnings from the successes and failures of past program implementation.

Regular communications with BHDC and head office staff is occurring as a priority and all internal and external stakeholders will be kept updated and appraised of strategies at BHDC.

Level of Acceptance: Supported

4 Improve consistency in the way young people are managed.

Response:

The Department agrees with the Inspector's findings that the management of young people in detention should be based on fair and consistent treatment. The Department has always maintained a management approach that treats young people fairly and in line with the Young Offenders Act 1994.

The Department will improve the implementation of the models of care at BHDC by providing clearer direction, leadership and management to Banksia Hill staff.

Level of Acceptance: Supported

5 Deliver PSPs and CHART or alternative programs based on similar principles.

Response:

The structure, management and operational model for young people at BHDC will be reviewed as part of Project Banksia to ensure continuous improvement and better outcomes. The 2016 frameworks were established to consistently and objectively measure and evaluate the performance of programs delivered to young people. The implementation of these programs will continue, in line with any impacts that machinery of government changes may have on the delivery of youth justice services.

Level of Acceptance: Supported

6 Assess and mitigate staff concerns regarding the investigation process.

Response:

The Department has commissioned a review of the Investigations Services directorate to ensure that all investigation matters are dealt with in accordance with the principles of natural justice and procedural fairness.

Level of Acceptance: Supported

7 Evaluate the use and effectiveness of the different behaviour management tools.

Response:

The Department is committed to implementing a trauma informed practice model which will inform the range of appropriate behaviour management tools.

Level of Acceptance: Supported

8 Minimise the use of lockdowns for staff training and staff shortages.

Response:

The Department is in the process of building a structured day that will include staff training. There will be an operational requirement at times to restrict routine operations to facilitate staff training.

Level of Acceptance: Supported in principle

9 Implement an out of cell hours Key Performance Indicator for youth custodial services that matches or exceeds the adult custodial target.

Response:

The Department's KPIs for Youth and Adult Justice Services are agreed via the Government's Outcome Based Management Framework. Implementing additional KPIs will be considered via the implementation of Machinery of Government (MOG) changes in Youth Justice Services.

Level of Acceptance: Supported in principle

10 Improve record keeping practices to accurately reflect the time young people spend in cell.

Response:

This has been improved (recently) with the introduction of an on-line recording process that clearly identifies time in and out of cell (OOCH). This pilot document and process, once suitable for all parties, will be submitted for inclusion in the Department's IT system.

Level of Acceptance: Supported in Principle

11 Ensure all young people have a minimum of an hour of exercise six hours as required by the Young Offenders Regulations 1995.

Response:

The Department is committed to providing recreation opportunities as part of the structured day in line with requirements of the Young Offenders Regulations 1995. The Department accepts the Inspector's findings that improved record keeping will enhance the monitoring of time out of cell for recreation.

Level of Acceptance: Supported

12 Ensure high quality audio and visual recording of Special Operations Group interventions at adult and youth custodial facilities.

Response:

Lapel camera's and hand held video is used currently by Youth Justice Workers to ensure safe practices are used in all incidents and critical situations. The Special Operations Group and Adult Custodial currently use hand held cameras for planned use of force. Currently there is no budget appropriation for the wider rollout of Lapel cameras, however, it has been included on the agenda of the Security and Intelligence Committee.

Level of Acceptance: Supported in principle

13 Record the reasons restraints are used on young people.

Response:

The reason for the use of restraints on young people is currently capable of being extracted from TOMS. Reasons are obtainable within the Incident Report Description and also from Custom Reports and Data Extraction. Functionality of TOMS is continually improving and towards the end of 2014 a number of reports were removed. Whilst the Department recognises that the Restraints Used – Facility Report no longer exists, the information is still obtainable and in the current form, the reasons for restraint use is more descriptive than the previous 6 reasons contained in the former report.

Level of Acceptance: Supported

14 Ensure that young females are not housed in inappropriate units.

Response:

All living units within BHDC are similar in design and deemed suitable for all young people. All receive the same standards of care, access to education, programs and recreation, regardless of where they are housed. From time to time, decisions will be made on where young people are housed due to a variety of circumstances that can arise. The best interests of specific groups of young people and or individuals is always taken into consideration. Yeeda is considered the best option for young females at BHDC in normal circumstances. The Department is committed to reviewing best placement options for young females.

Level of Acceptance: Supported in Principle

15 Cease the practice of top locks.

Response:

The use of top locks is not an ongoing management practice at BHDC. Over two weekends in November, two discrete and finite operational orders were put in place in response to increasing incidents during the cleaning regime involving broom

handles and mops. To minimise risks to staff and young people, BHDC issued the orders that young people should return to their cells during cleaning time and for their own privacy and comfort their doors could be secured with top locks, meaning they were free to leave the cell at any time. A top lock prevents other young people entering cells, but does not prevent the occupant leaving their cell or staff entering the cell.

The Department agrees that constant and active staff supervision of young people in our care is required at all times of unlock.

Level of Acceptance: Not Supported

16 Do not use dietary restrictions as a behaviour management technique.

Response:

The Department agrees with the Inspector's comments that dietary restrictions should not be used as a behaviour management technique and can confirm that dietary restrictions are not used to manage behaviour at BHDC. Young people are offered and provided with appropriate and adequate amounts of healthy meals. These meals are prepared on site by our kitchen staff in accordance with the Food Act 2008 and Standard Guidelines for Corrections in Australia. An external Food Stars Audit was conducted and has confirmed that safe food practices and hygiene at Banksia Hill are compliant with all relevant standards. The Department commends the kitchen staff for providing a range of healthy and nutritious food options and we have included a list of these food options at Appendix A.

Level of Acceptance: Supported

17 Evaluate the safest and most humane way to deal with young people who spit and implement any required changes.

Response:

Since the removal of spit hoods, BHDC has introduced various forms of personal protective equipment for staff to utilise in different situations. This is accompanied with improved communication, use of intelligence and planning prior to interactions with young people that have a history of spitting or other behaviours that could pose a risk to staff safety. The Department considers these measures to be the safest and most humane for young people and staff.

Level of Acceptance: Supported

Attachment: Inaccuracies and Comments

OICS Reference	OICS Information	Comments
1 Page 9	<p>The Department of Corrective Services ('the Department') has put Banksia Hill's total capacity at 260, though we believe a more realistic figure is around 180 (Green, 2017).</p> <p><i>Green, R. (2017, February 3). Deputy Commissioner Youth Justice Services. (R. Davis, Interviewer)</i></p>	<p><u>Procedural Fairness</u> Deputy Commissioner Green has not been afforded the opportunity to review the information contained in this draft review; therefore, the Department is unable to verify its accuracy. OICS were aware of Ms. Green's unavailability and an extension to allow Ms. Green to review was requested and declined.</p>
1.3.1 Page 13	<p>With the young person's consent, assessments conducted as part of the research were shared with staff at Banksia Hill. Yet, when we requested to know the number of young people who had been admitted to Banksia Hill since January 2014 with diagnosed behavioural concerns, the Department was unable to provide us with information.</p>	<p><u>Consideration required</u> As per the response provided on 19 October 2016, The Department does not systematically test every young person for these diagnosed conditions. Some young people at Banksia Hill have participated (with theirs and their parent's consent) in a study conducted by Telethon Kids Institute, as a result of the study some of the participants have been diagnosed with some of the conditions outlined above. This information is shared with the young person, their family and the Department by TKI using an agreed informed consent process. Given that only some and not all young people participated in this study, the Department cannot provide a true reflection of the number of young people admitted into Banksia Hill since January 2014 with diagnosed Oppositional Defiance Disorder, Attention Deficit Disorder, Conduct Disorder, FAS-D. Any information provided would have been potentially misleading.</p>
4.2 Page 27	<p>A staff member's letter published in The West Australian newspaper in February 2017 reflected what we had heard from many staff in the survey: ...the staff feel unheard, unappreciated and unsafe. What is happening at Banksia Hill needs to be recognised for the crisis it is. It needs to be addressed and corrected. We aren't asking to be heard just for us. We can see, first hand, the detrimental effect these changes are having on the kids. (Cresswell, 2017)</p> <p><i>Cresswell, L. (2017, February 10). Letter to the editor. The West. Perth, Western Australia.</i></p>	<p><u>Removal request</u> The Department requests the removal of this quote or removal of the Officer's name as the Officer involved has not been provided with a copy of the draft review due to the confidentiality requirements.</p>

<p>5.4 Page 38</p>	<p>The PRT are local staff trained to provide a planned emergency response function (Elderfield, 2016).</p> <p><i>Elderfield, R (2016, December 20). Special Operations Group responses at Banksia Hill. (OICS, Interviewer)</i></p>	<p><u>Consideration required</u> This statement is a direct quote from BHDC Standing Order 18 and as such should be referenced accordingly and not attributed to Director Elderfield.</p>
<p>6.2 Page 42</p>	<p>In late 2016, Banksia Hill implemented operational plans which increased the risk of peer assaults and the amount of time young people had to stay in cell.</p> <p>The plans stated that between 9.00 am and 12.00 pm only three young people at a time could be out of cell during weekend cell and unit cleans; two cleaning and the other accessing the telephone. All other young people in the wing were to be in their cells with their doors 'top locked'.</p>	<p><u>Consideration required</u> The Department requests that the context is also provided with dates both operations were enforced as there is an incorrect perception of these plans being utilised for a much longer period.</p> <p>The use of the top lock was implemented to manage an increase of incidents involving brooms and mop handles. Young People were getting brooms and mops and threatening staff etc. Two Operations were instigated over two separate weekend periods, allowing three young people at a time, two doing chores/cleaning and one on the phone. Televisions, videos and games were supplied to young people whilst they were in their cells during this time.</p> <ul style="list-style-type: none"> • Operation DOREY was in place from 28 to 31 October 2016. • Operation SENEK was in place from 11 to 14 November 2016.
<p>6.3 Page 43</p>	<p>In response to the increase in incidents, Banksia Hill provided a different, more restricted diet to young people in the Harding Unit. We were reliably informed that foods high in sugar were largely removed, including morning tea, dessert and sugary drinks. Hot meals were no longer supplied, and were replaced by finger food, usually sandwiches and wraps. Despite numerous conversations with the Department we remain unclear about whether the diet provided in Harding Unit differed to the rest of the facility. We also remain unclear as to why the diet would or should be modified.</p>	<p><u>Consideration required of information provided to your office on 20 April 2017 concerning provision of hot meals</u> As discussed in the meeting on 11 April 2017, Harding B and D wings do not have kitchen facilities and cutlery is not utilised to minimise self-harm and other issues. At the discretion of the Youth Justice Leader and operational staff, access to cutlery is restricted when a young person is a risk to themselves. Limited access to high glucose index food and drinks including cake, cordials and sugar satchels has been implemented in the Harding B and D Wings and supplemented with healthy food and drink options such as fruit and fruit juice.</p> <p><u>Daily Dietary Overview</u></p> <ul style="list-style-type: none"> • Breakfast is prepared and provided within the Unit to young people: minimum 4 pieces of toast with various toppings, tea and coffee. Fruit provided all day. • Lunch is the same food as issued to all other Units within the Centre. • Dinner meals vary day to day. A combination of cold and hot dishes is available (see list below, all freshly

		<p>prepared in the kitchen).</p> <p><u>Cold</u> 3 stack sandwich or roll with various toppings Baguettes Wraps with various fillings Peeled carrots (as an extra) Assortment of fruit</p> <p><u>Hot</u> Hot dogs Beef Burgers Meat Pies Vegetable Pasties Quiche Pizza Burritos Meat and vegetable bake Frittata Homemade assorted pies Buttered corn (as an extra)</p> <p>Every day, regardless of how many young people there are in Harding, Banksia Hill provides 20 hot and 20 cold food items at a minimum (unless there are more than 20 stipulated on the catering sheet) to Harding. There is also 10 hot meals in containers provided; the same as the food served in the other Units.</p>
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