

## BANKSIA HILL'S 'ONE-STOP-SHOP' EXPERIMENT HAS FAILED

### OPINION – INSPECTOR EAMON RYAN

As Banksia Hill Detention Centre once again makes headlines for all the wrong reasons, I am buoyed by the growing chorus of voices demanding change in youth detention.

For the past decade Banksia Hill has lurched from crisis to crisis while attempting to function as a catch-all for every young person who finds themselves in youth detention.

It's time to face facts: the centre is failing. Failing in its duty of care to detained young people. Failing the State of WA. It needs to change and be reformed.

The Office of the Inspector of Custodial Services (OICS) has been outlining its issues for many years. Next week I am releasing my Annual Report which includes a potted history of Banksia Hill. It also summarises what I, and the former Inspectors, Professors Richard Harding and Neil Morgan, have said repeatedly about the centre. Together we have produced 11 reports on youth detention since 2005; nine have been released in just over 10 years. Common themes unite the reports.

#### Trauma-informed care is the only way forward

Since 2010 Banksia Hill has oscillated between a variety of operational approaches, never quite settling on a methodology for long enough to imbed trauma-informed practice.

The consequences of this are apparent for all to see, but encouragingly the Department is finally developing a trauma-informed model of care and expects to roll this out soon (subject to sufficient resourcing).

Such a shift cannot remain in the realm of theory. It must underpin everything that Banksia Hill seeks to deliver. All staff must be fully trained and capable of understanding the sources and drivers of trauma in young people – and how that impacts on their behaviour.

With this, a broader shift is required about how these young people are viewed: you can't pursue trauma-informed practice while continuing to attach outdated and destructive labels such as 'bad' or 'unworthy'. Nor can officers on a one to eight supervision ratio provide the kind of personal care that these young people need.

#### Acknowledging some behaviours aren't easily fixed

As highlighted by former Police Commissioner Karl O'Callahan, the WA Telethon Kids Institute conducted research back in 2018. It found that 89 per cent of young people at Banksia Hill had significant neurodevelopmental impairment and more than a third suffered from Fetal Alcohol Spectrum Disorder.

Then consider the kind of childhoods many of these young people have endured: all-too-often a litany of abuse, neglect and trauma.

These are life-long impairments that children and young people will not grow out of. None of it is their fault, yet they are blamed. Those who suggest these kids should just “stop being bad” grossly miscomprehend what trauma is and how it impacts lives, especially young lives. It's unhelpful at best, destructive at worst.

The behaviour management systems at Banksia Hill must adequately account for the impairments and histories of the young people detained there. They must also be consistent with the relevant law and both national and international standards. Detailed, individualised plans with measurable and achievable goals are needed for every young person. The report OICS published in April found none of this this was happening at Banksia Hill.

#### The futility of lock downs

Excessive lock downs have been found to be a precursor to major prison disturbances not only in WA, but in other Australian states and other countries. No surprise then that the young people in Banksia Hill continue to act out when isolated in cells over many days or even weeks. Staffing shortages may typically be the main reason for these lock downs, but that's not an excuse.

Lock downs continue to be a grossly overused practice, despite a recent determination by Justice Tottle that they are unlawful if provoked by staff shortages.

As far back as 2011 we found young people were being locked down in their cells or units more frequently than adults in prisons.

Lock downs only create more problems and trauma for the young people who must endure them – not to mention making managing their needs far more challenging for staff.

The brazen overuse of lock downs must end.

#### A centre in deep crisis

Our most recent report on Banksia Hill was an unscheduled inspection commencing in November 2021. We found a centre in deep crisis where critical incidents of self-harm, attempted suicides, staff assaults, and roof ascents were on the rise. If I'm honest, it was keeping me awake at night and I could not hold out until our next scheduled inspection scheduled for 2023.

During that inspection a young person told us how his time locked in a cell made him think of self-harm. He told us how he and his friends had created a 'suicide pact', and that he watched one boy stop breathing after trying to take his life. Banksia Hill remains fortunate it has not had a death in custody. This is my greatest fear.

Twelve months later and only limited progress has been made. The transfer of some young people to Unit 18 at Casuarina Prison was not the solution to Banksia Hills' problems of a 'one-stop-shop' that I or my predecessors ever advocated for, granting that years of

inaction required some sort of circuit breaker. While Banksia Hill and Unit 18 have both stabilised somewhat recently, the situation remains fragile and staffing shortages continue to impact time out of cell.

As we head into the summer months, notorious for population increases within youth detention, my concerns are mounting. So, in February 2023 I will lead our next inspection of Banksia Hill (including Unit 18) which will also assess the Department's progress against our previous recommendations. It will be the 12th report on Banksia Hill.

I can only hope that by such time decisions have been made about the future of the 'one-stop-shop'. It costs more than \$1,300 per day to keep a young person in detention. That is about \$500,000 per person per year. Based on Banksia Hill's daily average population in 2021-22 that's \$56.6 million each year.

Given the recidivism rate for youth detention was almost 50 per cent last year, my assessment at this point is that this is not money well spent.

Everyone agrees Banksia Hill needs to change and be reformed if the young people detained there are to be given the duty of care they so desperately need – and deserve.

Eamon Ryan  
**Inspector**

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