

Hear Me Out

INQUIRY INTO IMPLEMENTATION
PROGRESS FOR BANKSIA HILL'S
MODEL OF CARE INSTRUCTION

Young People's Summary Report



Acknowledgement of children and young people

I acknowledge the strength and voices of the 43 children and young people, across both juvenile detention facilities, who consented to being interviewed for this inquiry. Thank you for your willingness to share your valuable insights, reflections, thoughts and ideas. The report shares your perspectives with the aim of improving youth detention outcomes. Your voices must be heard by government and community.

Acknowledgement of Cleveland Dodd

I acknowledge the tragic death of Cleveland Dodd – may he rest in eternal peace. I offer sincere condolences to his family, friends and community. The tragedy of a loss of such a young life cannot be overstated.

We must never again lose one of our children while they are in the care of the State.

Acknowledgement of Country

I proudly acknowledge and pay respects to the traditional custodians of the lands across Western Australia and acknowledge the Whadjuk people of the Noongar nation upon whose lands my office is located. I recognise the continuing connection to culture, lands, skies and waters, families and communities of all Aboriginal peoples. Together, my team and I, also pay our respects to Elders, past and present and emerging young leaders. We recognise the knowledge, insights and capabilities of Aboriginal people, and pay respect to Aboriginal ways of knowing, being and doing.

Language

For the purposes of this report, the term Aboriginal encompasses Western Australia's diverse language groups and also recognises Torres Strait Islanders who live in Western Australia. The use of the term Aboriginal in this way is not intended to imply equivalence between Aboriginal and Torres Strait Islander cultures, although similarities do exist.

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Commissioner's Introduction

As a part of my role as Commissioner, I must listen to children and young people about their worries and their ideas to help them to be happy, healthy and safe.

In visiting children and young people at Banksia Hill Detention Centre (BHDC) and Unit 18, I was worried about their health and wellbeing.

We can also look at what's working well in other juvenile detention centres around Australia and the world and then make recommendations about how government can make some improvements.

I decided that it was important to ask the children and young people at BHDC and Unit 18 about what they think. I also asked the Department of Justice, the staff at the centre and people who work with kids to deliver programs and activities.

How did we do this report?

The team spoke with other organisations and staff at the centre and some of them also did an online survey.

We spoke to 43 children and young people at BHDC and Unit 18.

We asked the Department of Justice for lots of information about the juvenile detention centres, things like,

how many out-of-cell hours;

copies of menus for meals;












details of what programs are available

and much, much more about how they run their

detention centres.



We asked children and young people about:

-  Their accommodation and food they received.
-  What a typical day looks like.
-  Information given to them on arrival at BHDC and/or Unit 18.
-  The time spent outside their cell in the sun and fresh air.
-  School programs and whether this is appropriate to their learning needs.
-  How they could make a complaint.
-  Who they could talk to if they were worried about something or someone.
-  How they could make an appointment to see a doctor, nurse, psychologist, or dentist.
-  The contact they have with their family, lawyer or case worker.
-  The types of activities and programs available, including cultural activities.
-  What they hoped to do once released.

This report shares the voices of children and young people and what we heard.

Jacqueline McGowan-Jones
Commissioner for Children and Young People

What did children and young people say?

This is what they told us:

Entering detention

Good communication about what happens in detention is important. The department told us they are developing a video to explain what happens when children and young people enter BHDC or Unit 18 to give you more information.

Food

Food may not be so great at BHDC but meals offered at Unit 18 were better quality and variety.

'I get a better feed here at Unit 18, get fruit sometimes ...'

'... cereal, toast, fruit, sometime food good, hot dinner – sometimes good but ugly too, can take sugar, cereal and milk into the cell if you're still hungry ...'

It is very important for children and young people to eat good, healthy food while they are still growing.

School

Some children and young people may not have the opportunity to go to school regularly and some might find reading and writing is hard.

School is important and should help all children and young people go to school to the highest level they can. Children and young people told us that education was 'primary school level', whereas another would have liked access to online training because '... that's how things are these days, everything's online.'

Another responded that when he went to mainstream school (on the outside) ..."

'... at mainstream school I really liked math and I was really good at it ... I need that.'

Activities and programs

Activities and programs are important and should be meaningful to suit individual needs. Many spoke more generally about programs that were different to their usual school program – for example, Banksia Beats hip hop, water sports or a footy game – rather than understanding the purpose of the program.

‘Officers come to our unit and tell us that there’s a program happening that day and our names are already on the list or they ask who wants to join in.’

Many young people would like to move to Ravensthorpe or Serpentine (self-care) units, but this is based on how children and young people behave. Those in self-care can become peer support for others and more flexible programs and opportunities for out-of-cell time.



What did children and young people say?



'I am a peer support, I like cooking in a group, I stay up most days and do my own washing ...'

'I help to set up activities, involved in woodwork and horticulture.'

'... I've done most programs, I'm hoping to get to self-care to do the barista course.'

Time outside is really important for resolving stress and good for your health. The department could not tell us exactly how many hours each individual child and young person spent outside their cell. This is worrying and I have asked them to see if they could change that.

Good relationships

Children and young people felt it is really important to have good relationships with staff and sometimes they are not always treated respectfully.

'... this officer, he follows up on requests ... he will take boys out for phone call and they stop stressing out because he listens ...'

'... some guards, they want us to show them respect – respect goes two ways ...'

Building a respectful environment for both children and young people and the staff is very important. Many actions are underway to support staff to build good, meaningful relationships.

Children and young people also talked about how some staff have built really good relationships and have listened to their worries.

Access to health and mental health supports

Children and young people told us that wait times to see the doctor and nurse are sometimes too long.

'... had a sore throat and trouble eating and asked to see the nurse ... I asked to be put on the medical list but have never been called ...'

The department told us that extra health and medical services are currently being planned and the Department of Health has already put new doctors and health workers in place. We believe children and young people are having better health and mental health services and this will keep getting better.

Contact with family

Regular contact with family and/or significant adults is important. Children and young people look forward to phone calls and visits by family members and this can happen on a regular basis. Sometimes visits are cancelled, or phones may be damaged, and this can cause some distress.

'... family come all this way to visit, why can't they lock down the area where the boys are playing up, even if we haven't been involved ...'

What else did they say

Children and young people in detention also talked about their views and experiences. The voices of the children and young people are really important as it can help to make things better.

Kids talked about lots of lockdowns, not having enough staff around, some use of force, racism, feeling worried about other children and young people in detention, up-coming court, funerals and sorry business, programs that don't suit them or don't interest them, breaking the rules and sometimes being managed differently, not being supported after release, and wanting more visits from the Commissioner.

'... it is important for the Commissioner to come out more often and hear what young people have to say.'

'... staff require breaks which means we are locked down and that affects contact with family ...'

'... when there are programs often only the privileged unit or girls get to go ...'

What did staff say?

Some staff said their experiences helped in other areas.

'... to help rehabilitate youth at risk and help them turn their life around.'

'... to play an essential role for the community supporting young people with fair consistent support.'

When asked about challenges and/or critical issues, some staff were very concerned about outcomes for the children and young people.

'We are not rehabilitating, kids that have a chance of changing and want to be given the opportunity to do so, away from those that don't want this at the time but may change when they see what can be achieved. Reward good behaviour, consequences for bad.'

'The uniform just re-traumatizes children.'

Most of the staff who did the survey, really wanted a job where they would help children and young people. They said it would be good to get more training to help detainees; and have mentoring and support to help them in their work. Some staff were very upset about being seriously hurt by children and young people they are trying to help.

Service Providers

We also gave services that visit the juvenile detention centres to provide programs and activities for children young people, a say in what happens for children and young people.

What information did we get from government?

We asked Department of Justice and Corrective Services to give us as much information to inform our report. We wanted to know how children and young people are cared for in juvenile detention.

- Plans about how children and young people are being cared for and how to make things better.
- What happens when children and young people are admitted to BHDC and Unit 18.
- Total number of staff across health and mental health, education, custodial, administrative and support staff in BHDC and Unit 18.
- Average hours out of cells.
- Programs and activities available.
- Types of visits children and young people have had over 12 months.
- Staff training and professional development.

What did we find out from all of the interviews, surveys and information from Government (findings) for children and young people in detention in WA?

For children and young people in detention:

- It is important to have a say in plans and decisions for them.
- Focus on the needs rather than behaviours.
- Make sure you know what to do if you are worried about something.
- Make sure that staff know about a child or young person in detention and what they need, so they are able to care for them properly.

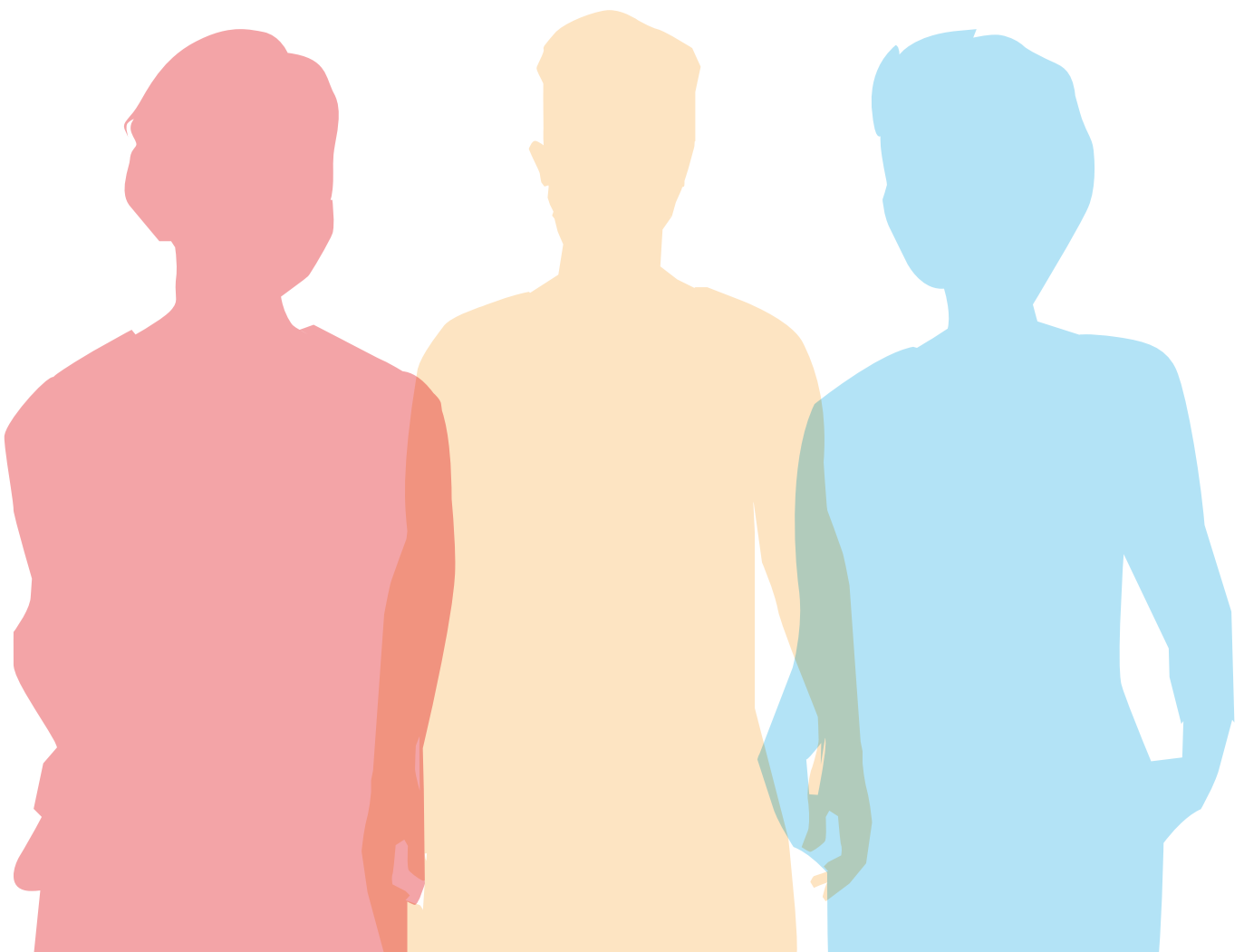
For example:

- » health and mental health
- » developmentally appropriate needs
- » time outside of cell
- » dietary requirements
- » contact and visits with family and/or friends
- » legal visits and/or contact
- » sports and cultural activities
- » education and future training requirements
- » building skills and decision-making capacity
- » strengthening supports in preparation for release to reduce return to juvenile detention.

What else did we look at?

The Commissioner also looked at the **United Nations Convention on the Rights of the Child** and what works best for children and young people while they are in detention. We considered what works best in other states in Australia and best standards for juvenile detention around the world. We also looked at what legislation says about juvenile detention in WA.

Participation by children and young people is very important to the Commissioner and guidelines have been developed to guide our work. Participation by children and young people even while they are in detention is still very important.



What I recommended to government about how they care for children and young people while they are in detention

- Engage children and young people in decisions that affect them and build individual plans to help them.
- Make sure that plans are working for children and young people in detention and always look at ways to improve.
- More can be done at the higher government level to make better improvements rather than by offering just programs and activities.
- Make sure children and young people are able to make complaints if they need to and how they can do that quickly.
- Make sure there is enough staff to work in juvenile detention.
- Programs and activities should not only be fun and engaging but should also help each child and young person with what they need to make a difference in their lives.
- Suggest government departments like Education, Health, Communities, Training and Workforce Development work together to deliver school programs, activities, health and mental health services.
- Make sure the Department of Justice can record what happens for each individual child and young person in detention and explain things such as how many hours out of cell, the reasons for cancelled visits, programs or activities, if schoolwork is too hard or too easy, how many times they see the health or mental health worker or when they need to.
- Give children and young people options or ways to let someone know if there is something they are worried about or information they need to know when they enter.
- Train and support staff who work in juvenile detention centres to work better with children and young people and how to build better relationships.
- Make sure those in Unit 18 in Casuarina Prison are being cared for, the same way as children and young people in BHDC.

Conclusion

Improvements have been made, but there is so much more to do.

A focus on the **individual** needs of children and young people while they are in detention is most important. Making sure children and young people are involved in planning and decisions to help them when they are released.

All government agencies need to work together with the Department of Justice to work with children and young people and their families to focus on early diversion from the youth justice system and rehabilitation whilst in detention. A strategy must include addressing all the needs of a child, including health, education, mental health, poverty, housing and strong family and community support.

Government needs to make sure they look carefully at laws and policies that impact children and young people who have contact with the youth justice system.

I will continue to visit children and young people in detention so you can tell me what is getting better and what worries you.

I will also continue to ask government to tell us what's happening for children and young people in detention and follow up to see if things are getting better.

It is really important to tell children and young people in detention what government says so you can see what is getting better.

Jacqueline McGowan-Jones

Commissioner for Children and Young People



If you found anything in this report upsetting you can contact the support services below.

For immediate or urgent help, please call 000 for emergency services.

24 hour services

13YARN - if you, or someone you know, are feeling worried or no good, we encourage you to connect with 13YARN on **13 92 76** (24/7) and talk with an Aboriginal or Torres Strait Islander Crisis Supporter.

Kids Helpline provides 24/7 free online and phone counselling for children and young people aged 5 to 25.

Ph: **1800 551 800** | Web: www.kidshelpline.com.au/

Lifeline offers suicide prevention support by phone or online chat.

Ph: **13 11 14** | Web: www.lifeline.org.au/

Mental Health Emergency Response Line provides a rapid response to mental health emergencies.

Ph: **1300 555 788** (Metro)

Ph: **1800 676 822** (Country)



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