



Government of **Western Australia**  
Department of **Justice**  
**Corrective Services**

# **Response to OICS Draft Report:**

**Review of Youth Custody: Follow-Up to  
2023 Inspection (Part Two)**

**November 2024**

Version 1.0

## Response Overview

### Introduction

On 15 May 2024, the Office of the Inspector of Custodial Services (OICS) announced the commencement of the *Review of Youth Custody: Follow-Up to 2023 Inspection (Part Two)* (the Review).

To assist with the Review, the Department of Justice (the Department) provided a range of documentation as well as access to systems, custodial facilities, staff and prisoners.

On 22 August 2024, the Department received a draft review report which contained eight recommendations.

On 2 September 2024, OICS withdrew the draft review report following the death of a detainee at Banksia Hill Detention Centre (Banksia Hill) in late August 2024, advising the incident must be considered to determine whether further additions or amendments to the draft review report were required.

On 30 September 2024, the Department received a revised draft review report for review and comment. The revised draft report contained nine recommendations, including one new recommendation in addition to the eight recommendations made in the original draft review report.

### Department Comments

The Department constantly strives to ensure the safety and wellbeing of young people in its care and was deeply saddened by the tragic deaths of two detainees.

The Department remains steadfast in its efforts to deliver better outcomes for young offenders and put in place further measures to improve the youth custodial system in Western Australia. There have been marked improvements in how the Department manages vulnerable and at-risk young people over the past year, including providing them with the treatment and care that seeks to address their offending behaviours and helps steer them on a path, away from the justice system.

The development of the Model of Care (MoC) has seen a significant investment of resources into creating a holistic, therapeutic, trauma-informed and best practice model based on high-level service principles for managing and caring for young people in detention. Implementation has included enhanced assessment and supports for young people upon admission into detention, care co-ordination and rehabilitation support during their stay, and exit planning and community integration when released. The Department was pleased the OICS Review acknowledged that noticeable progress aligned to the MoC had been made.

Multidisciplinary teams, including medical professionals, educational and vocational support workers and Aboriginal support staff assess risk and inform management of all young people in detention to ensure security, safety and best practice.

Currently in its second year of a four-year implementation plan, the MoC has seen early positive results with increased opportunities for the young people in custody across all aspects of their day.

On average, out-of-cell hours have increased. Detainees' participation in education has also increased at Banksia Hill, with attendance rates rising to between 85% and 100% (up from 60% to 65% in late 2023). They receive trauma-informed education and Banksia Hill is tailoring a unique approach to the schooling of each young person.

Programs to address key criminogenic needs of young people in custody have been substantially expanded and improved. Recreation programs available include activities such as football, athletics, yoga and basketball that further assist with the physical and mental wellbeing of the young people.

An Aboriginal Services Unit has been introduced comprising a manager and eight (8) Aboriginal Youth Support Officers (AYSOs) who are committed to providing cultural health, welfare and engagement. The team has developed a system where Aboriginal young people's needs are recognised and delivers Aboriginal-led responses, while working with Aboriginal Community Controlled Organisations (ACCOs) to provide culturally responsive programs and mentoring. The team has been integral in lifting cultural awareness and safety across both centres.

A yarning circle has been established at Banksia Hill and Unit 18 to help provide a safe, culturally appropriate place for young people to talk. Smoking ceremonies and other cultural practices are performed to further harness cultural connection.

The Department of Health's Youth Detention Neurodevelopmental and Mental Health Service has developed and piloted a screening program to support the identification and management of mental health risk among the young people. A range of specialist staff are available in psychiatry, neuropsychology and speech pathology, along with paediatric and clinical specialists.

Safety and transparency enhancements have been introduced through the rollout of new body worn cameras.

The Department is recruiting, training and retaining staff at higher levels than previously, with more than 100 additional Youth Custodial Officers (YCOs) to be appointed in the 2024 calendar year, and attrition rates have declined to less than 2% in recent months.

The Department is working with the National Organisation for Fetal Alcohol Spectrum Disorders (NOFASD Australia) to improve understanding of disability and develop a tailored and evidence-based education and behaviour management resource service.

An expansion of the MoC to formally integrate the specific needs and requirements of young people at Unit 18 is supported, and the Department has partnered with the Kids Research Institute Australia (formerly Telethon Kids Institute) to commence a contemporary review of the MoC and determine how it can be better adapted to Unit 18.

In addition, the Department is developing a *Young People Strategy 2025-2030* to provide long-term strategic guidance in the management of young people, which will also align with the Corrective Services Strategic Plan currently in development.

As previously announced, in July 2024 a Deputy Commissioner for Young People was also appointed to solely oversee youth custodial and rehabilitation services. The Deputy Commissioner has been driving change and continuing to build the culture of both centres, as well as actively interacting with the young people and engaging with key stakeholders.

Whilst significant improvements have been made at Banksia Hill and Unit 18, the Department continues to await the findings from the Coroner following the completion of the inquests into the deaths of the two young people.

## Response to Recommendations

### 1 Expand the Model of Care to include Unit 18.

**Level of Acceptance:** Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Young People

#### Response:

Since the establishment of Unit 18, implementation of the Model of Care (MoC) has been continually assessed to determine how services, programs and enhancements for the management of young people can be extended to Unit 18. To date, this has been exemplified through the Aboriginal Elders and Leaders Cultural Mentoring Program being regularly provided to young people in Unit 18 as well as Banksia Hill.

The Department is committed to a holistic MoC for all young people in detention and although the original MoC was developed with the primary intention of being implemented at Banksia Hill, it is under review to determine how it can be more specifically inclusive of young people at Unit 18. The review will work with key partners to ensure the MoC continues to be contemporary, whilst ensuring the care and needs of young people at Unit 18 is further developed.

### 2 Reimagine and establish a youth care role – separate from youth custodial officers – to support and guide young people in every aspect of their day in custody.

**Level of Acceptance:** Not Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Young People

#### Response:

The Department maintains that the role of Youth Custodial Officers (YCOs) is to provide primary care and management, as well as maintain the safety and security of young people in detention. As the MoC continues to be implemented and embedded, so will the role of the YCOs who will work closely with non-uniformed staff, such as the Aboriginal Youth Support Officers (AYSO), to provide a range of supports and services that guide the young people through their day, including through the provision of meaningful activities and ensuring their welfare and wellbeing whilst in custody.

In addition, a key focus of the MoC is to establish Multi-Disciplinary Teams (MDTs) at the youth detention centres who will adopt child safe and culturally appropriate practices. Enhanced YCO training on trauma-informed practices is also planned and will cover child safe standards and competency in working with diverse and vulnerable young people, including Aboriginal young people and young people with disabilities. In addition, work is occurring in partnership with Aboriginal organisations to develop a cultural capability and cultural supervision program for senior staff and to develop an Aboriginal Cultural Security Framework to put culture at the heart of operations at Banksia Hill and Unit 18.

### **3 Develop and implement a mixed-shift system to maximise consistency and continuity of care for young people.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Young People

#### **Response:**

In late 2023, an interim roster was developed and implemented which focussed on creating a roster that ceased lockdowns for training purposes, consistent unit placements and reduction in the number of redeployments from day shift to night shift. Stabilising staffing levels has increased capacity to deliver better outcomes and to get young people out and engaged in meaningful activities. Our staff are central to a young person's experience in detention, and vital to facilitating positive change in a young person's life. Significant efforts have been made to attract and retain staff, with staff attrition significantly down in the youth custodial estate.

Previous OICS reports have indicated shift patterns such as 12-hour shifts have a negative impact when short staffed, leading to increased lockdowns. As the staffing levels have increased and attrition has decreased, staffing levels are more stable and therefore no longer a significant issue.

A full roster review is now being undertaken as part of the MoC, including a review of staffing numbers allocated to each unit. This review is pertinent due to changes in unit functions which requires a different staffing ratio, the staffing numbers in the Intensive Support Unit (ISU) and pending the opening of the new Crisis Care Unit.

### **4 Reconsider the location for the construction of the Crisis Care Unit.**

**Level of Acceptance:** Not Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Young People

#### **Response:**

The Department has previously provided a response to this recommendation in the 2023 Inspection of Banksia Hill Detention Centre and Unit 18 at Casuarina Prison (Part One). Various locations for the new Crisis Care Unit (CCU) were considered during early planning. The current location was determined to be the best option due to its centralised location and close proximity to units and services such as health, education and visits. Having a dedicated CCU in the centre of the facility will provide for an immediate response and care to vulnerable young people requiring specialist care at the facility.

In the short term, there will be some disruption to recreational activities, however alternative options will be provided and monitored for suitability.

The concerns raised in the report are acknowledged and additional security measures will be implemented to manage risks associated with the construction of CCU. However, these are similar issues currently managed during infrastructure remedial works on site with minimal detriment to operations.

## **5 Expand the resourcing of the education centre to include Education Assistants and Aboriginal Education Officers.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Young People

### **Response:**

The Department agrees that more infrastructure and resources could benefit the education space at Banksia Hill. The infrastructure options at Unit 18 are limited, however education is still being achieved with the options available.

Despite this, the Department has been creative with planning and strategic direction, broadening its suite of vocational courses through partnerships with external stakeholder, RTO'S and resources, and has supported programs which historically have been too risky or costly. The introduction of some work experience opportunities, such as Banksia Beans café and assisting the gardens officer, has also strengthened the Department's vocational program.

The Department disagrees with the report advising that the ratio of staff to students is 1:8. The current population of young people in Banksia Hill as of 31 October 2024 was 47 and Unit 18 was 11, bringing the total to 58. Current teaching staff FTE is 23.8 which means there is a ratio of 1:2.2. In addition, some young people in the Intensive Supervision Unit (ISU), Cue and Unit 18 who are on certain criteria are unable to attend school or mix with the general population which directly affects the daily teacher to student ratio. In these cases, a teacher will be provided where possible for face-to-face learning or an education pack provided if it is unsafe for a teacher to deliver the education.

The Department is currently working with the Department of Education on reviewing the education model provided to young people in the Department's care, and it would be premature to make any additional modifications whilst this review is being undertaken.

## **6 Implement a structure vocational training program that offers accredited training and work skills to prepare young people for employment on release.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Young People

### **Response:**

Education Services provides a diverse range of vocational training to young people at Banksia Hill and Unit 18. The current courses have been selected based on the needs and interests of the young people, along with consideration of the available infrastructure. As additional buildings and infrastructure upgrades occur, further vocational courses will be added.

The length of time in detention of young people is an additional factor that is carefully considered when selecting courses to deliver at Banksia Hill and Unit 18. It is often not feasible to deliver full qualifications as the young people are not in the care of the Department for long enough to meet the nominal hours required to deliver the qualifications. In addition, young people have other commitments and needs that are

required to be met during their time in detention which impact their availability and attendance; it is for these reasons that skill sets, and "tasters" or try-a-trade style courses are also delivered frequently.

The Department acknowledges that painting and plumbing try-a-trade through MPA Skills came to a halt during the Covid period due to staffing challenges. This coupled with limited available infrastructure at Banksia Hill due to remedial works as a result of critical incidents has meant the construction workshop was repurposed to become the admissions building.

Accredited courses currently offered to young people at Banksia Hill include:

- Certificate II in Civil Construction (full qualification). Accredited through Training Alliance Group, supported by the Waalitj Foundation.
- Certificate II in Hospitality (skill set). Accredited through Hospitality Group Training.
- Certificate I Introductory through to Certificate III in General Education (CGEA). Delivered by Banksia Hill and Unit 18 teachers, accredited through ASETS.
- CPCWHS1001 Prepare to Work Safely in the Construction Industry. Delivered and assessed by Banksia Hill's senior vocational teacher, accredited through ASETS.
- Working at Heights, Entering and Working in Confined Spaces, Gas Test Atmospheres, and Use Hand and Power Tools. Accredited through Yalagan Registered Training, a Supply Nation Certified Indigenous led Registered Training Organisation.
- Keys For Life, delivered and assessed by Banksia Hill and Unit 18 teachers, accredited through SDERA.

The suite of non-accredited courses offered to young people at Banksia Hill include:

- Noongar Language
- Woodwork
- Horticulture
- Art & Music
- Sounds Write Literacy Support
- Hair and Beauty; Salon Services
- Maintenance
- LEAP and NEAT (pre-CGEA literacy and numeracy courses which teach foundational skills)

## **7 Explore opportunities within the Digital Capability Fund to pilot tablet technology in cell for young people in custody.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corporate Services  
**Responsible Directorate:** Knowledge, Information and Technology

### **Response:**

The Department recognises the importance of in-cell technology and has developed a proposal for an Offender Digital Services Platform (ODSP) under the Long-term Custodial Technology Plan.

The ODSP will replace the existing prisoner telephone system in use at Banksia Hill and Unit 18 and provide the foundation to enhance information and communications



technology (ICT) capability across the custodial estate, including the detention centres.

Initiatives to improve digital literacy, access to programs, education etc. via technology form part of a wider uplift program to modernise the backbone ICT infrastructure across the custodial estate.

## **8 Investigate attraction and retention options for Youth Psychological Services making it an employer of choice.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Young People

### **Response:**

The Department currently offers several incentives to boost attraction and retention rates for Youth Justice Psychological Services staff, including a relocation allowance, paid registration fees, paid professional development, and additional training and supports. Additional incentives are being investigated through the ongoing work of the Clinical Workforce Shortages Working Group.

The Department and State Forensic Mental Health Services (SFMHS) continue to undertake preparation for a 12-month pilot whereby three of the Department's Mental Health Alcohol and Other Drug (MHAOD) positions will be transferred to SFMHS. The pilot includes one Clinical Nurse Specialist and two Aboriginal Mental Health Worker positions. The Department and SFMHS are collaboratively developing clarity on roles, responsibilities, and governance. The target date for the commencement of the pilot is 1 January 2025, however this will depend on recruitment of suitable candidates. The Department will maintain responsibility for providing MHAOD services until the pilot commences.

## **9 Adequately resource Case Planning to enable the team to provide comprehensive case management.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Young People

### **Response:**

The Department recognises the critical role of case management to ensure appropriate planning for a young person's transition from detention back into the community. There are currently five case management FTE to support young people in detention, comprising of a Manager Case Planning and Programs and four Senior Case Managers. Due to an increase in requests from the Courts (132 in 2022 compared to 305 in 2023), the current resources within the case management team requires review. Responding to requests from the Courts is mandatory and has become a major focus of the case management team. This increase has impacted on the ability to deliver individualised case management for young people in detention.

Attempts to strengthen case management support for young people in line with best practice has included the creation of a fixed term Team Leader Case Management position to provide leadership, development and oversight within the case planning team and the creation of two additional fixed term Senior Case Manager positions.