

Youth Detention Operations and Reform Response to Youth Detention Inspection Report – March 2024

YDOR and other Youth Justice business Response (for publication on Government Portal)

On behalf of the Department of Youth Justice (the department), we welcome the Youth Detention Inspectorate's March 2024 inspection report for the Brisbane Youth Detention Centre (BYDC), Cleveland Youth Detention Centre (CYDC) and West Moreton Youth Detention Centre (WMYDC).

Rigorous and transparent oversight is essential to ensuring young people in detention are managed appropriately, safely and securely in accordance with the *Youth Justice Act 1992* and *Youth Justice Regulation 2016*. Inspection recommendations provide critical insights to ensure youth detention services evolve with contemporary best practice.

The inspection process focused on areas concerning practice this quarter, including:

- use of force, and
- body worn cameras (BWC)

The department welcomes and accepts the March 2024 report.

Sincere appreciation is extended to the Youth Detention Inspectorate (YDI) for their important work to improve the youth justice system. I also acknowledge the youth detention staff who work in these challenging environments and their commitment to improving the lives of young people and ensuring the safety of youth detention centres.

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YDOR response to recommendations including implementation actions and timeframes

Focus Area 1 – Use of force

Findings

The inspectorate identified the following strengths and challenges relevant to this focus area.

Strengths –

- In-person Shift Supervisor training has been developed to support staff to meet role requirements. It will become available in June 2024.
- Learning and Development (L&D) and CYDC training team are aware of and consider current practice-based issues and staff feedback regarding training.
- Practice Support Teams (PST) recognised the importance of completing incident audits to ensure the safety and wellbeing of young people. YDCs have processes to address practice-based issues regarding use of force and BWCs when required. BYDC are trialling the Individual Performance Management (IPM) panel to address practice concerns returned for local management by ESG.
- The CYDC training team facilitate Communication and Resolution Techniques (CART) lunch box training sessions in morning debriefs with operational staff, focussing on infrequently or incorrectly used techniques. Feedback from Shift Supervisors and Practice Support Manager supports the development of sessions and enhances staff confidence to regularly practice approved techniques.
- CART is reviewed annually by the Queensland Police Service (QPS), in partnership with L&D staff. Modifications have been made for pregnant or disabled young people to ensure techniques are safe and appropriate.

Harm and complaints processes

- BYDC and CYDC staff reported an intention to use rooms (i.e., visits, Client Services meeting rooms) to follow up privately with young people in relation to harm reports and complaints, where possible.
- Multi-disciplinary teams across centres demonstrated positive collaboration with Caseworkers regarding harm report processes. Staff advocated for improved consideration of harm report processes regarding young people exposed to incidents but not directly involved.

Challenges

- CYDC is frequently impacted by staff shortages and separation, which reduces opportunities for relationship building between young people and operational staff. This could affect staff's ability to verbally de-escalate incidents and avoid the use of physical intervention techniques.
- At the time of consultation, CYDC operational staff were not all CART trained and some continued to use Protective Actions Continuum (PAC) techniques. Staff shortages and COVID-19 reportedly caused staggered training sessions with small groups of staff.

- Understanding and application of best practice methods when responding to young people on elevated platforms across centres is inconsistent. An example is included in policy and CART training; however, clearer guidance may help reduce uncertainty, promote consistency, and enhance safety. Since inspection occurred, YDOR have advised that Appendix 3-12 *Responding to young people on elevated surfaces* has been drafted and in the final stages of review.
- Experienced operational staff reported reverting back to PAC techniques due to 'muscle memory' and challenges managing young people using CART. Some staff also reported responding immediately before considering the most appropriate response.

Harm complaints processes

- Caseworkers across centres said they were confident in their ability to identify and assess harm to a young person following an incident. However, opportunity remains for training to be developed to enhance understanding of harm, how to assess and identify it, cultural considerations, and support strategies.
- Cultural Units across centres reported minimal involvement in harm report processes. Cultural Liaison Officers acknowledged though it would be challenging for them to participate in all harm report processes with First Nations young people due to workloads and cultural load. However, the importance of consultations where possible, was highlighted.
- The current harm report policy may be enhanced through consideration of:
 - Potential psychological harm to young people who have witnessed significant incidents (i.e., assaults, self-harming, medical episodes).
 - Individual (i.e., speech and language disorders, linguistically diverse, disabilities) and environmental factors (i.e., location, participants) which may influence disclosures from young people.

Recommendations	Accepted in principle /Accepted/ Not accepted	YDOR Implementation Actions (Please provide detail of a verifiable actions in dot point format)	Date for Completion

<p>Recommendation 1: CYDC Training team and YDOR to improve and explore mechanisms for tracking participation in initial and refresher CART training and staff training reminders. BYDC and WMYDC to liaise with CYDC training team regarding CART lunch box training sessions and explore use of similar strategies to support best practice. L&D and YDC training teams to deliver CART Lite training to Caseworkers to assist private follow up with young people for harm reports, where possible</p>	<p>YDOR Accepted (with tracked changes)</p>	<p>YDOR response For L&D response. The YDC Essential Practices Policy was updated in March 2023 and included training refresher frequencies. These changes were extensively consulted on, including with oversight agencies and unions.</p> <p>Amendments to recommendation are accepted. Recommendation to remain open until relevant tasks are completed.</p>	<p>NA</p>
	<p>L&D Accepted</p>	<p>L&D response Staff are prioritised to complete EPT training (includes the 3 day CART refresher) which is aligned to CPR and SR which is required every 12 months as per EPT policy. Incident review and IPM may also identify staff who are prioritised to complete EPT as needed and can occur multiple times within the 12 month period. Staff who have recently graduated induction training may also be nominated to repeat the full 10 day CART induction training, or complete the 5 day EPT training depending on their development needs.</p> <p>Brisbane Training Team is communicating with BY and WM to train recently appointed Field Training Officers in all Induction and EPT including CART Instructor training to enable flexibility and prioritised delivery of all training at any time on shift at a YDC.</p> <p>CART Lite training is delivered as needs and on request and scheduled outside of induction and EP training.</p>	<p>Current Practice</p>
<p>Recommendation 2: L&D, in partnership with the Child Safety Learning and Support</p>		<p>YDOR response L&D will liaise with Child Safety Learning and Support Team regarding a training package with Communication to commence late July 2024.</p>	

YDC Cultural Units as part of policy update.	<p>In addition to the complaints management process facilitated by YDC staff, the department fully supports and actively facilitates young people's access to external complaints mechanisms, including:</p> <ul style="list-style-type: none"> - Queensland Police Service (QPS) - Office of the Public Guardian (the Public Guardian) - Office of the Queensland Ombudsman (the Queensland Ombudsman) - Queensland Human Rights Commission (QHRC). <p>In light of the report findings, policy and practice will be reviewed to identify where improvements can be made.</p> <p>Recommendation to remain open based on the following:</p> <ul style="list-style-type: none"> • Feedback from staff and young people across centres indicated complaints rarely proceed due to young people's relationships with staff, peer perception, or not wanting to be a 'snitch'. • Though young people can make complaints through other processes such as OPG etc. they have limited access to safe and private spaces to do so. <p>Client Relations and Cultural Unit Managers identified some young people were concerned complaints about operational responses may be shared amongst staff. This reportedly impacted their willingness to proceed.</p>	
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Previous/open recommendations – some have been amended to incorporate additional actions/considerations based on the inspection findings.

<p>October 2021 - Recommendation 9: Cultural considerations are embedded in all decision-making processes from the time a young person is admitted to YDCs.</p>	<p>YDOR In progress</p>	<p>YDOR response</p> <p>As per recommendation update in March 2024:</p> <p><i>Strengthening cultural responsiveness is an ongoing priority as part of BAU. This work is continually in progress with central and local level initiatives supporting progression of department wide cultural capability action plans, including:</i></p> <ul style="list-style-type: none"> - <i>YDC infrastructure project team working with Cultural Capability and a range of First Nations stakeholders in developing the designs and operating models for the new YDCs</i> - <i>increased cultural capability training attendance, including ongoing attendance at training facilitated by the Indigenous Psychological Service, including Aboriginal Mental Health Assessment and Suicide Prevention by a range of YDC staff</i> - <i>ongoing referrals and enhancing family led decision making initiatives, processes and linkages to YDCs</i> - <i>ongoing funding for Indigenous Health Workers as part of the onsite mental health teams and liaising with Queensland Health to identify and implement culturally appropriate health facilities and services for young people</i> - <i>cultural procurement framework</i> - <i>continued action group activities and implementation of the Queensland Government Reconciliation Action Plan July 2023-June 2025</i> - <i>YJ workshops to embed evidence-based cultural considerations, and</i> - <i>applying cultural considerations in policy reviews and consulting with First Nations staff and stakeholders.</i> <p>The <u>Philosophy of youth detention services</u> was recently updated to recognise and further embed cultural safety, responsiveness and healing in all youth detention practices. This document ties together and informs all youth detention operational policies, procedures, programs, daily operations and workforce priorities. These amendments also recognise the active promotion of young people's cultural identities and backgrounds in youth detention, including:</p> <ul style="list-style-type: none"> - holistic, culturally specific, therapeutic intervention and cultural programs 	
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		<ul style="list-style-type: none"> - regular opportunities for Aboriginal and/or Torres Strait Islander Elders and respected persons to participate in advisory groups and other forums to provide cultural leadership and mentoring - celebration of significant cultural events such as Coming of the Light, Mabo Day and NAIDOC week - recognition of Australian Aboriginal English (AAE) as a formal dialect of Standard Australian English (SAE) and Torres Strait Creole as an English-based creole of the various traditional languages that are spoken in the Torres Strait Island and Cape York regions, and - other initiatives that demonstrate and promote respect for Aboriginal and Torres Strait Islander cultures. <p>Culture remains central to all decision-making and informs the assessment and service response to each young person and their individual needs. This is consistent throughout a young person's YDC journey, including during their admission, sentencing and transition.</p> <p>Recommendation to be superseded by future recommendations specific to culture.</p>	
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Focus Area 2 – Body Worn Cameras (BWC)

Findings

The inspectorate identified the following strengths and challenges relevant to this focus area.

Strengths

- All centres confirmed they were transitioning from Axon 2 to Axon 3 BWCs to support incident review functions. It was reported an adequate amount of BWCs were available to staff at all times.
- CYDC recruited a Practice Support Officer prior to the inspection, improving the proactive auditing of overnight observations, BWCs, and CCTV footage. The position has been collating data regarding instances of BWC non-activation, with monthly results provided to the Practice Support Manager and Executive Director for review and consideration.

Challenges

- Staff reports and findings from internal YDC practice reviews indicated BWC activation compliance was impacted by occurrences including but not limited to: forgetting to activate, refusing to activate, faulty BWCs and rapid incident escalation.

- PSTs reported large workloads, with the role responsible for auditing overnight observations, BWCs, and CCTV footage following incidents. BYDC and CYDC acknowledged a backlog of BWC footage to review due to larger cohorts and subsequent higher number of incidents on centre.
- Due to system constraints, CCTV footage is retained for a limited time and must be downloaded before expiry. At CYDC, the CCTV system presents further challenge with visibility and functionality. The deficits with CCTV can compromise staff accessing footage and reviewing incidents.

Recommendations	Accepted in principle / Accepted/ Not accepted	YDOR Implementation Actions (Please provide detail of a verifiable actions in dot point format)	Date for Completion (please list 'month/year' for each dot point action that will be/was completed)
Recommendation 1: L&D and YDCs to develop local strategies to ensure operational staff are completing BWC refresher training and proactively engaging with other BWC related training. Consideration to be given regarding training occurring annually as opposed to every two years.	YDOR Noted	<p>YDOR response</p> <p>For L&D response. Performance feedback and practical coaching is carried out as a part of performance improvement strategies for identified practice concerns such as repeated failure to activate BWCs. Practice coaching is generally provided by a shift supervisor or YDC trainer. It is carried out one-on-one and on a need's basis.</p> <p>Formal refresher training is carried out in accordance with the recently updated YD-3-11 essential practices policy. Existing BWC training is available in an accessible and user-friendly online module, including activation and recordkeeping requirements. Additional training, coaching and support can be provided as frequently as required.</p> <p>Additional training opportunities should be available in the first instance rather than only after performance issues have been identified.</p>	N/A

	L&D Accepted	<p>L&D response</p> <p>The Brisbane Training Team has functional BWC's that are no longer in operation at the YDC's. Theses BWC's are included in Emergency training for recruits during induction and during EPT Emergency scenario's for current staff to ensure all staff have practical training using BWC's under pressure. Given the frequency of use of BWC's and that training instructs early operation before an incident escalates, this should be second nature to DYW's.</p>	Completed March 2024 and ongoing
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Other Observations and Issues

The March 2024 inspections identified some observations of concern. However, these were raised directly with Executive Directors where required.