

Executive Summary

This is a joint report of quarterly statutory inspections of the West Moreton, Brisbane, and Cleveland Youth Detention Centres (WMYDC, BYDC and CYDC). The on-site inspections occurred from 18 to 20 October 2021 at WMYDC, 22 to 29 October 2021 at BYDC, and 1 to 5 November 2021 at CYDC. Statutory detention centre inspections are conducted by delegated Inspectors, located within Learning and Development, Department of Children, Youth Justice, and Multicultural Affairs (DCYJMA). This is a joint report covering all three inspections provided to the Director-General, which aims to contribute to improving youth detention centre operations across all centres.

The focus areas for inspection in this quarter were security, health and medical services, and cultural and religious services. The key observations, findings, and recommendations in relation to the focus areas are summarised below. These observations were discussed with relevant Executive Directors (ED) at the conclusion of the inspection and with the Senior Executive Director, Youth Detention Operations and Reform during a post-inspection briefing.

The overriding theme and a major contributor to issues identified in relation to the focus areas is staff shortages, which significantly impacts many aspects of centre operations. Related issues identified included recruitment and retention of skilled staff, ongoing professional development, and training. These are persistent issues that have been identified by the Inspectorate as notable dating back to 2014.

Other issues raised during and immediately following the site visits are monitored in an Issues Register and will continue to be examined during future inspections. The status of active recommendations from previous Inspectorate reports are detailed in a Recommendations Register which is reviewed during the December inspection each year and published online. A copy of the Recommendations Register can be obtained by making a request through the Office of the Assistant Chief Operating Officer ACOO_YJSWS@cyjma.qld.gov.au.

Focus Area 1 – Security

A youth detention centre is a secure environment designed to provide safety and security to those in the centre and the community beyond the centre. Ensuring young people, staff and visitors are safe and the centre is secure is paramount and fundamental to the aim of rehabilitating young people. Maintaining this secure environment is achieved through joint application of both dynamic and static security measures and processes. Staff play a major role in making sure these security measures are operating effectively and efficiently.

Enhancement and upgrading of static security within the centres has been identified by Youth Justice as a key priority with significant investment made to improve the safety and security of young people's accommodation and staff facilities. Upgrades completed to date include installation of a new security management system and millimeter wave scanner in BYDC, installation of

marshalling fences, bollards, and new phones in accommodation sections in CYDC, and anti-climb technology across both centres. WMYDC, having only been opened within the last 17 months, has also specifically been designed to mitigate risks identified through the infrastructure of BYDC and CYDC.

Dynamic, procedural, and relational security is strongly influenced by the roles of the staff within the detention centre setting and is impacted by multiple factors including recruitment, training, staff retention, staff aptitude, policies and procedures, intelligence information, and communication and engagement strategies.

While the Inspectorate found most staff felt the structural security of the detention centres had improved, concerns were noted in relation to the following areas:

- staff shortages impacting on centre operational requirements
- risks associated with the management of larger accommodation units, specifically 12 bed units
- inconsistency in security practices between the centres
- staff retention and professional development.

To address the identified issues, the Inspectorate has recommended a review of staffing required to appropriately monitor and respond to security alerts and incident management and review processes. As part of this review, it is recommended that consistent operational practices are also developed and implemented, including a clear alert prioritisation strategy within the control room, to proactively identify, address and respond to security risks captured by Closed Circuit Television (CCTV) and other on-centre alarms (ie doors left opened).

It is also recommended a review of current intelligence management strategies and procedures is completed to ensure they are contemporary and fit for purpose. This includes the implementation of an Intelligence Framework and the development of an information sharing agreement and protocols aligned with the priorities of the Youth Justice Taskforce, to enable improved sharing of information, comprehensive risk assessments, and more proactive intelligence monitoring.

In relation to staff development and retention, the Inspectorate recommends the inclusion of permanent Field Training Officers and mentoring positions, consistent with the 2019 Certified Agreement, across all centres to support consistent practice and ongoing professional development, with these positions to be filled by experienced personnel with demonstrated leadership qualities. It is also recommended that formal Section Supervisor Training is implemented and delivered to all current and acting Section Supervisors to support their development and promote accountability and leadership for staff in these positions. Furthermore, it is recommended that clear strategies are in place to increase the completion rates of mandatory training.

Focus Area 2 – Health and Medical Services

In partnership with the Queensland public health system and Hospital and Health Services (HHS), young people in youth detention have access to health care, services and programs that will improve their physical and mental health and wellbeing, including access to treatments for special health needs¹.

Escort availability for health and medical services is available across all centres with no concerns identified. The Inspectorate noted only BYDC has an allocated escort for the Communication and Psychology Team (CPT), and it is encouraged this practice be adopted across all centres to support young people's access to these services and supports.

The over-representation of Aboriginal and Torres Strait Islander young people in youth detention continues to be significant, however it was noted health services across the centres do not have Aboriginal or Torres Strait Islander health care staff, potentially impacting on a young person's willingness to engage with health care practitioners.

COVID-19 is having a significant impact across all areas of the community, and detention centres are no exception. All three centres had slightly varied management strategies in place regarding their stance on PPE and staff not complying with the directions. Since completing this inspection, the DCYJMA has implemented a mandatory COVID-19 vaccination policy for high-risk settings for any worker who is employed on a part-time, casual, or full-time basis. High risk settings are defined as Youth Detention Centres, Corrective Services Facilities, Educational settings, and Police Watchhouses. The Inspectorate will continue to monitor the evolving impact of COVID-19 in future visits.

The Youth Detention Centres (YDCs) have a comprehensive, procedural-based suicide risk process which incorporates a multidisciplinary approach to assessing risk. To further support this process, it is recommended the current review of the suicide and self-harm policy explore evidence-based models which provide clear definitions of the behaviours displayed by young people to justify risk recommendations. In addition, the current Suicide Prevention Toolkit is specific to community-based responses to self-harming and suicidal behaviours. It is recommended the Suicide Prevention Toolkit be reviewed and extended to include YDCs to further support the assessment and management of suicide risk in detention centres. Further, it was identified that Suicide Risk Assessment Teams (SRAT) assessments should be conducted at a time to maximise engagement with young people. To address this, BYDC have moved SRAT times to accommodate this, while CYDC have two allocated times for SRAT meetings, one in the morning and another in the afternoon. It is encouraged that all centres continue to explore ways to maximise engagement with young people to allow for a more thorough assessment to occur.

¹ YD-1-5 Youth detention – Provision of medical and other health services. Youth detention centre operational policy

The Inspectorate noted, due to staff shortages, young people were spending extended periods of time in their rooms, not engaging in structured programs, and spending large amounts of time asleep. The Inspectorate is concerned about the impact of this on young people's mental health, and suggests opportunities are identified to enable the Clients Services teams to have a greater presence in sections during long-term separations.

Youth Justice, and by extension, the YDCs, do not have clear guidelines about how to support young people with intellectual impairments and/or mental health issues through the National Disability Insurance Scheme (NDIS) process. Although YDC's work with partners including Queensland Health to provide mental health, psychological, and psychiatric services, these agencies are limited in their ability to support intensive intellectual impairments and provide interventions within the detention centres. It is acknowledged there are federally funded Justice Liaison Officers (JLOs) to assist with this however, these positions work across adult correctional centres and youth detention centres resulting in limited capacity. Further, the Assessment and Referral Teams (ART) will cease accepting new referrals from March 2022, with their funding ceasing in June 2022, therefore a better understanding is required by all youth justice staff on how to support young people through the NDIS. It would be beneficial for current case management and youth detention policies and procedures to be reviewed and updated to incorporate NDIS to embed this into practice.

Focus Area 3 – Cultural and religious services

Young people in youth detention have the right to services that respect their cultural background. Staff interactions with young people will be informed by and sensitive to each young person's specific cultural and religious values.

Each YDC has its own Cultural Unit or Cultural Liaison Officers (CLOs) to support Aboriginal and Torres Strait Islander young people and their families. It was noted, Cultural Unit staff and CLOs are not always included in all aspects of multi-disciplinary decision-making processes, and it is recommended that cultural considerations are embedded in all decision-making from the time a young person is admitted to the detention centre.

In addition, it was apparent the retention of staff to the Cultural Units and CLOs is an issue across each centre with a range of reasons highlighted, including:

- disparity in pay between the operational stream, where some staff had come from, to the administrative stream.
- alleged lateral violence experienced by YDC Cultural Unit staff leading to them feeling unsafe and impacting their willingness to attend sections to engage with young people. This was specific to BYDC and was raised with the Executive Director (ED) at the exit interview.
- roles not meeting the expectations of staff appointed to them.
- given their expertise in culturally appropriate program development and delivery, YDC Cultural Unit and CLO staff are offered higher level positions either in other areas of the department or external to the department.

In response to these issues, it is recommended the Cultural Capability and People and Culture Teams within Central Office are more proactively involved with the YDC Cultural Units and CLOs to provide regular support, including implementation of a Community of Practice specific to the YDC environments in accordance with cultural protocols relevant to the specific traditional owner country representation and geographical region, to support a more sustainable, whole of team approach.

CYDC identified challenges with delivering departmentally approved Aboriginal and Torres Strait Islander programs, specifically Black Chicks Talking (BCT), and Young, Black, and Proud (YBP). The Inspectorate identified the issue may relate to the geographical complexities experienced at CYDC and encourages the Service Improvement Support Team to support the Cultural Unit at CYDC to adapt BCT and YBP programs in a way that will meet their local needs without compromising program integrity.

The Inspectorate notes, while at CYDC, concerns were raised by Aboriginal and Torres Strait Islander staff about attending funeral escorts with young people and the impact this is having on them, both personally and within their communities. It is acknowledged that while staff participation in leave of absence (LOA) events is consultative and voluntary, the nature of these sensitive events has the potential to cause distress to those involved and requires a specific cultural response pre and post LOA to ensure appropriate support is provided.

The Inspectorate identified a large Pacific Islander staffing cohort at WMYDC and BYDC which does not align with the centres' cultural populations, which continues to have an over representation of Aboriginal and Torres Strait Islander young people. It is recommended attendance and participation in Aboriginal and Torres Strait Islander Cultural Capability training be monitored to ensure all staff have undertaken it on an annual basis as per departmental requirements.

Further, with the increase in cultures other than Aboriginal and Torres Strait Islander young people across BYDC and WMYDC, it is recommended that a cross-cultural training package be developed to represent the centre's demographics.

Other observations and issues

The Inspectorate raises issues on-site during the inspection, directly with staff throughout the inspections, with the Executive Directors at the exit interviews, and with the Senior Executive Director, Youth Detention and Operations and Reform as required. Issues are monitored through the Issues Register, which outlines the response action taken by centre management and/or Youth Detention and Operations and Reform. Issues and observations during the October/November 2021 Inspection include:

Separations and fit for purpose accommodation

The Inspectors note with concern the frequent use of authorised separations², particularly in CYDC, and the impacts of utilising units in a manner contrary to their design purpose. Extended separations are inconsistent with the Philosophy of Youth Detention Services³ and are potentially incompatible with the *Human Rights Act 2019*. The Inspectors note YDC management continue to work on minimising the frequency and duration of separations and propose to continue monitoring this issue in future visits.

NDIS access

There has been an increase in the number of young people in detention with diagnosed or suspected disabilities, with some of these young people meeting the requirements for NDIS access. Given the complexities of navigating NDIS, the federally funded Assessment and Referral Team (ART) were implemented to support young people however, this funding will cease on 30 June 2022. The Inspectorate understands senior executives of DCYJMA and Queensland Health are currently negotiating who will undertake this role in the future. Given its criticality to young people in detention, the Inspectorate will monitor the outcome of these negotiations.

Information Sharing

There is no current Memorandum of Understanding (MOU) between Youth Justice and Queensland Health to share information to support young people's health needs and their transition to or from detention. In the interim, centres are continuing to uphold the requirements from the previous MOU while the current document is under review. The Inspectorate understands senior executive level conversations are underway to finalise an MOU between the two agencies and the progress of this will be monitored by the Inspectorate and noted as an issue.

² *Youth Justice Regulation 2016* (Qld), Part 4, Division 5, Section 21 (1) – Type (d) and (e)

³ *The Youth Detention Centre Operations Manual*, Chapter 1.

List of Recommendations

Focus Area 1 – Security

Recommendation 1

A review of appropriate resourcing, roles and responsibilities required to monitor and respond to security alerts, incident management and review processes.

Recommendation 2

A clear alert prioritisation policy is developed and implemented to identify, address, and respond to security risks captured by CCTV and other on-centre alarms (i.e., doors left opened).

Recommendation 3

- a) *Implementation of an updated Intelligence Framework which is contemporary and fit for purpose.*
- b) *Development of an information sharing agreement and protocols aligned with the priorities of the Youth Justice Taskforce to enable more streamlined sharing of information, comprehensive risk assessments, and more proactive intelligence monitoring to improve operational and strategic intelligence capabilities.*

Recommendation 4

Consistent with the 2019 Certified Agreement, inclusion of permanent Field Training Officers and mentoring positions across all centres to support consistent practice and ongoing professional development, with these positions to be filled by experienced personnel with demonstrated leadership qualities.

Recommendation 5

The formal Section Supervisor training package is reviewed and delivered to all permanent and acting Section Supervisors to support staff development and promote accountability and leadership in these positions.

Recommendation 6

Clear strategies are implemented to increase the completion rates of mandatory training as per operational policy.

Focus Area 2 – Health and medical services

Recommendation 7

The current review of the suicide and self-harm policy be extended to explore evidence-based models which support clear definitions of the behaviours displayed by young people to justify risk recommendations.

Recommendation 8

The Suicide Prevention Toolkit developed by the Court and Regional Operations Practice Support team (CROPS) and the suicide risk procedures associated with it, be reviewed, and extended to include YDCs.

Focus Area 3 – Cultural and religious services

Recommendation 9

Cultural considerations are embedded in all decision-making processes from the time a young person is admitted to youth detention.

Recommendation 10

Identify opportunities for the Cultural Capability and People and Culture Teams within Central Office to support YDC Cultural Units, with a more sustainable, whole of team approach.

Recommendation 11

Development of clear guidelines to determine frequency and completion of Aboriginal and Torres Strait Islander cultural capability training in consultation with the YDC Cultural Units, CLOs, and the central Cultural Capability team.

Recommendation 12

A cross-cultural training package be developed which reflects demographics of the YDCs, including access to expertise from other cultural backgrounds.

Other Issues

No recommendations made.