

26 October 2016

**BY EMAIL: [enquiries@youthdetentionreview.qld.gov.au](mailto:enquiries@youthdetentionreview.qld.gov.au)**

Mr Michael Drane  
Director  
Youth Detention Review  
GPO Box 149  
BRISBANE QLD 4001

Dear Mr Drane,

**Together submission Youth Detention Review**

On behalf of Together members employed in Youth Detention Centers in Queensland, I write to thank the Commissioners for the opportunity to make submission and address the issues raised in the discussion paper.

For more information in relation to the issues raised in our submission please contact James Douglas on 0420 795 986 or formal correspondence can be addressed to Alex Scott, Secretary at [secretary@together.org.au](mailto:secretary@together.org.au).

Regards,



Dan Goldman  
A/ Assistant Secretary

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# Together Submission: Youth Detention review

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## **Together Queensland**

Together Queensland is a union of workers representing employees in the private and public sector in Queensland. In the public sector Together represents members employed in departments of the State Government, public service offices and statutory authorities and Queensland Health.

Together members working in Youth Detention are employed as Youth Workers, Administrative Staff and staff in other support roles across the detention environment.

### **Issue1:**

## **Operation and Management of Queensland Youth Detention Centres**

Our members help to keep the community safe and secure but also are responsible for the safety and wellbeing of young offenders while in detention. They support programs to build skills and qualifications, and work with young people around attitudes and positive behaviours.

Many of our members are also qualified with a Certificate IV in Youth Justice.

As the staff who work in these centres every day Together members have important insight into the effective operation and management of the centres and what is required to provide for a safe environment for both young people and staff within centres.

### **1.a. Staffing levels : Ratio of staff to young people**

Adequate staffing levels are an essential requirement for the operation of a centre that is safe for young offenders and for centre staff and securely detains young offenders while recognising their safety and wellbeing and seeks to reduce the likelihood of reoffending.

Our members believe that there should be three staff members present in any accommodation sections with 12 or fewer young people. This ratio is an essential requirement for staff safety.

In circumstances where more than five young people are on suicide risk assessment (SR) in a section, the current requirement for one additional staff member per section is appropriate and should be met in every instance to ensure the safety of young people and staff.

After the reintroduction of 17-year-old young people back into the youth detention centre environment, these ratios will need to be updated to allow for the increased staff required to safely manage the behaviours of 17-year-olds in youth detention. Due to the size and strength of 17 year olds, the Department should also consider the creation of an emergency response team similar to that used in the adult correctional environment, to safely respond to incidents.

## **1.b. Training**

Staff training should be consistent and up-to-date to ensure high standards of safety and best practice in the support of young people and the positive management of complex or challenging behaviours. Training needs to be appropriate to factors such as people's age, gender and take into account people's disabilities. The current complement of training programs, such as Protective Action Criteria (PAC) training, does not yet take into account these essential factors.

The overall training program has been under review at Brisbane Youth Detention Centre for over 6 months. While this review continues, it is recommended that an interim training plan be adopted to ensure the provision of mandatory training is ongoing, and to regularly refresh mandatory training across the centre.

## **1.d. Behaviour management procedures and use**

There is a need to expand the tools available to youth workers to positively manage the behaviour of young people (e.g. the provision or withholding of television sets, or other non-essential items). There is work occurring to update the tools used by youth workers to ensure there is a greater degree of options for positively addressing behaviour of young people. This needs to be developed through consultation with frontline staff, and implemented through the use of clear guidelines and consistent practice. Alongside expanding the available tools, there is a need for clear guidelines around using consequences for anti-social behaviour, so that staff can reward and positively consequence behaviour.

It is important for staff to be able to make appropriate use of separation to work with young people around their behaviour, or around issues that cause young people to exhibit anti-social behaviours. This includes circumstances where behaviours are exhibited by the young person with the deliberate intention that they be removed from the section, perhaps in the event the young person is seeking protection or time out.

Together supports the ongoing implementation of Trauma Informed Practice, which has built a positive foundation for the appropriate support and treatment of young people in the youth detention system.

## **1.e. Use of approved restraints and separation of detainees**

Together supports appropriate use of approved restraints in limited circumstances as best practice. Use of restraints should be used if no other more suitable option exists (e.g. leg cuffs when necessary during overnight hospital stays and during x-ray procedures). The use of separation and restraints should occur in line with clear guidelines which outline circumstances where it would be appropriate to make use of separation and restraints.

**Issue 2****Operation and Management of Queensland Prisons with Respect to 17-Year-old Prisoners**

No comment provided.

**Issue 3****Oversight of Queensland Youth Detention Centres**

Together members have raised concerns about the processes and procedures in place to manage the investigation of allegations against staff in Youth Detention Centres, and the policies by which the conduct of investigations and disciplinary matters are to occur.

Together supports strong oversight of the youth detention system and the right for young people in detention to lodge complaints. A transparent complaint system must include protections for the rights of complainant and respondent and must provide very clear and transparent processes to ensure that all parties have confidence in that system.

Together members have concerns about the complaint management and investigation process applying to youth workers within youth detention centres and recommends that JAG/Youth justice develop, in consultation with the union, clear policy and procedures for the conduct of investigations and disciplinary matters in which it adopts best practice.

**Issue 4****Oversight of Queensland Prisons**

No comment provided.

**Issue 5****Interim Measures – Transfer of 17-year-old prisoners in Queensland to Youth Detention Centres****5.b. Changes being made to accommodate 17-year-old offenders**

While this submission supports the treatment of 17-year-olds under the youth justice system, interim measures must be appropriate to the care of those 17-year-olds and the care of other young people in the youth justice system. The integration of 17-year-olds from prisons into the youth detention population will pose a significant risk to the safety and wellbeing of workers and young people in Queensland youth detention centres.

Together members express concerns that 17-year-olds transitioning from prison to youth detention centres will introduce behaviours to the centres which are likely to put other young people and staff at risk of harm. There is concern that these behaviours will influence younger detainees and disrupt the culture and safety within the centre.

If the current group of 17-year-olds in prison are to be relocated to Youth Detention Centres, it is recommended that measures are taken to ensure they do not mix with the current Youth Detention populations. This would require the establishment of a new facility for 17 year olds with separation from other populations at the Youth Detention Centre. These risks could be avoided altogether if the transition is managed by attrition, diverting new 17-year-old offenders to the Youth Justice system rather than prison, and continuing to appropriately support 17-year-old offenders who are currently in the adult correctional system to the age of 18.

**5.c. Projections as to the operation and management of youth detention centres regarding the placement of 17-year-old offenders in to youth detention centres:**

The additional risk posed by reintroducing a 17-year-old population into youth detention centres will require resources for additional front line staff on each shift. It is likely that due to age and complexity there will be a need to increase the number of staff present for a given number of young people. Additional staff will be needed on each shift to provide a greater level of response to incidents as they occur and also to ensure a safe response to the expected increase in incidents and codes. Due to the size and strength of 17 year olds, the Department should consider the creation of an emergency response team, similar to that used in the adult correctional environment, to safely respond to incidents.

We understand that increasing the availability of relevant programs for 17 year olds is currently under consideration. As there is no requirement for 17-year-olds to attend schooling, there needs to be a selection of ongoing and available programs for 17-year-olds to build professional skills and to address underlying causes of offending. These programs should be developed in consultation with frontline staff.

Together also recommends consideration for the process of transitioning young people to adult correctional facilities, and whether programs or process changes can allow for a more supported transition for those who will be transitioning as adults from Youth Detention to Adult Corrections. Before a young person transitions to prison they should have an induction period, where corrections officers discuss what is expected of them, as well as other programs to build appropriate expectations regarding adult prison. This is an issue that is yet to be appropriately addressed and where corrections and youth detention could work together to ensure better outcomes for young people during these transitions.

## **Issue 6**

### **Programs and Services Delivered in Youth Detention Centres Including Addressing Causational Issues Underlying Offending Behaviour**

#### **6.a. What programs are available to assist young people subject to detention to identify causes of their offending behaviour.**

Current programs across Youth Detention Centres are limited in scope and number, and require significant expansion to meet the needs of young people in addressing the underlying causes of their behaviour.

#### **6.c. Challenges regarding youth detention programs and services**

Funding for programs generally is an issue across youth detention. Together recommends a separate programs budget be allocated to each centre to ensure that there are available funds for the local development of programs for young people.

The school holiday periods pose challenges in providing meaningful activity to young people in the form of programs.

Funding for VET programs in BYDC was previously provided by Education Queensland for school holiday VET programs. This has been restricted in the recent few years since a policy change in Education Queensland restricted the funding of single modules or part-courses, preventing this funding from being spent as providers cannot deliver full courses to completion within the limited timeframes that staff have available to work with a young person. This funding was then effectively lost as it had not been able to be used for the purpose to which it was allocated. To address this issue, Together recommends that government consider amendments to Education Queensland policies, making exemptions for youth detention centres regarding the ability to fund single modules or part courses. Together also recommends that dedicated funding again be provided to support these VET courses during school holiday periods.

#### **6.d. What programs to assist young people subject to detention to identify causes for their offending behaviour ought to be available.**

There is a need for more programs for young people to address underlying causes of reoffending, as well as to prepare young people for life in the wider community. This is particularly necessary over school holidays. These programs have been used to build skills and qualifications, as well as provide an opportunity for workers to work with a young person around attitudes and positive behaviours. Programs need to be tailored to the individual young people and developed wherever possible in consultation with the frontline staff.

#### **Transition Housing programs**

There is a need for Transition Programs to be implemented, such as the successful pilot programs involving Transition Housing which was trialled at Gatton. This model features a residential house staffed by Youth Workers from the Youth Detention Centre who have built relationships with these young people over time at Youth Detention Centres.

Youth Workers provide support for the young person to support their successful transition back to the community, and to prevent the underlying issues which cause reoffending. In this program, the transition house is under the governance and remains directly linked to the Youth Detention Centre. The model allows youth workers to work with the young people in the existing programs and procedures for consistency. Duties may include taking young people to appointments, schooling and in accordance with community services orders. The youth workers work from the house and the same governance arrangements are in place to provide the same protections for workers and young people, as an extension of the centre into the community. The pilot has demonstrated its effectiveness in significantly reducing reoffending rates, for successful reintroduction of young people back into the community.

Together recommends the full implementation of these programs for successful transition of young people from Detention into the community, to create positive outcomes for young people.

## **Issue 7**

### **Current Cultural Programs and Services and their Effectiveness in Addressing the Specific Needs of Aboriginal and Torres Strait Islander Young People in Youth Detention**

#### **7b Aboriginal and Torres Strait Islander programs and services.**

The focus is currently on single events such as NAIDOC week programs, rather than ongoing cultural programs in which Aboriginal and Torres Strait Islander young people can participate on an ongoing basis. While these events are considered successful, Together members recommend greater emphasis on ongoing cultural programs. Consideration needs to be given to the separation between Aboriginal and Torres Strait Islander men's business and women's business, and it is also important to be mindful of the young people's connection with the cultural programs and services that are appropriate to their communities.

Together recommends that wherever possible, Aboriginal and Torres Strait Islander staff from the youth detention centre work alongside Aboriginal and Torres Strait Islander young people during cultural programs.

Building Aboriginal and Torres Strait Islander leaders within the organisation will improve the cultural capacity of the Centres, and position the organisation in a better place to be able to address the cultural needs of young people. Together recommends programs such as leadership programs as a way to build Aboriginal and Torres Strait Islander leadership capability, and provide greater representation in leadership roles across youth detention centres. This could include the leadership program Wal Meta or similar leadership programs being offered regularly for Aboriginal and Torres Strait Islander staff working in youth detention centres.