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Report 85 – Directed Review into an Incident at Banksia Hill Detention Centre on 20 January 2013

The January loss of control at the Banksia Hill Juvenile Detention Centre was an entirely predictable incident, not because the young people at Banksia Hill had suddenly become worse, but because the facility had become increasingly unstable over the preceding 18 months and this had not been properly managed.

This is one of the primary findings of the Inspector of Custodial Services, Neil Morgan, in his report of a *Directed Review into an Incident at Banksia Hill Detention Centre on 20 January 2013* released today. Mr Morgan found that all of the warning signs of a serious incident had been present for some 18 months, including escalating serious incidents, staff shortages, excessive lockdowns, poor responses to detainee misbehaviour and lax security practices. During 2012 the pending amalgamation of Rangeview and Banksia Hill into a 'one stop shop' for all detainees had lost momentum and building delays had added further fragility.

In launching the report Mr Morgan said:

'The 20 January incident began when three detainees accessed a low roof – an unacceptably common event. It escalated to mass disorder as the detainees became aware that many cell windows were vulnerable to external attack. Basic security failings were exposed, including easy access to building materials and weaknesses in fence design

More than half of the male detainees appear to have been actively involved and they caused a great deal of damage. But while the incident can fairly be termed a 'riot', it is important to keep a sense of perspective: the detainees did not target staff or other detainees with violence, and made no attempt to escape or to light fires.

The repair costs alone are in the region of \$400,000. The total financial costs are much greater and include housing juveniles at Hakea Prison and 'target hardening' measures at Banksia Hill. The cultural and emotional damage at an already fragile facility has been immeasurable and some very serious challenges lie ahead for youth justice in the state.'

The terms of reference for this review, set by the former Minister for Corrective Services, Hon Murray Cowper MLA, included the causes and contributing factors behind the incident, security issues, emergency management practices, the management of detainees at Hakea Prison and issues relating to staff. In addition to the main report, the Inspector has released a series of Review Papers on these topics. The terms of reference did not extend to the responsibility of individual detainees which is a matter for the police and the Department of Corrective Services.

Mr Morgan said that in reflecting on the causes of the riot, he had examined both the situation at Banksia Hill itself and the lessons to be learned from the riots at Fremantle Prison in 1988 and Casuarina Prison in 1998:

'Proactive leadership, clear direction, effective management and measures to improve stability and security were clearly needed throughout 2011 and 2012. Unfortunately, all these matters drifted badly, both locally and at head office. The Department instituted too

many management changes and lacked a consistent focus. It also placed insufficient weight on the risks at Banksia Hill when it proceeded to amalgamation in September/October 2012.

Using the words of the Smith Report into the Casuarina riot, Banksia Hill was a 'tinderbox' in late 2012. A new management team had started to address some of the problems in November 2012 but it was still a tinderbox in January 2013. The Department could and should have done more to reduce the risks.'

Mr Morgan praised emergency management on the night of the riot but found the facility was under-prepared:

'The response to the unfolding emergency on the night was in many respects exemplary. Incident management was marked by intelligent and pragmatic decision making, good collaboration between the Department and the police, and a strong focus on staff safety. As always, there are opportunities for improvement but it is a credit to all that nobody was seriously injured in such a volatile situation. The people involved showed courage and good judgement and they deserve everyone's respect and gratitude.

However, Banksia Hill was very poorly prepared for an emergency. The emergency management plan was out of date, there was no viable contingency plan for evacuation, and staff training was seriously deficient.'

The report makes a number of recommendations about the future. Mr Morgan said that:

'The immediate challenge is the safe and prudent return of the detainees to Banksia Hill from Hakea. However, it is likely to be some months before a full return. Currently, Hakea does not provide an appropriate rehabilitative service, with too many lockdowns and insufficient activities and programs. The Chair of the Supervised Release Review Board and the President of the Children's Court have both commented that this is increasing community risk. The Department must do better, both at Hakea and when Banksia Hill returns to full operation.

I also make a number of strategic long term recommendations with a view to improving services, outcomes and efficiencies in youth justice. The focus should be on early intervention, diversion and community based initiatives as well as on providing a range of custodial options. To that end, I have recommended that the government develop plans and processes to transition youth justice out of the Department of Corrective Services to an agency whose sole focus is youth justice.'

Neil Morgan

7th August 2013

For more detail, see the Inspector's Overview to the Report (attached).

Neil Morgan will be available on the front steps of Parliament at 12.30pm on Wednesday 7th August 2013 for media interviews and can be contacted on 0427 426 471.

The full report will be available on the Inspector's website: www.oics.w.gov.au