OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

Security Review Paper

Banksia Hill Directed Review
August 2013

Contents

1   Introduction

1.1   On the evening of Sunday 20 January 2013, an extremely serious incident of mass disorder occurred at Banksia Hill Juvenile Detention Centre ('Banksia Hill'), a facility managed by the Department of Corrective Services ('the Department'). This was by far the most serious incident of this type in Western Australia since what is generally known as the 'Casuarina Prison riot' of Christmas Day 1998. Although the incident had some very specific dynamics and features which set it apart from previous prison 'riots' in Western Australia (for example, staff and detainees were not targeted with violence), the term 'riot' is an apt description of the incident.

1.2   Banksia Hill is the state's only juvenile detention centre and at the time, housed 185 males and 21 females. The incident began just before 6:00 pm when three male detainees absconded from one of the units and then used some loose pavers and debris to break another detainee out of his cell. After the first assisted break out, the situation escalated and with more and more detainees being assisted to break out of their cells.

1.3   In total, sixty one detainees escaped from their cells and a significant number of detainees caused damage to their cells. Due to the nature of the incident and the extent of the damage, it has not been possible to put a precise figure on the number of detainees involved in the incident. Department-supplied figures put the number of detainees involved in the riot at around 73, all male, but it is more likely that, in total, somewhere between one-half and two-thirds of Banksia Hill's male detainees were actively involved to some degree, and also some of the females.

1.4   Extensive damage was caused to parts of the buildings at Banksia Hill, including 106 cells, as well as to some equipment and personal property. The worst of the damage resulted from windows being attacked from both the outside and the inside.

1.5   The consequences for the detainees were dramatic, with 73 of the male detainees being immediately transferred in the early hours of 21 January 2013 to a nearby adult prison, Hakea Prison ('Hakea'). Within the next three weeks the majority of the remaining male detainees at Banksia Hill were subsequently transferred to Hakea while the damage caused by the riot was repaired and security upgrades implemented. The female detainees continued to be housed at Banksia Hill along with a small number of male detainees under 15 years of age and some older male detainees who needed to be held there for specific purposes.

1.6   On 24 January the Minister for Corrective Services ('the Minister') directed the Inspector of Custodial Services ('the Inspector') under section 17(2)(b) of the

Inspector of Custodial Services Act 2003 (the Act) to carry out a full investigation into all aspects of the riot, including:

- context of the incident;
- facts of any contributing/causal factors;
- security and integrity of the cells;
- security systems and infrastructure;
- security practices and protocols for all staff;
- adequacy of crisis/emergency management planning and crisis/emergency management response;
- temporary housing of juvenile detainees at Hakea; and
- to report to Parliament on the findings at the conclusion of the review.

1.7   In addition, the Minister also asked the Inspector 'to review staffing levels at the facility and report on the management of the incident and its impact on staff'.

1.8   The terms of reference for this Directed Review of the riot at Banksia Hill ('the Inquiry') require the Inspector to carry out 'a full investigation into all aspects of the incident' including the specific areas identified. This Security Review Paper ('the Paper') is one of a suite of six Papers prepared as part of the Inquiry and in support of the Inspector's Report to Parliament.

2   Overview

2.1   Banksia Hill is the only juvenile detention centre in Western Australia. It holds sentenced and remanded detainees, male and female.

2.2   As part of its 2008 electoral commitment, the Liberal Party undertook to spend $40 million to build an 80-person Young Offender Prison in the first term of government. On 20 May 2009, the then Corrective Services Minister announced that the Rangeview Juvenile Remand Centre ('Rangeview') would be converted into a prison for young men aged 18–22 years and that juvenile detainees would be moved to Banksia Hill.[1]

2.3   This decision led to a project for the redevelopment of the facilities at Banksia Hill. The project was developed over a period of 12 months, and endorsed by the corporate executive team in March 2010.[2]

2.4   There were significant issues in amalgamating Rangeview and Banksia Hill. As well as problems associated with the necessity of undertaking substantial construction works in the middle of a secure facility, the project encountered delays and changes in facility management.[3] The project was completed in October 2012, almost one year after originally planned.

2.5   It is not intended that this Paper will provide a detailed critique of the redevelopment project. However, key decisions relating to the management of security at Banksia Hill during the term of the project will be discussed. It is also necessary to revisit the commissioning of Banksia Hill in order to fully understand the operating philosophy that governed the design, building and staffing of the site when it was planned in the mid-1990s.

2.6   The methodology involved in the preparation of this Paper included a literature review; meetings and interviews with staff; a survey of all employees; a physical examination of the site; and a comparative study of similar centres. Public submissions were also sought as part of the Inquiry process, and these were considered both in the preparation of this Paper and the formulation of the Inspector's recommendations to Parliament.

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[1] Department of Corrective Services (DCS), *Young adults' prison addressing specific needs*, News and Media Releases (20 May 2009). Rangeview closed in October 2012 and is now a privately operated prison for young men (Wandoo Reintegration Facility).

[2] DCS, *Project Implementation Plan – Final for CET84 Youth Custodial Services and Changes to the Redeveloped Youth Detention Centre* (March 2010).

[3] Following the identification of critical security concerns, a new management team was brought in November 2012. It embarked on a major reform program which had scarcely gained momentum at the time of the incident on 20 January 2013.

3   Conclusions

3.1   The announcement in 2009 that Banksia Hill and Rangeview Remand Centre would be amalgamated and that Banksia Hill would be redeveloped to accommodate all detained juveniles, including remandees and girls, led to a number of linked projects. One such project was the development of a new operating philosophy for Banksia Hill. Although a new operating philosophy was endorsed by management in April 2011, the philosophy was neither communicated to Banksia Hill staff nor implemented in any coherent way. As a consequence, ad hoc provisional operating philosophies and operating models for Banksia Hill emerged. The opportunity to apply a single coherent philosophy to Western Australia's youth justice system was lost.

3.2   Although the endorsed operating philosophy stated that a security framework for Banksia Hill would be introduced as part of the amalgamation, it was never developed or implemented. At time of the amalgamation in September 2012 Banksia Hill had no key security policies and procedures in place. That was still the position at the time of the riot.[4]

3.3   An escape from Banksia Hill in August 2010 highlighted serious security failings. A number of internal security reviews which followed in 2010 resulted in 57 wide-ranging recommendations to address physical and procedural security risks at the centre. Despite management endorsement in January 2012 of a report accepting that the 2010 recommendations had been addressed, some of those risks remained.

3.4   A further escape from Banksia Hill in August 2012 provided confirmation that some of the security risks identified in 2010 remained. These included risks such as unsecured building rubble, which was used in the 2012 escape to gain access to a contractor's vehicle and attack the occupant.

3.5   Banksia Hill was allowed to become operational post-amalgamation without key security policies and procedures in place. There is considerable literature on the consequences of failures to integrate good security processes into custodial management.[5]

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[4] A new Assistant Superintendent Security position was filled on 5 July 2013 and is working to address outstanding security reform actions.

[5] See for example, Ministry of Justice, *The Report of the Inquiry Into the Incident at Casuarina Prison on 25 December 1998* (1999) [5.2.9.1]; Useem, B., & Kimball, P. *States of Siege: U.S. Prison Riots, 1971–1986.* (Oxford, UK: Oxford University Press, 1989) 218, 227–8; Wortley, R., *Situational Prison Control Crime Prevention in Correctional Institutions* (Cambridge: Cambridge University Press, 2002) 203; Boin, R. Arjen; Van Duin, Menno J, 'Prison riots as organizational failures: a managerial perspective' (1995) *Prison Journal.*

3.6   The fact that a major security incident was foreseeable at Banksia Hill is highlighted by an email[6] of 26 October 2012 from the Director of Security Services to the Deputy Commissioner which, in addition to warning that the centre had reached a crisis point, noted that:

> From a risk perspective every major prison disturbance in Australia in the past 60 years has been the result of a drop in the living conditions of inmates to a critical level. The warning signs regarding a drop in hygiene, rolling lockdowns, lack of access to canteen, education and recreation and poor staff discipline and morale are all present at Banksia and all point towards the very real possibility of a major disturbance … in the near future.

3.7   At the request of the Commissioner, the Security Services Directorate again assessed the security risks at Banksia Hill in November 2012. The security assessment identified a number of 'significant risks that required immediate remedial action' including detainee movement control, vehicle control, the management of the security function, poor communication, apathy in following procedures, visibility of senior managers, and staff shortages. The security assessment confirmed that at that time there was no security strategy, no drug strategy and no searching strategy in place.

3.8   Observations made at Banksia Hill during the Inquiry revealed a significant number of weaknesses in physical infrastructure (for example, unnecessary fences, fences which provided ready footholds and handholds, steel cans and rubble lying around the site and the use of building materials which would not be used in a more secure site), process security deficiencies (for example, staff unaware of processes for reporting matters, medical kits in poor condition, mobile phones being brought into the centre and inadequate responses to security issues) and problems with dynamic security (for example, ineffective supervision, staff non-adherence to procedures, lockdowns and the overuse of regression.

3.9   The Department's response to the riot has relied heavily on greater physical infrastructure, in particular more bars and grilles. The development of effective dynamic and process elements, involving good inter-personal relationships and consistent adherence to procedures, is essential to achieving a safe and secure environment at Banksia Hill.

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[6] Director Security Services, Department of Corrective Services, email (26 October 2012).

4   Operating Philosophy

4.1   A central issue to this Inquiry was the identification of the prevailing operating philosophy for youth justice in Western Australia at the time of the incident. Such philosophy would be expected to inform the operating model for Banksia Hill, its security strategies, and the design of the centre. These are all interlinked. Before discussing the status of Western Australia's youth justice operating philosophy, it is useful to examine the purpose and importance of such a philosophy.

The Purpose of an Operating Philosophy

4.2   In the context of a youth custodial facility, the operating philosophy should set out the objectives of the youth justice system as a whole, as well as providing a guide for staff in respect of daily decision-making within the facility. It should expressly address the necessary balance of welfare, justice and security issues and be explicit as to how the youth justice system and its facilities are distinguished from those of the adult custodial domain.[7] As noted by Roush, an operational philosophy:

> … is the first step toward gaining a measure of control in the uncertain and changing environment of youth detention. Fully and clearly defined purposes become the foundation for decisions and consistent policies. A strong mission statement/philosophy includes beliefs, values, and expectations about what will happen to detained juveniles between arrest and court disposition.[8]

4.3   According to guidelines set down by the Australasian Juvenile Justice Administrators (AJJA)[9] a 'clearly defined' operational philosophy should be developed 'prior to the design of any new [juvenile justice] facilities'.[10] The guidelines emphasise the importance of providing architects and designers of custodial facilities with the operational philosophies so that 'they may achieve a

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[7] It is well recognised that there are significant differences between juvenile and adult offending profiles which require nuanced policy responses and different operational practices. See: Richards K, 'What makes juvenile offenders different from adult offenders?' *Trends and Issues in Crime and Criminal Justice No. 409*, Australian Institute of Criminology, Canberra (February 2011); Committee on Assessing Juvenile Justice Reform, *Reforming Juvenile Justice: A Developmental Approach* (Washington DC, The National Academies Press, 2012).

[8] Roush D, *Desktop Guide to Good Juvenile Detention Practices* (Illinois: National Juvenile Detention Association, Center for Research and Professional Development, 1996) 75.

[9] The Australasian Juvenile Justice Administrators (AJJA) is a sub-group of the Children, Youth and Community Services Policy Research Working Group which is a standing committee of the Standing Council on Community and Disability Services Advisory Council. See <http://www.ajja.org.au/> for further details.

[10] AJJA, *Juvenile Justice Facilities in Australia and New Zealand Design Guidelines* (1996) 11.

clear understanding of the purpose of detention and the special objectives of the facility'.[11]

4.4 The rationale for embedding the operational philosophy within a facility's design is highlighted by McMillen and Justice Planners International:

> Good juvenile facility design derives largely from understanding the needs of those who will use the facility: the young people who reside there and the agencies responsible for the youth in their care. It is not simply a matter of creating a given amount of space or a handsome facade. Rather, good design depends on developing space that is responsive to resident and staff perceptions and behaviours, to the demands of daily programming, and to the need for safety, security, and positive management at all times.[12]

The Operating Philosophy in WA Youth Justice

4.5 In a briefing to the Minister following the incident the Department's Commissioner advised that:[13]

> The current operating philosophy within the centre has to change. [Banksia Hill] was originally opened in 1997 and the young person incarcerated now is not the same one that was housed in the centre when it first opened in 1997.

4.6 The reference to the need for a new operating philosophy suggests that the Department had an articulated operating philosophy to guide operations and management in Youth Custodial Services at the time of the incident. At the time that this Inquiry began in late January 2013 it was not at all clear that that an operating philosophy actually existed. It took a surprising amount of investigation to find the endorsed philosophy. During the Inquiry it became clear that staff held a variety of views on matters fundamental to the operation of the youth justice system in Western Australia and the concept of an operating philosophy was inconsistently understood.

4.7 The following sets out the evolution of the operating philosophy for Banksia Hill.

The Starting Point – 1994 to 1997

4.8 The concept of an operating philosophy appears to have been embraced by the Department during the commissioning of Banksia Hill. For example, as early as

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[11] AJJA, *Juvenile Justice Facilities in Australia and New Zealand Design Guidelines* (1996) 11.

[12] McMillen M & Justice Planners International, *Native American and Alaskan Technical Assistance Project Guide: Juvenile Facility Design* (Washington DC: National Institute of Corrections, 2005) 7.

[13] DCS, *Briefing to Minister for Corrective Services*: *Critical Incident at Banksia Hill Detention Centre on 20 January 2013 – Supplementary Briefing 3* (23 January 2013).

1994 the (then) Juvenile Justice Division of the Ministry of Justice[14] outlined a 'management philosophy' for the centre developed around the principle that a 'critical part of any young person's development towards adulthood is their capacity for responsible citizenship with all its attendant responsibilities, obligations and entitlements'.[15]

4.9   By the time Banksia Hill opened in September 1997 this had developed into the following 'Management Philosophy for Juveniles in Detention' mentioned in a development advisor's report in 1997:[16]

Security
- Custody of detainees (protection of the community from sentenced detainees);
- A very secure perimeter;
- As close to 'normal' environment as possible;
- Covert rather than overt supervision/surveillance.

Management
- Duty of care (safe custody) and basic needs (compliance with Beijing Rules);
- Responsible citizenship (emerging);
- Role for parents and extended family network.

Programmes
Opportunity for development of:
- Life skills;
- Education skills;
- Vocational/employment skills.

4.10   Significantly, the development advisor's report stated:[17]

[I]t is important to note that the management philosophy underlying the approach to juvenile detention is an endorsed policy by the Ministry and Attorney General, and has been developed by operational staff of considerable experience working in this area.

The planning of the centre however has been designed in such a manner that whilst lending itself to the management philosophy of the Division, it has real capacity to allow the operation of a more restrictive regime. The

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[14] Ministry of Justice, *Proposed New Juvenile Detention Centre Functional and Operational Brief* (November 1994) 4.

[15] This statement reflected the recently introduced *Young Offenders Act 1994*, which prescribes principles to be adopted when delivering services under the Act. It mandates a supportive criminal justice system which minimises harms to a young person that could otherwise occur by treating them in the same way as an adult. See Appendix A for full details of the principles.

[16] Spowers Architecture Facilities and Development Advisors, *Banksia Hill Juvenile Detention Centre Project Summary Report* (September 1997).

[17] Ibid., [3.1.2].

flexibility that has been built in will not compromise changes in any future security and management regimes should they occur.

This reveals the aspiration that the management philosophy would drive the design (and operations) of the centre. In actual fact, these intentions were compromised by the ad hoc development of the physical infrastructure.[18]

2009 to 2011 – a New Operating Philosophy for a Redeveloped Banksia Hill

4.11   With the exception of security modifications, no significant building took place until 2009 with the opening of a new accommodation unit.[19]

4.12   In August 2009, this Office recognised the need for a coherent operating philosophy for youth justice in Western Australia as a critical deficit of the system.[20]

4.13   The announcement in 2009 that Banksia Hill would be redeveloped to facilitate the development of the Young Adults Facility led to a number of linked projects. One such project was the development of a new operating philosophy bearing in mind that Banksia Hill was to house all detained juveniles, including remandees and girls.

4.14   In October 2009 the Department published a communication and consultation plan,[21] which stated that:

> A new operating model will be developed by reviewing current practices, investigating existing best practice and testing new ideas in order to deliver a nation-leading juvenile custodial service.
>
> A new operating model will reflect the diversity of Western Australia's youth justice environment and will improve outcomes for young people in the Department's care.

4.15   In February 2010 the Department released its project implementation plan. This identified the need for the infrastructure to support changes to operational models (reflecting the significant impact of housing girls and remandees), and for an 'appropriate expansion of education, case management, administration, program capacity, recreation facilities and medical supports'.[22]

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[18] See, for example, this Inquiry's *Physical Infrastructure Review Paper*, Chapter 5 Physical Infrastructure.

[19] See this Inquiry's *Physical Infrastructure Review Paper*, Chapter 5 Physical Infrastructure for a graphical representation of the development of the Banksia Hill site.

[20] Office of the Inspector of Custodial Services (OICS), *Remodelling Corrections for Youth and Young Men,* Issues Paper No. 2 (August 2009).

[21] DCS, *Redevelopment of Juvenile Custodial Services Communication and Consultation Plan* (October 2009) 1.

[22] This document was developed between 27 March 2009 and 3 February 2010, before being signed off by the Commissioner and Deputy Commissioner Community and Youth Justice on 5 March 2010.

4.16   The implementation plan discussed the 'formation of working groups and a robust communication and consultation plan'[23] for the research and design of the new operating model for the delivery of youth custodial services which would include the following points (among others):

- models of care management and throughcare;
- range of intensive programs designed to provide opportunities for young people to address their offending behaviour;
- provision of therapeutic, vocational, education, drug and alcohol, life skills, constructive day and health and well-being programs designed to reduce the precursors to offending; and
- revised Youth Custodial Rules, local standing orders and operational procedures that reflect the intent of the new model of operation.

4.17   The implementation plan identified the increased volatility that would come from co-locating all detainees, sentenced and remanded, male and female, to form a greater population at one site.

4.18   The new operating philosophy ('the 2011 philosophy') was not drafted until September 2010 and was finally endorsed by the corporate executive team (CET) in April 2011.[24] Ultimately, the design development stages were completed before the development of the 2011 philosophy.[25] Consequently, it appears that significant investment decisions were made without a full understanding of the purpose and operating dynamics of the redeveloped Banksia Hill site and their interaction with facility design.

4.19   The Department's 2011 philosophy stated, in part:

> Youth Justice Services exists to deliver the best justice outcomes for young people in Western Australia. We recognise that the most successful strategies are diversion and intervention to prevent young people from offending, but some young people will be detained as a last resort. Detention offers the opportunity to provide intensive and focused services aimed at making a positive difference in a young person's life and work alongside family to help them to break the offending cycle.
>
> The planned expansion of Banksia Hill to accommodate all young people who are in custody presents a unique opportunity to revitalise the services we deliver. We aim to review current practices, investigate

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[23] DCS, *Project Implementation Plan CET 84: Youth Custodial Services and Changes to the Redeveloped Youth Detention Centre Version 005* (February 2010).
[24] DCS, *Making a Positive Difference to the Lives of Young People in Youth Custodial Services* (December 2010).
[25] The design development of Stage 1 was completed on 11 November 2009 and that of Stage 2 on 7 April 2010. DCS, *Project Status Report Banksia Hill Expansion November 2010 Report* (November 2011).

existing best practice and test new ideas in order to deliver a nation leading juvenile custodial service. The new models developed will reflect the diversity of Western Australia's youth justice environment and improve outcomes for young people in our care.[26]

4.20   CET endorsed this document as the 'basis of the service delivery model and further documentation [would] be developed and provided to outline the conceptual and operational framework in greater detail.'[27] This does not appear to have been implemented, leading to confusion about the different sources of authority for operational practices in Banksia Hill.

4.21   A comparison of the features of the endorsed 2011 philosophy with other competing statements in circulation during the Banksia Hill redevelopment is described in Appendix A, Philosophies, Cornerstones and Principles.Appendix B provides a comparison of the development of the operational philosophy at the Young Adult's Facility (later named the Wandoo Reintegration Facility) with Banksia Hill. Both projects stemmed from the same policy commitment. It is notable that the Department developed the operational philosophy at an early stage. This led to a clearly articulated service delivery model which is evident in operation.

The Failure to Promulgate the New Operating Philosophy

4.22   Unfortunately, following its endorsement by the CET the 2011 philosophy was neither communicated to Banksia Hill staff nor implemented in any coherent way. The Inquiry showed that this coincided with a decrease in the frequency of amalgamation project meetings and the movement of key staff at an operational and executive level, arguably leading to a loss of corporate memory in respect of the 2011 philosophy. As a consequence, ad hoc provisional operating philosophies emerged and the opportunity to apply a single coherent philosophy to Western Australia's youth justice system was lost.

4.23   In May 2012, the incoming deputy commissioner set up a new project control group process for the Banksia Hill redevelopment. However, this new group did not reference the considerable work done in 2010 and 2011 to develop the operating philosophy for the new amalgamated detention centre. While the outgoing and incoming deputy commissioner describe events differently, it is clear that there was a loss of momentum in the amalgamation project and a failure to give life to past CET resolutions.

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[26] DCS, *Making a Positive Difference to the lives of Young People in Youth Custodial Services* (December 2010) 2.

[27] DCS, *CET Minutes 18 November 2010 – Agenda Item 11.2 CET 84 Redevelopment of Youth Custodial Services, 11.2.1 Making a Positive Contribution to the Lives of Young People in Youth Custodial Services* (November 2010)

4.24   A further consequence of the failure to promulgate the 2011 philosophy was that the staff at Banksia Hill had to improvise their own philosophies to guide decision-making and provide direction to their work. A Department newsletter published in October 2012[28] stated that:

> The philosophy of Safety, Purpose and Respect has been the focus of the redevelopment of Banksia Hill Detention Centre, with these values taken into consideration during every stage of the project...We are embedding the philosophy into the culture of the centre with new trainees being introduced to the concepts from the outset.

4.25   There are similar references to the improvised philosophy of 'safety, purpose and respect' in the August 2012 staff orientation plan.[29] This was a key document to introduce new staff to Banksia Hill operations – it contained no reference to the 2011 philosophy. One of the objectives of the document was to ensure that staff were 'equipped to respond appropriately to emergencies and incidents.'

4.26   A separate 'common philosophy' for Youth Justice Services' staff can be found on the Department's website.[30] It is focused on welfare and rehabilitation issues, and emphasises the role of the family, the individual, cultural sensitivity and the use of detention when other options have failed or the offence is extremely serious.

4.27   A further philosophy featured in the training syllabus for Youth Custodial Officer recruits,[31] referred to two sets of principles.[32] These were different again to those in the endorsed philosophy.

4.28   Accordingly, at the time of the incident, there were at least three separate expressions of an operating philosophy: the officially endorsed 2011 philosophy; the provisional one of safety, purpose and respect; and the one that was communicated during training at the Academy. This is in addition to other material published by the Department setting out goals, principles and cornerstones for the youth justice system and the Youth Justice Services' 'common philosophy'.

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[28] DCS, *Youth Custodial Services Redevelopment Project News Update Issue 28* (October 2012).

[29] DCS, *CET-84-15 Banksia Hill Detention Centre Staff Orientation Plan* (August 2012).

[30] This refers to all youth services, including community corrections in addition to Banksia Hill. DCS Website – Youth Justice <http://www.correctiveservices.wa.gov.au/youth-justice/> accessed on 30 April 2013.

[31] In February 2013, the Department's Academy was teaching recruit Youth Custodial Officers using syllabus material which had not been updated since 2008: DCS, *Roles and Responsibilities of the Youth Custodial Officer Trainer's Module* (August 2008); DCS, *History and Philosophy Trainer's Module* (January 2008).

[32] These were the statutory principles set out in section 7 of the Young Offenders Act 1994 and other 'key principles' which are different to the Act and other principles viewed by this Inquiry.

4.29 This collection of inconsistent and differently focussed guidance material was no substitute for a clear operating philosophy and operational model for Banksia Hill. It would not have assisted the proper management of the centre. Information provided to the Inquiry revealed that staff were not aware that there was an operating philosophy or could only articulate general motherhood statements. When supervisory staff cannot explain the purpose of their workplace, it indicates serious problems for the organisation.

4.30 The lack of staff knowledge of the 2011 philosophy is reflected in the CPSU/CSA submission to this Inquiry.[33] In the part of the submission dealing with 'management changes, communications and planning' there is no reference to the document or any other departmental operating philosophy, operating model or service delivery model.

4.31 The Assistant Commissioner Youth Justice Services informed the Inquiry that there was no operating philosophy evident at Banksia Hill when he took over the Assistant Commissioner position in November 2012.[34] At that time, he acknowledged that it 'did not appear to be the "bible" for how the facility was being operated and … nobody made reference to its relevance or otherwise'.[35]

4.32 It is difficult to understand how, two years after its endorsement, a key document such as the 2011 philosophy continued to be disregarded at the most senior levels of the Department. The workforce remained ignorant of the philosophy and there was no documented operating model in place for Banksia Hill.

4.33 It has been suggested that with the change in management, corporate memory of the 2011 philosophy or operating model was lost.[36] However, it was relied upon by the Department in August 2012 in its response to this Office's *Summary of Report on Custodial Roof Ascents.*[37] It is concerning that the 2011 philosophy was understood to be operational by one part of the Department, while local management and staff had no knowledge of it. This indicates grave breakdowns of accountability, ineffective communication and poor records management.

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[33] CPSU/CSA, *Submission to the Inspector of Custodial Services Banksia Hill Detention Centre Riot of 20 January 2013* (8 March 2013).

[34] Briefings to the Inquiry on 28 February 2013 and 14 March 2013.

[35] Assistant Commissioner Youth Justice Services, Department of Corrective Services, email (26 March 2013).

[36] The two Deputy Commissioner positions swapped places in April 2012. Between the endorsement of the 2011 philosophy in April 2011 and the riot, the Assistant Commissioner Youth Justice Services position had three occupants.

[37] OICS, *Summary of Report on Custodial Roof Ascents* (November 2012), response to recommendation 4.

5   The Security Concept at Banksia Hill

Security Management

5.1   The security concept for any custodial setting has three components:[38]

- Physical security – the integrated physical structure, mechanical and electronic systems.
- Process security – the effective system and procedures in place to ensure the coordinated application of security measures.[39]
- Dynamic security – the relationship between staff and detainees which encourages engagement with detainees to understand them, their issues and their environment.

Finding the balance between physical, process and dynamic security elements

5.2   The balance between these components is determined by the operating philosophy and operating model and is usually documented in a functional brief. In respect of juvenile facilities the *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand*[40] advise that:

> Juvenile justice facilities should establish a security management plan that will provide guidelines for the provision of static and dynamic security. Adequate static security (fences, walls, electronic detection) should be provided to reflect the rated security needs of the facility and be designed with a view to integrate with the facility's dynamic security (including staff interaction with detainees, clearly defined go and no-go areas and good sight lines).

5.3   In his landmark 1991 report into the prison disturbances in the UK, Lord Justice Woolf pointed out that, stability in any custodial setting requires achieving the proper balance between order, control and justice.[41] Similarly, the three components of security must be kept in balance if the security is to be effective.

5.4   A preoccupation with physical security will often follow the occurrence of a security breach and although it may appeal to particular stakeholders, it does not

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[38] Learmont, J. *Review of Prison Service Security in England and Wales and the Escape From Parkhurst Prison On Tuesday 3rd January 1995* (1995). See also OICS, *Code of Inspection Standards for Adult Custodial Services* (2007).

[39] Also known as procedural security.

[40] Health & Community Services (VIC), *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand* (1996) 17.

[41] Woolf L J, *Prison Disturbances April 1990: Report of an Inquiry* Part II of Report with Tumin S London HMSO UK (1991) [1.149].

assist the proper balancing of the security components. Research[42] on prison riots generally indicates that:

> [A]n overreliance on [physical] security as a preventive tool may have unintended consequences for the prison's living environment. Reliable security in large part depends on leadership involvement, redundancy, and a safety culture.

5.5   As Menninger has noted:[43]

> Prison riots call attention to some aspects of breakdown in prisons. They do not, however, call much attention to the real factors that provoke the riot.

5.6   The Queensland Corrective Services Commission placed dynamic security and child welfare above overt physical security in its management of juvenile detention facilities.[44]

The QCSC'S philosophy requires that the aims of security management within juvenile centres are to promote:

- Positive interaction between staff and detained children;
- Close supervision and ease of observation;
- The gainful occupation of children in activities to circumvent the desire and opportunity for security breaches; and
- The ready access by children to high quality casework, counselling and support services to address their individual concerns, anger or distress thereby reducing the potential for these concerns and emotions to be acted out in a manner that creates a behaviour or security management issue.

5.7   In contrast to the above broad conceptualisation of security in a juvenile justice centre, the brief for the design of Banksia Hill envisaged a more limited role for security management.[45] This was closer to that of an adult facility:

> Finally principles governing security systems in detention centres have changed rapidly, corresponding to changes in basic philosophy about these sort of facilities as well as changes in available technology. As with many of the principles outlined above a balance has to be maintained

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[42] Boin R A & Van Duin, M J, 'Prison riots as organizational failures: a managerial perspective', *Prison Journal* (September 1995).

[43] Menninger K, 'The Crime of Punishment: Awaiting Trial in Jail' in Atkins, B. and Glick, H. (eds), *Prisons, Protests, and Politics* (Englewood: Prentice-Hall, 1972) 534.

[44] Queensland Corrective Services Commission, *The Integrated Approach: The Philosophy and Direction of Juvenile Detention* (1997) 15.

[45] Ministry of Justice Juvenile Justice Division, *Proposed New Juvenile Justice Detention Centre Functional and Operational Brief* (November 1994) 15.

between the degree of intrusiveness of any security system on the detainee against the degree of containment perceived to be required and the level of safety for the staff working in these facilities. The objectives of any modern security system include:

- To prevent escape;
- To control aggressive behaviour of detainees towards other detainees and staff;
- To prevent detainees for harming themselves;
- To control the flow of contraband into the facility;
- To prevent illegal entry; and
- To minimise the extent of damage to the facility.

5.8   In addition, the absence of an effectively communicated operating philosophy and operating model for Banksia Hill meant that any development of a security framework for the centre would proceed in the absence of the necessary guidance provided by these documents.

5.9   In this regard, the Security Overview chapter of the 2011 philosophy provided as follows:

> [Youth Custodial Services (YCS)] has responsibility for ensuring the security of the new Youth Custodial Centre. In developing a security framework, it is imperative YCS takes account of the industry-wide risks and opportunities when determining how best to ensure a safe and secure environment, and ensures that any proposal engenders both community and organisational confidence. Importantly, the amalgamation of the two centres provides a significant opportunity to improve both the physical security structures and processes for the new centre together with the dynamic security processes, and that these are developed in line with broader departmental concepts.
>
> 6.1.1 Security Services Directorate
>
> The Security Services Directorate, in its proposal to CET, has proposed to:
>
> Develop and implement a statewide security framework which will incorporate all custodial functions of the Department. This framework will provide a mechanism to categorise all facilities whilst allowing for site specific requirements. Through this framework, sites will be required to create local security strategies cognisant with the strategic direction of the framework and on which they will be routinely audited against to assess performance and promote continual improvement
>
> …

Notably, there is an expectation that YCS participates and complies with this model and the YCS executive is fully supportive of this view. Through this project there will be significant developments over the coming year, prior to the final amalgamation of the remanded and sentenced young people populations. These developments will impact on the broader security concepts and practices of the new centre. It is anticipated the project will deliver a series of policy documents, procedural documents, guidance material and templates for use at individual centres which aim at a standardisation of operational security process across the Department.[46]

5.10 Given the failure to promulgate the 2011 operating philosophy, the statewide security framework mentioned above was never developed or implemented.

The Decision Making Chain of Events

Escape Highlights Serious Security Failings

5.11 On 29 August 2010, only five months after executive endorsement of the redevelopment project and during capital works, four detainees breached Banksia Hill's external perimeter fence. This highlighted a number of risks to the Department and had an effect on the delivery of the redevelopment project.

5.12 In September 2010, citing the escape as a catalyst, the Department developed a business case for the Banksia Hill redevelopment project ('the Business Case').[47] The purpose of the Business Case was, 'to propose solutions for security-related and detainee management risk reduction strategies that are required for the redeveloped Banksia Hill Youth Detention Centre.'

5.13 The Business Case contained proposals for increased staffing, 'to align Banksia Hill Youth Detention with contemporary practices from other jurisdictions'. Essentially this requested a change from the Department's ratio of one staff member per eight detainees to the ratio of up to one staff per four detainees used in some other jurisdictions.[48] However, there was limited analysis or data to support the claim for additional staff.[49]

5.14 The Business Case noted that the target population will include male and female young people aged 10 to 17 years, predominantly male and Aboriginal.[50] It would include detainees on arrest, short/long term remand, and those serving a

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[46] Department of Corrective Services, *Making a Positive Difference to the Lives of Young People in Youth Custodial Services* (December 2010) 96.

[47] DCS, *Business Case Banksia Hill Youth Detention Centre Redevelopment Project (CET 84)* (September 2010).

[48] The business case also made proposals for additional staff specifically for the gatehouse due, in part, to the security technology upgrades.

[49] The Department never presented this business case to Treasury (email to Inquiry 17 May 2013).

[50] See *Age Profile* above for discussion of the population aged 18 years and over.

period of detention. The document described this population as 'problematic' and argued that increasing numbers of detainees were entering Youth Custodial Services for serious offences. The business case did not develop an argument that such a mix of cohorts would create a volatile centre population, a situation exacerbated by an absence of effective classification and placement. The implications of this, not only on staff numbers, but also on the types, roles, functions and powers of staff, and on the underpinning legislative framework, were not addressed.[51]

5.15   While the original build and the redevelopment of the Banksia Hill site were planned around a population aged 10 to 17 years, there has always been a small but significant number of detainees who turned 18 while in juvenile detention. On the night of the incident, 12 per cent of detainees were aged 18 or 19 years.[52] Although this is a relatively small cohort, they are over-represented in those presenting management problems and this reality should have been recognised in an appropriate operating philosophy and security strategy.

2010 Security Reviews

5.16   In addition to the Business case developed following the escape on 29 August 2010, the Department undertook two internal security reviews. These resulted in a total of 57 wide-ranging recommendations.

5.17   The Manager Statewide Security completed a security-focused review the day after the escape ('the 2010 Statewide Security review').[53] It contained 18 recommendations[54].

5.18   The Department's Professional Standards Division undertook a detailed review ('the 2010 Professional Standards review') which was completed in December 2010. [55] It made 39 recommendations. The Community and Youth Justice Division provided feedback to Professional Standards in July 2011, Professional Standards prepared a closure report for CET in December 2011 which was considered by CET on 19 January 2012.[56] The security failings that were

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[51] While the business case drew attention to Canadian research calling for youth justice facilities to have a 'very high ratio of specialised staff to residents', the business case suggested the creation of up to 120 additional Youth Custodial Officers, but no specialist or Aboriginal support/liaison staff.

[52] The Department's TOMS database records that of a detainee population of 207, 22 were aged 18 years and two were aged 19 years.

[53] DCS, *Assessment of Banksia Hill Detention Centre Following the Events of 29 August 2010 – Summary* (30 August 2010).

[54] Progress on these recommendations was monitored regularly by CET Governance Board and endorsed as complete on 1 September 2011. See Department of Corrective Services, *Extract from 2011 CET Governance Board Meeting Minutes referring to BHDC/ Rangeview* (5 March 2013) 12.

[55] DCS, *Directed Review of the Escape at Banksia Hill Detention Centre,* Report No. ACSR 09/2010 (December 2010).

[56] DCS, *CET Meeting 1/2012 on 19 January 2012 – Agenda Item DCS Closure Report – Internal Report and Recommendations.* Report provided for consideration for closure by the Commissioner's Executive Team (CET). Report Title: *Directed Review of the Escape at Banksia Hill Detention Centre,* Report No. ACSR 09/2010 (January 2012) [6.4].

identified in 2010 reviews were not fully addressed. As described below, corporate governance processes allowed the acceptance of reports as to the implementation of actions taken to remedy the physical and procedural security risks identified, when in fact some of the risks remained.

5.19   Endorsement of Remedial Actions On 19 January 2012 the CET endorsed a closure report ('the Closure Report') that summarised the actions taken to address the physical and procedural security risks at Banksia Hill identified in the 2010 Statewide Security review.[57] The Closure Report noted that the Manager Statewide Security had deemed the risk level to be extreme and had identified 18 treatment options 'to reduce the identified risks to a reasonable and acceptable level'.[58] Each of these risks was 'deemed to be either completed or ongoing daily, which requires daily monitoring during the life of the project'.

5.20   The minutes[59] of the CET meeting noted that:

> The Deputy Commissioner Community and Youth Justice requested a directed review on 7 September 2010 into the project management of Banksia Hill Detention Centre building works and the escape of four detainees (one escape, three attempted escape) … on 29 August 2010.
>
> …
>
> An analysis was conducted into the regularity and content of input from the [project control group], the control exercised by key members of the group and elements of security risk management, particularly in relation to the rigorous daily application of fundamental security principles, which in their absence contributed to the escape.
>
> The review team made 39 recommendations for business improvement, all of which were supported.

5.21   Against all of the 39 recommendations from this review, the Closure Report noted that '[t]he evidence provided appears to address the recommendation'.

5.22   Much of the evidence cited within the Closure Report refers to observations in early 2011. Interviews with staff and documents examined during the course of the Inquiry showed that a number of these improvements had stopped in the

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[57] DCS, *CET Meeting 1/2012 on 19 January 2012 – Agenda Item DCS Closure Report – Internal Report and Recommendations. Report provided for consideration for closure by the Commissioner's Executive Team (CET).* Report Title: *Directed Review of the Escape at Banksia Hill Detention Centre,* Report No. ACSR 09/2010 (January 2012) [6.4].

[58] DCS, *Closure Report – Internal Report and Recommendations: Report provided for consideration for closure by the Commissioner's Executive Team (CET)* (14 December 2010) 6.

[59] DCS, *CET Meeting 1/2012 on 19 January 2012 CET Cover/Decision Sheet Agenda Item 6.4 Subject: Closure of Internal reports and Associated Recommendations* (January 2012).

approach to the amalgamation in 2012.[60] It would therefore appear that the recommendations of the Closure Report were uncritically accepted. On the approach to amalgamation in 2012, some recommendations were no longer being followed.

Second Escape Throws System into Crisis

5.23   A further escape from Banksia Hill on 2 August 2012 called into question the effectiveness of the Department's governance processes and, more generally, the ability of the Department to learn from critical incidents.

5.24   Despite the review processes in 2010 leading to the 2010 Professional Standards review, the Statewide Security review and the Closure Report, many of the risk factors that contributed to the 2010 escape were still present in the 2012 escape. These included risks such as unsecured building rubble, which was used in the 2012 escape to gain access to a contractor's vehicle and attack the occupant. The Inquiry found evidence of loose rubble in visits to the facility in January 2013. This demonstrated failure in governance over several years and which inevitably contributed to an unnecessary repetition of a security breach.

5.25   The 2012 escape came at a critical time for Banksia Hill. The new residential units were nearing completion and the aftermath of the escape highlighted significant concerns about the readiness of staff for the amalgamation and the poor state of security procedures.[61]

Growing Unease about Security

5.26   A review of the escape by the Department's Security Services Directorate[62] ('the 2012 Security Escape Review') identified a number of concerns regarding the operation of Banksia Hill, including procedural non-adherence and a 'culture of apathy'[63]. It recommended a number of remedial security actions.

5.27   In response to these and other concerns, the Department brought in a team of monitors that examines standards in private prisons. Their deployment to Banksia Hill was the first time that they had been used in a public facility. Following the monitors' first visit to Banksia Hill in early September 2012 concerns were raised about the facility's staffing capability:[64]

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[60] For example, Recommendation 1 required the recording of the reasons for absences at the Project Control Group (PCG). Minutes of 2012 PCG minutes found that reasons were not recorded and some senior managers attended fewer than one quarter of meetings. Recommendation 2 required a structured consideration of risk – many of the minutes had no mention whatsoever of risk. See Chapter 5 Process Security for irregularities in the implementation of Recommendations 19, 20 and 21.

[61] The Inquiry showed that the Department and the Commissioner were cognisant of these issues. They were illustrated in the following document: Department of Corrective Services, *Updated Briefing Regarding Transition Issues at Banksia Hill Detention Centre* (August 2012).

[62] DCS, *Security Services Directorate Banksia Hill Juvenile Detention Centre Escape Review* (August 2012).

[63] Ibid., 21.

[64] DCS, *Banksia Hill Monitoring Report 3–7 September 2012* (September 2012).

The tension between staff extends to senior officers and administration staff. The only substantively appointed staff in administration are the Assistant Superintendent and the Security Manager. The lack of cohesion and support between managers is clearly obvious to official visitors and impacts on the attitude of uniformed staff.

[The superintendent] also carries the role of Director and is heavily involved in the building project and the amalgamation of Banksia Hill and Rangeview. During the week we noticed [the superintendent] attended or facilitated several meetings each day. It appears the scope of [his] work is beyond one person and he appears to have minimal support.

5.28   The monitors made several reports per week during the following three months and the service continued with less frequent visits until February 2013. These reports provided the Director of Security Services and the Department's CET with further objective information on the issues at Banksia Hill.

5.29   The Deputy Commissioner Community and Youth Justice sought verbal advice from the Director of Security Services in early October 2012 as to whether there were any security obstacles that would prevent the imminent transfer of detainees to Banksia Hill.[65] Following the receipt of negative reports, on 26 October 2012 the Director sent an email to the Deputy Commissioner and other members of the senior executive suggesting that Banksia Hill was not ready to receive remandees from Rangeview:

> The common themes relate to ongoing lockdowns due to perceived staff shortages, increased agitation amongst detainees and poor discipline and compliance to procedures amongst staff. I'm of the view that this situation is at crisis point and that the risk of a major incident is very real.[66]

Crystallisation of Concerns

5.30   At the request of the Commissioner, the Security Services Directorate assessed the security of Banksia Hill ('the November 2012 Security Assessment'). [67] This reviewed 'the physical, procedural and dynamic security provisions in place at Banksia Hill ... and their adequacy in light of recent critical incidents, ongoing management issues and the recently completed amalgamation'.

5.31   This security assessment identified a number of issues that posed a risk. They were categorised under four areas:

- Physical infrastructure;

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[65] Exact date is not known. Established during interviews with Deputy Commissioner Community Youth and Justice, and Director Security Services.
[66] Director Security Services, Department of Corrective Services, email (26 October 2012).
[67] DCS, Security Services Directorate, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012).

- Procedural security and practice;
- Dynamic security and practice; and
- Management and oversight.

5.32 The security assessment also identified a number of 'significant risks that require immediate remedial action' including detainee movement control, vehicle control, the management of the security function, poor communication, apathy in following procedures, visibility of senior managers, and staff shortages.[68]

5.33 The November 2012 security assessment confirmed that at that time there was, at Banksia Hill no security strategy, no drug strategy and no searching strategy. This is precisely the situation identified by the Office in its *Directed Review of the Management of Offenders in Custody* in 2005, demonstrating that the problem was one of long standing, pre-dating the amalgamation of the Rangeview and Banksia Hill facilities.[69] It concluded that: 'The ongoing operation of [Banksia Hill] is faced with a number of significant risks that require immediate attention'.[70]

5.34 The 2011 Operational Philosophy stated that a security framework would be introduced as part of the amalgamation.[71] On 21 March 2013, following the incident, a representative of the Department advised[72] the Inspector that:

> The Security Framework has never been implemented at Banksia Hill; in fact it's only just at the pilot stage, occurring at Bandyup. The plan has always been to roll out the Framework (once endorsed) to AC [Adult Custodial] first and then to CYJ [Community and Youth Justice]... the reference within in the 'Making a Positive Difference' report is an extract from the Security Framework CET submission.

> Following the escape we looked to implement certain elements of the Framework at Banksia, namely the Governance Function, which included the Security Committee and Security Liaison Officers. This will be evaluated in May 2013 in line with all the recommendations as outlined within the Security Assessment report of November 2012.

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[68] DCS, Security Services Directorate, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012) 22.
[69] OICS, *Directed Review of the Management of Offenders in Custody in Western Australia* (2005) 36.
[70] DCS, Security Services Directorate, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012) 22.
[71] DCS, *Making a Positive Difference to the Lives of Young People in Youth Custodial Services* (December 2010) 89-90.
[72] Response to document production request received 21 March 2013.

6   Security Failures and Weaknesses at Banksia Hill

6.1   Before discussing the interaction between physical, process and dynamic security factors and how they inform the overall security environment at Banksia Hill, it is relevant to consider the characteristics of the juvenile detainee. Adolescence is well known as a time of risk-taking, identity formation and deviant behaviour. There is significant research that suggests biological explanations for these features.[73] This research should be acknowledged in the design of Banksia Hill's security regime.

6.2   The riot of 20 January 2013 exhibited typical juvenile offending characteristics.[74] These include the propensity for juveniles to commit offences in public places and in groups, and for the offending behaviour to be attention seeking, episodic and opportunistic. The fact that the behaviours of juvenile offenders differ to those of adult offenders has important consequences for a juvenile justice system and highlights the need for the system to treat juvenile offenders differently to their adult counterparts.

6.3   The aftermath of the incident saw a number of actions taken by the Department that mirrored its response to riots in adult prisons. This included lockdowns of at least 23 hours per day for all detainees (regardless of involvement in the incident) and increased focus on physical security.[75] However, these actions do not necessarily elicit the same response in a cognitively immature adolescent brain as they do in an adult. And in fact, actions such as lengthy lockdowns and the installation of higher fences may place vulnerable juveniles (particularly those with cognitive disabilities and mental illness) at further risk.[76] This context must be taken into account when configuring the security infrastructure in a juvenile facility.

6.4   An effectively communicated operating philosophy would have supported senior staff in making defensible decisions in line with evidence-based practice.

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[73] See eg, Committee on Assessing Juvenile Justice Reform, *Reforming Juvenile Justice: A Developmental Approach*. Washington, D.C., The National Academies Press (2012) [4.5]; Australian Institute of Criminology, *Trends and Issues in Crime and Criminal Justice No. 409* (February 2011); Steinberg (2005) Cognitive and affective development in adolescence *Trends in Cognitive Sciences* 9(2) 69–74.

[74] Australian Institute of Criminology, *Trends and Issues in Crime and Criminal Justice No. 409* (February 2011).

[75] The Forde Inquiry warned that institutional environments can create expectations that young people will be violent, which in turn can influence their behaviours. Forde L, *Report of the Inquiry into Abuse of Children in Queensland Institutions* (1999) 20.

[76] In this regard it is noted that the incidence of intellectual disability is reported to be considerably higher among juveniles under the supervision of the criminal justice system than adults under such supervision with some 17% of juvenile detainees in Australian detention having an IQ below 70: see Frize, Kenny and Lennings (2008) in Australian Institute of Criminology, *Trends and Issues in Crime and Criminal Justice No. 409* (February 2011).

Physical security

The design and development of Banksia Hill

6.5   Documentation for the original design of Banksia Hill in 1994[77] stated:

> **Design Implications**. The working party requires the basic dwelling units to be more of a domestic scale with durable fixtures and fittings. Given a secure perimeter there is less of a requirement for 'escape proof' buildings. Experience has shown that detainees are more likely to respond violently to institutionalised surrounding and fittings, and they are more expensive to replace than domestic fittings. However, commonsense dictates that a 'least damageable and most easily repaired or replaced' approach to the design should be adopted. Such an approach offers obvious cost advantages.

6.6   This design brief placed a high value on dynamic and non-physical forms of security within the centre giving it, what the Commissioner has since called, 'an open campus' feel.[78]

6.7   Indeed, the Department attributed the August 2012 escape to failures in the non-physical forms of security:[79]

> The recent escape and subsequent review of the incident has revealed areas of concern that primarily focus on procedures and practices, as opposed to physical security concerns, therefore a number of concerns need to be rectified as a matter of urgency to give confidence of a safe and secure facility.

6.8   Nonetheless, physical security measures are important and any identified risks with physical security must be addressed. In this regard, the 2008 inspection by this Office[80] noted that:

> Most security systems at Banksia Hill were failing in some way at the time of the inspection. Many of the systems in place were ageing or obsolete, with repair or replacement becoming more difficult.

6.9   These observations were not addressed until four years later, when the November 2012 security assessment called for the Department to 'develop a business case for infrastructure and security improvement to the Gatehouse and

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[77] Ministry of Justice, *Proposed New Juvenile Detention Centre Functional and Operational Brief* (November 1994) [2.12.1].

[78] DCS, 46-01861/5 *Critical Incident at Banksia Hill Detention Centre on 20 January 2013 – Supplementary Briefing 3* (January 2013).

[79] DCS, *Updated Briefing Regarding Transition Issues at Banksia Hill Detention Centre* (August 2012).

[80] OICS, *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre,* Report No. 58 (December 2008) [2.8].

Sallyport'.[81] The assessment drew attention to security risks at these most critical areas of the secure perimeter.

6.10   However, in respect of the cells the November 2012 security assessment stated that 'the accommodation units are adequate to house and contain detainees'.[82] This is in direct contradiction to an earlier report in June 2009 where, following tests of cell security, the Emergency Support Group[83] recommended:

> As a means of preventing repetitive window damage, 'crim mesh' be installed to cells windows that are susceptible to being broken from the outside by detainees. These will need to be identified on a priority/risk basis.

6.11   Remarkably, the Department was unable to find any record of the recommendations of the Emergency Support Group having been formally considered by management. The recommendation above is significant because, had it been implemented in respect of high-risk cells (for example in the Harding management unit), it may have limited the extent to which the riot gained momentum.

6.12   During the Inquiry a number of the tests of physical infrastructure conducted by the Emergency Support Group were reviewed. It is clear that there is no consistent methodology behind the tests regarding test design, consultation and the testing of assumptions. A more structured approach would avoid mental traps such as the increasing investment in preventing escape from within the cell while ignoring a real risk of breach from the outside.[84]

Failures to Seek Expert Advice during the Redevelopment of Banksia Hill

6.13   Throughout the redevelopment process there were opportunities to engage with experts and this could have improved security through better design outcomes.

6.14   For example, fire in the custodial setting is a high-risk security issue and facilities must be designed with this in mind.[85] The Department of Fire and Emergency Services (DFES) was asked to report on the impact of the facility's design (including recent security additions) on the fire strategy which might be employed by DFES at Banksia Hill.

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[81] DCS, Security Services Directorate, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012).

[82] DCS, Security Services Directorate, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012) 12.

[83] DCS,, *Cell and Window Security Test Banksia Hill Detention Centre* (June 2009).

[84] Chapman J, *System Failure: Why Governments Must Learn to Think Differently* (London: Demos, 2004) 34.

[85] See Rule 32 of the United Nations, *Rules for the Protection of Juveniles Deprived of their Liberty* (1990)*.*

6.15   DFES advised the Inquiry that the 'ability for responding crews to undertake fire-fighting activities at the complex does not pose any operational concern.' [86] However, it made a number of recommendations which include procedures, consultation regarding future development and infrastructure.

6.16   The Inquiry found that the new internal management fence installed following the 2012 escape had been designed without reference to DFES requirements. As a result, there is limited access for large vehicles needing to turn right on entering the site. Luckily, DFES advised that fire appliances can be manoeuvred to allow access to the ring road. Consultation with DFES would have avoided this situation.[87]

6.17   The Emergency Support Group (ESG) was tasked with reviewing the security of the new girls' unit in September 2012, prior to its occupancy. The ESG report details an extensive range of flaws in the physical design and the use of inappropriate materials and fittings.[88] This indicates a failure to engage appropriate experts during the design and build process before the completion of the buildings.

6.18   The Inquiry found that a two metre high construction fence around the female unit had been converted into a 3.6 metre high fence with a 'Y crank' and barbed wire.[89] This improvisation was not what was originally planned to form a secure barrier around the female unit. A briefing to the Minister indicates that this was subject to negotiation with the staff and union representatives but no evidence was found that security expertise had been consulted.[90] The fence is constructed of cyclone mesh with metal bar supports. This makes is easy to climb but sufficiently high[91] to cause death or serious injury if someone were to fall from it.[92]

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[86] Department of Fire and Emergency Services, *Banksia Hill Detention Centre Inspection Findings and Recommendations* (8 April 2013). The Inspector has provided a copy of the report and recommendations to DCS.

[87] The covering letter from the Commissioner of DFES also advised that Banksia's internal procedures should be updated to reflect DFES' response arrangements.

[88] DCS, *Banksia Hill Detention Centre Girls Precinct Physical Security Assessment* (7 September 2012).

[89] This is a metal frame, 'Y' shaped in profile which is attached to a fence making make it harder to climb over. In this case, barbed wire was fitted.

[90] DCS, Briefing Note from Deputy Commissioner Ian Giles to Minister of Corrective Services, *Update on Possible Industrial Action at Banksia Hill Detention Centre* (6 August 2012).

[91] The WorkSafe Victoria website <http://www.worksafe.vic.gov.au/safety-and-prevention/health-and-safety-topics/falls-prevention> advises, 'The risk of serious injury or death from a fall increases significantly if you are working at heights over two metres.' 'Even from a relatively low height, a fall can cause very serious injuries, including fractures, spinal cord injury, concussions and brain damage.'

[92] Note also that the detainee population are at the peak age for risk-taking behaviour.

6.19   The November 2012 security assessment reported that 'management fences, installed at the request of [Banksia Hill] without Security Services consultation, [were] installed in a manner which compromises security'.[93]

Observed and Documented Physical Infrastructure Weaknesses

6.20   A number of weaknesses in the physical security infrastructure at Banksia Hill were observed or noted from documentation provided during the Inquiry. These are discussed below and many of these matters discussed are also illustrated in this Inquiry's Physical Infrastructure Review Paper.

6.21   There appeared to be a number of unnecessary fences located on the site. These not only increase the 'harshness' of the setting but may also slow down the staff response to incidents. Some of the fences are placed without a clear understanding of the purpose they serve. For example, there are fences topped with barbed wire that have open gaps at walkways. It was reported that some of these fences were erected during the redevelopment process and never dismantled.

6.22   Many of the fences provide ready handholds and footholds. This can invite climbing in an adolescent detainee population with undeveloped judgement and high levels of risk-taking. In addition, a number of fences lack concrete footings to prevent the improvised excavation of sand to crawl under the fence. This technique was used during riot, most notably to gain access to the rear of the Harding Management Unit where the first detainee to be broken-out of his cell was located. This vulnerability had been previously noted by the ESG in a report completed in November 2012 relating to physical security issues in the male precinct.[94]

6.23   There are inconsistencies in the logic behind the high levels of investment in the secure perimeter, which utilises two barriers, razor tape and microwave sensors, and the absence of a metal detector in the gatehouse. The need for metal detector searches was identified in the September 2010 Business Case, but has not been acted upon.[95]

6.24   In the days following the riot, steel cans (which could be used to make weapons) were observed to be lying in unsecured rubbish. It was reported (though not confirmed) that staff would bring in tins of food for refreshments. This problem, as well as the ongoing problem of staff bringing mobile phones into the site could

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[93] DCS, Security Services Directorate, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012)

[94] DCS, *Banksia Hill Detention Centre Boys Precinct Physical Security Assessment* (1 November 2012).

[95] DCS, *Business Case Banksia Hill Youth Detention Centre Redevelopment Project (CET 84)* (September 2010).

be addressed through random staff searching (including using a bag scanner and metal detector) as part of a coherent security strategy.[96]

6.25   There is poor line of sight and general observation from many of the officer stations. This is exacerbated by the use of windows to display notices, further reducing visibility and communication.

6.26   Low shrubbery in and around the site makes searching difficult and time consuming and risks detainees and visitors secreting items. The amenity of the landscaping needs to be balanced against these risks through an appropriate operating philosophy and search strategies.

6.27   The site contains a variety of building materials which would not be used in a more secure site. For example, there are a large number of concrete and limestone blocks used as pavers or road borders. Many of these have been loose-laid (on sand as opposed to being concreted in). These can be readily improvised for use as weapons to cause damage or inflict serious injury. Loose pavers were in fact used during the riot to break cell windows. It is possible to identify higher-risk areas such as the surrounds of the Harding management unit for remediation.

6.28   External clothes-lines are solid and capable of supporting a detainee's weight if used as an improvised ladder. Similarly, it was noted that on the night of the riot the Serpentine self-care unit contained unassembled steel bed frames, which were not secured to the floor. Theses frames bases could also have been used as ladders.

6.29   The officer stations were in poor shape. There appeared to be no secure storage and as a result there were unsecured scissors (which could be used as weapons) and poorly maintained medical kits.

6.30   It was noted that a large volume of tasks was required of officers in the gatehouse and control room (including key and alarm issues, camera monitoring and alarm monitoring) which could not be conducted when single-staffing the positions.

6.31   Staff claimed that there was insufficient coverage of the site by the CCTV system. However, a review of CCTV evidence holdings showed that there appears to be reasonable coverage of the entire site if that is supplemented by mobile staff.[97]

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[96] In this respect the inquiry team notes that Wandoo Reintegration Facility, with a similar entrance area to Banksia, had managed to extend its gatehouse area, and install a metal detector arch and bag scanner within six months of opening.

[97] Some staff believed there was insufficient camera coverage. However, the submission to the Inquiry by the CPSU/CSA union reported that it was satisfied with camera arrangements.

The Department was unable to provide the Inquiry with a CCTV coverage map.[98] This is an impediment to effective emergency planning.

6.32   The only telephones on site that are recorded are the detainee telephones. Unit office telephones and staff-only 'wing' telephones are not recorded. This may provide an incentive for detainees to approach staff to make a call on their behalf without revealing the content of the call to security scrutiny, and may leave staff exposed to allegations of misconduct. Further, the centre needs to be able to switch off telephones in the case of a loss of security.

6.33   Considering that Urquhart Unit was one of the newest residential units, opening in October 2012, it would be expected that this unit would provide an example of appropriate design and physical security. However, its design approval occurred before the development of an operating philosophy. As a consequence it appears to have a number of design deficiencies:

- The fully enclosed officer stations impede communication and observation from these officer stations is very limited. In particular, observation from the lower floor officer station to the grassed recreation area is obscured by concrete stairs.

- Because of the siting of bars and natural lighting in the upper station, staff cannot observe the wings, but they can be seen by detainees. This allows detainees to use the staff-only 'wing' telephones to call other units with little chance of being caught. It also poses risks associated with access to kitchen utensils.

- In the living area, the siting of the detainee telephone beside the communal television is inappropriate because of the inevitable scope for conflict due to noise.

- The installation of external sun shades above the upper windows, along with the use of an external staircase, destroys the advantage of two-storey buildings to discourage roof ascents. This was also noted by the Emergency Support Group.[99] The roofs are easy to scale but pose a potentially lethal risk to a person falling off.

- There are gaps underneath cell bunks which could hinder extractions. In addition, the privacy screen obscures the view from the cell door – a design fault also noted by the Emergency Support Group.[100]

- In the recreation area outside the unit, fragile light bollards could potentially be used as weapons.

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[98] This would illustrate the location of cameras, arcs of coverage and impediments to view such as trees or buildings.
[99] DCS, *Banksia Hill Detention Centre Boys Precinct Physical Security Assessment* (1 November 2012).
[100] DCS, *Banksia Hill Detention Centre Boys Precinct Physical Security Assessment* (1 November 2012).

6.34 All of these weaknesses and deficiencies in the physical infrastructure at Banksia Hill draw attention to the poor governance of the redevelopment project. At its completion, the sign-off process was ineffective and left the site with unacceptable levels of building rubble. It has been suggested that this reflected the urgency in vacating the Rangeview site in order to hand it over to Serco for the young adults facility. The Commissioner advised the Minister on 22 August 2012:[101]

> If the Department fails to meet the proposed dates then the risk is that Serco will be paid but not be delivering the required service - there are no other penalties envisaged.

6.35 The nexus between these two projects is referred to in the Department's project implementation plan:[102]

> Should the capital works at the redeveloped youth detention centre not be completed within the time frame, the new facility at Rangeview will not be able to become operational as it depends on the youth remand population to have vacated the premises in order for the redevelopment to commence.

Process security

6.36 The effectiveness of process security is predicated on staff capability and confidence in carrying out tasks required by policies and procedures. This Inquiry's Management, Staffing and Amalgamation Review Paper discusses in detail the widespread staff disengagement and shortages that coincided with the amalgamation process.

6.37 The amalgamation of two workforce cultures for the redeveloped Banksia Hill site was a major challenge for the Department. Its previous experiences in managing similar tasks had been problematic.[103]

6.38 Furthermore, compliance with fundamental security requirements was poor at Banksia Hill. For example, repeated efforts were made to address the practice of staff bringing mobile phones into the centre. A Deputy Commissioner's broadcast on 12 December 2012 describes a continuing problem and it was reported that during the riot, staff lost personal effects that should not have been brought into

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[101] DCS, *Updated Briefing Regarding Transition Issues at Banksia Hill Detention Centre* (August 2012).

[102] DCS, *Project Implementation Plan CET 84 Youth Custodial Services and Changes to the Redeveloped Youth Detention Centre Version 005* (February 2010) [1.6].

[103] See, eg, Newman K, *The Kurli Murri Work Camp, Laverton, Western Australia and the Management of Young Offenders* (1996) 86; OICS, *Report of an Announced Inspection of Hakea Prison*, Report No. 81 (2012) [25].

the centre.[104] Any assessment of process security at Banksia Hill therefore needs to take into account these patterns of behaviour by staff.

6.39   The Inspector has previously raised concerns about the ineffective provision of process security. The 2008 inspection[105] of Banksia Hill recorded that:

> [M]any security procedures were observed to be undertaken by rote, some staff were unaware of the actual procedures as written in the centre's standing orders, and in some cases practices did not reflect what should have been happening according to the orders. Rigour in procedural security appeared to have fallen away.

6.40   In 2009, an internal review of a critical incident found that the 'main contributing factor appeared to have been the lack of supervision provided by unit staff, which was not in accordance with [Juvenile Custodial Rule regarding] Duties of Persons Employed in Juvenile Detention Centres and Other Juvenile Custodial Facilities'.[106]

6.41   Successive internal reviews into major security breaches identified the non-adherence to process security measures. However, recommendations focused on changes to process and physical security, rather than providing the human interaction with detainees that would ensure good dynamic security.[107] This assumption that staff would follow procedures and provide appropriate process security had the potential to place staff and detainees at risk of serious harm.

6.42   A review of the escape of 2 August 2012 by the Department's Security Services Directorate ('the 2012 Security Escape Review') found that it was the result of failures to adhere to procedures.[108] It is noteworthy that one of the detainees involved in the escape had made significant preparations for escaping from Rangeview in May 2012. As such, he was categorised as a special profile offender and was classified as maximum security and on a close supervision regime. The other detainee was also a special profile offender. Despite these classifications and in contravention of local procedures, they were placed in the care of a trainee officer. The internal review of the escape heard evidence from staff of widespread disregard for procedures for special profile offenders. It also

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[104] DCS, *Deputy Commissioner's Broadcast Mobile Telephones 12 December 2012* (December 2012).

[105] OICS, *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre* Report No 58 (December 2008) [2.26].

[106] Department of Corrective Services, *Directed Review – Critical Incident Banksia Hill Detention Centre.* Report No. CSR 08/2009 (September 2009).

[107] For example, the Department's internal reviews of the 2010 escape focused on changes to procedures but do not address staffing issues to any substantial degree. See Department of Corrective Services, *Directed Review of the Escape at Banksia Hill Detention Centre Report NO. ACSR 09/2010* (2010); Department of Corrective Services, *Assessment of Banksia Hill Detention Centre Following the Events of 29 August 2010* (2010).

[108] DCS, *Security Services Directorate Banksia Hill Juvenile Detention Centre Escape Review* (August 2012).

established that nobody had come to the immediate assistance of the trainee officer when the detainees ran out of bounds.

6.43   The November 2012 security assessment[109] reported serious concerns about workforce capability:

> In addition to these main items the assessors believe there is an underlying culture which must be addressed before any lasting changes can be achieved. It is the view of the writers that there is a demonstrable feeling of apathy and disinterest emanating from members of the [Banksia Hill] management team and this is having a detrimental effect on staff culture. Additionally, there is a distinct culture of mistrust and resistance emanating from members of [Banksia Hill] uniformed staffing group which can be demonstrated through refusals to follow orders, excessively high workers compensation and absenteeism rate and the undermining and derailing of initiatives.

6.44   The Closure Report contained the following recommendations in respect of security procedures:[110]

> **Recommendation 19**: The relevant Standing and Local Orders, Operational and Emergency Procedures and Juvenile Custodial Rules be reviewed and amended to better reflect the emergency management of critical incidents.

> **Recommendation 20**: Banksia develops local contingencies to better manage critical incidents and incorporate those contingencies into the relevant Standing and Local Orders, Operational and Emergency Procedures.

> **Recommendation 21**: The Security Services Directorate develop a quality assurance system to ensure all local emergency plans across youth and adult custodial sites are reviewed at regular intervals, standardised, adequate in content and appropriately endorsed.

6.45   For each of the 39 recommendations the Closure Report advises: 'The evidence provided appears to address the recommendation'. In respect of a number of

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[109] DCS, Security Services Directorate, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012).

[110] DCS, *Closure Report– Internal Report and Recommendations. Report provided for consideration for closure by the Commissioner's Executive Team (CET) - Report Title: Directed Review of the Escape at Banksia Hill Detention Centre.* Report No. ACSR 09/2010 (24 November 2011).

these actions, this advice to CET was unduly optimistic. The Inquiry found that the proposed actions were not effectively implemented.[111]

6.46   There was a marked change in corporate confidence in Banksia Hill's security levels over the following 10 months. The November 2012security assessment was highly critical of process security, in particular searching, movement control, count control, vehicle control and detainee identification.

6.47   The most concerning examwhich stated: 'Supervision And Management Of Prisoners: Incorrect Detainee count has continued for 3 days as a detainee that was discharged was being counted on the muster'. ple of this was recorded in the monitors' report for 22–23 November 2012.[112]

6.48   The Department informed the Inquiry that, despite a three-year planning period and previous major security breaches, at the time of the riot Banksia Hill was without a complete suite of policies and procedures. In particular, as noted previously, there were no security, drug or searching strategies in place at the time of operational commissioning of the redeveloped Banksia Hill facility.

6.49   Notably, the Department's Project Control Group (PCG) minutes in 2012 suggested otherwise:

- Meeting 16 July 2012 – 5.4 Operational Policy update – '[Director] advised that this area was up to date; unit procedures for [young women's unit] ongoing; admissions area and detainee management policy - draft copies finalised. [Deputy Commissioner Community and Youth Justice] questioned how many of the 66 rules were complete, [Assistant Commissioner Youth Justice Services] advised that the last changes were being done in the next few days. Standing Orders and Unit orders/guidelines were complete'.

- Meeting 27 August 2012 – 5.4 Operational Policy Update - '[Director] informed Operational policies have been reviewed toward being more task oriented. All operational policies have been finalised'

- Meeting 2 October 2012 – 5.4 Operational Policy Update - '[Director] advised that all policies were up to date. This is work in motion with a need to identify if adjustments are required. The Rules have been signed off and standing Orders exist'. The minutes record no queries in relation to this advice.

6.50   The 66 Youth Custodial Rules referred to in the PCG meeting on 16 July 2012 were signed by the Minister on 27 August 2012 and were a complete

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[111] For example, the response to Recommendation 21 involved the development of a new policy and a tracking spreadsheet process, but the quality assurance process failed to prevent Rangeview being designated as the evacuation site. Recommendations 19 and 20 did not result in the timely preparation of updated policies.

[112] DCS, *Banksia Hill Monitoring Report 22–23 November 2012* (November 2012).

replacement of the previous Juvenile Custodial Rules. Notwithstanding the authorisation of the new Rules, the Inquiry was advised that over the period 27 August 2012 to 20 January 2013 the new Rules had not been promulgated and staff had been following the redundant 2008 Rules. According to the Department although the new rules had been signed in August 2012 they needed to be formatted before being published online and staff being informed. It is evident however that this situation continued to apply beyond 20 January 2013 as the new rules were not published by the Department until 5 March 2013. This failure reflects poorly on knowledge management and assurance processes and exposes the Department to legal risks.[113]

6.51   The impact of the failure to ensure these strategies, policies and rules were in place for staff training and operations is illustrated by the November 2012 security assessment.[114] It reported that security orders were out of date and poorly monitored and that there was no evidence of regular checks or audits of security 'at risk' areas. It is noted that this adverse assessment was made only one month after the PCG meetings record that the operational policies at Banksia Hill were complete.

6.52   The most glaring example of inadequacies of the operational policies is that provided by the content of Banksia Hill's emergency management plan, which nominated Rangeview as the site to accommodate detainees in the event of an evacuation.[115] At the time of developing the plan in May 2011, the amalgamation plans for Banksia Hill and Rangeview were well underway and Rangeview faced imminent closure.[116]

6.53   Local management are not solely responsible for this oversight. Sophisticated corporate governance processes exist to prevent such occurrences.[117]

6.54   The November 2012 security assessment draws attention to Banksia Hill's failure to learn from previous incidents, which have been highlighted in this Paper.[118] The extent to which the Department learns from past incidents (whether in Western Australia or elsewhere) is a governance concern and one which was clearly raised in the 1999 Casuarina Inquiry, which noted that 'many of the underlying factors found to be causes of the [1988] Fremantle riot

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[113] In addition, the inquiry team found that procedures and rules were not up to date on the Department's intranet. As of May 2013, the Youth Custodial Services Standing Orders intranet page was last updated on 28 February 2011, and the YCS Notices and Instructions page on 6 August 2012.

[114] DCS, Security Services Directorate, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012) 20.

[115] DCS, *Banksia Hill Detention Centre Emergency Management Plan V.1* (May 2011).

[116] In May 2011, the full program of scheduled works for the redevelopment of Banksia, transfer of Rangeview remandees and closure of Rangeview was expected to be completed by January 2012: DCS, *Corporate Executive Team Governance Board Minutes* (5 May 2011).

[117] DCS, *Emergency Management Quality Assurance Plan* (January 2011).

[118] DCS, Security Services Directorate, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012).

emerged as relevant in the present analysis. [119] The adage that those who do not learn from history are bound to repeat it is apt.'

Observed and Documented Process Security Weaknesses

6.55   A number of weaknesses in process security at Banksia Hill were observed or noted from documentation provided during the Inquiry. These are discussed below and some of the matters discussed overlap with points raised under the heading Physical Security (above).

6.56   Many staff were unaware of the process for reporting matters using the intelligence-reporting system, which should be done in addition to the logging of incident reports.

6.57   During a site visit, a flashing red light on the roof of a building was observed. A sample of staff were approached and asked to explain what it meant – most did not know that it was related to the duress location indicator. This is obviously concerning and demonstrated a lack of training and initiative among Banksia Hill staff.

6.58   Medical kits in officer stations were found to be in poor condition. This reflects the absence of procedures to ensure that they are regularly checked and, if necessary, restocked and secured. A number of rechargeable torches were tested in several units. They were all completely discharged and had not been replaced on the charger rack, rendering them unfit for purpose.

6.59   There were reports of staff inaction in relation to detainees being located at the boundary of the no-go area. While not a breach of rules, it is clearly an indicator that something might be about to occur and should generate interest and engagement from staff. When this was raised it was claimed that staff had written a report about the occurrence as an alternative to taking action.

6.60   The Inquiry found evidence of insufficiently robust responses to security issues. For example, having identified that there was no record of daily checks of the secure perimeter being carried out, the response was to email staff and remind them of the importance of keeping records.[120] The response did not address the need for supervision, quality assurance and procedures.

6.61   Monitor reports noted occurrences of visitors not being checked for identification upon entering Banksia Hill. In addition, mobile telephones were not always surrendered and lockers were not offered to secure visitors' belongings.

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[119] Ministry of Justice, *The Report of the Inquiry Into the Incident at Casuarina Prison on 25 December 1998* (1999).

[120] DCS, *Juvenile Justice Services Reforms – Tasks and Actions Report, as at 18 February 2013* (February 2013).

6.62   A number of reviews have identified instances of non-adherence to process security requirements. A previous inspection of Banksia Hill in 2008 found procedural irregularities and that 'many security procedures were observed to be undertaken by rote'.[121] A review of a critical incident in 2009 found that a lack of staff supervision was the main contributory factor but that it was followed by an appropriate emergency response.[122] The 2010 Professional Standards review identified shortcomings in the immediate response to the August 2010 escape, including an apparent reluctance among officers to intervene and engage detainees.[123]

6.63   As noted in this Inquiry's Emergency Management Review Paper the initial response by staff to three of the detainees being 'out of bounds', was timely and appropriate. Staff members were provided with clear instructions and paramount consideration was given to the safety of staff.

6.64   However, the ability of detainees to move at will around a custodial facility is a significant security risk. An effective immediate response must form part of the thinking about process security. Her Majesty's Inspectorate of Constabulary (UK) has articulated the 'golden hour' as an expression of the importance of capable and decisive immediate action in the first hour of an unfolding critical incident during which decisive action by management can dramatically influence outcomes.[124]

> The key elements of effective critical incident management are early identification and a professional response, allied with sensitive work in the community to maintain public confidence. These will flow from clear and effective leadership - at strategic level, where chief officers shape force culture, and in supervision and oversight on the front line. A well run force will have a 'safety net' of procedures in which managers and senior staff monitor incident logs/daily briefings and spot potentially critical situations that have not been picked up appropriately at the outset. Speed is imperative - the importance of acting effectively in the initial 'golden hour'- before the scene goes cold or events escalate beyond control- is well established.

6.65   The need for timely intervention to incidents in the youth justice context has also been acknowledged by the Department. The following extract from the Deputy

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[121] OICS, *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre* Report No 58 (December 2008) [2.26)

[122] DCS, *Directed Review – Critical Incident Banksia Hill Detention Centre,* Report No. CSR 08/2009 (September 2009) 5-6.

[123] DCS, *Directed Review of the Escape at Banksia Hill Detention Centre Report* No. ACSR 09/2010 (2010).

[124] Her Majesty's Inspectorate of Constabulary, *An HMIC report on critical incident management by forces in England and Wales* (2009)2.

Commissioner's response to the Inspector's recommendations in relation to an incident at Rangeview Remand Centre is relevant:[125]

> Timely intervention is critical to balancing the safety of both staff and detainees… It should be noted that reluctance to intervene, or tardy intervention where all other appropriate strategies are exhausted also involves risk of harm to the young person or others. Young people who are escalating in an extremely volatile way may need to be physically contained to prevent self harm or harm to others.

6.66   The ability of staff at Banksia Hill to respond to critical incidents was determined by the poorly promulgated operating philosophy, the configuration of the physical infrastructure (including internal barriers) and staffing capabilities. The Department was aware of weaknesses in these elements before the riot. An appropriately resourced and articulated operating environment at Banksia Hill would have allowed for an initial response which was able to give greater priority to stemming an incident in its early stages.

Dynamic security

The Importance of Dynamic Security

6.67   Dynamic security is fundamentally concerned with the nature of the relationship between detainees and staff. Correctional Services Canada[126] notes that:

> No other factor plays such a significant role in providing a safe and secure environment in our institutions. Dynamic security speaks specifically to the relationships that exist between all staff members and the offenders with whom they work. Every interaction that occurs between these two groups of people has a cumulative effect on the overall culture of the Service. Every interaction has the potential to enhance a positive institutional culture or to undo the collective efforts of many others to improve it. The review of security incidents has reflected repeatedly that problems in institutions occur when there is little positive interaction between staff and inmates.

6.68   The Process Security section above discusses the reliance on staff engagement in effectively delivering procedures. There are related challenges in providing dynamic security. Information provided to this Inquiry included references to a disengaged workforce, high levels of unplanned absence, alarming levels of workers compensation leave, and high levels of staff turnover. In addition to making the delivery of routine services difficult, these factors act to undermine

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[125] Deputy Commissioner Heather Harker, *Response to Recommendations from a Directed Review into an Incident at Rangeview Remand Centre: Report No. 41, March 2007,* letter to the Inspector (11 September 2007)*.*
[126] Correctional Services Canada, *Report of the Task Force on Security* (2008).

the regular human interaction between staff and detainees that is critical to safety and security in any custodial environment.

6.69 A number of custodial staff and external parties claimed that the riot was a result of a dysfunctional hierarchical management system with insufficient incentives for detainees for pro-social behaviour. [127] This view was confirmed by comments made by monitors[128] and the Director of Security Services in the months preceding the riot.[129]

6.70 Research highlights the importance of incentives and dynamic security in the juvenile custodial system and the effect of immediate incentives in altering 'both desirable and undesirable behaviour in adolescents'.[130] Unfortunately, during the months preceding the riot the hierarchical system was effectively flattened, with fewer and smaller incentives for detainees. In addition, there were rolling lockdowns and reduced access to recreation and other privileges.[131] Of course, negative incentives including peer pressure remained. Furthermore, following the riot, detainees who had not been involved in the disturbances were subject to the same oppressive regime as those who were involved. This failure to distinguish between detainees involved and those not involved may have long-lasting consequences.

6.71 The following paragraphs examine some aspects of the dynamic security environment and atmosphere at Banksia Hill that may have contributed to the circumstances in which the riot took place. This includes leadership, aspects of the regime experienced by detainees and the use of information to guide management decisions.

Leadership and morale

6.72 A departmental review of an incident in 2009 identified concerns about lax supervision of detainees and, by inference, of staff by their supervisors. The incident involved a number of detainees gaining access to roofs and causing

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[127] A hierarchical management system provides different levels of supervision and considers 'the principle of rewarding good behaviour with increased privilege levels and providing reduced privileges for poor behaviour' Department of Corrective Services, *Policy Directive 3: Hierarchy of Prisoner Management Regimes* (2009).

[128] See for example, Department of Corrective Services, *Banksia Hill Monitoring Report 3–7 September 2012* (September 2012); Department of Corrective Services, *Banksia Hill Monitoring Report 22–23 November 2012* (November 2012).

[129] Director Security Services, Department of Corrective Services, email (26 October 2012).

[130] Committee on Assessing Juvenile Justice Reform, *Reforming Juvenile Justice: A Developmental Approach* (Washington DC, The National Academies Press, 2012). The Committee noted a heightened sensitivity to rewards that peaks between the ages of 13 and 17.

[131] This was largely attributed to staffing levels. However, in an email from the Director State Security to the Deputy Commissioner Community and Youth Justice dated 26 October 2012, he stated, 'There are also numerous documented cases where monitors have observed staffing levels that would easily allow detainees to be unlocked.' This was also noted in the Inspector's 2012 inspection report. See OICS, *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre,* Report No. 76 (January 2012).

damage. While there were other factors involved, the review noted, 'the main contributing factor appeared to have been the lack of supervision provided by unit staff'.[132]

6.73   Similar themes were reported in 2010, with the added dynamic of the negative effect of the building program on communication between staff. The 2010 Professional Standards review[133] noted a 'devaluing process' which:

> [A]lso excluded the wider group of secondary onsite stakeholders, particularly the core group of uniformed staff and management, in relation to security issues exacerbated by an abdicated sense of responsibility within the Banksia Hill security business area. The significance of 'dynamic security' within a closed environment such as Banksia Hill cannot be over emphasised. Banksia Hill did not afford the priority that it requires which may have been due to the complacent mindset and inactivity of the Security Manager and Project Officer. Construction site visits by the Security Manager were rarely conducted, intelligence gathering is seen as an additional task often not documented, and staff concerns highlighting obvious security issues in a closed facility were dismissed or remained unresolved prior to the escape. Essentially, without the rigorous application of an auditing methodology, the practical application of risk mitigation strategies associated with the building works eroded to the point of ineffectiveness disabling Banksia Hill to act sooner rather than later to resolve the contractor non-compliance.

6.74   Supervision and dynamic security issues were again identified in the directed review into the August 2012 escape (alongside procedural and physical security issues).[134] Issues included ineffective supervision of staff and detainees, and a deliberate non-adherence to procedures.

6.75   These common themes in relation to critical incidents over a period of more than three years are indicative of the absence of an effective operating philosophy. There are parallels between the supervision of detainees and of staff, with inconsistent communication and a lack of consequences for non-compliance with required standards. An effectively promulgated operating philosophy would go some way to addressing these shortcomings.

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[132] DCS, *Directed Review – Critical Incident Banksia Hill Detention Centre* Report No. CSR 08/2009 (September 2009) 6.

[133] DCS, *Directed Review of the Escape at Banksia Hill Detention Centre,* Report No. ACSR 09/2010 (December 2010) 3

[134] DCS, *Banksia Hill Juvenile Detention Centre Escape Review* (August 2012).

Lockdowns

6.76   Excessive lockdowns not only undermine the maintenance of a benign institutional climate but also reduce the opportunities for staff and detainee interaction. These impacts compromise dynamic security.

6.77   In a previous inspection in January 2012 the Inspector warned that the adverse impacts of lockdowns on access to recreation and programs 'increase [detainee] resentment and elevate risk through an increased propensity towards disruptive behaviours'.[135]

6.78   In October 2012 the Director Security Services raised concerns regarding rostering practices to the Deputy Commissioner Community and Youth Justice 'The decision making process regarding the allocation of staff and the justification for lockdowns seems to be geared towards the maintenance of the lockdowns.'[136] The report gave examples of how the frequency of lockdowns could be reduced.

6.79   The November 2012 security assessment reported that lockdowns had become 'increasingly frequent' since the amalgamation and warned that this could 'manifest into a significant security issue if allowed to continue for a prolonged period of time'.[137]

The Overuse of Regression

6.80   The use of regression by the Department has been the subject of extensive criticism by the Inspector, and more recently by the Children's Court.[138] The 2012 inspection of Banksia Hill noted that individual regression regimes were more frequently used than formal charges for detention centre offences.[139] The use of regression is seen as a last resort management tool to deal with challenging, inappropriate and unacceptable behaviour by providing an opportunity to engage with the young person in order to develop better coping mechanisms and learn to behave in more appropriate ways. However, the reality is that regression involves a very restrictive regime which, in impact, can be as least as severe as punitive confinement.

6.81   The 2012 inspection of Banksia Hill[140] recommended that staff be trained in the proper role of regression and alternative options, and that relevant legal instruments be amended to ensure that 'the language affirms that regression

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[135] OICS, *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre,* Report No. 76 (January 2012) 22.

[136] Director Security Services, Department of Corrective Services, email (26 October 2012).

[137] DCS, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012).

[138] *The Department of Corrective Services v RP* [2012] *WACC* 5 per Reynolds J.

[139] OICS, *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre,* Report No. 76 (January 2012).

[140] Ibid.

may not be used for the purposes of punishment'.[141] In its response, the Department supported the recommendation but said, 'It is important to emphasise that regression is used as punishment for misconduct by young people'.

6.82 This issue has also the subject of recent criticism by the President of the Children's Court of Western Australia:[142]

> I must say that on my assessment of the evidence I found that the distinction between a management regime and a regression regime somewhat blurred. ...
>
> The oppressive conditions of the regression management regime and the individual management regime imposed upon the respondent have the potential to exacerbate already serious existing mental health problems for many young detainees. That is particularly so after the detainee is subjected to such conditions for a lengthy period of time. ...
>
> In my view, the oppressive conditions of the regression management regime imposed on the respondent at [Banksia Hill] really amount to psychological punishment.

Institutional 'Climate'

6.83 As noted above, while a harsh institutional climate will invite an entirely predictable anti-social response, a benign institutional climate will assist with dynamic security, promote detainee pro-social behaviour and encourage staff and detainee interaction. In endeavouring to create and sustain such a climate, it is important that the facility evidences respect for the culture of those housed within it.

6.84 The concept of an 'Aboriginal Prison' was first articulated by the former Inspector in 2001.[143] It was defined as 'a prison whose normal population is predominantly (75 per cent or more) Aboriginal.' By this measure, Banksia Hill is not an Aboriginal centre, with 66 per cent of detainees identifying as Aboriginal.[144] However, this is the majority ethnic group at the centre and there

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[141] OICS, *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre,* Report No. 76 (January 2012), recommendation 12.

[142] *The Department of Corrective Services v RP* [2012] WACC 5 24-25.

[143] OICS, *Report of an Unannounced Inspection of Eastern Goldfields Regional Prison*, Report No. 4 (August 2001).

[144] Source: DCS TOMS database. At the time of the incident, 136 of 207 detainees were Aboriginal.

is little evidence that the Department has given appropriate attention to design considerations that recognise the needs of this population. [145]

6.85 During the Inquiry it was noted that the Aboriginal flag was not flown at the centre and there was little Aboriginal art or cultural artefacts on display. Units were named after Western Australian rivers but these were generally named for white explorers. The lack of Aboriginal staff across the whole of the Western Australian custodial estate is similarly reflected at Banksia Hill, which means that detainees have few Aboriginal role models. The reception area, which is the waiting area for family coming to visit their children, has been designed with parallel rows of seating and provides no thought to Aboriginal domiciliary arrangements.

6.86 An understanding of the nature of the institutional climate for young Aboriginal people at Banksia Hill could be facilitated by the use of appropriate instruments, such as the Measuring the Quality of Prison Life (MQPL), and the Essen Climate Evaluation Schema.[146] In addition, data on assaults and self-harm among the Aboriginal detainee population could inform assessments in this domain.[147]

Intelligence

6.87 The 2008 inspection[148] of Banksia Hill noted that:

> A recent change to the structure of the Department had seen the statewide security directorate also take responsibility for security in the juvenile custodial estate. At the time of the inspection there were plans to implement a coordinating security manager position for the juvenile estate based in head office and permanent security officer positions to be implemented at each centre.

6.88 This intent was not realised in practice. Banksia Hill's engagement in the Department's intelligence processes remained undeveloped.[149] The November

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[145] For example, providing areas that acknowledge the social and cultural needs of Aboriginal people, and providing access to the natural environment. The importance of addressing these issues in the North American context is highlighted in McMillen M & Justice Planners International, *Native American and Alaskan Technical Assistance Project Guide: Juvenile Facility Design* (National Institute of Corrections, 2005).

[146] See Day A, et.al, 'Assessing the social climate of Australian prisons' (September 2011) 427 *Trends and issues in crime and criminal justice* (Canberra: Australian Institute of Criminology). The Department confirmed that it has never carried out surveys of detainees or other institutional climate tools at Banksia: Document request correspondence dated 1 May 2013.

[147] In this regard it is interesting to note that the Department has failed to provide the data for relevant categories to the Productivity Commission's *Report on Government Service (15 Child protection and youth justice).*

[148] OICS, *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre,* Report No. 58 (December 2008) [2.27].

[149] With the exception of October 2012, when Security Services Directorate gave delivered local training to staff at Banksia Hill, the submission of intelligence reports remained low. See this Inquiry's Emergency Management Review Paper, Chapter 5 Prevention, for comparison of intelligence reports with other facilities.

2012 security assessment reported that, at the time of commissioning at Banksia Hill, there was no security, drug or searching strategies in place – all which would normally have an intelligence component.[150]

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[150] DCS, *Security Assessment – Banksia Hill Juvenile Detention Centre – Final* (November 2012).

7 Appendix A: Philosophies, Cornerstones and Principles

Philosophies for Youth Custodial Services

7.1 A number of broad 'philosophies' for Youth Custodial Services are evident in material designed and delivered by the Department.

7.2 The Department's philosophy for Youth Justice Services and its division, Youth Custodial Services is defined in the document *Making a Positive Difference to the lives of Young People in Youth Custodial Services* ('the 2011 philosophy').[151] Because of the close relationship between Youth Custodial Services and its parent body, there will be some overlap in terminology used to describe them. This was not always clear.

7.3 The philosophy for Youth Justice Services is defined as:

> Youth Justice Services aims to address offending behaviour by young people to promote safer families and communities.

7.4 The philosophy for Youth Custodial Services is defined in terms of its relationship to Youth Justice Services:

> Youth Justice Services exists to deliver the best justice outcomes for young people in Western Australia. We recognise that the most successful strategies are diversion and intervention to prevent young people from offending, but some young people will be detained as a last resort. Detention offers the opportunity to provide intensive and focused services aimed at making a positive difference in a young person's life and work alongside family to help them to break the offending cycle.

> The planned expansion of Banksia Hill to accommodate all young people who are in custody presents a unique opportunity to revitalise the services we deliver. We aim to review current practices, investigate existing best practice and test new ideas in order to deliver a nation leading juvenile custodial service. The new models developed will reflect the diversity of Western Australia's youth justice environment and improve outcomes for young people in our care.

7.5 The August 2012 staff orientation plan[152] and a newsletter published in October 2012[153] refer to a philosophy of Safety, Purpose and Respect.[154]

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[151] DCS, *Making a Positive Difference to the lives of Young People in Youth Custodial Services* (December 2010).

[152] DCS, *CET-84-15 Banksia Hill Detention Centre Staff Orientation Plan* (August 2012).

[153] DCS, *Youth Custodial Services Redevelopment Project News Update Issue 28* (October 2012).

[154] This is defined as 'Safety - The first priority for our staff, detainees and the community; Purpose - Sound rationale for all our actions; Respect - For each other and the young people in our care.'

7.6   The Department's website advises that Youth Justice Services' staff work to a 'common philosophy'[155] which advocates that:

- Families play an extremely important and ongoing role in helping a young person change their behaviour;
- A young person should be continually offered the chance to change their behaviour;
- Young people should be assessed to find out the best way to stop them from breaking the law;
- All young people must be treated with cultural sensitivity;
- The Department works with other agencies which can help young people and their families;
- Young people should only go into detention when all other options have failed or when the offence is extremely serious.

7.7   The training syllabus for Youth Custodial Officer recruits being used in February 2013 was last updated in 2008[156] and refers to a 'management philosophy' as follows:

> Principles that underpin the management philosophy of Youth Justice are derived from the Beijing Rules (1-30).
>
> General Principles for the administration of Youth Justice are:
>
> - The recognition of the fact of the juvenile's obligations and responsibilities.
> - Respect for the young person's inherent dignity as a person.
> - A young person does not surrender the law's protection as a consequence of their offending behaviour or detention.
> - That the treatment of the young person must at all times be just fair and humane.
> - The age and development will mediate the degree to which the obligations and entitlements of full citizenship should be expected or granted

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[155] DCS Website - Youth Justice <http://www.correctiveservices.wa.gov.au/youth-justice/> accessed on 30 April 2013.

[156] DCS, *Roles and Responsibilities of the Youth Custodial Officer Trainer's Module* (August 2008); DCS, *History and Philosophy Trainer's Module* (January 2008).

Cornerstones

7.8   The Department has articulated four cornerstones for the youth custodial system in Western Australia as follows:[157]

- Youth focussed – young people are central to the business of Youth Custodial Services.
- Holistic- young people are not simply offenders.
- Culturally appropriate – youth custody should be proactive in responding to the cultural meeds of young people in custody.
- Learning and development – youth custody is a place of growth and development.

Principles

7.9   Section 7 of the *Young Offenders Act 1994* prescribes a number of principles that are to be observed when performing functions under the Act:

(a)   there should be special provision to ensure the fair treatment of young persons who have, or are alleged to have, committed offences;

(b)   a young person who commits an offence is to be dealt with, either formally or informally, in a way that encourages the young person to accept responsibility for his or her conduct;

(c)   a young person who commits an offence is not to be treated more severely because of the offence than the person would have been treated if an adult;

(d)   the community must be protected from illegal behaviour;

(e)   victims of offences committed by young persons should be given the opportunity to participate in the process of dealing with the offenders to the extent that the law provides for them to do so;

(f)   responsible adults should be encouraged to fulfil their responsibility for the care and supervision of young persons, and supported in their efforts to do so;

(g)   consideration should be given, when dealing with a young person for an offence, to the possibility of taking measures other than judicial proceedings for the offence if the circumstances of the case and the background of the alleged offender make it appropriate to dispose of the matter in that way and it would not jeopardise the protection of the community to do so;

(h)   detaining a young person in custody for an offence, whether before or after the person is found to have committed the offence, should only

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[157] DCS, *Youth Custodial Services Goals, Cornerstones and Principles Redevelopment of Youth Custodial Services* (February 2010).

be used as a last resort and, if required, is only to be for as short a time as is necessary;

(i) detention of a young person in custody, if required, is to be in a facility that is   suitable for a young person and at which the young person is not exposed to contact with any adult detained in the facility, although a young person who has reached the age of 16 years may be held in a prison for adults but is not to share living quarters with an adult prisoner;

(j) punishment of a young person for an offence should be designed so as to give the offender an opportunity to develop a sense of social responsibility and otherwise to develop in beneficial and socially acceptable ways;

(k) a young person who is dealt with for an offence should be dealt with in a time frame that is appropriate to the young person's sense of time;

(l) in dealing with a young person for an offence, the age, maturity, and cultural background of the offender are to be considered;

(m) a young person who commits an offence is to be dealt with in a way that:

(i) strengthens the family and family group of the young person; and

(ii) fosters the ability of families and family groups to develop their own means of dealing with offending by their young persons; and

(iii) recognises the right of the young person to belong to a family.

7.10   *The 2011 philosophy[158]* lists the Principles of Youth Justice Services as:

- Empower young people, their families and communities to prevent youth offending.
- Provide diversionary options for young people and their families at every stage of the youth justice system.
- Appropriate assessments will precede evidenced based, innovative and targeted interventions.
- Consultation and partnerships with Aboriginal people will guide the organisational culture and interventions.
- Interagency collaboration is embedded in all interventions and practices.
- Uphold all statutory requirements.

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[158] DCS, *Making a Positive Difference to the lives of Young People in Youth Custodial Services* (December 2010)

- Maximise opportunities of restorative justice for victims of youth offending.

- Professional practices and interventions will be matched of age, developmental, cultural and individual needs of young people and their families.

- Provide an effective service through the provision of clear policy and evidenced based practice, ongoing professional development and cultural competencies.

- Staff members are recognised for their strengths, contributions and diversity.

- Focus on addressing offending behaviour and develop accountability/ responsibility for actions.

- Detention is an option of last resort.

- Provide safe and secure custodial environments and seamless through-care services.

7.11   The Department's document *Goals, Cornerstones and Principles Redevelopment of Youth Custodial Services*[159] sets out the following principles:

- All young people have strengths which can be built upon;

- Young people are still maturing and cannot be expected to think and behave like adults;

- Build on positive links young people have with their family and community;

- Custody should be used only as a last resort;

- Help young people to be aware of their choices and encourage them to make good decisions;

- The effectiveness of Youth Custodial Services must be continually monitored and improved upon;

- Build relationships with other agencies to provide a suite of services for young people and families.

7.12   The 2008 version of the Youth Custodial Officer training syllabus was in use at the time of the riot. It states:

> Youth Custodial services seek to maximise the capacity for young offenders to manage their lives more efficiently through the following key **principles**:
>
> We prioritise community safety and promote positive community
>
> awareness and involvement, and strong community connections;

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[159] DCS, *Youth Custodial Services Goals, Cornerstones and Principles Redevelopment of Youth Custodial Services* (February 2010)

We aim to deliver best practice service that is culturally appropriate;

We provide facilities, services and programs for young people that are age, gender, and developmentally appropriate and address the needs of the individual in the context of their family and community.

We acknowledge and respect the importance of Aboriginal history and cultural diversity by working in a way that supports and promotes cultural security

We recognise and value the strengths, contributions and diversity of every staff member through respect, mutual understanding and common goals; and

We provide an environment and services that empower and skill young people, in the context of their family and community, to make positive choices and life changes.

8 Appendix B: Operating Philosophy for a Private Prison – Wandoo Reintegration Facility

8.1 The development of the operating philosophy for the Young Adult's Facility (later named Wandoo Reintegration Facility) is useful for two reasons. As it was the government's 2008 election commitment to build a young men's prison that led to the redevelopment of Banksia and the opening of Wandoo, both projects stemmed from the same policy commitment. The decision that Wandoo would be privately operated allows comparison between the private and public operation of detention facilities.

8.2 To be clear, the two facilities are very different in terms of population size and cohort, but the determination of the purpose and philosophy of a centre is a matter for the Department's corporate executive. In a privately run facility, the Department sets the terms of what services are required. It is the job of the contractor to provide those services and there are sophisticated measures in place to track the satisfactory delivery of these services.[160] These essentially involve an economic model of rewards and sanctions to ensure that the public good (the delivery of high quality services) matches the profit motive of the private entity.

8.3 There are ideological arguments regarding the merits of the provision of public services by the private sector. However, the arrangement requires the Department to separate its executive function from its operational function. It requires the corporate executive to focus on its core purpose of providing strategic direction to the delivery of effective correctional services, without becoming involved in operational matters.

8.4 This role clarity resulted in the development of a comprehensive suite of documents that defined the service that was required by the state.[161] The operational philosophy was defined at an early stage as part of the tendering process and is reflected throughout the project documentation.[162] This is presumably done as good project governance and to demonstrate due diligence. However, it has the effect of clearly articulating to all parties what is being provided. Visits by members of the Inquiry Team to Wandoo found a markedly higher level of appreciation by staff of the operational philosophy of the facility in comparison to Banksia and other publically-run facilities.
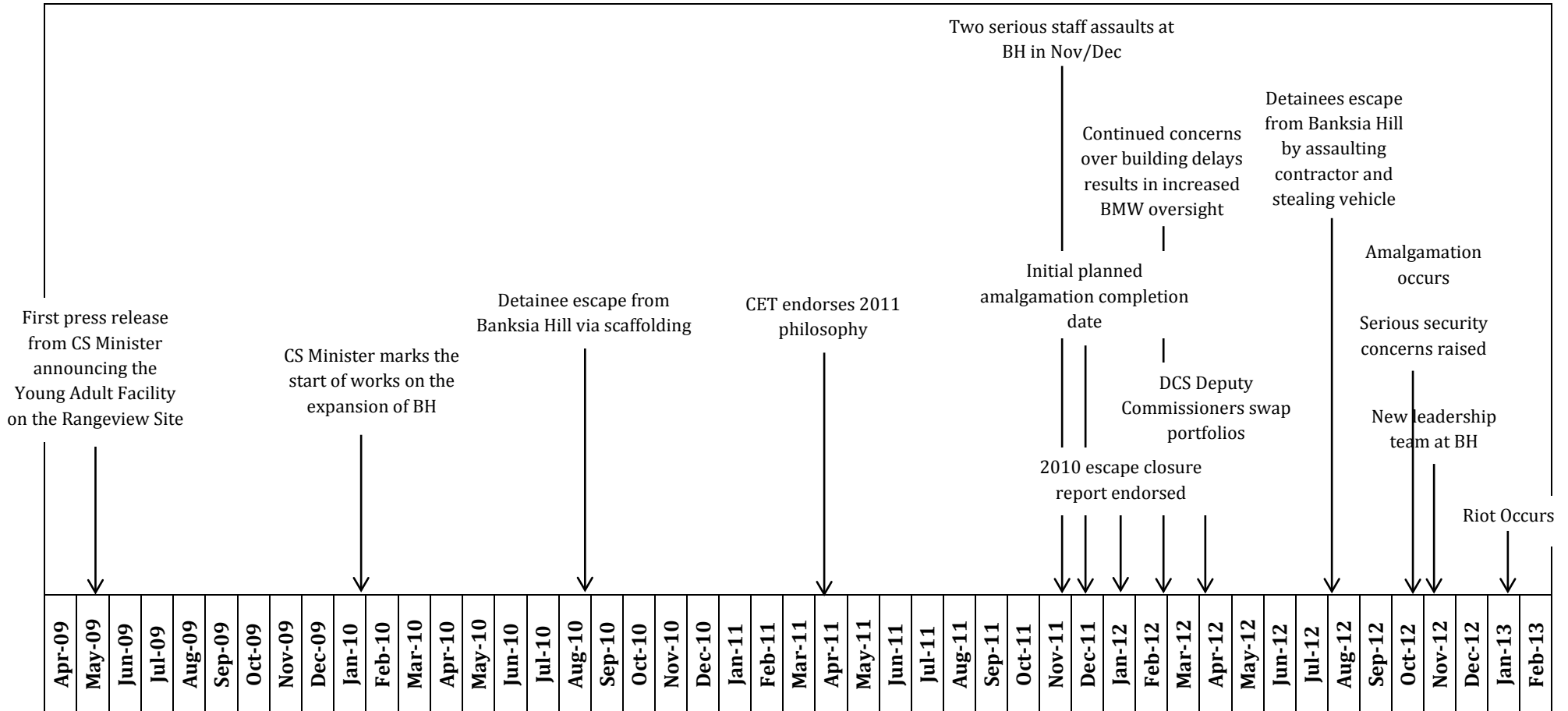
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[160] This includes the monitors, whose deployment to Banksia marked the first time they had been used in a public detention facility.
[161] DCS, *Request: Operation and Maintenance of the Young Adults' Facility Service Requirements* (2011)
[162] DCS, *Young Adults' Facility: Operating Philosophy and Principles* (October 2010)

8.5   The successful articulation of an operating philosophy for Wandoo which appears to have been driven by contract management requirements shows the ability of the Department to define a philosophy and the need for role clarity.

8.6   It is hard to avoid the conclusion that where the corporate executive has clearly articulated an operating philosophy and this is embedded in practice with a clear performance management framework for the centre, that better services are provided. This will also impact on staff engagement, the safety and security of the centre, and positive outcomes for detainees.

9   Appendix C: Timeline of Key Security Events

Two serious staff assaults at
BH in Nov/Dec

Detainees escape
from Banksia Hill
by assaulting
contractor and
stealing vehicle

Continued concerns
over building delays
results in increased
BMW oversight

Amalgamation
occurs

First press release
from CS Minister
announcing the
Young Adult Facility
on the Rangeview Site

Detainee escape from
Banksia Hill via scaffolding

CET endorses 2011
philosophy

Initial planned
amalgamation completion
date

Serious security
concerns raised

CS Minister marks the
start of works on the
expansion of BH

DCS Deputy
Commissioners swap
portfolios

New leadership
team at BH

2010 escape closure
report endorsed

Riot Occurs

| Apr-09 | May-09 | Jun-09 | Jul-09 | Aug-09 | Sep-09 | Oct-09 | Nov-09 | Dec-09 | Jan-10 | Feb-10 | Mar-10 | Apr-10 | May-10 | Jun-10 | Jul-10 | Aug-10 | Sep-10 | Oct-10 | Nov-10 | Dec-10 | Jan-11 | Feb-11 | Mar-11 | Apr-11 | May-11 | Jun-11 | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | Jul-12 | Aug-12 | Sep-12 | Oct-12 | Nov-12 | Dec-12 | Jan-13 | Feb-13 |