

Opportunity Knocks: Incarcerated Girls and Young Women

Context

The riot at the Banksia Hill Juvenile Detention Centre ('Banksia Hill') on 20 January 2013, the ensuing court cases¹ and the publication of two independent reports² have resulted in considerable debate in government, the media and the non-government sector about youth justice services in Western Australia. It appears to be accepted that the shortcomings that led to the riot were reflective of systemic problems and that organisational and cultural change is needed to improve service delivery, efficiencies and correctional outcomes.

The boys held in detention have attracted the most attention. This is not surprising: they represent by far the majority of detainees (over 90 per cent), it was the boys who were responsible for the 20 January riot, and it was the boys who were subsequently transferred to Hakea Prison. However, it is vitally important that the specific needs and challenges of girls in detention are not subsumed by the demands of the boys. This report aims to assess the current 'state of play' with respect to incarcerated girls and to promote further debate and focus.

The report is the outcome of an inspection of the girls' unit at Banksia Hill (Yeeda Unit) in April/May 2013. It contains a number of recommendations regarding services and systems and also some more strategic recommendations. While the report stands in its own right, it needs to be read alongside the report of the directed review into the Banksia Hill riot.³ Pleasingly, the Department of Corrective Services ('DCS') has supported almost all the recommendations.

The girls in detention were formerly placed at Rangeview Remand Centre. They were transferred to Banksia Hill in September 2012 and it was universally recognised that their facilities and services at Rangeview had been too limited and did not provide an adequate female focus. The Yeeda Unit was intended to provide the opportunity for innovation and improved services and outcomes. Our overall conclusion is that there has been some progress but that a good deal remains to be done. To some degree the shortfalls to date have reflected the 'backwash' from the riot. First, although the girls were only peripherally involved on the night itself, the incident had a profound effect on all detainees and staff and hindered the roll out of a 'new way of doing business'. Secondly, because of the sensible decision not to house the younger male detainees at Hakea, for a good deal of the period

¹ Wilson -v- Joseph Michael Francis, Minister for Corrective Services for the State of Western Australia [2013] WASC 157; B (a child) -v- Hepple [2013] WASC 303; WW (a child) -v- Williams [2013] WASC 363; The State of Western Australia v JAB [2013] WACC 3.

² Office of the Inspector of Custodial Services (OICS), *Directed Review into an Incident at Banksia Hill Detention Centre on 20 January 2013*, Report No. 85 (July 2013), and Office of the Auditor General, *The Banksia Hill Detention Centre Redevelopment Project*, Report 12 (August 2013).

³ OICS, *ibid.*

from February to October 2013, these boys were being accommodated in Yeeda as well as the girls.

Current Situation: a Window of Opportunity

By late October 2013, all the male detainees had returned to Banksia Hill. Significantly, the number of detainees, both male and female, is well down from previous levels. At the time of the riot, there were around 220 detainees but the figure is currently less than 150. At 220, Banksia Hill was crowded and persistent staff shortages and fragile management had exacerbated significant service delivery issues. The 25-30 per cent reduction in numbers is unlikely to be sustained but it does provide a window of opportunity that DCS must grasp and maximise; the recruitment of new staff and the appointment of a stronger management team in youth custodial services are also promising signs.

In the report into the 20 January riot I recommended that responsibility for youth justice should be transitioned out of the Department of Corrective Services to a specific Youth Justice Commission or Department. If this does not occur, major organisational change is required in the Department of Corrective Services to ensure a dedicated and stronger focus on youth justice, including prevention, diversion and custodial services.

Girls at Yeeda: Achievements and Opportunities

The main achievements at the new Yeeda Unit have been as follows:

- Vastly improved infrastructure
- Increased access to traineeships
- Provision of dedicated case manager
- Engagement of a full time mental health nurse at the Centre
- Dedicated observation facilities within the unit

The opportunities for improvement at Yeeda include the following:

- Broaden the range of recreation options
- Broaden the range of life skilling, employment, training and educational opportunities
- Provide better integration of the services provided to the girls
- Evaluate 'what works' for girls and provide targeted intervention programs
- Provide access to case management to a wider category of girls in custody

Improving the Focus on Young Adult Women

In 2008 the government wisely committed to establishing a new prison with a focus on reducing recidivism amongst young male adults aged 18 to 24. The result is the privately-operated Wandoo Reintegration Facility for young adult men at the former Rangeview site.

However, there are no dedicated facilities for young women in our prisons. This needs further consideration: the number of women in prison is increasing faster than the number of men and the younger female prisoners invariably face enormous challenges. Generally speaking they are victims of violence as well as offenders, many are young mothers, most have histories of substance abuse, and many have mental health issues. Sadly, the older juvenile detainees tend to share exactly the same characteristics and to face exactly the same challenges.

This report calls for a renewed focus on the needs of women prisoners aged 18 to 24, and it may be time for some lateral thinking if the state's current custodial resources are to be used to best effect. The main women's prison, Bandyup, is overcrowded and under considerable stress. The small number of female juveniles also creates problems for service delivery at Banksia Hill as there is not always a sufficient 'critical mass' of detainees and there is a rapid turnover. This report therefore recommends that consideration be given to whether some young adult females could be safely and sensibly placed at the Yeeda Unit. This recommendation is not made lightly: for very good reason, the *Young Offenders Act*, in line with the provisions of United Nations conventions, is premised on the separation of adults and children. However, in the interests of the community, more needs to be done for incarcerated young women and girls and the aim of the recommendation is to promote innovation, service improvements and efficiencies.

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29 October 2013