

Appropriateness of behaviour management practices at Banksia Hill Detention Centre

Background

Managing the behaviour of young people in custody is inherently difficult. Many have an immature appreciation of the consequences or gravity of their misbehaviour which is one of the reasons they have come into contact with the justice system. Management practices in detention must allow for the development of self-understanding and emotional regulation as well as being able to respond to negative or challenging behaviour. Therefore both proactive and reactive practices are needed.

Examples of proactive and reactive practices

Proactive	Reactive
Use of hierarchical accommodation	Confinement in a nominated cell (Harding Unit)
Use and loss of privileges	Confinement within the young person's living unit
Use and loss of gratuities	Use of restraints
Counselling	Delayed release date

In 2011 this Office conducted an inspection of the Banksia Hill Detention Centre in which behaviour management practices were a focus (OICS, 2012). We found that both proactive and reactive practices were in place but there was a blurring of the lines between the two. Formal punishment was indistinguishable from practices which were supposed to allow development. There was also a lack of transparency and accountability in the use of the more restrictive practices.

Since this time, the only other juvenile detention centre in the State has shut down, making Banksia Hill the sole facility for managing young people in WA. The amalgamation of the previous facility into Banksia Hill occurred in October 2012. Three months later there was an extremely serious incident of mass disorder at Banksia Hill with a large number of detainees escaping their cells and causing damage in the facility. Our office conducted a comprehensive review into the management of this incident and its preceding factors.

Several recommendations were made from the review, all of which have been accepted by the Department of Corrective Services. This includes recommendations about minimising lockdowns, restricting the use of mechanical restraints and altering strip searching practices. As a result the Department has made several changes in Banksia Hill including implementing individual behaviour management plans and implementing a project to transform Banksia Hill. The project aims to instil a philosophical shift in youth detention towards rehabilitation based on individual needs of the young people and the principles outlined in the *Young Offenders Act 1994*. OICS liaison visits to Banksia Hill have found that staff are largely in favour of this approach but have concerns about how to manage the few detainees who appear unaffected by current behaviour management practices.

Purpose of the review

The review will examine the development and implementation of behaviour management practices at Banksia Hill since 1 January 2014.

Limitations

This review will draw on the findings reported from the 2011 inspection and the review into the incident at Banksia Hill in January 2013. However it is not intended that the review team revisit historical concerns.

Terms of Reference

1. Do legislation, policies and practices directing behaviour management of young people at Banksia Hill align?
2. Are the policies and practices governing behaviour management at Banksia Hill based on sound evidence?
3. Are behavioural management practices transparent and accountable?
4. Are behaviour management practices sufficient for managing extremely difficult young people?

Methodology

- Determine which behaviour management practices are currently in use at Banksia Hill
- Examine legislation and other documents governing behaviour management at the centre
- Analyse Departmental data
- Examine and analyse relevant departmental documentation
 - All notes and reports relating to young people's placements
 - Policies including Youth Custodial Rules and Standing Orders
 - Documentation on the progress of the Banksia Hill transformation
 - Evidence base for policy and practice
- Conduct announced and unannounced visits to Banksia Hill
- Examine any allegations and investigation outcomes which are linked to the behaviour management
- Interviews with departmental staff and young people
- Assess the impact a single facility has on the effectiveness of behaviour management practices
- Expert assessment of possible outcomes of the regime types
- Literature review of best practice options for behaviour management of young people (not limited to practices for young people in detention)

References

DCS. (2016). *Strategic Plan Creating Value through Performance - Report Card*. Perth: Department of Corrective Services.

OICS. (2012). *Report of an Announced Inspection of Banksia Hill Detention Centre*. Perth: Office of the Inspector of Custodial Services.