

Overview

On the night of the riot, the work undertaken by several Department staff members was outstanding. The initial response to three of the detainees being 'out of bounds', was timely. Staff members were provided with clear instructions and paramount consideration was given to the safety of staff. However, this outcome relied heavily on good decision making by individuals rather than good preparation by the Department. In addition, the Department had done little to prevent this incident occurring even though there were clear warning signs that Banksia Hill had all the ingredients for a major incident to occur.

Prevention

The catalyst for this riot was three detainees absconding from a unit and ascending the roof, just prior to the nightly lockdown. This was not an unusual occurrence in Banksia Hill.

There are a number of common triggers that lead young people to ascend the roof in a detention centre, many of which can be alleviated by positive officer-detainee engagement.¹ However, the ability for constructive engagement between staff and detainees at Banksia Hill had been eroding for some time. Staff shortages, coupled with changes in practices such as having communal staff meal breaks, increased the number of unscheduled lockdowns for detainees.² These additional lockdowns disrupted the normal daily schedule for detainees, such as access to education and recreation, and in doing so limited the opportunities for staff to constructively engage with detainees.

This is not to say that all staff at Banksia Hill have poor relationships with detainees. In fact, some have worked exceptionally hard to establish positive relationships which were evident in conversations with detainees. It was also evident in the lack of intention of detainees to target staff on the evening. There was one clear example of where detainees had the opportunity to target a staff member but instead went out of their way to reassure the staff member that they meant her no harm.

Banksia Hill relies on a system of incentives and disincentives to manage young people in detention, a system which has been and is, struggling. Enhanced privileges are linked to specific accommodation with fewer privileges available in other units. Progression to units with enhanced privileges and regression to units with fewer privileges is dependent on behaviour. At the top of this system is self-care where detainees have a level of autonomy. At the bottom of this system are wings in Harding unit which have limited means of preoccupation and are connected to individual regimes that restrict

¹ Office of the Inspector of Custodial Services (OICS), *Summary of a Report on an audit of Custodial Roof Ascents*, (November 2012).

² Communal meal breaks rather than rotational.

the detainee's time out of cell. While temporary loss and recovery of privileges can be experienced by any detainee in any unit based on their behaviour, movement up and down the accommodation system provides the primary means for incentivising and disincentivising detainees within Banksia Hill.

For this system to be effective it requires the capacity for individuals to be moved around the centre. When there is limited capacity, detainees may be punished or rewarded based on available space rather than merit. In the last five years there has been significant growth in the number of detainees. Given the amalgamation of Rangeview with Banksia Hill in late 2012, these detainees are now accommodated in a single location. In 2009 the number of detainees rarely reached three figures in the two locations. Just prior to the riot the number had doubled with around 200 detainees being held at Banksia Hill.³

In addition, the increase in population count and decrease in units which resulted from the amalgamation, has restricted Banksia Hill's ability to disperse individuals who are known associates, or have a history of undertaking the same poor behaviour such as absconding and ascending the roof.

These issues are compounded by the impact of unscheduled lockdowns which changed the nature of the incentive and disincentive approach to managing behaviour. A disincentive can only be a deterrent if it is a possibility, not a reality. It is no longer a disincentive for a detainee to be confined to their cell as a punishment, when this is occurring on a daily basis for reasons beyond the detainee's control. Likewise, the loss of TV privileges when a daily schedule is in place, is more severe when confined to a cell.

The Inquiry found numerous examples of a lack of security awareness by both staff and centre management over a prolonged period. This included poor staff compliance with rules and instructions, poor intelligence gathering and the lack of attention to a known security risk of debris around the centre.

This lack of security culture, combined with population pressures, staffing difficulties and increasing lockdowns were contributing factors to the riot. Strategic intervention in any of these areas would have improved the Department's ability to prevent the riot that occurred.

Preparedness

The Department recognises that emergency preparedness is a crucially important topic for every correctional institution, noting that a major institutional crisis can be overwhelming and almost interminable.⁴ Given this acknowledgement it would be expected that each institution in the Department would have undertaken appropriate

³ Figure based on data extracted daily from TOMS for the period 6 October 2012 to 20 January 2013.

⁴ Department of Corrective Services, Corrective Service Training Academy, Entry Level Training Program Manual – *Emergency Procedures YCS*, Module Version 3 (December 2008).

planning for emergency events and have undertaken extensive training. However this was not the case in Banksia Hill.

The Emergency Management Plan for Banksia Hill was last updated in May 2011. Although there is a departmental requirement for facility plans to be updated annually this had not occurred. In particular, it is a clear oversight that the Emergency Management Plan has not been updated since the amalgamation which has made Banksia Hill the only juvenile detention facility in WA. There had been no head office oversight to ensure this plan was updated, even though there is a quality assurance plan in place for Community Youth Justice and a security assessment in November 2012 indicated an examination of emergency management procedures at Banksia Hill would be undertaken. The result of this oversight is that there was no contingency plan in place if Banksia Hill needed to be evacuated.

Banksia Hill is required to undertake a minimum of six emergency management training exercises each year. At least one of these should be a live simulation rather than a desktop exercise. During 2012 only one desktop exercise and two live drills were conducted within the youth custodial estate falling well short of requirements.⁵ In addition, only seven custodial staff attended the three exercises as the opportunity to participate in this training is restricted to who is available on shift.⁶ Given Banksia Hill has an operational staff level of close to 200, this means that very few people have been involved in this type of training in the last year. One staff member reported he had not been involved in a simulation exercise since the late 1990s.

Less than a quarter of respondents to the staff survey for the Inquiry, felt that they had adequate training to prepare them for the riot. Staff consistently reported having little, or no, training in emergency management and little, or no, training to prepare them for the riot.

Response

The initial response to the three detainees being 'out of bounds' on the night of the riot was both timely and appropriate. Clear direction was provided by the Shift Manager and priority was given to ensuring the safety of staff.

As the situation escalated, more of the Department became involved in the response. Communication at a command and control level was not always good and role confusion occurred. Although this did not appear to result in any negative outcomes on the night, there is substantial room for improvement in clearly defining roles, responsibilities and lines of communication during a critical incident. In particular, there is a need for having a single, identifiable incident controller assuming control of the incident, planning and guiding staff actions, and providing effective liaison. This did not occur with the

⁵ Advice received from the Department 18 February 2013 - *Training Banksia Hill Staff 2012*

⁶ Ibid.

Emergency Support Group (ESG) Superintendent assuming some of this role and the Director of Youth Custodial assuming other parts of this role.

The difficulties in command and control resulted in poor communication, a lack of planning to establish welfare checks for detainees still in their cells and a lack of understanding of the origin of key decisions (such as the obtaining police assistance inside the centre).

During the riot, detainees were left uncontrolled for over an hour and half causing considerable damage to the centre. Understandable reasons were provided for this delay, however, overall the response was not timely. This is not a criticism of individual actions and decision but rather a comment on the resources at Banksia Hill's disposal to deal with the riot on a Sunday night.