



Review of the Northern Territory Youth Detention System Report

January 2015

MICHAEL VITA

TABLE OF CONTENTS

	Page
Acknowledgements	4
Background and Methodology	5
Executive Summary	8
Recommendations	18
Terms of Reference	20
Review the Structure, Management and Operating practices of Youth Detention Centres (YDCs)	21
Procedures Manual and Standard Operating Procedures	21
Incentives Scheme	22
Classification	24
Training, Rostering and Staffing	26
Behaviour Management and Use of Force	28
Warby Behaviour Intervention Program	32
Family Responsibility Centres	33
Quality Assurance	33
Meetings (Communication)	35
Case Management	37
Offence Focused Programming	38
Assessment	40
Behaviour Management Plans	41
Work Health & Safety	42
Risk Assessment	43
Immediate Challenges facing the Delivery of Youth Detention Services at the Holtze and the Alice Springs YDCs	47

	Page
Immediate Challenges Facing the Delivery of Youth Detention Centres As they are transitioned from the Holtze YDC to the Berrimah YDC	48
The Pattern of Contributing Factors and Issues Surrounding Significant Incidents in Youth Detention since December 2009	50
Summary of Incidents December 2009 – September 2014	56
The Ability of Youth Detention to contribute to the Northern Territory Department of Correctional services (NTDSC) Strategic Intent Plan and its Key Milestones	59
The Ability and Likelihood of the Northern Territory Youth Justice Framework to Address Systemic Youth Detention Issues	60
To make Recommendations about the Government’s Recent Proposal to use the existing Berrimah Correctional Centre as a Youth Detention Facility	62

ACKNOWLEDGEMENTS

I would like to take this opportunity to thank all staff and other stakeholders from the Northern Territory Government and Non-Government sector who were interviewed by me during the course of this review. I would particularly like to acknowledge their honesty, frankness and openness in expressing their circumstances, advice and viewpoints in a cooperative environment and without any adverse influence or pressure.

The overriding consideration during this review was to consult and explore facts surrounding aspects of the youth detention system in the Northern Territory with the view of improving youth detention operations and management and thus contributing to a safe, humane and productive future for its staff, detainees, visitors and the community.

In addition, I would like to also thank the staff of the Northern Territory Department of Correctional Services, Commissioners Office and the Youth Justice branch for their administrative support and making available to me any and all access to resources, people, records, documents and other information that I requested during the review period.

Finally, I would like to thank the Chief Executive Officer of NSW Juvenile Justice, Ms Valda Ruis, for allowing my secondment to the Northern Territory to carry out this review including the use of staff and other resources.

Michael Vita
NSW Juvenile Justice

BACKGROUND AND METHODOLOGY

On 2 October, 2014, the Attorney General and Minister for Correctional Services announced that the Northern Territory Government would conduct an independent review into the Youth Justice system - specifically into youth detention following a series of serious incidents in youth detention which had resulted in the closure of the Don Dale Youth Detention Centre.

Subsequently, Mr Michael Vita, was engaged to conduct the independent review. Mr Vita is from New South Wales (NSW) Juvenile Justice and has had extensive relevant experience in both the adult and juvenile systems in NSW.

Unlike the intent and scope of the *Review of the Northern Territory Youth Justice System: September 2011*, this review specifically focuses on youth detention services delivered in the Northern Territory and with the aim of examining existing operations and practices and to make recommendations that will inform future direction and operations.

Terms of Reference were initiated for the Review (see Terms of Reference)

The review was undertaken through a combination of inspections of relevant facilities, the personal interviewing of staff and other stakeholders, reading reports, memoranda, statistics and other documentation including those acquired through the electronic Integrated Offender Management System (IOMS), viewing CCTV and video footage and by viewing other images.

Listed below is a summary of people interviewed during this review:

- Ken Middlebrook – Commissioner, Department of Correctional Services
- Salli Cohen – Executive Director, Youth Justice
- Russell Caldwell – Director, Youth Detention
- James Sizeland – Assistant General Manager, Holtze YDC
- Barrie Clee – Assistant General Manager, Alice Springs YDC
- Sue McVee – Acting Manager, Family Responsibility Centre Darwin
- Karrina Betschart – Manager, Family Responsibility Centre Alice Springs
- Greg Donald – Acting Team Leader, Case Management Unit Holtze YDC
- Dr Howard Bath – Northern Territory Children’s Commissioner
- Ms Priscilla Collins – Chief Executive Officer, North Australian Aboriginal Justice Agency (NAAJA)
- Jared Sharp – Manager, Law and Justice Project NAAJA
- Antoinette Carroll and Mark O’Reilly - Youth Justice Advocacy Project Central Australia Aboriginal Legal Aid Service
- Carolyn Whyte – Director, Criminal Justice Research & Statistics Unit
- The Hon. Sue Oliver and the Hon. Elisabeth Armitage, Northern Territory Stipendiary Magistrates
The Hon. Mr Greg Borchers Northern Territory Stipendiary Magistrates
- John Fattore – General Manager, Community Corrections (former Manager, YDC)

- Michael Yaxley – Acting Service Development Officer, Youth Justice (former Manager, YDC)
- Simone Jackson, Acting Executive Director Out of Home Care Department of Children and Families
- Lisa Coon –Principal Department of Education, Holtze YDC
- Jodeen Carney – Chief Executive Officer, Department of Children and Families (author *Review of the Northern Territory Youth Justice System: September 2011*)
- Youth Justice Framework Steering Committee members
- Amanda Nobbs-Carcuro – Director, Programs & Services
- David Ferguson – Director, Professional Standards & Intelligence, NTDCS
- Victor Williams – Manager, Staff Training and Development, NTDCS
- Barbara Sampson – Director, Offender Programs and Indigenous Affairs, NTDCS
- Louise Blacker, Manager, Community Corrections Alice Springs
- Jesy James Carr, Daniel Bunting and Shannon Cantwell, Community Corrections Alice Springs
- Detainee ‘A’ Holtze YDC
- Felicity Dunne – Author and Trainer of CHARTS, Victoria Department of Human Services, Youth Justice

In addition the following key documents were amongst those read during the review to provide background and information necessary to make informed decisions during the review process. The key documents included:

1. *Review of the Northern Territory Youth Justice System: September 2011.*
2. Memorandum to the Commission titled: Summary directed review of an incident at Banksia Hill Detention Centre in Western Australia which was released in August 2013, written by Amanda Nobbs-Carcuro.
3. Review of Northern Territory Detention Centre operations, April 2014, written by Amanda Nobbs-Carcuro and Michael Currie.
4. Draft Youth Justice Framework 2015 – 2020.
5. Northern Territory Department of Correctional Services Strategic Intent.
6. Youth Detention Centre staffing models, Operations Manuals and Standard Operating Procedures.
7. Rosters for youth detention centres.
8. Northern Territory Department of Correctional Services Commissioners Directives, Standard Operating Procedures pertinent to youth detention.

Although submissions were not formally invited, the review received a joint submission from the Northern Australian Aboriginal Justice Agency (NAAJA), the Central Australian Aboriginal Legal Aid Service (CAALAS) and the

Northern Territory Legal Aid Commission. The submission was received on 20 November 2014.

This submission, in the main, reflected many issues discussed during our respective face to face meetings and the review has considered its contents during deliberations. The submission contains extensive viewpoints and its format mirror the Terms of Reference associated with this review

Other documents provided to me during this review included:

- Document from Shift Supervisor Don Dale YDC, Mr Trevor Hansen dated 30 November 2013 purported to have been submitted to the General Manager Detention Centres at that time.
- A briefing paper supplied to me by the Director Detention Centres during our initial pre arranged interview.

Importantly, I have also formed my opinion, findings and recommendations by the direct physical inspection of the:

- recently closed Don Dale YDC
- interim facility at Holtze YDC, on three separate occasions
- current Berrimah Prison
- Alice Springs YDC, including Aranda House
- Alice Springs Correctional Centre

The review commenced in October 2014 and it was required to provide a draft report by the end of November 2014 and the final report by the end of December 2014.

The Final Report incorporates some additional adjustments made from the Draft version, after incorporating relevant feedback from stakeholders and conducting further exploration, assessment and investigation.

When finalising the report the review was made aware that the detainee population was transferred to the Berrimah facility on 23 December, as a result of a number of ongoing critical incidents.

As a result some of the contents in this report may no longer be relevant, and where appropriate parts have been updated to reflect the move.

EXECUTIVE SUMMARY

At the time the review was undertaken the Northern Territory youth detention centres were situated in Darwin, currently the interim Holtze YDC, on the newly built Darwin Correctional Precinct site (until 22nd December 2014) and also a detention centre in Alice Springs adjacent to the Alice Springs Correctional Centre.

The primary source of legislation that governs their operations is the *Youth Justice Act*.

The Don Dale YDC, commissioned in 1991, was closed in September 2014, in response to a series of serious incidents at that centre. The detainee population after its closure was moved to the interim Holtze YDC facility mentioned above.

It was proposed that youth detainees, both male and female, between 10 and 18 years of age would be moved to the Berrimah Correctional Centre site once that prison had been totally decanted into the new Darwin Correctional Precinct.

The planning for this staged process had already begun however, due to a series of serious incidents at the interim Holtze facility, culminating in extensive malicious damage and attempted escape, detainees were moved to the former Berrimah Correctional Centre on 23 December 2014 in order to protect the Holtze infrastructure from further damage and more importantly ensure the safety of staff, detainees and the local community.

The Northern Territory youth detainee population has risen steadily, particularly over the last 2 years. This has placed pressure on the available infrastructure and capacity of its detention facilities. Remanded detainees account for the majority of the detainee population which sees an over-representation rate for Indigenous youth, who make up approximately 97% of that detainee population.

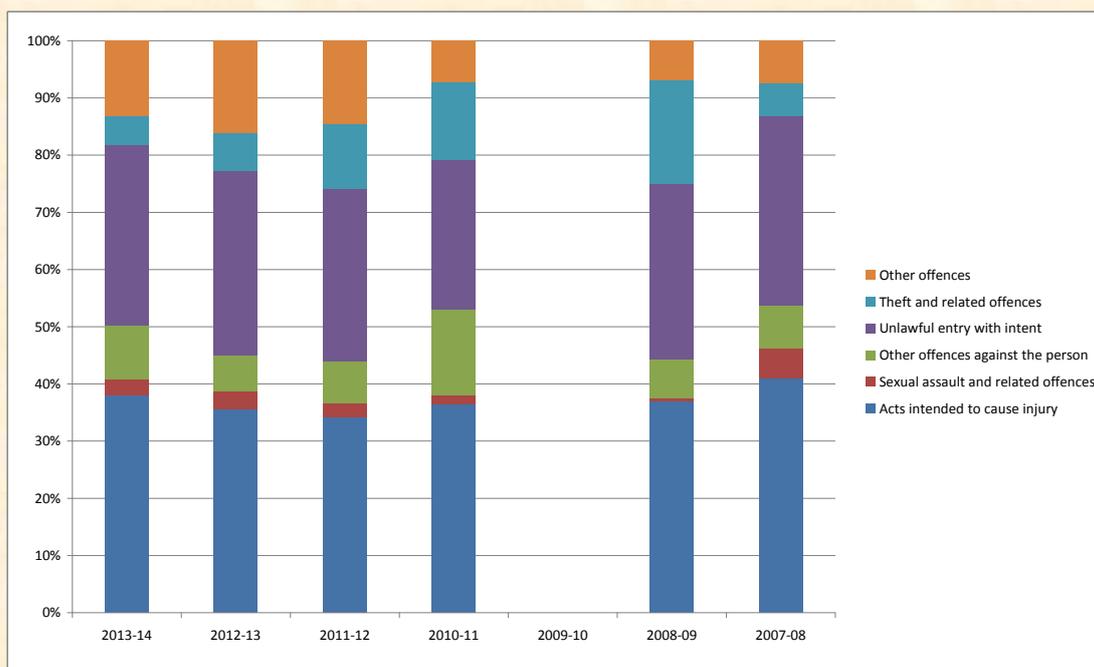
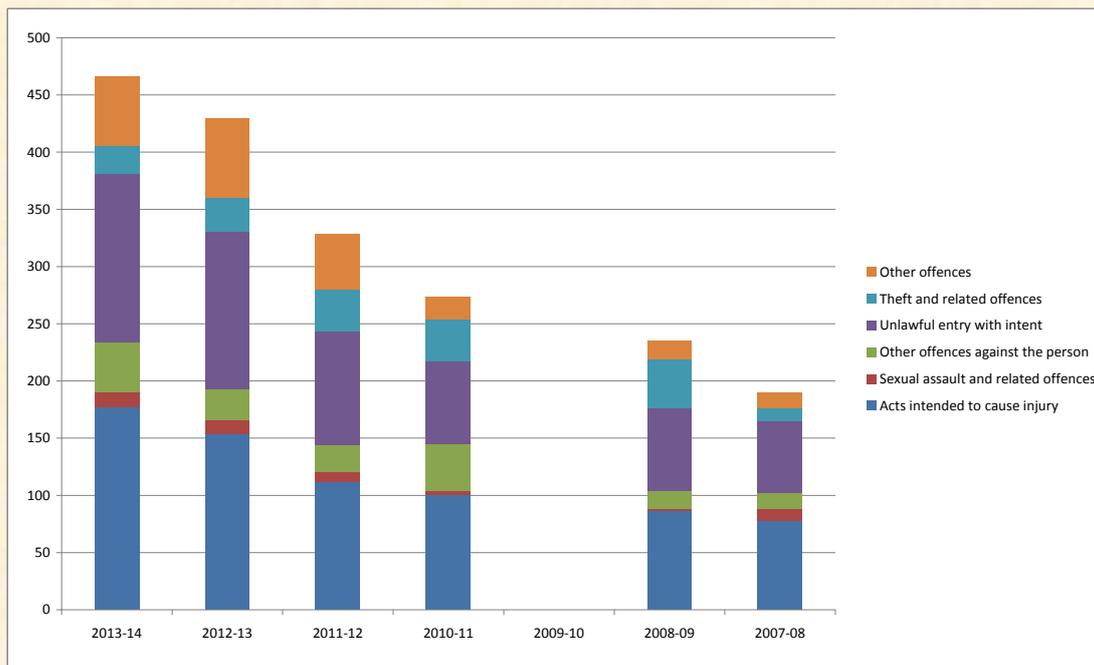
Statistics made available from both the Northern Territory Department of Correctional Services Annual Corrections Report, table 26¹ and the Australian Institute of Health & Welfare², show that these statistics appear to mirror anecdotal evidence provided by management and other staff in the centres that higher detainee numbers, inability to separate detainees appropriately, including female detainees, and what they see as a different type of high risk, aggressive detainee with challenging behaviours, are some of the major factors that have resulted in unrest within the youth system which in turn has placed pressure on staffing, room accommodation and other centre infrastructure.

¹ Northern Territory Department of Correctional Services Annual Corrections Report Table 26

² Australian Institute of Health and Welfare Table S8

This year's Northern Territory Department of Correctional Services Annual Corrections Report will clearly illustrate that there were:

- (a) 130% more receptions for offences against the person in 2013/14 than in 2007/08
- (b) It shows that in the most recent year the percentage of receptions for offences against the person has risen above 50% again. It was also above 50% in 2010/11 and 2007/08 although, total receptions in those years were much less (see graph below).



These two statistics are based on receptions into custody and counts each, irrespective of whether it was remand or sentence. Statistics show that the profile of a youth entering the detention system reflects the following:

- Young people aged 15 to 16 years are the most likely group to be apprehended.
- Indigenous offenders are more likely to commit their first offence at a younger age than non-Indigenous offenders, and are more likely to have been charged multiple times.
- There is an increasing number of children under the age of 15 being detained.
- Indigenous youth are more likely to be in detention than non-Indigenous youth, and they are being placed into detention for more serious crimes, such as acts intending to cause injury.

Over the past three years the quarterly daily average number of youth detainees has increased by 22% (8) from 34 in the September quarter 2011 to 42 in the September quarter 2014³.

On average over the past three years, Indigenous youths have comprised 96% of detainees. In the September quarter 2014, Indigenous youths comprised 96% of detainees.

In the September quarter of 2014, the sentenced detainee daily average was 11, a decrease of 34% (5) from the previous quarter and 55% (13) less than the same quarter the previous year. Noting calculations may differ due to rounding.

Over the past three years the quarterly daily average increase by 24% (7) from 31 in the September quarter 2011 to 38 in the September quarter 2014.

On average, over the past three years male youths have comprised 90% of detainees.

Female youths have ranged between a quarterly daily average of 3 and 7 over the last three years. In the September quarter 2014, the quarterly daily average was 3; a decrease of 32% (2) from the previous quarter and 32% (2) less than the same quarter the previous year

Over recent years, YDCs in the NT have been required to respond to higher numbers of detainees especially those exhibiting complex and violent behaviours. During the past two years in particular, there have been major incidents where difficult and disruptive detainees have compromised the safety and security of the centres – putting staff, other young people and the community at risk.

³ Jodeen Carney. Review of the Northern Territory Youth Justice System 2011

Youth detention facilities in the Northern Territory are struggling to maintain service level standards in the absence of a coherent operating philosophy, staff training, direction, appropriate infrastructure, leadership and resourcing.

There are some resemblances between the 'key stress factors' identified in the Announced Inspections of Banksia Hill and Northern Territory youth detention facilities. This has been made evident in several internal reports/audits to which the review was made privy to.

Despite the 'red flags' and similarities to the Banksia Hill experience, the youth detention system was not able to recognise them and make the necessary changes. Stakeholders interviewed by the review cited that "it was hard to be strategic when operating in a climate of daily crisis".

Many young people in the youth justice system come from homes where poverty, alcohol abuse, violence and dysfunctional relationships are the norm. These are young people in greatest need and the ones who are likely to require a higher level of intervention and case management. It is important that staff keep in step with this challenge by training and awareness.

These are also the ones for whom the underlying causes of their offending and re-offending must be addressed. Interventions should involve the family and hence the participation of Family Responsibility Centres in this process is integral to facilitate this aspect their roles should be increased and expanded.

Young people in detention are more likely to be on remand than serving sentences. The number of youth on remand is increasing. It was estimated that the cost of keeping a young person in custody several years ago was \$550 per day. The 2014 Report on Government Services (ROGS 2014) now puts that figure at \$698.40 per day, including costs associated with group conferencing.

Cost effectiveness studies in relation to youth justice are limited, The Review of the Northern Territory Youth Justice System September 2011; noted that there is some evidence available from other jurisdictions that can be drawn on to support decision making in the Northern Territory in relation to diversionary programs aimed at redirecting youth away from detention.

The Western Australian Auditor-General conducted a cost benefit analysis of pre-sentence redirection measures implemented for young offenders in Western Australia in 2008. The findings included:

- There was a total cost reduction of using presentence redirection measures of 10.5% of total juvenile justice system costs, not including potential community benefit through behavioural changes as a result of diversion;
- More frequent use of redirection measures (diversion) results in cost savings to the system of 19.1% compared to lower use of these; and

- Costs for Indigenous young offenders were greatest in areas of arrest, bail, remand and community orders and custodial sentences and were lowest in terms of pre-sentencing redirection measures, cautions and use of juvenile justice teams⁴

Banksia Hill and other jurisdictional experiences show that where instability exists, improvement will not necessarily come from just toughening up a centre's physical security (e.g. installing bars, grills and fences), or toughening staff's emergency responses.

Alternatively, a holistic approach that recognises security and safety are underpinned by an active case management process including positive relationships between staff and detainees is required. Common features of such an approach are as follows:⁵

- Strong central leadership and a clear sense of direction and values;
- Ensuring staff act in accordance with (up to date) operating philosophies, policies and standards;
- Active engagement by detainees in healthy, positive rehabilitative activities and minimal lockdowns;
- Clear incentives for good behaviour and a strong but fair response to poor behaviour;
- A more proactive and less reactive model of staff/detainee engagement;
- Better case management;
- Improved programs and services;
- Intelligent improvements to procedural security;
- Clear local routines and rules;
- Avoidance of group punishment; and
- Everything that happens in a juvenile detention facility should in some way, either directly or indirectly, be aimed at that young persons eventual successful release and reintegration back into the community.

YDCs in the Northern Territory particularly Don Dale, exhibited many similar signs and flags to those that existed at Banksia Hill prior to its major incident in January 2013.

The body of this report will contain a more in-depth account of factors that have contributed to create an environment of instability within the youth detention system.

A summary of my findings are listed below:

1. Lack of appropriate initial and ongoing training/development especially training to keep in step with a larger and more challenging detainee population.

⁴ Review of the Northern Territory Youth Justice System: September 2011

⁵ Review of Northern Territory Detention Centre Operations: April 2014

2. Lack of training and/or consistent use of an appropriate screening instrument or assessment tool that should drive the case management process by identifying risk factors that are criminogenic and significant in that particular young person's offending and re-offending history.
3. A case management process that is un-coordinated and driven by individual staff who, in some cases, are without training and who, without consultation with other government and non-Government stakeholders, other than custodial staff, drive the case management process in a very basic fashion.
4. Lack of a philosophy to drive the purpose of youth detention.
5. Non-existent, outdated and inadequate detention centre procedures and standard operating procedures at Don Dale, Holtze and Alice Springs YDC's.
6. An ineffective classification system which lacks objectivity and whose decision-making processes involve minimal stakeholder participation.
7. Lack of consistency and direction in the management of high-risk detainees in general and especially those who are subjected to behaviour management planning.
8. Lack of direction and consistency in the provision of a behaviour management strategy that lacks understanding of adolescent behaviour, behaviour initiated by history of trauma, symptoms of foetal alcohol syndrome and behaviour associated with ADHD and other mental health issues.
9. Incentive scheme (token economy) that is not structured and applied fairly and consistently.
10. Lack of appropriate personal protection equipment and training for staff in reactive and/or immediate emergency situations requiring use of force.
11. An unhealthy over-reliance on inexperienced casual and temporary staff on a shift by shift basis supervising young detainees with difficult and challenging behavioural problems.
12. Lack of understanding and co-ordination of how risk assessment, case management, classification, pro-social modelling and the incentive scheme should work together to provide an environment that is conducive to stability, harmony, safety and security.
13. Lack of meaningful offence focused programming.
14. Lack of a multi-disciplinary team approach with available stakeholders in the decision-making processes in detention centres.

15. The decanted Darwin Correctional Centre at Berrimah is an appropriate future YDC that will afford more opportunity to safely securely and humanely accommodate both male and female detainees and whose size, layout and infrastructure will increase, and provide more protection to, detainees, staff, visitors and the community.

16. Aranda House should not be reopened after the operational transition to the Berrimah site is completed. Its physical condition and poor infrastructure would serve no purpose in future detention centre management.

It is important for the review to stress that the vast majority of staff, including management, are working well in a difficult environment and with young people of difficult and challenging backgrounds and behaviours. The findings of this review are not meant to demean their good intentions but rather to improve the way the detention system operates into the future.

Likewise, the review is conscious of the resources, both human and other, that impact on the ability to exercise recommendations. This particularly applies to financial constraints. As a result the review has sought to make recommendations that:

- are achievable and meaningful.
- are able to be implemented in part or in totality dependent on the available resources of the time.
- will be implemented in the above fashion with drive and motivation by those destined to implement them.
- will greatly assist the detention centre system to improve its operations and increase the systems ability to provide safer, more secure, harmonious and humane strategies that will neatly fit into all forms of government and corporate planning including the Strategic Intent, Pillars of Justice, Youth Turn and Youth Justice Framework mechanisms.

The reviewer has also attached several suggestions for consideration which emanate from the NSW Juvenile Justice System and one from the Victorian Juvenile System. These are suggestions only and like the recommendations, can be adjusted and/or adapted in full or in stages dependent upon resources and any financial restrictions of the time.

There is no need to ‘reinvent the wheel’ and start from scratch with proven evidence-based approaches when they already exist. Using existing models will save time and money and provide an opportunity to accelerate reform.

The reviewer has found evidence that the Youth Justice component of the organisational structure is moving in the right direction and is sure that this review will assist in that process. It is important that supervisors ‘walk the floor, make unannounced inspections at times when they are not expected

and provide direction and leadership. This is not a big system and should be easily achievable with only 2 detention centres.

The agency is currently experiencing criticisms from some civil liberty and other organisations. Initiating the results of this review will assist in providing a more transparent and effective detention centre system which even the harshest critics would have to, in the main, objectively agree with.

Although some criticisms appear warranted, questions arise as to the motivation for the full extent of their criticisms as they themselves have not appeared to put forward specific and/or concrete suggestions relating to programs or initiatives other than general statements.

Evidence gleaned from the review suggests that some have not walked through or inspected detention centre facilities in a consistent or meaningful manner and with any regular frequency. This was particularly the case at the former Don Dale YDC.

One would think that with an indigenous youth detention rate of approx 97% that some of the aboriginal legal and justice agencies for example, would be spending as much time as possible at youth detention centres and putting forward meaningful examples of culturally appropriate programs to help reduce reoffending using their expertise alongside Youth Justice staff.

This may require these agencies to review their existing resources and ensure that sufficient resources are redirected to this vulnerable young group of children. Presently many government agencies in all jurisdictions have to prioritise their resources wisely because of budgetary constraints.

The review would respectfully suggest that a reallocation of resources is considered by these agencies which are commensurate with their own level of ongoing concerns in relation to the youth detention system.

These resources would then greatly assist their ongoing involvement with the other relevant stakeholders, both government and non-government, in relaying information and other forms of active participation in case management, behaviour management and reduction of reoffending strategies.

Public awareness and good communication are important to any stakeholder's ability to positively impact on youth detention rates. In this regard the review has noticed that the joint submission, alluded to above, and provided to the review by the North Australian Aboriginal Justice Agency (NAAJA), Central Australian Aboriginal Legal Aid Service (CAALAS) and Northern Territory Legal Aid Commission (NTLAC), is not listed on any of their websites along with other important submissions that they have drafted on other subjects in the past.

It is important that those that are critical of government policy, in this case youth detention, have a transparent process within their own agencies that

reflects the importance they place on those issues and the representations they make.

Their submission must have been important to them but yet is not available publicly on their own websites. Public awareness is integral when espousing any change process and disseminating/communicating information or advice.

Additionally the NAAJA Strategic Plan 2014-2017 provides minimal reference to young aboriginal people held in youth detention yet their joint submission of 17 pages raises many concerns including some well founded recommendations that have mirrored this review's own recommendations.

Missing from the plan however, are any clear and meaningful strategic actions and/or outcomes by 2017 for child protection and welfare rights specifically in relation to youth detention (page 14), yet they raise many ongoing concerns in relation to both in their joint submission. Seeing concrete strategy imbedded into a 3 year strategic cycle from a significant stakeholder could have been helpful to this review.

Agencies like NAAJA and CAALAS have an important role to play for young people held in detention centres even though they have no operational expertise or experience in the management, decision making or running of a youth detention facility.

It is important that they use their resources and expertise to assist indigenous youth held in detention centres reintegrate back into their respective communities, and importantly, do this alongside the very many excellent government departments, particularly Childrens and Families, Corrections, Police, Education and Health, that also have the wellbeing of all young people, including indigenous young people, foremost in their minds.

Record keeping is an important part of procedures and it serves to maintain and substantiate the actions of staff. Accurate records also provide transparency, their absence, provide suspicion. 'If it's not recorded then it hasn't happened' irrespective of attestations to the contrary. There are several examples throughout this review that show how accurate record keeping has been found short.

The recent recruitment of the first clinical psychologist is an excellent initiative that will provide much needed support. I urge the senior managers of detention centres to implement a multidisciplinary team approach in accordance with suggestions contained within the body of this review.

This will provide assistance to the centre, protect management, improve operations and provide transparency to the varying processes. Security and safety will always be the paramount consideration in any institutional setting but does not need to be exclusively the realm of custodial staff alone.

It is important that all recommendations and suggestions contained within this review are considered and/or implemented with due regard to predominately

indigenous detainee population and, where applicable, contain the necessary cultural awareness aspects in their implementation. This particularly applies to general programming as well as offence focused programming, case management and behaviour management.

RECOMMENDATIONS

The review makes the following recommendations:

1. All new initial and refresher training, including staff development should include components of:
 - case management;
 - mediation and negotiation;
 - use of force;
 - adolescent behaviour;
 - symptoms of foetal alcohol;
 - ADHD and general mental health;
 - pro-social modelling;
 - emergency management; and
 - cultural awareness.
2. The introduction, training in, and consistent use of an appropriate assessment tool such as the Youth Level Service of Inventory (YLSI) that would be earmarked to drive the case management process and form the beginning of the goals necessary for the detainee to work on as part of his/her reintegration back into the community.
3. Remodel the case management process so that youth workers have a direct role via being key workers and thus not be relegated to a pure custodial role. This may require review of the youth worker Position Description.
4. To develop in accordance with the Youth Justice Framework a clear philosophy that will drive the mission and vision of youth detention into the future.
5. Begin instituting an immediate review of a central operational procedures manual for both detention centres in Darwin and Alice Springs.
6. Continue to develop and implement Standard Operating Procedures at the Berrimah YDC.
7. Introduce an effective and objective classification system that involves decision-making in a multi-disciplinary team approach.
8. Introduce a consistent and structured methodology in relation to behavioural management including the preparation and implementation of Behaviour Management Plans.
9. Introduce a formal incentive scheme that is structured and applied fairly and links in with the case management and classification processes.

10. Make available to all detention centre staff appropriate equipment for their personal protection in reacting to immediate emergency situations requiring use of force.
11. Introduce a staffing model that reverses the current ratios of casual and temporary staff to permanent status.
12. Introduce at least two evidence-based and meaningful offence focused programs.
13. Introduce a culture of a multi-disciplinary team approach in all decision-making processes.
14. That youths currently housed in the interim Holtze facility be transferred to Berrimah YDC as soon as practical.
15. Aranda House in Alice Springs should not be reopened after the operational transition to the Berrimah site has been completed.
16. The Seek Education or Employment not Detention (SEED) Program is actively continued and expanded in youth detention.

TERMS OF REFERENCE

The Minister for Correctional Services and Commissioner of Northern Territory Department of Corrective Services announced that the review would be carried out in accordance with the following terms of reference:

1. The Reviewer would review the structure, management and operating practices of youth detention, in particular:
 - (a) procedures and practices for the classification and management (control and treatment) of detainees
 - (b) security practices and protocols
 - (c) immediate challenges facing the delivery of youth detention services at the Holtze YDC and the Alice Springs YDC
 - (d) the immediate challenges facing the delivery of youth detention services as they transitioned from the Holtze YDC to the Darwin YDC which is currently the Berrimah prison.
2. The pattern of contributing factors and issues surrounding significant incidents in youth detention since December 2009.
3. The ability of youth detention to contribute to the Northern Territory Department of Correctional Services Strategic Intent Plan and its key milestones.
4. The ability and likelihood of the Northern Territory Youth Justice Framework to address systemic youth detention issues.
5. To make recommendations about the Government's recent proposal to use the existing Berrimah Correctional Centre as a youth detention centre

THE REVIEWER WOULD REVIEW THE STRUCTURE, MANAGEMENT AND OPERATING PRACTICES OF YOUTH DETENTION, IN PARTICULAR:

- A. PROCEDURES AND PRACTICES FOR THE CLASSIFICATION AND MANAGEMENT (CONTROL AND TREATMENT) OF DETAINEES and**
- B. SECURITY PRACTICES AND PROTOCOLS**

PROCEDURES MANUAL AND STANDARD OPERATING PROCEDURES

The review found extensive evidence that the Centre Procedures Manuals at both youth detention centre facilities were outdated and inadequate. This is despite several internal reports, audits and reviews having been undertaken indicating that this was the case.

The review is hesitant to criticise lack of a manual and standard operating procedures at the interim Holtze YDC facility as the Management at the time would not have known of the circumstances that were about to occur in relation to the closure of Don Dale and movement into Holtze YDC and hence not achievable to create new ones applicable to the Holtze YDC facility in such a short frame of time.

Notwithstanding this, had up to date manuals and procedures been in existence at Don Dale YDC then the Holtze YDC administration would not have had to start from scratch.

The lack of processes and SOP's in the initial stages of Holtze YDC operation, coupled with a physical environment and infrastructure which was not purpose built to house detainees, had contributed to instability and serious incidents including the breaches of security which occurred when the detainees were first moved into the Holtze YDC facility.

Since the review began the current Holtze facility has now instituted initial Standard Operating Procedures (SOP) which have been circulated both on the Departmental Intranet and locally and which, since their introduction, has led to more stability in the Holtze facility's operation. The review found that the procedures manual at Don Dale had not been reviewed since 2011 and the Review was informed by the current Assistant General Manager at Alice Springs, that their manual had not been updated since 2009.

Resourcing and lack of time was the reason given to the review. It was obvious that several prior regimes and structures had been negligent in this respect over the years with responsibility having been given to the current regime to rectify.

Procedures should be in the form of a centralised Centre Operations Manual. There should **not** be a Centre Manual for individual centres. There should be

one over-arching Centre Procedures Manual that applies whether a system has one detention centre or it has 50. It should be maintained and updated at a central level and that Centres' Procedures Manual should form the direction for all operations in the detention centres.

Each jurisdiction has its own legislation and regulations. That legislation and regulation then drives that jurisdiction's policy. That policy then drives the fabrication of the Centres' Procedures Manual and then it is up to each site to interpret that manual and put into place local policy, local standard operating procedures and local guidelines that reflect the manual.

The individual Standard Operating Procedures mentioned above will take into consideration any adjustments or idiosyncrasies pertaining to that particular sites environment but they should always reflect their centralised operations manual. The manual should cover all aspects of centre operations and give clear and non-ambiguous direction.

Staff should have to revert to that centralised manual for all their decision making processes. Currently both detention centres are relying on local SOP's to fill the gap of not having central direction via an up to date manual.

Detainees should not be moved from their current location at Holtze into the current Berrimah facility until all Standard Operating Procedures reflective of that centres operation and environment have been completed and staff made familiar with.

This should be the top priority for Youth Detention Services. At the time of finalising this review that process had commenced with a number of SOP's for the new facility finalised prior to the earlier than planned transfer to the Berrimah site. It is always difficult to discipline staff or hold them accountable for any breaches of duty of care requirements when the procedures that should dictate what they do, are not updated or they are not aware of them, even if it is just a convenient argument that they may use in the disciplinary process.

INCENTIVE SCHEME

The Incentive Scheme is a form of token economy often used in correctional and youth justice settings as a means of behaviour management. The review found evidence of a token economy that was not consistently applied and whose system left it open to be personality driven by its potential for subjectivity.

Any institutional Incentive Scheme is designed to support staff in the process of behaviour management and to reduce inappropriate behaviours in a custodial environment by providing relevant rewards for good/positive behaviour and especially behaviour which has been agreed to in prior discussions including in any case management forum.

The Incentive Scheme should clearly link a detainee's Case Plan with their day-to-day actions and ensures they attain both local custodial and community based goals. Very little evidence of this linkage was reported at either youth detention facility and certainly not to the level that would see it consistently applied and be effective.

Detention centre staff should help detainees achieve the abovementioned goals by:

- role modelling pro-social behaviours at all times in the workplace
- discussing behavioural achievement/issues with detainees as they occur so they understand the behaviour better
- observing/recording all relevant pro-social and problematic types of behaviour
- positively reinforcing expected behaviours, Case Plan achievements and intervention/program participation and completion as they occur
- communicating/reinforcing realistic and firm boundaries regarding inappropriate behaviour
- challenging detainees when they're testing these boundaries
- all centres must have set routines for detainees to follow e.g. meal routines and unit routines and these should be prominently displayed.
- centre rules regulate the detainee's expected behaviour e.g. during visits, movements and when accessing different areas and these should also be prominently displayed
- rules exist for centre's safety/security and to provide structure for detainees. These must be explained on admission and enforced consistently.⁶

There is evidence that shows that although an incentive scheme is an important tool in behaviour management, if not applied fairly and consistently it can actually have a negative effect on behaviour management. If a detainee senses that it is not being applied consistently between detainees or a staff member is using it to punish them then the effects can lead to further behavioural problems.

Although the review saw no evidence of it being used in this way I would recommend that a formal scheme is introduced that clearly separates the reward based system from a punishment system i.e. once a reward is earned by the correct scoring methods, it cannot be taken away.

Punishment for breach of centre rules or other inappropriate behaviour should be a separate course of action.

An incentive scheme consistently operated and linked to classification and case management can then be easily transported from the top end to Alice Springs (or vice versa) so that a detainee in either centre can remain on the current stage rather than have to start again, in other words it should be

⁶ NSW Department of Justice. 2009. Incentive Scheme Procedure. Juvenile Justice

transportable. I have attached a suggested NSW Model to this reviews annexure for consideration. (See annexure 1)

CLASSIFICATION

The review found that classification is a process primarily driven by caseworkers and senior custodial staff. In Darwin, it operates to a basic minimum standard and in Alice Springs is superficial in its implementation. In both cases it is not objective in its nature or consistently applied. It certainly is not linked to appropriate case management, incentive scheme, behaviour management or case planning and does not appear to have included a multi-disciplinary team process involving the local nursing staff, the local teaching staff, any members of community or Family Responsibility Centre that may have information or involvement pertaining to a particular detainee.

This process should be objective and it should link into other reforms within the centre. As an attachment to this report I have included an example of an objective classification system and scoring sheets which have proven to be effective in NSW and which have recently been transferred for implementation in the Victorian Juvenile System.

In May 2002, the NSW Juvenile Justice Executive endorsed the establishment of an interdepartmental steering committee to investigate the development of an objective classification system. Coincidentally the author of this review also chaired this Committee and saw its eventual introduction and subsequent evaluation.

The objective classification system was introduced with the assistance of Professor James Austin who was the foremost authority on objective classification systems and was Director of the Institute on Crime, Justice, and Corrections at the George Washington University in Washington, DC, US and his associate Dr Garry Coventry, who was a senior lecturer in Criminology at Deakin University.⁷

The objective classification approach was chosen because this system assumes that detainee placement decisions are initially based solely on safety (public, staff and other detainees) considerations.

An objective classification System should utilise other risk assessment tools within the organisation to inform the classification process. These include:⁸

- Intelligence gathered through telephone monitoring providing information on gang affiliations, drug trafficking within the centre and potential to incite disturbances, escapes or assaults on staff or other detainees.
- Random and targeted urine sampling

⁷ NSW Department of Justice. 2011. Objective Detainee Classification Policy. Juvenile Justice

⁸ NSW Department of Justice. 2011. Objective Detainee Classification Policy. Juvenile Justice

- Searches conducted using drug detector dogs
- Electronic records of all incidents
- Alerts Register pertaining to individual detainees
- Records of misbehaviours
- Individual Risk Assessments, Daily logs and Behaviour Observation Records
- Violence Risk Information (VRI)
- Youth Level Service Inventory – risk of re-offending instrument (YLSI-CMAA)
- Daily Briefings

The Classifications System's main function is to indicate the level of risk a detainee poses to themselves, other detainees, centre staff and the community.

The aims of an Objective Detainee Classification System are:

- Protection of the community
- Protection of the detainees safety and interest
- Protection of staff and other detainees
- Placement of detainees in least restrictive custodial environment consistent with the detainee's risk
- Principles of case management underpin the objective classification system
- To promote rational, consistent and equitable decision-making regarding a detainee's classification level.

The Objective Classification System uses locally developed and validated instruments, one at admission (Initial Instrument) and another after a period of detention (Review Instrument). These instruments assign a numerical value to objectively derived criteria and are logically related to detainee classification decisions.⁹

Additionally, the instrument incorporates those elements of law and policy that created restrictions related to custody placements. The derived custody rating guides the classification decision.

The *Initial Classification Instrument (ICI)* is performed on newly admitted detainees and it scores the severity of current offence, severity and number of prior convictions, history or institutional violence and escapes, drug usage, mental health and community stability factors.

The *Classification Review Instrument (CRI)* scores the severity of current offences and prior convictions, history of institutional violence and escape, current behaviour in custody including number and severity of incidents and

⁹ NSW Department of Justice. 2011. Objective Detainee Classification Policy. Juvenile Justice

misbehaviours and participation in case planning. A process through which detainees access programs aimed at addressing the offending behaviour.

The full NSW Objective Classification System including scoring and weighting scales is attached to the annexure of this review as an example and for consideration (see annexure 2)

TRAINING, ROSTERING AND STAFFING

Staff training is one of the most important aspects that will dictate the safe, secure and humane operations of any institutional setting. The current four days allocated for youth workers compared to the 11 weeks (and 12 month probationary period) for prison officers is grossly inadequate. This is clearly not enough to develop a professional youth worker to manage young, immature and challenging adolescents – many of whom have significant mental health, AOD and behavioural problems and who, in the main come from abusive and violent backgrounds.

This is significantly below Australian training standards as demonstrated by the 30 week program in NSW; and as mentioned above, the one year probationary period, including an 11 week off –site training component for NT Correctional Officers.

Functions in adult corrections are not dissimilar to those in youth detention facilities and in many aspects potentially a lot more complex due to impulsiveness, immaturity and development associated with adolescent behaviour.

It is encouraging that the review was informed that plans are currently underway to increase youth worker training to eight weeks duration in March 2015 and that all current staff (casuals, temporary and permanent) will be retrospectively retrained.

I support this action and stress that it will be vital that staff also undergo pertinent and regular refresher training to maintain their newly acquired skills. This can be facilitated by skills maintenance sessions (SMS) delivered by a combination of face-to-face training by the Training Unit, a local management representative and/or via modules on the Department's Intranet.

All new initial and refresher training, including ongoing development of staff, should include much needed components of emergency training, including the use of personal protection equipment, case management, mediation, and negotiation, use of force, adolescent behaviour, and symptoms of foetal alcohol, ADHD and general mental health as well as pro-social modelling.

I have no doubt that the lack of appropriate training has contributed to poor decision-making during recent incidents in the detention system.

The substantial reliance upon a casual workforce in NT Youth Detention system continues to impact on morale, confidence and knowledge of

appropriate operating structure, management of emergency situations, roles, duties and mechanisms of reporting.

The goal is to achieve appropriate staffing levels and greater efficiency through reducing the number of casual employees to 10% with 90% being permanently employed. Currently those ratios are reversed. Despite assertions to the contrary casual and temporary staff in both centres still makes up approx 90% of the staffing.

An example is that the Alice Springs YDC currently has one permanent position (Deputy General Manager) out of its entire staff group.

The resulting benefits of a predominate permanent staffing model coupled with appropriate staff training would include increased ownership of roles, loyalty to the organisation, reduced sick leave, professionalism, harmony and accountability. Stability in employment will allow for less staff churn and waste of resources when casuals find more opportunities elsewhere.

This will be an ideal opportunity for the organisation to rid itself of current casual and/or temporary YDC staff who have not performed or who do not wish to embrace a youth detention philosophy that will demand more interaction, motivation and job satisfaction especially in the role of case management and dynamic security.

Those willing to embrace their role and display the correct skills and motivation should be rewarded with permanency based on merit and efficiency.

The critical priority is that Youth Justice Officers in the detention centres have a thorough and practical knowledge of adolescent behaviour development. It is critical that staff are well trained in operational standards and concepts of behaviour development approaches. Staff must be able to clearly articulate the relationship between incident management and behaviour development.

Staff can then be held accountable for their poor decision making (includes management staff) and conversely complemented on their good decision making. Notwithstanding that progress has commenced on the implementation of a new 8 week training course for new and existing staff, the review has included a copy of the NSW Induction Training and Assessment Program (ITAP) as an example for consideration (see annexure 3).

In recognition that the vast majority of detainees in detention are from Aboriginal and/or Torres Strait Islander descent, training for staff must include cultural awareness delivered by an appropriately qualified instructor. This will no doubt help staff understand aboriginal culture when managing detainees and increase the likelihood of making the right decisions and improving relationships, communication and behaviour.

Additionally the recruitment actions alluded to in this report must include some positions that are dedicated to being youth workers of indigenous backgrounds.

BEHAVIOUR MANAGEMENT AND USE OF FORCE

There is not 1 ‘silver bullet’ or fix all when it comes to the complicated issue of behaviour management within youth detention centres. Rather, a coordinated response in the form of a framework needs to be implemented that clearly guides the decision making process that staff should follow.

Following this process will then make behaviour management, and all of its linkages, a much easier task for staff and one that will deliver benefits to relationships within the detention centre and provide an environment more conducive to learning for both staff and detainees.

The review found that too much reliance was placed on confinement and separating detainees away at Don Dale in particular. This was probably due to the lack of appropriate cellular and other centre infrastructure as well as a lack of training and supervision of staff.

There is no doubt at all that sometimes detainees need to be isolated away for staff and other detainees’ protection however, the review found evidence that on isolated occasions some of their basic rights were being withheld for inappropriate periods of time. This does not serve to help with behaviour management.

NSW established its own Behaviour Intervention Framework in 2009 (see annexure 4) in response to similar issues found in this review.

The framework aims to provide a context for staff in relation to “risk based decision-making” for the management of detainee behaviour which prioritises the safety of staff. The new procedures provide a framework for staff to respond to both pro-social or inappropriate behaviour of detainees.

Staff are the crucial element in providing detainees with opportunities for behavioural change through role modelling, developing professional relationships and setting boundaries. The success of any behavioural change lies with the talent, professionalism and integrity of our staff.¹⁰

In order for any framework to be effective it should be linked to clearly defined procedures that are consistent and unambiguous. It should at the very least involve a meaningful structured day that incorporates adherence to rules, hygiene, programming, schooling, work chores and routines but also adherence to the organisations central procedures relating to

- Case Management

¹⁰ NSW Department of Justice.2009. Detainee Behaviour Intervention Framework: Juvenile Justice

- Incentive Scheme
- Use of Force
- Use of Instruments of Restraints
- Use of Protective Equipment
- Use of Protective Equipment for Self Harm
- Detainee Management Plans
- Separation
- Segregation
- Misbehaviour.

Listed below is an example of a structured daily program scheduled during non-school core times in NSW (Reiby Juvenile Detention Centre) . The schedule must be followed for consistency. Detainees will thrive with structure and staff will have continuity and stability in the things that they are supposed to do.

Example - Structured Daily Program

DAYS	TIMES	SLATTERY	WHITTEN	WARBY
Mon 13	11:00 - 11:50am	CSM Room - Justice Health AOD Program - Alex, (Sandra)		
	3:30pm - 4:10pm	CSM Room: "Change your Game Program" - Tommy	BACK - Sandra	Games Room - Richard
	4:15pm - 4:55pm	Games Room - Richard	CSM Room: "Change your Game Program" - Tommy & Sandra	Chapel - Relaxation (Fran)
	Programs Dinner	Sandra	Richard	Tommy
	7:00pm	Home Work Centre - Sandra	Home Work Centre - Richard	Home Work Centre - Tommy
Tue 14	11:00 - 1:00pm	Dthina Yuwali - Stage 1: Whitten (Flanagan) Warby (LClark, Howard, Hunt, Simon) Slattery (Doolan, Miller & Varley)		
	3:30pm - 4:10pm	Games Room - Tommy	Chapel - 3:00pm - 4:00pm - Self Development Program	FRONT (Fitness) - Sandra & Richard
	4:15pm - 4:55pm	FRONT (Gym) - Sandra	Games Room - Tommy	BACK - Richard
	4:15pm - 4:55pm	CHAPEL - Seasons for Growth: Warby (Lonny, Jacob&Tim) Whitten (Chris, Paul&Sean) Slattery (Alex)		
	Programs Dinner	Richard	Tommy	Sandra
	7:00pm	Unit Programs - Richard	Haircuts - Tommy	Unit Programs - Sandra
Wed 15	11:00 - 1:00pm	Dthina Yuwali - Stage 1: Whitten (Flanagan) Warby (Clark, Howard, Hunt, Simon) Slattery (Doolan, Miller & Varley) - A		
	2:30pm - 3:25pm	Bible Studies	Games Room - Richard & Royce	CSM - Foetal Alcohol Program: (Tommy)
	3:30pm - 4:10pm	Games Room - Tommy & Royce	CSM - Foetal Alcohol Program: (Richard)	Bible Studies
	4:15pm - 4:55pm	CSM - Foetal Alcohol Program: (Royce)	Bible Studies	Games Room - Tommy&Richard
	Programs Dinner	Royce	Richard	Tommy
	7:00pm	Programs Bingo - Royce	Programs Bingo - Richard	Programs Bingo - Tommy

Youth Workers should follow four simple processes at each point when they are required to make a decision in relation to Behaviour Management:

- Assess the scenario you are presented with, by gathering all the facts;
- Determine the range of consequences that may occur depending on your actions;
- Determine the hazards associated with each choice; and
- Make decisions and take actions that achieve the pathway of least risk.¹¹

Training staff in the appropriate use of behaviour management is very important to the overall success. Detainees, like adult prisoners, require direction. They need to have a full grasp on what the centre rules are, clarity and non-ambiguous do's and don'ts. They need to be adjudicated upon by staff in a consistent manner, as evidence is in existence that shows that although the incentive scheme is very beneficial as a component for behaviour management, that if it is abused or used incorrectly, either intentionally or unintentionally, the results can have a devastating effect.

If a detainee perceives this to be either favouritism of others or that the incentive scheme is being used as a punishment or payback for a poor relationship then the effect on behaviour management will be negative. It is important as mentioned elsewhere in this report, that the reward system should be totally separated from punitive sanctions. In other words once a reward has been earned, it cannot be taken away.

The issue of inadequate training of staff, which is covered elsewhere in this review, is also a factor in some staff not knowing when to use force, how to use it, and what equipment is available. Negotiation and mediation should be the ultimate aim of any confrontation. Ideally, use of force should be the last option.

Notwithstanding the above, when all else fails use of force must be coordinated, swift and effective in its application with only the minimum force necessary to address the situation. An extensive use of force policy is attached to the annexure section of this report for consideration as an example. (See annexure 5)

It follows the principle that there are 3 main situations when force will be necessary:¹²

1. Spontaneous and immediate in response to an incident already underway.

¹¹ NSW Department of Justice.2009. Detainee Behaviour Intervention Framework: Juvenile Justice

2. Reactive to a situation that is unfolding and more than likely to involve pending use of force
3. Pre-planned when a situation is isolated with no immediate threat to a staff or detainee so time is available to conduct a briefing, don protective equipment, prepare video camera and enact the force.

The review found no evidence of a systemic culture of unreasonable use of force however there were isolated cases where staff have used inappropriate force and/or have intimidated detainees. These staff have had appropriate disciplinary action taken against them. They have also been subjected to criminal proceedings by the police on some occasions.

The availability of a suitable therapeutic Behaviour Intervention Program would be an ideal strategy for improving behaviour management.

Listed below is a short summation of an evidenced based Behaviour Intervention Program that is run at Reiby Juvenile Justice Centre (JJC) in NSW (See annexure 6). Reiby JJC houses the highest classification male detainees under the age of 16 in the NSW system.

A program like this is as much a training ground for staff as it is a detainee behaviour management program. Its philosophy revolves around Collaborative Problem Solving.

THE WARBY BEHAVIOUR INTERVENTION PROGRAM

The Warby Program provides early intervention for young offenders. The program targets young males, under the age of 16 years and is intended to meet the needs of adolescents sentenced into custody on Control Orders, when community based intervention is not an immediate option.

Furthermore, given the parallels existing between offending behaviours and behavioural disorders, the Warby Program has been specifically designed to provide intervention to those detainees who also meet diagnostic criteria for a disruptive behaviour disorder (most often Conduct Disorder).

The Warby Program is currently in the process of being evaluated to determine if what we are doing is working for our client group. As part of this a forensic master student, completed her thesis using data from our program. I have included the abstract from her research. This research shows promise in regards to the effectiveness of Warby.

“Callous unemotional (CU) traits in youth designate the specific emotional detachment component of psychopathy. It is a frequent observation in the literature that CU traits are a risk factor for repeated criminal involvement, highlighting the importance of treating young offenders who possess these traits. The purpose of the present study was to examine whether incarcerated youth with CU traits would benefit from undergoing a Cognitive Behavioural Therapy program.

“The design of the study involved administering a set of psychometric tests to a sample of 53 boys in a juvenile justice detention centre pre and post treatment. Results indicated a general reduction in aggression, conduct problem and criminal thinking scores following the intervention. Key findings include that anti-social youth with high levels of CU traits improved more than those with low CU traits on scores of proactive aggression and general behavioural difficulties. These findings add to the emerging evidence base supporting the amenability of antisocial youth with CU traits to treatment”.

FAMILY RESPONSIBILITY CENTRES

The Family Responsibility Program helps families deal with young people’s behavioural problems as well as school attendance issues. The Program is set up under the *Youth Justice Act* (Part 6A).

The Family Responsibility Program involves a number of departments, including Correctional Services; Health; Education; Police; Housing; and Children and Families.

These Departments share information about young people and families they are concerned about, co-ordinate services, and can make a referral to a Family Responsibility Program.

Family Responsibility Programs provide services to families to promote the safety and well-being of young people and to support parents to provide appropriate parenting. This is done through entering into a Family Responsibility Agreement with families, or working with families who have a Family Responsibility Order made by the Youth Justice Court.

The Family Responsibility Centre in Alice Springs is providing excellent support to the case management process at that centre including a mentoring role of the centres Case Manager. This is commended and encouraged to continue.

The Family Responsibility Centre staff in Darwin and Alice Springs should be used at every opportunity and should figure prominently in being part of the multi-disciplinary teams that are mentioned throughout this review. Their roles should be expanded and where possible their resources increased, especially at the Berrimah YDC.

QUALITY ASSURANCE

In the Northern Territory youth detention system, auditing and inspectorial functions are carried out by the Professional Standards Unit. The review has seen evidence that they carry out this function well. Notwithstanding this, there are many aspects of detention centre operations that should be assessed and reviewed at regular intervals. These are not all covered by the current system, nor would they be able to, given the finite resources’ in the Professional Standards Unit (PSU).

The introduction of a Quality Assurance process would provide excellent opportunity to evaluate the detention centre operations at both Darwin and Alice Springs. The NSW model is attached to the annexure for consideration (see annexure 7).

The purpose of Quality Assurance should be to encourage a culture of continuous quality improvement within a detention centre setting. It should encompass a rigorous process that involves phases of self-assessment, annual review, improvement review and progress review. The Quality Assurance model in NSW Juvenile Justice is in line with international good practice (Integrated management System International Standard ISO 9001 and ISO 9004) and assesses:¹³

- physical, psychological and emotional well-being of detainees;
- social, cultural and educational development of detainees;
- general control and management of the detention centre;
- morale, conduct and functions of persons employed in the detention centre;
- conditions of the premises including grounds, buildings, furniture, equipment and amenities of the detention centre; and
- security of the detention centre.

The Australian Juvenile Justice Administrators (AJJA) Juvenile Justice Standards 2009 were adopted and incorporated into the JJQAF in 2009. The Framework is also underpinned by the new AJJA Principles of Youth Justice in Australia 2014.¹⁴

The review process involves:

- self-assessment of centre/community practices
- surveys of young people in detention
- staff surveys
- focus groups with young people and staff
- interviews with stakeholders including non-government agencies
- interviews with Official Visitors and Chaplains
- informal and formal discussions with staff and clients
- direct observations
- showcase of good practice
- inspections of detention centre environments

In 2010, a young person died in custody at Ashley YDC, Tasmania. Following a review, it was determined by Tasmanian Youth Justice Authorities to implement a custodial auditing/review process at the detention centre.

¹³ Review of Northern Territory Detention Centre Operations- April 2014-12-02

¹⁴ NSW Department of Justice 2014. Juvenile Justice Centres Continuous Improvement Quality Assurance Framework Guide: Juvenile Justice

Tasmania, has just one YDC and adopted the NSW QA framework as a whole see annexure 7.

The Northern Territory *Youth Justice Act* – Section 168 makes provisions for:

INSPECTION OF DETENTION CENTRES

1. The Minister or a person authorised by the Minister may enter and inspect a detention centre at any reasonable time.
2. The Minister may, in writing, authorise a person for subsection (1).
3. On request by the Minister or an authorised person, the superintendent of a detention centre must:
 - (a) produce for inspection the register kept under section 158; and
 - (b) give the Minister or authorised person any information in relation to any detainee in the detention centre.
4. A person must not:
 - (a) Hinder the Minister or an authorised person in the exercise of a power under subsection (1); or
 - (b) Fail to comply with a requirement under subsection (3)

Legislative provisions are in place for the implementation of any inspectorial model. The Northern Territory Department of Correctional Services can choose the inspection model. The benefits of adopting a NSW model can be summarised as follows:

- NSW JJ QA model is an evidence based model and has been in place since 2008
- It is a pro-active solution based approach to auditing/inspections or custodial environments and identifies gaps in performance before they escalate
- It has been formally audited and deemed “substantially effective” even prior to the changes made in 2013.
- It “works” in NSW, the largest juvenile justice jurisdiction in Australia/NZ and is now embedded in day-to-day practice of detention centres
- Centres are committed to the QA process and take professional pride in their good practice QA outcomes

MEETING (COMMUNICATION)

Currently some management meetings at both YDCs are inconsistent in their attendance and at times not minuted. Centre meetings are important to communicate essential information needed to maintain the smooth operations of any facility.

Evidence from the review included that:

- They are not regular;
- Sometimes poorly attended;
- Often not minuted;
- Crisis driven and not strategic; and

- Participants are not always representative of all areas of detention centre operations.

A weekly meeting should be scheduled to discuss strategies and plans required to meet the identified needs of young people in custody and provide management with peace of mind that systems aimed at maintaining safety and security are occurring.

It should be chaired by the Assistant General Manager and include the designated caseworker, Psychologist if available Registered Nurse, a representative of Education staff, a representative of Unit staff either Youth worker or shift supervisor and the Chaplain.

It is important that as many people as possible who work directly with young people at the centre provide information about each young person, to ensure assessments, case planning and reviews are well informed and that interventions are appropriately targeted.

Information gathered in this forum should drive the following areas:

- monitor new admissions and ensure that bail undertaking is met;
- risk assesses each detainee's participation in activities or programs;
- consider any issues that may place the young person or others at risk while in custody;
- ensure all reports and assessments are obtained to inform the case plan;
- consider any court matters and critical dates;
- involve pre planning for exit strategies and interventions;
- ensure that programs and services meet the goals of the intervention plan and case plan;
- consider the classification of the young person; and
- reviewing alerts and behaviour management plans.

Contained within this report are suggestions, findings and/or recommendations which call for a more inclusive multi-disciplinary team approach.

Management should cancel the current individual forums that are in themselves time consuming and ensure that one central meeting occurs on a weekly basis in each detention centre that covers all the necessary communications for each detainee to occur as mentioned above.

This forum would maximise the relay of meaningful information concerning case management, classification, security and programming and have all the stakeholders in one room. Apart from the abovementioned stakeholders it should include representatives from Family Responsibility Centres, Community Corrections, Indigenous Organisations as well as any other relevant Government and Non-Government Organisations (NGOs) that may have relevant contributions to make.

Across the Territory, NGOs provide critical services to young people in a variety of areas, such as:

- accommodation assistance (e.g. finding accommodation options and supported accommodation);
- employment linkages;
- education and training;
- legal advice;
- life skills;
- parenting education and assistance;
- physical and mental health assessment;
- alcohol and other drug education; and
- Police diversion programs.

Management should avail themselves of NGOs particularly in an environment where they can supplement existing stretched resources and this includes forums as mentioned above.

CASE MANAGEMENT

The review found that a distinct line is drawn between case workers and custodial staff. There is a feeling of an “us and them” approach. The review found evidence that custodial staff do not like to get involved in case management activities and redirect all case management related questions or issues to the case workers.

This is not practical. Youth Justice Officers should not only actively be part of the case management process, they should in the future each play a key worker role on the ratio of 1:1 to carry out basic case management tasks which are meaningful.

Case management is not, once again, a multi-disciplinary decision-making process and is not linked to the incentive scheme, classification and behaviour management strategies in meaningful ways. It certainly does not consistently involve nursing staff, Department of Education staff and other persons from within the centre or Community Corrections or Family Responsibility Centre to the degree that it should.

Discussions held with Family Responsibility Centre employees and managers in Darwin and particularly Alice Springs informed the review that the inclusion of these stakeholders is very important. Indeed, as previously mentioned, in Alice Springs, it appears that staff from the Family Responsibility Centre do take an active role in this process to guide the substantive occupant of the case manager position who has not received formal training according to the Assistant General Manager, in case management.

Case management is a specialist function that requires training and needs to be consistent in its use. It should be driven by an appropriate “think tank” made up of relevant stakeholders who use an appropriate assessment tool

that identifies the criminogenic issues associated with that young person, which then forms the case plan. Risk assessment is integral to planning the case management process.

A young person's case plan should:¹⁵

- focus on criminogenic risk/needs as highlighted in the assessment process, the YLS/CMI-AA and Background report.
- be relevant to the young person's mandate and include any additional conditions imposed by the court, such as attending counselling or specialist programs.
- incorporate medical, educational and psychological assessment being undertaken by suitably qualified staff as soon as possible after admission.
- be simple/specific, measurable, achievable, realistic, have set timeframes and be focussed on successful community integration
- identify the priority areas to be addressed and specify the desired goals relating to offending behaviour
- provide access to relevant cultural translation/interpreter services
- identify the negotiated goals and rewards that will assist the young person in achieving the outcomes, including rewards for progressive achievements
- outline the agreed roles and responsibilities of case plan stakeholders and any contracted service providers with relevant timeframes.

Youth Justice Officers spend their entire shift working alongside the detainees and would be a valuable tool in delivering even the basic forms of case management as well as acting as a link between case managers and the individual detainee that they would be responsible for as a keyworker.

OFFENCED FOCUSED PROGRAMMING

It is generally acknowledged by NT staff that many interventions currently delivered to young people in custody are not targeted in the sense of being delivered to young people on the basis of a formal assessment of risk and criminogenic need.

As such it is highly doubtful that meaningful headway is being made to reduce re-offending, certainly in a detention centre environment.

There are no examples of programs currently provided at either NT YDCs that would, in the eyes of the reviewer, be considered to be of sufficient intensity to bring about change in the highest risk group of offenders. The recent recruitment of a clinical psychologist position will hopefully be a catalyst for this to change.

¹⁵ NSW Department of Justice. 2011. Objective Detainee Classification Policy. Juvenile Justice

This is not to demean the programs currently available, or the beneficial educational nature and the good intentions of those trying to help, it is just a fact that they will not reduce re-offending.

In recognition of the 97% rate of Indigenous detainees housed in detention centres, programming, especially of an offence focused nature, should contain the necessary cultural inclusions that will increase the potential for understanding and also increase the potential for the detainees' successful reintegration back into their communities when discharged.

The challenge for the two detention centres, and more broadly the NTDCS, is who would deliver appropriate programs once they are identified and sourced. Specialist staff from either the government or non government sector would be required to deliver the programs and this should be pursued however given the lack of resources and finances available may prove difficult from within existing resources.

There are however several programs available that are evidenced based and can be delivered by youth workers as long as they are trained (4 days) and supervised by a psychologist. The effect of this would be beneficial not only to the detainee but also the youth worker by not having his/her role relegated to a pure custodial role.

This would have advantages in relationship building and case management similar to those experienced in the adult system by the relationship between an industrial overseer and a prisoner. Boundaries are clear and dynamic security flourishes but a healthy respect of the professional association exists.

In the absence of those additional resources one of the Programs currently delivered by youth workers in NSW is CHARTS. This program originates from Victoria who made special adaptations specifically for the NSW system. It is used in the majority of states in Australia.

Changing Habits and Reaching Targets (CHART) is a 12 module evidence-based program that uses a problem solving and cognitive-behavioural approach to address clients' criminogenic needs and 'distorted thoughts'. CHART helps clients to recognise the factors that have contributed to their offending. It also increases their capacity to make more pro-social decisions, by developing and rehearsing relapse prevention techniques.

CHART is based on the guiding principle that reducing the young person's offending behaviour is the prime focus of youth justice intervention. It is designed to support consistent and improved interventions to reduce the risk of reoffending.

CHART is not just a program but is also a way of working. The program is evidence based and informed by research on effective correctional programming. Research suggests that offending-focused programs work best

when they involve action, participation, skills training and discussion linked to these activities. CHART includes all of the elements in every session.

The reviewer has met with the author and trainer of CHARTS, Ms Felicity Dunne, who has indicated that it would be an ideal program for detainees in the Northern Territory. She is currently adjusting the modules (11 and 12) for jurisdictions to maximise benefits to Indigenous detainees, which is extremely applicable to the Northern Territory

It is an extremely simple yet effective program that contains all the individual worksheets within each module

I have attached the full program in the annexure section of this review for considerations however any intention to use it would need approval from Department of Human Services, Victoria. (see Annexure 8).

ASSESSMENT

Risk assessments are not currently being used to inform decisions regarding program participation and rehabilitation outcomes in detention. Although the current client assessment process involves examination of relevant information regarding the client's background and offending, criminogenic needs are not systematically targeted as a basis for intervention. This assessment should be available on admission to the Centres, having been completed by Community Correction's staff wherever possible. The current admission assessment, based on self-reporting by the client is ineffective in identifying critical risks and needs

Youth Level of Service/Case management Inventory-Australian Adaption (YLS/CMI-AA) was developed to aid in the assessment and case planning activities with young offenders and is used widely within Australia. The inventory is an assessment instrument that focuses on risk factors.

Assessment is the starting point to work with the young person. Assessment across all streams within youth justice involves gathering and analysing information to identify the factors that affect a young person's offending and what actions are required to reduce the likelihood that a young person will re-offend in the future.

The review found evidence that staff (Alice Springs) are aware of the YLSI however are confused as to how to use it appropriately and haven't been trained in its implementation. I have attached a copy of the YLSI in the annexure section of this report for consideration and especially now that youth detention has recently recruited its first clinical psychologist. (see Annexure 9)

BEHAVIOUR MANAGEMENT PLANS

The review was given example templates of detainee plans, particularly those of detainees held in the Don Dale Behaviour Management Unit (BMU). As outlined in the body of this report, that facility was antiquated and not conducive to contemporary detainee management. The templates may have been well-intentioned but were very basic in their configuration and contents. They lacked being descriptive or prescriptive in their nature. They appeared to be purely custodial based and signed off with no apparent input from other relevant stakeholders.

Behaviour Management Plans (BMP) should be individualised and clearly set out so that they:

- contain the reason for the implementation, including the background and circumstances leading up to the plan being implemented;
- contain the duration and nature of the plan including what behaviours the plan is seeking to adjust in the detainee, including desired outcomes;
- mitigate risk and are regularly reviewed;
- clearly articulate methods and times for periods of recreation, visitation, access to medical and nurses and other relevant programming;
- are not implemented until they have been approved by the Director Detention Centres; and
- are signed off by the officer-in-charge of the centre, a local medical staff member e.g. nurse, Department of Education staff member and importantly the newly recruited Clinical Psychologist in detention services.

This will provide transparency in the process and get away from a single “sign off” by the custodial person alone. This will also prove a consultative approach to external agencies who may question the plans origins and/or expertise.

A single log should be maintained which accurately and clearly records each day’s progress and relevant times, in and out of rooms and if relevant, why this was not able to be enforced as required in the plan.

The officer-in-charge of the respective facility should access and visit each detainee that is on a Behaviour Management Plan on a daily basis and in particular those on a plan that requires significant periods of time segregated in a room.

The review found no evidence of consistency with these recordings in BMU plans and records.

Behaviour Management Plans are usually instituted in response to a situation where an unacceptable level of risk is being displayed by a detainee against him/herself or others and when periods of segregation for more than 24 hours are involved.

A Behaviour Management Plan should be an individual plan, developed in consultation between unit staff, specialist staff and external staff to provide

effective strategies to minimise the risk of harm by a detainee who is not responding to centre routines and procedures.

The physical infrastructure in the Don Dale BMU was poor and not conducive to being able to separate and manage detainees on plans satisfactorily. This no doubt contributed to many incidents in that location. However infrastructure on some occasions was accompanied by poor management and oversight, especially after hours, when supervision at a middle management level was lacking.

WORK HEALTH AND SAFETY

Work Health and Safety Management System Guidelines were distributed by the Director, NTDCS Human Resources and Organisational Performance in September 2013 and are available on the NTDCS intranet.

The relevant legislation includes:

- *Work Health and Safety (National Uniform Legislation) Act 2011 (NT)*;
- *Work Health and Safety (National Uniform Legislation) Regulations 2011 (NT)*
- *Interpretive Guidelines and Fact Sheets* published by Safe Work Australia

It states that the NTDCS WHS Policy will be displayed in prominent positions throughout areas controlled by the department, this should particularly include and be most relevant in both YDC's, and will be available on the NTDCS WHS internet page (which it is).

The listed key WHS Policy goals and objectives are to:

- Provide adequate WHS procedures, resources, documentation and equipment to ensure that the NTDCS and its officers and workers are responsibly able to comply with relevant WHS legislative requirements, codes of practice (if any) and current industry standards applicable to the work of the department's business divisions;
- Provide the necessary support and assistance to workers during consultation and implementation processes to ensure that all workers are able to have reasonable input into matters that may impact upon their health and safety while at work: and
- Provide an appropriate risk identification and management procedure which is consistent with the nature of the workplace activities and the level of health and safety risk including.

Health and Safety Committees (if in place)

WHS will also be monitored through health and safety committees, (if in place). Issues raised in management meetings and health and safety

committee meetings will be shared with associated work areas, and issues followed up through the relevant Executive Director.

Emergency Planning Committees

Emergency planning committees will be formed for each worksite, building or regional area and will be responsible for the development, implementation and maintenance of the emergency plan, emergency response procedures and related training.

The review found little evidence of a structured implementation of this policy in accordance with the legislation at Don Dale, Holtze or Alice Springs Detention Centres, although Alice Springs did have some minuted meetings. This particularly applied to the operations of Don Dale YDC.

A copy of a submission, dated November 2013, given to the review (as previously referred to) by the then Shift Supervisor at Don Dale, Mr Trevor Hansen stated “OH&S Committee – how could such a basic work place committee not be put into place for over 20 years .This is not because Management/HO did not know about it as it has been spoken about for all of the time I have been working in Don Dale”.

Work Health and Safety is important in any setting however it is particularly important in institutional settings where practices and procedures are so important in the overall smooth operations of a detention setting where the safe management of young people with aggressive and violent history is so important.

Not implementing the WHS legislation, including the provision of clearly recorded and minuted processes for inspections of the workplace has the potential to leave the organisation vulnerable in the event of serious injury in that workplace.

Provision of suitable personal protective equipment, training, inspections, up to date centre manuals and registers for hazardous substances and dangerous items, current and up to date safe operating procedures and risk assessments are just some of the issues that impact directly on Work Health and Safety and that have been found deficient at both centres in this review.

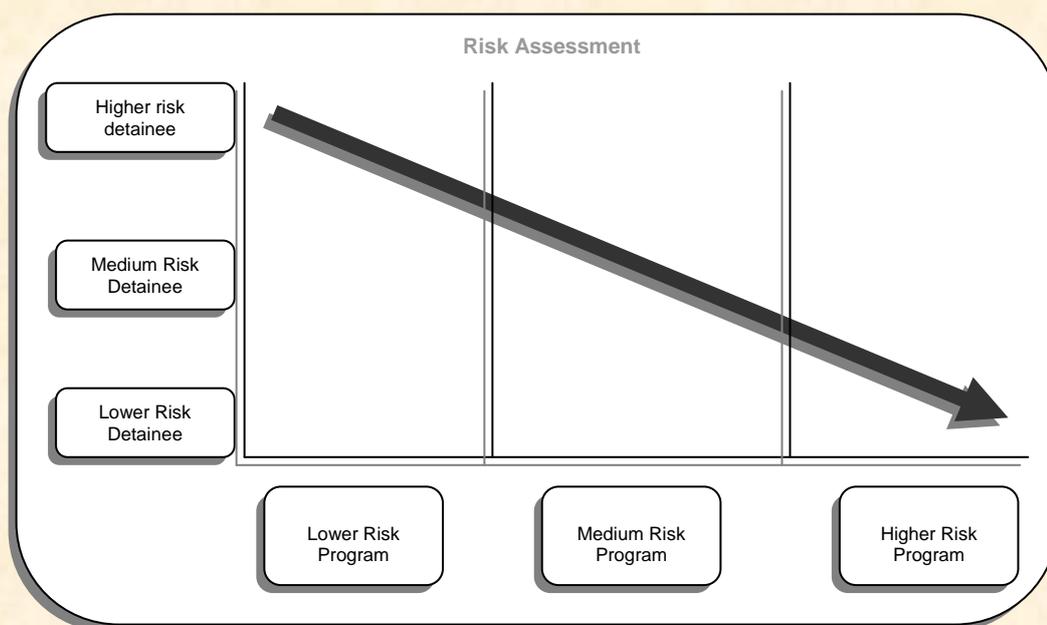
RISK ASSESSMENT

The primary purpose of Risk Assessment in a YDC setting includes:

- Assessing the potential safety and security risks of planned programs and activities;
- Rate the risk levels of detainees or programs according to risk assessment;
- Ensure a detainee’s risk level is strongly considered when developing, implementing and reviewing programs and activities and when placing detainees into same;

- Conversely, ensure risk levels of programs and activities are strongly considered when placing detainees into them; and
- The higher the detainee's individual risk level, the lower the level of programs they can access.

Entry into specific programs will be based on the entire criterion for that particular program as well as a demonstrated level of behavioural stability.¹⁶



¹⁶ NSW Department of Justice. 2012. Warby behaviour Intervention Program: Juvenile Justice

Risk Assessment and Risk Management should be arrived at by a conjoint responsibility of detention centre stakeholders including Department of Health, Department of Education and of course Youth Detention Management. All staff/volunteers have a role in ensuring that they also contribute to the risk assessment process by relaying any information or behaviours that may impact on a detainee's classification and/or ability to safely participate in different levels of organised programs.

The weekly scheduled meeting referred to in the body of this report should be the forum where these decisions are approved and recorded. At both Holtze YDC and Alice Springs YDC the process appears to be facilitated by a combination of the classification process and other informal assessments of judgement, but in neither case is the risk assessment process formalised and documented appropriately.¹⁷

Not only do the detainees need to be risk assessed for suitability to a program but the program needs to be risk assessed as to its low, medium or high risk nature. Each program conducted in either facility should be risk assessed and recorded in a suitable template as to:

- what it is;
- how many staff are needed to supervise it;
- maximum number of detainees in each program;
- the tools and/or equipment necessary;
- the potential risks involved; and
- the controls that are put into place to minimise those risks.

From the above information a decision is made by the signatories to that risk assessment as to what they deem its level is e.g. Low, Medium or High.

Any program that involves knives, sharps, cutting or stabbing tools or implements should default to high risk irrespective of the controls put into place and reserved only for those who have not displayed violent or self-harming behaviour for a significant period of time as judged by the OIC of the centre in conjunction with a suitable specialist services officer e.g. psychologist.

Each new detainee that is admitted into the centre should initially only be able to access low level risk programs regardless of classification for a minimum of two weeks. Subsequently a review of each detainee's individual risk level should be raised at the Weekly Management Meeting. The following information should be taken into consideration when risk assessing a detainees potential to partake into a specific program:

- Alerts
- History of Violence
- Case Notes

¹⁷ NSW Department of Justice. 2011. Objective Detainee Classification Policy. Juvenile Justice

- Incident reports
- General behaviours/misbehaviours
- Behaviour Management Plan (BMP)
- Progress advice from Department of Education staff
- Health reports
- Reports from specialist staff
- Any other relevant and/or important information

IMMEDIATE CHALLENGES FACING THE DELIVERY OF YOUTH DETENTION SERVICES AT THE HOLTZE YDC AND THE ALICE SPRINGS YDC

It is pleasing to see that standard operating procedures at the interim Holtz facility are starting to increase in number and are situated on the department's intranet. Work should continue for the duration of time that detainees are still in this facility to upgrade as many standard operating procedures and directions as possible. Although, the pending move to Berrimah YDC will see a new set of procedures, having a complete new set at Holtze YDC will provide a base template for work to be done in formulating the Berrimah YDCs Standard Operating Procedures.

Until further notice, detainees in Holtze YDC should not be placed in double rooms unless absolutely necessary. Management of Holtze YDC should continue to address and rectify the poor infrastructure in that facility, keeping in mind that the complex behaviour unit was designed to house adults with mental health issues in a therapeutic environment.

Recordkeeping which has posed a problem at Don Dale YDC should be monitored, particularly any behaviour management plans that are formulated and any significant periods of segregation or confinement.

I commend the decision to base the Director of Detention Centres at the Holtze YDC facility.

Management at Holtze YDC should continue to use the resources and expertise of the adjoining adult correctional centre located within the precinct.

It appears that after an initial and unstable period, staff performance and detainee behaviour has stabilised at Holtze YDC. Notwithstanding this, several detainees have shown a willingness to be part of violent or destructive behaviours when the opportunities arise. Risk assessments should occur regularly whilst the detainees are housed at Holtze YDC.

THE IMMEDIATE CHALLENGES FACING THE DELIVERY OF YOUTH DETENTION SERVICES AS THEY ARE TRANSITIONED FROM THE HOLTZE YDC TO THE DARWIN YDC (CURRENTLY BERRIMAH PRISON).

It is envisaged that the transfer of juveniles will be facilitated in February 2015 to the current Berrimah YDC site. It is imperative that the following occur prior to and immediately after transferring staff and detainees to the Berrimah YDC:

- The funding earmarked to renovate Berrimah YDC is made available and that the renovations earmarked for that centre are completed before the juveniles enter the facility;
- Standard Operating Procedures are written and developed;
- Staff that are currently at the Holtze YDC facility are trained in the new Berrimah YDC standard operating procedures before the first detainees are moved into that facility;
- Berrimah YDC should not allow for detainees to double up in rooms unless under exceptional circumstances;
- Concerns raised with this Review by NAAJA in relation to the suitability of Berrimah as a YDC, include the deaths that have occurred at that prison with the adults prisoners. It is strongly recommended that an appropriate “smoking ceremony” as designated by appropriate Elders is enacted before Berrimah becomes a YDC;
- Training of staff is essential in this facility and staff should be inducted and orientated into the physical makeup of the centre so they can familiarise themselves with its physical environment and infrastructure;
- Staff are required to walk through the processes outlined in their standard operating procedures and emergency procedures and need to make themselves familiar with the utilities and systems available in that centre, including; water, power, generator, evacuation and assembly points and systems of telecommunications;
- It is also recommended that the Director of Detention Centres continues to base himself in that centre, especially during the infancy of its operations;
- It is further advised that staff commence a walk through of the facility after it is vacated by adult prisoners so that an inspection can be made of any inappropriate items that have been left that can prove harmful or be a breach of security if left undiscovered by staff;
- Staff also need to make themselves familiar with the method and operation of the CCTV and other electronic perimeter security systems that are in existence at that Centre as well as familiarising themselves with locking

mechanisms of rooms (refer to detainee R Incident), gates and other infrastructure; and

- Management also needs to ensure that all necessary stationary and documents have the appropriate new letterheads and are available to use as records to maintain accountability as per procedures from day 1.

At the time of finalising this review essential standard operating procedures for the new Berrimah YDC were in place with work continuing on finalising development of all procedures.

THE PATTERN OF CONTRIBUTING FACTORS AND ISSUES SURROUNDING SIGNIFICANT INCIDENTS IN YOUTH DETENTION SINCE DECEMBER 2009

The review found that generally, most incidents were managed to a satisfactory level considering the training and resources available to staff. That, coupled with a physical environment which was less than adequate, poor security infrastructure i.e., perimeter fence lines, low lying roof lines, lack of toilets in rooms and ease of access to roof and buildings, were factors that also contributed to many incidents.

I have no doubt that periods of over-crowding and inability of the infrastructure to separate gender and aggressive detainees also combined to create conditions which were conducive for detainees to take advantage of. There is evidence that poor management including poor supervision and poor recordkeeping has also contributed to the lead up and aftermath of some incidents, including a disturbance at Don Dale where intelligence had been received that it had been planned, however, this information did not get passed on to the appropriate staff.

The review also has no doubt that tensions and poor relationships between some staff and some detainees were also contributing factors in some of these incidents, some of which are still being investigated, and/or are currently before the courts.

The reviewer is confident that all matters which are reported to the Northern Territory Department of Correctional Services Professional Standards Unit are properly investigated and referred to Police when deemed necessary. The review did not find any evidence of a systemic culture of non-reporting.

There have been isolated and individual circumstances, as is the case in most institutional jurisdictions, where individual staff have taken it upon themselves to “cover up” their involvement in an incident by not reporting it up the ‘chain of command’, these attempts eventually fail. An example of this was an incident on 16 August 2014 where staff acted inappropriately in threatening a detainee at the Don Dale YDC and attempted to cover up the CCTV surveillance to hide this.

The detainee made a complaint which led to a visit by the Professional Standards Unit who investigated, watched CCTV footage and passed this incident on to the Police. As a result, one staff member has resigned and another is currently under investigation (but not at work).

A summary of significant incidents is provided below. This summary was collated from reports made available from the Professional Standards Unit and written briefing notes made available from the Commissioner’s Office, Northern Territory Department of Correctional Services.

An analysis of the summary clearly indicates that some of the patterns include:

- There were eight separate successful escapes over the five year period at Alice Springs YDC. Most were via an unsatisfactory security perimeter fence which is currently being upgraded. One incident of escape involved seven detainees and another four. Clearly, the perimeter security at this YDC was inadequate and detainees saw that they could scale this fence with relative ease;
- Don Dale, prior to its closure was the site of all disturbances involving damage to government property and climbing on buildings and other infrastructure; and
- It also had the most allegations made against staff for assault (5), but only one allegation of assault against a detainee.

The latter and former statistics are interesting in themselves in that they show that Don Dale, with all its challenges, still had mechanisms in place to report allegations of staff assault on detainees, at a rate which appears to be five times greater than its rate of reporting detainees with assault on staff.

Clarification of roles and responsibilities in more recent times have addressed some individual occasions where confusion, in relation to what actions should be taken by the organisation when staff implicated in an alleged abusive incident, resign their post.

The reviewer is satisfied that these are isolated cases and have been treated on their merits and individual circumstances, and in most cases, been at least referred to the Police.

As mentioned in the Methodology section above, the review included meetings, on two separate occasions, with the Northern Territory Children's Commissioner, Dr Howard Bath, whose comments and views on some issues concerning the management of youth detainees and some incidents in YDCs in general, have been made public by him and are well recorded.

The Children's Commissioner was not able to provide the review with specific details or information in relation to some of the allegations as he was conducting his own investigation at the time. Dr Bath and I did, however, have cordial and lengthy conversations and discussions on general issues and suggestions surrounding YDCs with some similarities of opinion.

The review has perused all documents, letters and other information reflecting Dr Bath's concerns which, when coupled, with the verbal general comments raised during our two meetings, appear to point to the following summary of issues:

- facts surrounding individual incidents on 20 October 2010, 9 December 2010 and 7 April 2011 respectively;
- excessive periods of isolation to manage behaviour;
- failure to provide CCTV or video footage;

- failure of staff to report abusive incidents to Police and/or conduct internal investigations;
- apparent untruthful comments made in a statutory declaration;
- adequacy of staff training and in particular in relation to the use of emergency or crisis techniques;
- adequacy of policies and procedures for managing difficult behaviour;
- intended use of Berrimah Correctional Centre as the new youth detention facility; and
- the use of chemical agents due an incident at Don Dale YDC on 21 August 2014.

Many of the above related issues have been covered in the body of the review under their respective terms of reference.

In relation to the failure to report serious incidents to Police, the reviewer did not find any evidence of failing to notify Police on any matter.

The following comments are additional to those contained within the above mentioned sections and are relevant to this Term of Reference relating to Incidents:

- The review found that high risk detainees housed in the Don Dale Behaviour Management Unit (BMU) were managed for excessive periods in their rooms and that this was for a combination of reasons, including:
 - the violent and aggressive behaviours displayed by detainees;
 - the Behaviour Management Unit having a toilet in their rooms and thus negating the need to open up other rooms within the centre that did not have toilets in them. This alleviated any opportunity for the detainees to cause further incidents whilst on a toilet call;
 - an environment of crisis management where inexperienced staff were afraid to open doors in case of violence against them;
 - periods of excessive sick leave thereby leaving shifts vulnerable; and
 - poor implementation of the Behaviour Management Plans.
- Intelligence received by staff that one particular detainee was surprised with the ease of the Don Dale escape (same five detainees) and stated that the detainees would plan another. This was formally reported.
- The inability to separate detainees at Don Dale YDC due to its poor available infrastructure.

Although there is no doubt that detainees required to be managed in the BMU because of their risk-taking behaviours, the reviewer found that they should have had more time out of rooms on an individual basis. Anecdotal evidence by staff is that they recall that they did actually have visitors and more exercise periods however inspection of BMU logs and records do not support or reflect this. Unfortunately, if it is not in the record then it cannot be considered or proved as having occurred.

Given the antiquated nature of the Don Dale YJC and its infrastructure, obtaining CCTV footage of the 19 day period from the date of the multiple escape of 2 August 2014 to the date of the BMU disturbance on 21 August 2014, to ascertain if the claims by staff are correct, is unlikely given the storage time limitations of the camera system.

The implementation of recommendations contained within this report will ensure that the above factors do not reoccur again in the future.

A serious incident occurred in the evening of 21 August 2014. A detainee had managed to damage his room and ultimately was able to get out of that room and into the BMU open area. All available exits soon after became inaccessible and a dangerous situation existed if staff were to force entry.

The other BMU detainees, who were still locked in their rooms, continued to damage their rooms and attempted to break out themselves as well as arming themselves with various stabbing and cutting implements, gained from damaging their rooms. Other detainees in the main centre became excited after being incited.

The threat to management was that other detainees, not directly associated with the five in the BMU, could become involved, possibly get out of their rooms and partake in a much larger disturbance.

As a result of this, local staff and other more specialised staff from the adjoining correctional centre arrived at Don Dale BMU and began exploring different options to bring this incident under control. Unfortunately, due to the nature of the infrastructure and the inability to get inside without risking the safety of other staff, there only appeared to be two other options;

- to use the correctional services K9 dog that was stationed with the staff or
- to use a short sharp burst of CS gas.

Onsite during this incident was the Commissioner for Northern Territory Department of Correctional Services, the Director of YDCs and the Executive Director, Youth Justice. As a result of consultation during the course of the incident and after exploring all the options available, the Commissioner, Mr Ken Middlebrook, made a decision to use CS gas to bring the situation to a halt after constant attempts to resolve the incident peacefully were met with defiance by the detainees.

As a result two short sharp bursts of CS gas were used, the detainee R immediately succumbed. The area was made safe and staff, particularly local staff, then immediately decanted detainee R and the other four detainees held in the BMU rooms, decontaminated them and took them outside so as to receive relief from the effects of the gas. No further injury to staff or detainees occurred.

It should be noted that Don Dale staff who evacuated the five detainees from the BMU were not donning gas masks and, were also exposed to the CS gas.

It is important that those who seek to criticise these actions take into consideration the volatile nature of the incident, the poor infrastructure which did not enable any other options to be explored, the refusal of detainee R to mediate and the fact that the five detainees housed in the BMU included some of the same five that had successfully escaped the facility approximately three weeks earlier by scaling a perimeter fence and how, if this incident was not finalised quickly that this could once again be a threat to the community.

The additional factor in any disturbance is the unknown potential for fire and the smoke that is emitted. This was considered under thought that if somehow the detainees lit a fire the end results could have been tragic. The safest option to bring the disturbance to a halt and provide safety to all involved, including the community, was assessed to be to use two sharp bursts of gas.

The review considers that the actions of the Northern Territory Commissioner in this aspect were justifiable.

The review is satisfied that the Northern Territory Department of Correctional Services has taken all the appropriate action in relation to incidents at Don Dale YDC on 20 October 2010 and at Alice Springs on 9 December 2010 and 7 April, 2011 respectively;

1. Officer M was found not guilty in a court of law in relation to an incident at Don Dale YDC on 20 October 2010. Notwithstanding this, the organisation did not renew this officer's casual contract;
2. Officer T was found not guilty on two separate occasions in relation to an incident on 9 December 2010. The officer was subjected to an appeal by the crown and after a reserved decision, which was adjudicated on 14 June 2014, the appeal was dismissed on 1st December 2014. The officer has now been cleared by the courts on 3 separate occasions; and
3. Officer K was found not guilty in a court of law after an incident that had occurred on 7 April 2011. Irrespective of his not guilty finding, the agency did not renew this officer's casual contract.

The review cannot see any reason why this organisation needed to take any further action in relation to 1 and 3 above with both staff no longer working with detainees despite being found not guilty in courts of law.

However, during the course of the review, it was discovered that Officer K had been recently re-employed at Alice Springs YDC as a casual despite the protestations of the Director of the Professional Standards Unit. This is not satisfactory. The advice of an Officer In Charge of any Professional Standard Unit should be final, irrespective of the issue of passage of time e.g. three years.

The review has been informed that reporting structures have since been changed and that this situation should not occur again in the future.

The review was made aware of an issue concerning the handing over of video footage at Alice Springs after one of the above mentioned incidents. The Assistant General Manager states that the footage was most definitely forwarded to the local Detective; however the Police claim that they do not have it.

It is simply one's word against the other and the review is unable to make judgement, except that systems are now in place so that exhibits and evidence are to be signed for before they are issued to any agency, including the Police. This will alleviate any dispute in the future.

In instances where incidents were not managed well, either in their lead up or during the incident itself, material made available to the review indicated some additional common patterns as contributing factors including:

- poor supervision;
- lack of experience of staff;
- lack of training especially in crisis management and behaviour management;
- poor communication and relay of intelligence information;
- lack of appropriate direction and procedures;
- sloppy security awareness – the lock on detainee R,s door in the BMU on 21 August 2014 was not closed off. Ultimately leading to his escape from his room and escalating the disturbance itself;
- immature responses by some staff to detainee behaviour;
- lack of a comprehensive structured day, which includes elements of work, programming, recreation, cleanliness, hygiene and schooling; and
- inadequate infrastructure and equipment.

SUMMARY OF INCIDENTS DECEMBER 2009 – SEPTEMBER 2014

Incident Date:	5.3.10
Incident Type:	Alleged assault on staff and subsequent escape from Alice Springs YDC
Incident Date:	8.4.10
Incident Type:	Alleged assault on staff and subsequent escape from Alice Springs YDC
Incident Date:	30.4.10
Incident Type:	Alleged assault Youth Worker on detainee – Don Dale YDC
Incident Date:	20.10.10
Incident Type:	Alleged assault Youth Worker on detainee – Don Dale YDC
Incident Date:	1.11.10
Incident Type:	Alleged assault Youth Worker on detainee – Don Dale YDC
Incident Date:	9.12.10
Incident Type:	Alleged Assault Youth Worker on detainee – Alice Springs
Incident Date:	7.4.11
Incident Type:	Alleged assault Youth Worker on detainee – Alice Springs YDC
Incident Date:	4.6.11
Incident Type:	Alleged assault on staff and subsequent escape – Don Dale YDC
Incident Date:	1.7.11
Incident Type:	Escape from Alice Springs YDC
Incident Date:	26.12.11
Incident Type:	Disturbance – riotous behaviour and attempted escape – Don Dale YDC
Incident Date:	27.4.12
Incident Type:	Escape from Alice Springs YDC
Incident Date:	3.5.12
Incident Type:	Two female detainees climb on roof causing property damage
Incident Date:	19.5.12
Incident Type:	Escape (seven detainees) from Alice Springs YDC

Incident Date:	19.10.12
Incident Type:	Alleged assault detainee on staff – Alice Springs YDC
Incident Date:	20.11.12
Incident Type:	Alleged Excessive Use of Force – Youth Worker on detainee – Don Dale YDC
Incident Date:	4.12.12
Incident Type:	Alleged assault detainee on staff – Alice Springs YDC
Incident Date:	21.1.13
Incident Type:	Escape of two detainees from Alice Springs YDC
Incident Date:	17.6.13
Incident Type:	Attempted escape from Alice Springs YDC
Incident Date:	4.7.13
Incident Type:	Two detainees climb on roof – Don Dale YDC
Incident Date:	12.8.13
Incident Type:	Three detainees attempt to escape and property damage – Don Dale YDC
Incident Date:	6.9.13
Incident Type:	Disturbance, property damage and attempted escape (8 detainees) – Done Dale YDC
Incident Date:	17.2.14
Incident Type:	Detainee escapes from Youth Justice Court, Darwin
Incident Date:	19.3.14
Incident Type:	Detainees escape (4) from Alice Springs YDC
Incident Date:	25.3.14
Incident Type:	Property damage and climbing on roof (2 detainees) – Don Dale YDC
Incident Date:	14.4.14
Incident Type:	Attempted escape from Darwin Magistrates Court
Incident Date:	20.7.14
Incident Type:	Escape and recapture of three detainees from Alice Springs YDC
Incident Date:	2.8.14
Incident Type:	Escape of five detainees from Don Dale YDC
Incident Date:	16.8.14
Incident Type:	Alleged assault Youth Worker on detainee

Incident Date: 21.8.14
 Incident Type: Disturbance and use of chemical agent at Don Dale YDC

Incident Date: 31.8.14
 Incident Type: Damage property at Holtze YDC (interim)

Incident Date: 13.9.14
 Incident Type: Disturbance, damage property and attempted escape from Holtze YDC (interim)

Incident Date: 15.9.14
 Incident Type: Alleged assault detainee on staff and attempted escape (3 detainees) from Holtze YDC (interim)

Incident Date: 24.9.14
 Incident Type: Damage property at Holtze YDC (interim)

**SUMMARY OF SIGNIFICANT INCIDENTS
 Between December 2009 and September 2014**

Incident Type	Don Dale	Alice Springs	Holtze	Other
Escape	2	8		1
Attempt Escape	3	1	2	1
Alleged Assault – Detainee on Staff	1	4	1	
Alleged assault – Staff on Detainee	5	2		
Disturbance/Riot	3		1	
Damage Government Property (infrastructure)	3		3	
Climb on Roof and/or Buildings	4			
TOTAL	21	15	7	2

Patterns: Some individual incidents resulted in multiple entries of statistics

THE ABILITY OF YOUTH DETENTION TO CONTRIBUTE TO THE NORTHERN TERRITORY DEPARTMENT OF CORRECTIONAL SERVICES (NTDCS) STRATEGIC INTENT PLAN AND ITS KEY MILESTONES

The Northern Territory Department of Correctional Services Strategic Intent 2013-16 has, as one of its key focus areas, Youth Justice Reform. Its purpose is *to contribute to community safety by reducing re offending*. Its centre piece theme is *to reduce re-offending through employment, education and programs*.¹⁸

Importantly it also states *to ensure that the youth justice system delivers improved outcomes on the rehabilitation and safeguards of young people who offend and who are at risk of re-offending* and adopting a supportive people culture so as to *build a sustainable and diverse workforce to deliver current and future business objectives*.¹⁹

It is the reviewer's opinion that the Northern Territory youth detention system can significantly contribute to the NTDCS Strategic Intent by:

- adopting all of the recommendations of this review, many of which relate to issues which will directly impact favourably on youth justice reform cited as a key focus area;
- implementing the necessary actions associated with YDCs listed in the various sections of the Youth Justice Framework and that they are assigned by the milestone dates. Detention centres can contribute to this aim in a meaningful manner if those milestones and actions are met:²⁰ and
- continue and expand the SEED program. The proposed transfer of detainees to the current Berrimah Correctional Centre site once adults have been decanted to DCP will provide an ideal opportunity to up skill the detainees at the various vocational workshops located on site, including full industrial kitchen, to a level that can prepare them for prospective new employers, either whilst on works release or on discharge. This also fits in well with a vision of making the site a precinct of the future.

¹⁸ Northern Territory Department of Correctional Services Strategic Intent Plan 2013-16

¹⁹ Northern Territory draft Youth Justice Framework 2015-2019

²⁰ Northern Territory draft Youth Justice Framework 2015-2019

THE ABILITY AND LIKELIHOOD OF THE NORTHERN TERRITORY YOUTH JUSTICE FRAMEWORK TO ADDRESS SYSTEMIC YOUTH DETENTION ISSUES.

The principles of the Youth Justice Framework have been adopted from the *Youth Justice Act*. In May 2013 the Chief Minister of the Northern Territory, the Hon Adam Giles MLA and the Attorney -General, the Hon John Elferink MLA announced the Pillars of Justice; *Law Reform for Territorians*, introducing several initiatives for youth justice of which one was the development of a Youth Justice Framework.²¹

The Northern Territory Department of Correctional Services has since led the development of the Youth Justice Framework 2015-2020, in collaboration with approximately 40 government and non-government agencies and organisations.

The purpose of the framework is to reduce offending and re-offending by using a coordinated response between all stakeholders, a positive similar theme that this review talks about quite regularly in the body of its report, albeit at a much more localised level.

The Chief Executives' statement of intent states "*Chief Executives are committed to achieving the actions and milestones of the Youth Justice Frameworks within the set timeframes*" broadly 2015 -2020.²²

Put simply the review is of the opinion that the draft framework is a comprehensive document that appears to mirror many of the issues raised in this review and that if this Framework is approved, resourced and successfully delivered in its proposed methods, timings, actions, indicators and outcomes contained within the action plan, then it will go a long way in addressing all of the current systemic youth detention issues in existence as well as fulfilling requirements of the NTDCS Strategic Intent and Pillars of Justice - Youth Turn.

The review however has received viewpoints from some of the relevant stakeholders during its consultation process, that they had significant doubts due to what they cited were complexities in having to achieve the frameworks outcomes from within existing resources and how the plan would be unachievable when delegated down the line to those who were already stretched.

The youth detention system would be a direct beneficiary from the Frameworks successful implementation. The detention system itself is directly implicated and responsible primarily in five of the frameworks seven themes. A short synopsis of each is summarised below:

²¹ Northern Territory draft Youth Justice Framework 2015-2020

²² Northern Territory draft Youth Justice Framework 2015-2020

Theme 1. Family and community engagement

- 1.1 Support and expand the Elders Visiting Program to include youth detention centres
- 1.2 The families of all young people in youth detention are assessed for the Family Responsibility Program

Theme 3. Community based orders and youth detention

- 3.1 Ensure all young people entering the youth justice system are responded to via a through-care model.
- 3.2 Establish and implement Youth Justice Teams incorporating some functions of Community Corrections and Youth Justice
- 3.3 Conduct a review of detention centre operations (currently under way).

The outcomes and key performance indicators in this theme alone are thorough and touch on many of the factors mentioned in this review including findings and recommendations. If this theme is achieved, it will signal a significant success in addressing systemic issues within youth detention that currently exist.

Theme 4. Reintegration

- 4.1 Prepare and provide reintegration plans to link young people to services and supports prior to completing a supervised sentence.
- 4.3 Ensure young people are enrolled in education and/or training after leaving supervised sentence either community or detention centre.

Theme 6. Workforce development and integrated information.

- 6.2 Develop a youth justice training and development plan, mapped to the youth justice capability framework.

Theme 7. Accountability and governance

- 7.1 Develop and implement a cultural framework to drive and support culturally appropriate practices across the youth justice sector.

There requires a concerted effort by all Chief Executives to drive this framework. It is interlinked in such a fashion that if individual obligations cannot be met for any reason it risks the whole frameworks success as each holds an important piece of 'the success puzzle'.

TO MAKE RECOMMENDATIONS ABOUT THE GOVERNMENT'S RECENT PROPOSAL TO USE THE EXISTING BERRIMAH CORRECTIONAL CENTRE AS A YOUTH DETENTION FACILITY.

On Thursday 16 October 2014, I visited the proposed site of the new YDC at the current Berrimah Prison in Darwin. Once the full commissioning of the new Darwin Correctional Precinct takes place it is envisaged that youth, both male and female, aged 10 to 18 years of age will then be transferred from their current interim location at the Holtze YDC to this facility.

The Northern Territory Government has provided up to \$800,000 to upgrade the current Berrimah facility so as to prepare it for use as a YDC. This facility has many useable detainee facilities and infrastructure so much lacking in the recently closed Don Dale YDC, including;

- Berrimah Prison's 'B' block is earmarked to become a female accommodation area made up of ten single rooms each with its own shower and toilet ensembles. This block has a dedicated dining area, a small grassed courtyard area and a large self-contained fenced, grassed rear compound making it an ideal recreational area for female detainees;
- This block has a separate interview room, a non-contact visits area (if required), a legal visit area and a large area for contact visits. This block is totally separate from accommodation areas that are ear-marked to house young men. This makes it an ideal choice as the separation of gender was a significant cause to the unrest at Don Dale;
- Berrimah Prison's 'C' block. The accommodation area in this block will not be used however within its proximity is a large expansive medical treatment and clinic area. It comprises full dental facilities and has two treatment rooms including one dental room. It has appropriate nursing medical offices and administrative offices;
- Unlike Don Dale, the reception area at Berrimah has significant and ample property storage for all detainee property. It also has two separate female holding rooms, two male holding rooms, two audio visual suites and office space;
- The Treatment Specialists Services and Programs area at Berrimah will provide adequate specialists programs, educational programs and is suitable for non-government organisations space subject to their concurrence to deliver programs on site. It has possible access for the Family Responsibility Centre staff accommodation. The Family Responsibility Centre staff will play an integral role at the Berrimah YDC. It also has availability for any ongoing Cultural and Elders Visiting programming;
- The Berrimah Youth Detention Centre will have a dedicated non-denominational chapel to fulfil its religious and spiritual programs. No such facility existed at the previous Don Dale;

- Two large educational classrooms are situated within demountable in Berrimah YDC. A large administration area is also located adjacent to the demountable;
- The proposed Berrimah Youth Detention Centre has a centrally located observation post which is ideal for staff supervision and observation of the centre, security and supervision;
- 'M' block is currently a dormitory accommodation area and is not earmarked for any room accommodation in the new youth detention facility. It does however, have two large and excellent open exercise areas and basketball courts. It would be ideal to separate one for male detainee use and one for female detainee use. This would still maintain appropriate separation of the genders without impacting on time-sharing the facility. Each of these two large gym/basketball areas has its own toilets and cold water bubblers for detainees participating in exercise;
- 'S' Block. is an excellent facility made up of four accommodation units. They are relatively new, having been placed in Berrimah in 2008. Each accommodation unit holds up to 12 detainees enabling 'S' block to either have a capacity of 24 single rooms or 48 if the rooms are doubled up. Each of these Units has its own showers and toilets and would be extremely suitable and beneficial for the housing of low to medium classification detainees. Conversely should the need arise it would be an excellent facility for the separation, protection of "at risk" detainees of low to medium classification;
- Vocational Sheds are situated within the main envelope of the Berrimah YDC site, however are well-separated from the actual accommodation blocks. The vocational workshops are fenced and are ideal for work and vocational training. These facilities are particularly important given that one of the recommendations contained within the body of this review is that the current program called 'Seek Education or Employment not Detention' (SEED) be actively continued so that detainees of the appropriate classification could use these vocational workshops to gain the necessary skills and training that could enable them to link into employment on their release from detention;
- 'G' Block is an accommodation area characterised by 14 single rooms. Each of these rooms has a toilet and running water. It has central showering for its inmates. It has within its envelope a current dormitory which will not be in use when it becomes a YDC. However, the current dormitory could be converted for a TV or utility room. 'G' block also has its own internal meal area and internal compounds for use by its detainees for exercise;
- The Berrimah site has three other similar mirror image blocks, each also with 14 rooms which would enable, if necessary, an expansion should detainees numbers rise as they have in the last two years. The use of the

Berrimah site is ideal as Units can be opened or decommissioned depending on the numbers and the need, relieving pressure on accommodation during peak times;

- Berrimah has a fully operational commercial kitchen located within the facility. It has an abundance of storage rooms and refrigeration. Subject to appropriate risk assessment, it is an ideal location for cooking and/or hospitality programs. It has office and administration space and has appropriate toilet facilities for both staff and detainees. All of the above is infrastructure that was not available at the recently closed Don Dale and it is infrastructure that is integral to the safe and humane accommodation of detainees and staff;
- 'R' Block is a series of educational classrooms. It has the potential for the classrooms, if necessary, to be used for both male and female detainees. It also provides case management offices which are very important for the overall successful operation of the centre. They also have appropriate toilet facilities contained within;
- The Old Reception Area, although not used as a reception area, has many possible uses in the future, including the housing of office accommodation for any non-government organisation that is willing to base itself at Berrimah YDC. It also has an administration area; and
- 'J' Block is situated external to the main perimeter of Berrimah. It has a variety of possible uses which include, but are certainly not limited to, possible accommodation for non-government organisations. It could also be used as a step-down facility or pre-release accommodation for a program earmarking low-risk detainees in their last portion of sentence prior to their release. It could be used for the use of children and families, a post release through-care model and works release model are also two other suitable purposes for this block.

In general, Berrimah YDC offers much more variety and infrastructure than the previous Don Dale. It could quite easily be a medium-term possibility as a youth detention precinct with prospects for expansion. The budget allocated to improve its internal physical layout will increase its aesthetic appeal and it will most certainly provide more humane accommodation than the old site. It will also provide more safety for staff, visitors, detainees and the community inasmuch that its perimeter security is of a much more appropriate standard than the Don Dale YDC.

All of its accommodation rooms have at the very least, a toilet and running water in them. This was not the case at the Don Dale facility. In addition the accommodation earmarked for female detainees also contains ensuites.

Rooms generally also have the benefit of good cross and/or forced mechanical ventilation. The ability to have multiple program and activity areas would be ideal for maintaining the detainees in a busy and structured day. It has more staff facilities than the previous Don Dale YDC, including a much

larger car park. It must be remembered that the current use of Berrimah as a prison is for accommodation of up to 700 adult prisoners.

The intention to move detainees into this centre will be to house what will be envisaged to be approximately 50 detainees, although it easily has the capacity to hold much more should the need arise and to keep those numbers in a hygienic environment with appropriate facilities, unlike the recently closed Don Dale detention centre.

The new facility is adjacent to the old Don Dale YDC which still makes it centrally located. This site is conducive to visitors, including non-government organisations that wish to base themselves on site. With the budget allocated, painting and the removal of unnecessary screening and other infrastructure surplus to its operational needs will potentially make this a good choice for the management of detainees well into the future.

Michael Vita
NSW Juvenile Justice