

Appendix

Appendix A: Cleveland Youth Detention Centre inspection report: Focus on separation due to staff shortages – Recommendations 5–8, Director-General response and our assessment

Implications for other Queensland youth detention centres

The Director-General of the Department of Youth Justice (the department) has advised us that separation rooms are included in the design plans for the new youth detention centres being built in Woodford and Cairns.

On 26 March 2024, we advised the Minister for Education and Minister for Youth Justice (the Minister) about our concerns under s 17(5)(b) of the *Inspector of Detention Services Act 2022*. We made four recommendations to the Minister, which are included in this report as recommendations 5 to 8.

On 18 April 2024, the Director-General of the department responded to the recommendations made to the Minister. He explained that the use of separation rooms has been an essential response option for the safety and security of staff, children and visitors in a youth detention centre, with a range of legislative, policy and practice safeguards in place that govern their use. The Director-General's response to each of the recommendations made to the Minister are detailed, in full, below.

On 13 May 2024, the Minister also responded, noting the Director-General's responses to our recommendations.

Recommendation 5

The Department of Youth Justice recognises the importance of ensuring that children are not locked in rooms that do not have basic facilities, including a toilet, a basin with running water, and a bed or seat, for any length of time.

The Director-General's response:

The Department acknowledges this advice and notes the legislative, policy and practice safeguards in place to ensure:

- separation rooms are used only when absolutely necessary and for the shortest possible period to ensure a young person's safety;
- separated young people always have access to staff via an intercom and can access fresh water and toilet facilities on request. Policy and procedure guidance reiterates these requests must be actioned without delay; and
- separated young people are observed frequently and, on some occasions, young people will have a dedicated staff member assigned to them to provide constant supervision.

Notwithstanding this, the Department commits to undertaking a jurisdictional and best practice review to explore whether, and how, these facilities can be provided in separation rooms whilst ensuring the safety and security of staff, young people and visitors in a youth detention centre.

Recommendation 6

The Department of Youth Justice ensures that all separation rooms and holding cells in new youth detention centres (including those at Cairns and Woodford) have basic facilities in them including a toilet, a basin with running water, and a bed or seat.

The Director-General's response:

The Department commits to considering the inclusion of these facilities in the design of the two new youth detention centres at Woodford and Cairns.

It is noted that these modifications will have significant cost implications that will need to be considered relevant to other build priorities.

The Department will also be required to consult with staff and industrial unions to address likely concerns regarding workplace health and safety.

Recommendation 7

The Queensland Government and Department of Youth Justice provide funding to improve the centre's separation rooms and holding cells to ensure that they have basic facilities in them including a toilet, running water, and a bed or seat.

The Director-General's response:

The Department commits to exploring the feasibility of infrastructure modifications to retrofit these facilities into existing separation rooms in the Brisbane, West Moreton and Cleveland youth detention centres.

These modifications may not be structurally possible or financially viable due to infrastructure or construction limitations. These modifications will have significant cost implications that will need to be considered and staged relevant to other capital expenditure priorities. The Department will also be required to consult with staff and industrial unions to address likely concerns regarding workplace health and safety.

Recommendation 8

The Department of Youth Justice closely monitors the centre's use of its separation rooms and holding cells to ensure they are only being used as an option of last resort and for the shortest time possible.

The Director-General's response:

The Department will continue to monitor the use of separation rooms to ensure they are used only when absolutely necessary and for the shortest possible period. Further enhancements to policy, training and information systems will be considered to reinforce this outcome.

While we appreciate the Director-General's response to the four recommendations we made to the Minister, the use of rooms without any basic facilities to separate children, sometimes overnight, is an issue fundamental to humane containment. Children cannot continue to be locked in these empty, concrete rooms, even for short periods of time.

It is especially difficult to reconcile building rooms without basic facilities at two new youth detention centres with government assurances that the centres will 'include therapeutic design elements aimed at supporting the rehabilitation of young people'. (Joint statement from the Premier and the Minister for Education and Minister for Youth Justice, *Construction starts on youth detention facility at Woodford*, February 2024).

We acknowledge that considerable time and cost is likely to be involved in undertaking the recommended infrastructure improvements. Recommendation 7 directed to the Queensland Government and Department of Youth Justice provides support for infrastructure improvements through additional funding.

In the meantime, if the centre intends to continue to use the rooms in their current form 'when absolutely necessary and for the shortest possible time', it must improve their condition and consider what soft furnishings (examples of which we have seen in adult prisons in Queensland) can be added.