

Youth wellbeing inspection report 2024



**Office of the
Custodial Inspector**
Tasmania

Inspection of youth custodial services
in Tasmania

The Office of the Custodial Inspector acknowledges Tasmanian Aboriginal people as the Traditional Custodians of lutruwita/Tasmania. We recognise their continuing connection to Land, Sea, Waterways, Sky, and Culture and pay our respects to Elders, past and present.



Produced by the Tasmanian Custodial Inspector

About this report

This report describes the findings and recommendations from the Custodial Inspector resulting from the wellbeing inspection conducted in September 2022.

It is available in print or electronic viewing format to optimise accessibility and ease of navigation. It can also be made available in alternative formats to meet specific accessibility requirements.

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From the Custodial Inspector

It is my responsibility as Custodial Inspector to provide independent, proactive, preventative and systemic oversight of Tasmania's custodial centres. A custodial centre is defined as a prison within the meaning of the *Corrections Act 1997*, and a detention centre within the meaning of the *Youth Justice Act 1997*.

The Office of the Custodial Inspector is required by the *Custodial Inspector Act 2016* to carry out mandatory inspections of all custodial centres at least once every three years and to for me to report on findings and recommendations to the responsible Minister. I report directly to the Minister, who is then required to table my report in each House of the Tasmanian Parliament. My findings and recommendations thus become matters of public record. After tabling, all inspection reports are published on the Office's website¹.

To meet legislative obligations using the limited resources available, themed inspections of custodial centres focusing on particular inspection standards are undertaken. At the end of a three-year cycle, all custodial centres will have been inspected against the complete set of standards.

This is the report of the second inspection against the suite of Wellbeing standards. The first was completed in 2017 and published in 2018². As a result of the first report I made a number of recommendations, and the extent of progress on their implementation is contained in Appendix 3 to this report. I have made a further 13 recommendations following the second inspection in September 2023.

As is highlighted in this report, time out of room has become an issue of some significance. Its impact on the wellbeing of young people in detention is a cause for concern. Numerous incidents of lockdown commenced in 2022 as a result of staff shortages. These resulted in significant flow-on effects, not the least in the ability of young people to engage in recreational activities and other programs.

More positively, it is pleasing to see an improvement in the ability of the Ashley Youth Detention Centre to engage with Aboriginal culture, given the relatively high ratio of Aboriginal young people in detention. However, in general, any cultural or religious programs are largely provided by volunteers or external service providers. There is no formal structure, or memoranda of understanding,

¹ custodialinspector.tas.gov.au

² Office of the Custodial Inspector Tasmania (2018), Inspection of Ashley Youth Detention Centre in Tasmania, 2017: [Health and Wellbeing Inspection Report](#), Hobart.



governing these arrangements and this needs to be addressed.

This report adopts the practice of using the subject headings as essentially short summaries of the subjects they introduce. It is intended this will mean that the Table of Contents itself is a readily accessible summary of the report.

Prior to publication of this report, the Department of Education, Children and Young People (DECYP) was consulted and invited to correct any factual inaccuracies and to provide a written response to the recommendations included in this report. A copy of its response can be found at Appendix 4: DECYP response.

Richard Connock

Custodial Inspector

June 2024



Acknowledgments

I would like to thank the young people who spoke to my inspection team about how the wellbeing standards influence their lived experience at Ashley Youth Detention Centre (AYDC). I greatly value their contributions.

I would like to acknowledge and extend my appreciation to staff from the Department for Education, Children and Young People (DECYP), particularly those who work at AYDC, for their engagement with my inspection team. Whilst they are legislatively obliged to assist, their cooperation with the process has been very positive.

As part of this announced inspection, management from DECYP and AYDC were invited to provide briefings to the inspection team. These briefings, with respect to the wellbeing standards, outlined in the various operational areas of youth custodial centre:

- recent achievements, current challenges and future perspectives; and
- an assessment of the strengths, weaknesses and opportunities.

I wish to thank DECYP and AYDC for their submissions, as they provided the inspection team with a sound understanding of the strategic direction being taken regarding the wellbeing standards at the AYDC site.



Tasmanian youth custodial system

Ashley Youth Detention Centre

AYDC is Tasmania's only youth detention facility³ and is located near Deloraine in northern Tasmania, approximately 230 kilometres from Hobart. The Centre is situated on approximately 36.5 hectares of land, some of which is run as a small farm. DECYP is responsible for the operation of AYDC.

At the time of the inspection, AYDC could accommodate up to 40 young people of all genders from the age of 10 and older, spread across multiple accommodation units. The Centre is staffed 24 hours per day, 7 days a week.

The *Youth Justice Act 1997* (Tas) s. 4-5 (the Act) requires AYDC to rehabilitate young people who have been in conflict with the law, and to protect the community from illegal behaviour whilst providing secure care for young people detained or remanded by the courts. Rehabilitation outcomes may be improved through the provision of programs in accordance with the principles contained in the Act.

To meet the wellbeing needs of young people at AYDC, they are provided with education through Ashley School (which is also the responsibility of DECYP) and healthcare through Correctional Primary Health Service (CPHS) (which is the responsibility of Department of Health (DoH)). A number of other government and non-government organisations also provide services.

Young people in detention often have complex histories and needs

Young people in detention facilities, either on remand while they await a court appearance or once sentenced, are a vulnerable population with multiple and complex needs. A significant proportion of these young people come from dysfunctional family environments and have experienced family violence, childhood abuse and/or neglect, unstable accommodation or homelessness, and socio-economic disadvantage or poverty.⁴ When compared with young people in the community, young people in detention have poorer physical and

³ The *Youth Justice Act 1997* provides that by notice published in the Gazette, the Minister may establish or abolish detention centres, or declare premises to be or not be detention centres. In addition to AYDC, the minister has declared the Hobart and Launceston Reception Prisons, Risdon Prison and the Ron Barwick Prison to be detention centres for young people. In practice, it would be rare for a young person to be detained for any significant length of time in an adult custodial centre.

⁴ Clancey G, Wang S & Lin B (2020). [Youth justice in Australia: themes from recent inquiries. Trends and issues in crime and criminal justice](#), Australian Institute of Criminology.



mental health, lower intellectual and cognitive functioning, and higher prevalence of alcohol and substance misuse.⁵

While these vulnerabilities might be exacerbated by being in a custodial setting, for some young people, detention may be the first period of stability in their lives. This stability, combined with recognising and addressing the complex needs of this group, are important factors in the rehabilitation of young people.⁶

Rehabilitation is important, as it enables young people to recognise and address the underlying causes of criminal activity and to help them re-integrate into the community.⁷

Wellbeing is another important factor in the rehabilitation of young people in detention and depends on the provision of suitable living conditions. These living conditions encompass the physical standard of buildings and other facilities, levels of hygiene, food and clothing, classification of detainees, contact with family and friends, and privacy.⁸

The number of young people in detention in Tasmania has increased but remains small

In Tasmania, the number of young people in youth detention is small. In the most recent data available, the total number of young people in youth detention in the June quarter 2023 had increased compared to the June quarter 2019, as seen in Table 1.⁹

⁵ The Royal Australasian College of Physicians (2011), "[The health and well-being of incarcerated adolescents](#)". Sydney.

⁶ Clancey G, Wang S & Lin B (2020). [Youth justice in Australia: themes from recent inquiries. Trends and issues in crime and criminal justice](#), Australian Institute of Criminology.

⁷ Australian Law Reform Commission (2010) [Seen and Heard: priority for children in the legal process – rehabilitation through detention](#), Australian Government, accessed 19 December 2023.

⁸ Australian Law Reform Commission (2010) [Seen and Heard: priority for children in the legal process – rehabilitation through detention](#), Australian Government, accessed 19 December 2023.

⁹ Australian Institute of Health and Welfare (2023), 'Table S11: Young people (all ages) in detention on an average night by sex, states and territories, June quarter 2019 to June quarter 2023' [data set]; 'Table S29: Young people (all ages) in unsentenced detention on an average night by sex, states and territories, June quarter 2019 to June quarter 2023' [data set]; 'Table S47: Young people (all ages) in sentenced detention on an average night by sex, states and territories, June quarter 2019 to June quarter 2023' [data set], [Youth detention population in Australia 2023](#), Australian Government, accessed 18 December 2023.



Table 1. Young people in detention in Tasmania on an average night, June quarter 2019 and 2023

	Sentenced ¹⁰ detention	Unsentenced ¹¹ detention	Total detention
June quarter 2019	5.2	10.7	15.9
June quarter 2023	2.9	13.7	16.6

¹⁰ Sentenced is when a young person has been found guilty in court and has received a legal order to serve a period of detention.

¹¹ Unsentenced is when a young person is held on remand awaiting the outcome of their court matter, or while awaiting sentencing after being found or pleading guilty.



List of recommendations

Recommendation 1

DECYP lobby to have time out of room added as an indicator for youth justice services in the Productivity Commission's Report on Government Services.

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Recommendation 2

The Aboriginal education program at AYDC be increased beyond 40 minutes per week per unit to better support Aboriginal young people in detention. Greater access to a variety of cultural items, subject to any necessary risk assessments, should occur. The program should be able to be delivered outside at AYDC as well as inside units. Visits on Country should be incorporated into the program.

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Recommendation 3

Establishing a yarning circle and an outdoor cultural garden should be prioritised. Young people should be given the option to be included wherever possible in work to prepare and maintain the space.

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Recommendation 4

AYDC consider engaging a humanist chaplain.

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Recommendation 5

AYDC management arrange and offer a meeting schedule with religious and cultural leaders who visit AYDC regularly to provide an opportunity to discuss any issues that arise or are observed during their visits.

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Recommendation 6

AYDC establish a strategy for engagement with volunteers and external organisations. As part of that process, AYDC work with all existing and new organisations that have staff or volunteers that engage with young people at AYDC to prepare Memorandums of Understanding. The AYDC Young People Consultation Group should be involved in the process as appropriate.

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Recommendation 7

Religious and cultural leaders be given an opportunity to engage with youth worker recruits to outline their role and function when attending AYDC.

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Recommendation 8

AYDC review security arrangements for external visitors, including providing a mandatory induction session for new visitors, as well as regular induction refresher sessions. The induction should cover basics such as how concerns about the welfare of residents can be reported, the different security codes and other safety and security considerations.

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Recommendation 9

DECYP review its policies and procedures relating to Registration to Work with Vulnerable People to ensure it is complying with its obligations under the *Registration to Work with Vulnerable People Act 2013*.

DECYP conduct an audit of all employees and volunteers at AYDC to ensure that Registration to Work with Vulnerable People details are up to date and list AYDC as an employment or volunteer location.

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Recommendation 10

Increase young people's underwear and socks allowance from the current allowance of two sets per stay at AYDC.

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Recommendation 11

AYDC consider adding rain ponchos and/or weatherproof clothing to the entry pack provided to young people so they can go outside in all weather conditions in line with standard 9.10.

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Recommendation 12

AYDC consider increasing the financial allowances for young people.

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Recommendation 13

Make the canteen form more accessible for young people with lower levels of literacy and numeracy.

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Inspections, standards and methodology

Inspections

The purpose of the Custodial Inspector is to provide independent, proactive, preventative and systemic oversight of custodial centres. The definition of a custodial centre includes a detention centre within the meaning of the *Youth Justice Act 1997*.

Section 13 of the *Custodial Inspector Act 2016* requires my office to carry out a mandatory inspection of each custodial centre at least once every three years. Section 15 of the *Custodial Inspector Act 2016* requires me to prepare a report to the responsible Minister outlining my office's findings and recommendations in relation to each mandatory inspection. I report directly to the Minister responsible for the custodial centre and the Minister is required to table a copy of my report in each Tasmanian House of Parliament. In this way, inspection findings and recommendations become a public record. After tabling, all inspection reports are published on the Office's website, www.custodialinspector.tas.gov.au.

To meet legislative obligations using the limited resources available, my office undertakes themed inspections of custodial centres focusing on particular inspection standards. At the end of a three-year cycle, all aspects of custodial centres will have been inspected against the entire set of inspection standards. Due to the outbreak of COVID-19, and the public health measures that were undertaken immediately thereafter, planned inspections were postponed. Unfortunately, this has meant we are currently behind schedule on inspecting all of the standards within the three-year cycle.

Prior to publication of this report, DECYP was consulted and invited to correct any factual inaccuracies and to provide a written response to the report and recommendations. DECYP's response can be found at Appendix 4: DECYP response.

Standards

The *Inspection Standards for Youth Custodial Centres in Tasmania* provide the structure for reviewing and assessing the performance of custodial centres in relation to the treatment of, and conditions for, young people in Tasmania.

The inspection standards are publicly available on the office's [website](#). The inspection standards relevant to this report are located in Appendix 1:



Inspection standards.

Inspection provides independent, external evaluation of custodial centres against the Youth Inspection Standards. An independent perspective can identify issues – both shortcomings requiring improvement and strengths that can be better utilised – that may not be immediately apparent to the custodial centre, thereby providing a continuous improvement framework.

Methodology

During the inspection, a number of evidence sources were used to assess AYDC against the inspection standards. These included:

- an on-site inspection;
- meetings with senior management;
- individual interviews carried out with staff;
- conversations with young people at AYDC;
- review of documentation; and
- observation by the inspection team.



Key observations

What is wellbeing?

Wellbeing is a combination of feeling good and functioning well. It's feeling positive emotions like happiness and contentment as well as developing your potential, having some control over your life and having positive relationships.¹² Factors that affect wellbeing include a network of close friends, enough money, regular exercise, nutritional diet, enough sleep, support for your spiritual or religious beliefs, fun hobbies, and a sense of belonging.¹³

Time out of room undeniably impacts on wellbeing

Prior to commencing this inspection, I advised DECYP that I would add inspection standard 9.8 relating to time out of room. That inspection standard states:

9.8 Young people should have a minimum ten hours out of bedroom each day.

9.8.1 These out of bedroom hours are used to promote attendance at education and programs as well as recreation activities.

9.8.2 Hours out of bedroom should only be reduced in exceptional circumstances and deemed necessary by the Centre Manager.

This inspection standard was added due to numerous incidents of lockdowns that started in June 2022. I requested material relating to this standard and received some information responding to my request on 6 December 2022. I was advised that the final response would be provided imminently. Disappointingly, to the date of completion of this report, I have received nothing further.

¹² Ruggeri K, Garcia-Garzon E, Maguire A, Matz S & Huppert FA (2020) '[Well-being is more life happiness and life satisfaction: a multidimensional analysis of 21 countries](#)', *Health and Quality of Life Outcomes*, 18(192), doi: 10.1186/s12955-020-01423-y.

¹³ Department of Health (2022) [Wellbeing - Better Health Channel](#), Victoria State Government website, accessed 19 January 2024.



The Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (Commission of Inquiry) Report has looked at isolation in depth and made detailed recommendations relating to improving time out of room for young people. My health care report has also reported on the lockdowns, as they impact physical and mental health. The annual report for 2022-23 provided data and commentary on the rate of lockdowns in that financial year. Both reports are available on the office's [website](#).

I do not propose to cover the topic in any greater detail given the extensive and recent information available, but will reiterate that lockdowns are continuing to occur due to short staffing. This has a significant number of flow-on effects, especially to other matters addressed in this report, including access to recreation and young people's ability to engage with religious, spiritual and cultural life.

A key observation during the inspection was that a significant number of staff were on workers' compensation or stood down whilst allegations against them were investigated. These investigations were taking a considerable amount of time. The impact on the wellbeing of the young people due to staff shortages means there is less time out of room. It also has an impact on the wellbeing of staff being investigated, which in some cases have been ongoing for years, and those working in AYDC. There is a concerning potential for serious consequences on people's wellbeing from these protracted delays.

My inspection team met with the team responsible for coordinating investigations and learnt that key issues causing delays are record keeping and accessing documents, a reduction in the number of staff in the relevant team in Human Resources, and difficulties finding, engaging with and speaking to witnesses.

A considerable amount of work has been done to collate and organise a large amount of documentation to allow the claims to be fully investigated. The Commission of Inquiry discussed the record-keeping issues in Volume 5, Book 3 of its report, referring to more than 8,000 boxes of documents and 150,000 hard copy records that needed to be processed.¹⁴ It outlined that these records had been stored haphazardly and with little order or cohesion. The Commission referred to a lack of clarity as to whether documents prior to 2000, to which some of the allegations relate, will be digitised as part of the Records Digitisation and Remediation Project.¹⁵

¹⁴ Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (2023) [Who was looking after me? Prioritising the Safety of Tasmanian children](#), Volume 5: Children in youth detention (Book 3) p15.

¹⁵ Ibid.



The Report on Government Services needs to report on time out of room in youth detention

The Commission of Inquiry recommendation 12.32 - 2(3)¹⁶ stated that DECYP should publish quarterly data on isolation and lockdowns in youth detention. My staff have discussed this issue with senior management at DECYP and suggested it should go further. DECYP should lobby to have time out of room added as an indicator in the Productivity Commission's Report on Government Services. This way the data can be compared with other Australian jurisdictions to provide a comparative assessment of performance, based on uniform data.

Time out of cell is an indicator for adult corrective services and this important measure should be extended to time out of room in youth detention. It will likely take a significant amount of time for a new indicator to be added, given the need for negotiation and discussion between states and territories and the difficulties in establishing consistent data collection across Australia. It would be a worthwhile endeavour, however, in the interests of increasing transparency and accountability.

Recommendation 1

DECYP lobby to have time out of room added as an indicator for youth justice services in the Productivity Commission's Report on Government Services.

¹⁶ Ibid, p225.



Religious, spiritual and cultural life

Ability to engage with Aboriginal culture at AYDC is improving

The Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (Commission of Inquiry) discussed Aboriginal children in youth detention in Volume 5, Book 3, Chapter 12, section 7 of its report. This included a discussion at section 7.3 about cultural safety, including the availability of cultural programs delivered by Aboriginal organisations and the presence and support of Aboriginal staff. It has made a number of recommendations, 12.29 being the most directly relevant to standard 1.8 regarding cultural life.

The rate of incarceration of Aboriginal young people at AYDC is high, at around 40% of the total AYDC population. At the time of the inspection, it seemed that opportunities for Aboriginal young people at AYDC to engage with their culture and community was limited.

Since this inspection, a regular voluntary session started in May 2023 for all young people to participate in Aboriginal cultural awareness activities. Each Monday, an Aboriginal Education Support Worker (an identified position within DECYP), along with a colleague, visits AYDC and attends each unit for approximately 40 minutes. A range of activities can occur, from making kelp baskets to making cupcakes with Aboriginal flag decorations, whilst discussing the flag and its meaning. My inspection team were advised that security considerations limited the nature of some activities that could occur. For example, my staff were told that clapsticks and spears are not permitted to be brought on-site at AYDC due to safety concerns. There appears to be scope, however, for the range of activities to increase if appropriate risk assessments were conducted based on the behaviour of individual young people.

My inspection team was advised that there is a high uptake for the program, and so far only two young people have not wanted to join in with the cultural activities. The reasons that these two young people did not want to join could be addressed through discussion with them. For example, one young person did not want to participate in a session preparing food due to sensory issues, but after discussion the solution was providing gloves to handle the food. The inspection team were told that a conscious effort is made to ensure all young people are welcomed, regardless of whether they identify as Aboriginal or not.

This program is limited, and consideration should be given to expanding its scope so Aboriginal young people in detention can benefit from gaining a better



understanding of, and connection with, their culture. Research also shows for Australian Indigenous people in custody, cultural engagement was significantly associated with non-recidivism.¹⁷ Even simple steps, like enabling the program facilitator and young people to engage outside of the units, should be adopted. Options for being on Country should also be explored when staffing levels have stabilised.

Recommendation 2

The Aboriginal education program at AYDC be increased beyond 40 minutes per week per unit to better support Aboriginal young people in detention. Greater access to a variety of cultural items, subject to any necessary risk assessments, should occur. The program should be able to be delivered outside at AYDC as well as inside units. Visits on Country should be incorporated into the program.

Progress on establishing a yarning circle has been slow

During the inspection visit, my team was informed that work is underway to create a yarning circle in the large outdoor area, a pleasant grassy area that contains several other facilities including the pool and outdoor exercise equipment. My staff were advised an Aboriginal Elder and AYDC are working together to develop the space. On more recent visits, however, my staff did not observe any works yet being undertaken.

Speaking with other stakeholders, it seems that discussions about establishing a yarning circle have been ongoing for some time. Given the high rate of incarceration of Aboriginal young people it is time, if this has not yet occurred, for some firm timeframes to be put in place around these works to ensure progress is achieved. There is a lack of any Aboriginal cultural spaces at AYDC and this needs to be remedied. Stakeholders also spoke to my team about the benefit of incorporating a cultural garden to provide another means to teach young people about Aboriginal culture.

¹⁷ Shepherd SM, Delgado RH, Sherwood J and Paradies Y (2018) '[The impact of indigenous cultural identity and cultural engagement on violent offending](#)', *BMC Public Health*,18(50):1-7, doi: 10.1186/s12889-017-4603-2



Recommendation 3

Establishing a yarning circle and an outdoor cultural garden should be prioritised. Young people should be given the option to be included wherever possible in work to prepare and maintain the space.

Further artwork would brighten otherwise stark units

Many of the units in AYDC are stark and unwelcoming. Recently some excellent mural art has been created on one of the walls in the Franklin Unit exercise yard, with the assistance of young people. More could be done to engage young people in art, including art from Aboriginal artists, in units. A popular art program is available to young people in AYDC.

Incorporating ways that this, and the work of the Aboriginal education program, could be included to make the units more vibrant should be further explored. My staff heard that one issue is that many of the young people have, understandably, a great deal of pride in the work they have completed and want to keep these pieces when they leave AYDC. My staff were told that it can sometimes take discussion to persuade young people to work on projects for other purposes, for example an art project that was completed for a local school.

Engagement with the Aboriginal community has recently increased following COVID-19

My inspection team was advised that during COVID-19 visits by Aboriginal Elders ceased as part of public health measures.

Visits from the Tasmanian Aboriginal Centre (TAC) appeared to be starting up once more when my team conducted its most recent inspection, but appear to have since stopped again or are intermittent in nature. Prior to finalising this report, my staff tried to speak with representatives from the TAC that have attended AYDC. We spoke with one staff member who had visited AYDC for a brief period. They spoke positively of the willingness of AYDC management to provide cultural support to young people.

I understand DECYP has engaged with the Circular Head Aboriginal Corporation to increase cultural activities at AYDC in 2024. This will include a series of courses throughout the year, such as an anger management course; a smoking ceremony and clap stick making day; a cultural barbeque; mindfulness session; and ochre painting.



The Tasmanian Aboriginal Legal Service (TALS) provides legal education sessions to young people at AYDC. The TALS Talks commenced in late 2023, after our inspection. A TALS lawyer and an Aboriginal Liaison Officer engage with young people on a range of different topics, including being safe online, dealing with the police, drugs and healthy relationships.

The TALS Talks have been occurring fortnightly and the sessions are tailored following feedback and suggestions from young people. My inspection team was advised that the space in which this program is delivered varies from units to meeting rooms but the feedback was that a designated space would be preferable, in addition to the yarning circle outside. The large space near the Rubicon unit, from which the multi-faith room and music room stems, would be an ideal location.

Religious life is not an area of significant focus

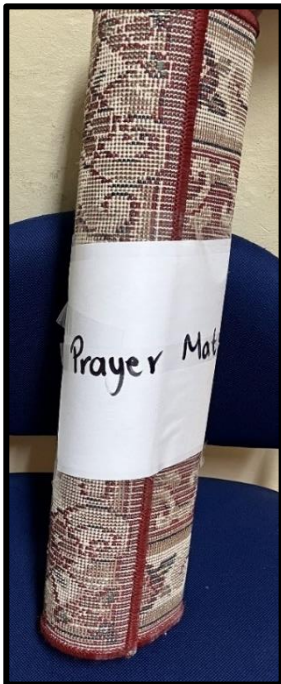


Figure 1. Prayer mat available to young people at AYDC.

Australian society is increasingly becoming less religious. In the 2021 census, Tasmania had the highest proportion of people reporting to have no religion - at 50% of the population - and shared with Queensland the highest growth from 2016 to 2021 in the number of people reporting to have no religion.¹⁸ In 2021, 45.56% of people aged 15-24 years old identified as having secular beliefs, other spiritual beliefs and no religious affiliation.¹⁹ This was up from 37.19% in 2016.²⁰

At AYDC, religion is not a large area of focus, which is unsurprising given the above census information. No regular religious services occur. My inspection team observed, however, a readiness to accommodate any young people who are religious. They saw, for example, that a prayer mat was available in the property room in the event of a Muslim young person attending the centre.

AYDC advised that young people are encouraged to engage with their culture or faith while staying at AYDC. If a young person wishes to have contact with any identified religious faith, AYDC

¹⁸ Australian Bureau of Statistics (2022) [Religious affiliation in Australia: Exploration of the changes in reported religion in the 2021 Census](#), Australian Bureau of Statistics website, accessed 30 January 2024.

¹⁹ Australian Bureau of Statistics (2022) Data table for Census article – Religious affiliation in Australia, Table 2 [data table] in [Cultural Diversity: Census](#), Australian Bureau of Statistics website, accessed 19 February 2024.

²⁰ Ibid.



staff will facilitate that as best they can. The reception process at AYDC prompts staff to specifically ask young people about their religion and culture.

Visiting Catholic priest is a well-respected figure

A local Catholic priest attends AYDC every Friday evening. He has dinner with the young people in a different unit each week, and then visits the other units to engage with any young people who would like to have a conversation.

My inspection team spoke with the Catholic priest sometime after the inspection, and he confirmed what AYDC had advised; that he is supportive and accepting of all faiths and beliefs; and is happy to discuss other denominations and faiths with young people. The priest advised he was also happy to link young people with other relevant denominations in the community and expressed a willingness to accommodate young people at weekend services in the event a young person expressed a desire to attend, if it was possible in light of AYDC security and staffing considerations.

The priest has been attending AYDC since August 2020. Consistent feedback has been that he is a well-liked figure at AYDC. Visit frequency has been impacted on occasion as a consequence of lockdowns.

Friends of Ashley have been visiting for 25 years

My staff also spoke with two representatives from Friends of Ashley, a division of the Prison Fellowship. This is a group of Christian volunteers who attend AYDC approximately every three to four weeks on a Sunday. Friends of Ashley is made up of multiple different Christian denominations including Baptist, non-denominational, Branch (an evangelical church) and Reform Church and in the past there have also been Presbyterian members. Friends of Ashley has been visiting AYDC for approximately 25 years. It initially began with members from Southern Tasmania but now most volunteers are from the local region or around Launceston.

On a visit they will go to the various units and speak with young people interested in having a conversation and play cards or table tennis. They advised my team that a youth worker is always present during their visits and the visits can occur sometimes outside in the yards. They told my team that they will use a questioning method when speaking to young people and if a young person expresses an interest in God, they will engage in a discussion. There are usually two members on a visit.

Like other volunteers and service providers, Friends of Ashley visits have also been impacted as a consequence of lockdowns. My staff were advised that



there was a period of three months where they were not able to attend the centre.

Friends of Ashley organise visits each year close to Christmas where up to four or five members attend and bring gifts for the young people. My staff were advised this arrangement was organised with AYDC management.

Multi-faith room is under-utilised

AYDC advised that since the last inspection a newly refurbished multi-faith room has been made available to young people when and as they need it. My inspection team heard from multiple sources that this is not a well-utilised resource, in part perhaps because it may be difficult to access with staffing shortages. One volunteer, for example, was not sure where exactly this space was or what it contained.

Friends of Ashley, the priest and the DECYP Aboriginal culture program all engage with young people in their units, which is separate from the multi-faith room. The room and its use may benefit from some more focus by AYDC management and staff, including incorporation of more cultural and religious items or art.

A chaplain is required

It is apparent that religious life at AYDC is highly dependent on volunteers, exclusively of the Christian faith.

AYDC needs to consider whether a formal chaplaincy program should be established to provide a dedicated pastoral care service at AYDC, which would be enhanced by the contributions of existing volunteers.

Given the statistically low rate of religious affiliation amongst young people, a humanist chaplain or secular pastoral care and wellbeing support role would be a sensible option. They can provide spiritual guidance but also help facilitate services for those of a particular religion. A chaplain would also be a listening ear for staff who may wish to discuss issues of concern. Establishing a pastoral care program, in addition to establishing the role of Aboriginal liaison officer as recommended by the Commission of Inquiry²¹, would go a long way to ensuring that AYDC is addressing standard 1.8 more fulsomely.

²¹ Commission of Inquiry , Volume 5 (Book 3) Chapter 12, p179.



Recommendation 4

AYDC consider engaging a humanist chaplain.

Religious and cultural festivals are celebrated but communal eating should be restored

AYDC supports young people to observe spiritual and cultural events such as NAIDOC week, Easter and Christmas. During this inspection my team spoke with staff from the kitchen, and it was apparent that catering for religious and cultural events is scheduled and well-considered.

A consistent theme in speaking with religious and cultural leaders, was the concern that the communal eating area for young people at AYDC was still not in operation. My inspection team heard about the important pro-social skills and mental health benefits that can come from eating with others. Young people are currently eating with other young people in their units, but a more communal option would be preferable.

In my Health and Wellbeing Inspection Report in 2017 I recommended that communal meals in the common area recommence, which was implemented, but COVID-19 understandably resulted in meals again being served in units.

My Food and Nutrition Inspection Report in 2020 noted that AYDC management indicated that the Centre would return to mostly communal eating as soon as possible. I would again urge that a return to dining in the communal area occur.

Stronger links between volunteers/visitors and management are desirable

It was apparent that contact between AYDC management and cultural leaders, visitors for cultural programs and religious volunteers could be improved. This may be as simple as arranging a regular meeting, perhaps once a quarter, between these visitors and a senior member of AYDC staff.

Given the nature and frequency of these visits, they are in essence performing a function similar to an official visitor in adult correctional centres. Young people may raise issues of concern with them or the visitors themselves may observe issues that they would like to raise with management.

It would be a positive and proactive measure to set up a formal meeting arrangement so any such issues could be raised in a regular forum with management, as well as interactions with staff during visits. It will also present



an opportunity for AYDC management to raise any issues, for example if there are any reports of proselytizing.

Recommendation 5

AYDC management arrange and offer a meeting schedule with religious and cultural leaders who visit AYDC regularly to provide an opportunity to discuss any issues that arise or are observed during their visits.

Parameters of engagement with external service providers must be established

Following the inspection, my staff requested copies of any agreements or memorandums of understanding with religious and cultural organisations visiting young people at AYDC. There were none. Work needs to be done to establish parameters with regular visitors who attend AYDC, including ensuring there is a shared understanding of each other's roles and responsibilities. This should include, for example:

- a statement of purpose;
- details of how the organisation demonstrates its compliance with the Child and Youth Safe Standards in the *Child and Youth Safe Organisations Act 2023*;
- training requirements;
- expectations around behaviour and engagement with young people;
- consent from young people and how it is established;
- how people can raise welfare concerns about young people;
- how members of the public and contractors can make protected disclosures under the *Public Interest Disclosures Act 2002* about public bodies engaging in improper conduct, including failing to respond appropriately to allegations of child sexual abuse.
- expectations around privacy and handling of personal information of young people in detention;
- processes for dispute resolution; and
- security and induction requirements.

It is concerning that there is currently nothing in existence covering these issues.



More broadly, AYDC should consider what its overarching strategy is relating to engagement with volunteers and external organisations for the delivery of religious and cultural engagement services within the centre.

Recommendation 6

AYDC establish a strategy for engagement with volunteers and external organisations. As part of that process, AYDC work with all existing and new organisations that have staff or volunteers that engage with young people at AYDC to prepare Memorandums of Understanding. The AYDC Young People Consultation Group should be involved in the process as appropriate.

Religious and cultural leaders should be introduced during the induction for youth worker recruits

It would be beneficial to offer cultural and religious leaders who attend AYDC the opportunity to meet new youth workers. This could occur during the recruit training course provided to all new youth workers. This would enable staff to understand the different religious and cultural leaders who may attend AYDC and the purpose of their visits. It would also give the new youth workers a greater understanding of another facet of the centre and assist staff in being able to provide referrals or facilitate requests for young people.

Recommendation 7

Religious and cultural leaders be given an opportunity to engage with youth worker recruits to outline their role and function when attending AYDC.

Security inductions for volunteers and visitors are not occurring

AYDC has a standard operating procedure, 'Site Entry/Exit – Visitors and Service Providers' that became effective in August 2012. It sets out that other than once-off activities, all Program Service Providers must participate in an



official Centre Induction Program before they can conduct their program on-site. The procedure states that the induction will include information on the following:

- areas into which they are and are not permitted;
- items which are prohibited and unauthorised at the Centre;
- items which are permitted/prohibited to be given to young people during the program/activity;
- the location of security equipment, for example, telephones and duress alarms;
- who to report problems with staff and young people to during the program/activity;
- ways in which they should notify staff if they experience problems;
- the requirement for them to adhere to confidentiality guidelines; and
- the nature of appropriate relationships established and maintained with young people in custody.

This procedure was due for review in 2015.

My inspection team spoke with multiple stakeholders involved in supporting the religious, spiritual and cultural life at AYDC who have not received an induction. They were not aware, for example, of the different security codes and what to do if these codes were called.

My team also spoke with stakeholders who had last done an induction over a decade ago. They heard one example of a positive induction.

Regular visitors do not receive radios or duress alarms. This means they may not know if a code has been called, although a youth worker would normally be present during a visit. My staff also heard of a visitor being accidentally locked in an empty unit for almost an hour before they were discovered.

The process of ensuring the security of visitors, and in turn the security of the centre, could be improved. AYDC needs to develop, and consistently deliver, a basic induction session for people entering the centre and consider whether duress alarms or radios should be issued to visitors.

An induction would be a valuable opportunity to inform visitors about reporting options they can use if they have concerns about the safety and wellbeing of any residents. It should, for example, advise how members of the public and contractors can make protected disclosures about improper conduct of public bodies under the *Public Interest Disclosures Act 2002* and provide details about the Reportable Conduct Scheme under the *Child and Youth Safe Organisations Act 2023*.



Recommendation 8

AYDC review security arrangements for external visitors, including providing a mandatory induction session for new visitors, as well as regular induction refresher sessions. The induction should cover basics such as how concerns about the welfare of residents can be reported, the different security codes and other safety and security considerations.

Processes for Registration to Work with Vulnerable People at AYDC need to be stronger

My staff reviewed the Registrations to Work with Vulnerable People of the volunteers that attend AYDC for religious activities. Only one of the eight volunteers had AYDC listed as a location where they volunteered. This was raised with DECYP and steps were taken to remedy the situation.

My staff sought a copy of DECYP's policies and procedures relating to Registration to Work with Vulnerable People and were provided with a policy that was last significantly reviewed on 9 February 2021. As a consequence, there was no reference to AYDC, given it was a part of the Department of Communities Tasmania at that time. The policy related predominantly to educational settings.

Processes need to be introduced to ensure that any volunteers at AYDC have AYDC listed on their Registration to Work with Vulnerable People. This ensures that the Registrar of the *Registration to Work with Vulnerable People Act 2013* knows to notify AYDC in the event a registration is suspended or cancelled. It is an offence for an employer to not notify the Registrar within 10 days of a volunteer commencing in a regulated activity for that employer.²²

My staff contacted the Registrar's office and were advised that DECYP would be considered an employer when allowing volunteers to enter its premises, even if the volunteers were entering as a volunteer for another organisation.

I raise this as a proactive recommendation rather than arising from concern about any inappropriate behaviour on the part of people engaging with young people. I understand youth workers would also always accompany volunteers or be within their line of sight.

²² Section 48A of the *Registration to Work with Vulnerable People Act 2013*.



Recommendation 9

DECYP review its policies and procedures relating to Registration to Work with Vulnerable People to ensure it is complying with its obligations under the *Registration to Work with Vulnerable People Act 2013*.

DECYP conduct an audit of all employees and volunteers at AYDC to ensure that Registration to Work with Vulnerable People details are up to date and list AYDC as an employment or volunteer location.



Sport and recreation

Indoor exercise options are excellent

There is an indoor basketball court, which my inspection team has observed in use on multiple visits. The acoustics in this room make it difficult to hear. My Health Care report recommended the acoustic conditions be reviewed in units, and the indoor gymnasium, with the view to addressing the issue.

Adjoining the indoor basketball court is an indoor gym, referred to as the FitGym. This contains a range of strength and conditioning equipment in good condition. Since the inspection, free weights such as dumbbells, visible in Figure 3 (B) and (E), have been removed and a range of new cable gym equipment units have been installed. I understand the free weights were removed as a health and safety and security measure but the replacement with the new cable equipment seems like a reasonable accommodation.

Young people my team spoke to during the inspection seemed to appreciate the gym and sessions with the personal trainer who regularly attends AYDC, with some young people being very proud of their fitness progress. I was advised that staff encourage young people to consider fitness goals, but as goal setting is self-determined this is at the choice of the young person.

AYDC advised that the professional personal trainers provide individually tailored programs to young people. These personal trainers or the physical education teachers always supervise young people whilst using the facilities.

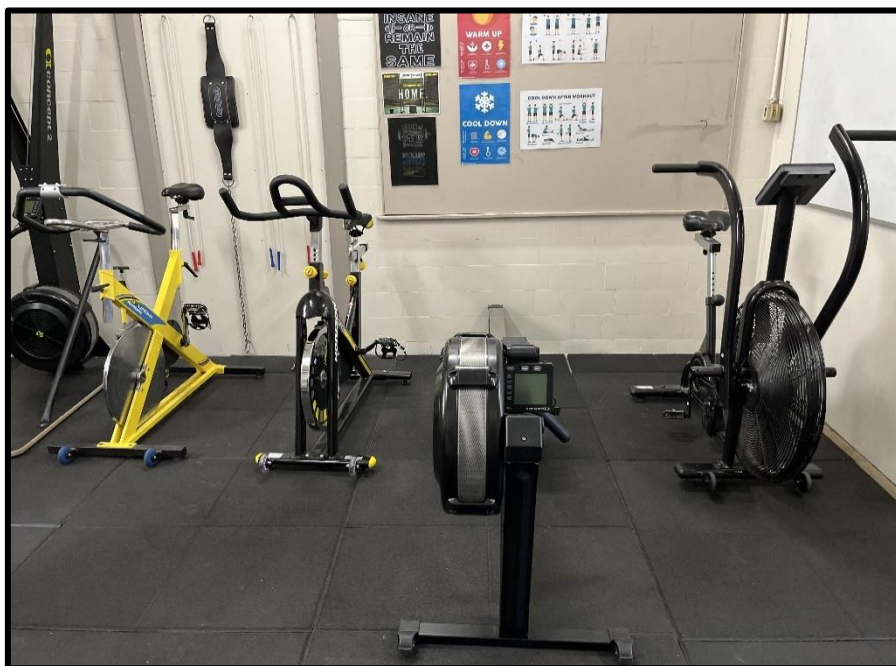


Figure 2. Indoor gym equipment at AYDC.



Figure 3. A) Indoor basketball court. B) Treadmills in the gym. C) Wall posters showing various chest, back and arm workouts in the gym. D) Weight machine in the AYDC gym E) wider-angle view of part of the gym.



Outdoor equipment is good but is getting an upgrade

There is a large outdoor area that has a number of different recreation and exercise options. There is outdoor gym equipment, a basketball court and cricket batting cages as well as a pool, as pictured in Figures 4 and 5. The pool is well used and, when speaking with young people, seems to be a popular feature.

All units except Liffey have an exercise yard attached. These yards are of varying size, with the Franklin yard being the largest. These yards contain a basketball hoop and basketballs are readily available to young people.

The exercise yards do not have any shaded areas. My Health Care Report recommended that shade cloths or other structures be installed to encourage AYDC residents to spend time outside in nature. The exercise yards would also benefit from seating, although my team has observed young people take portable lounge chairs out into the exercise yards.

Since the inspection, my staff have been advised of the intention to upgrade and improve a number of facilities, such as putting a roof over the pool, building a skate park, and building an exercise yard for the Liffey Unit. This is particularly positive news for young women in detention as, concerningly, they are more often than not housed in the Liffey Unit due to a number of factors.

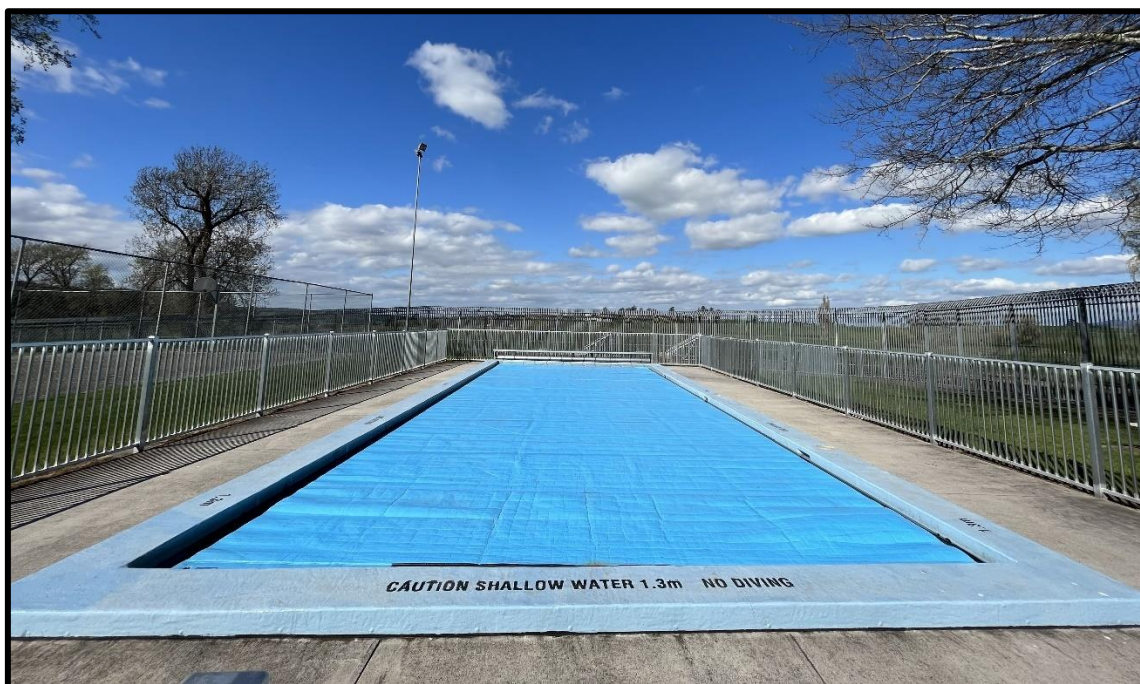


Figure 4. Pool at AYDC.



Figure 5. A) Outdoor gym equipment. B) Basketball court and cricket pitch. C) Open green space at AYDC. D) Enclosed outdoor exercise space attached to a unit.

Programs appear to be varied but boredom and lockdowns are issues

Prior to the inspection, I was provided with AYDC's Program Guidelines in response to my information request. These guidelines were issued in 2014 and updated in 2015. They are long overdue for review.

AYDC advised that the Ashley School provides fitness programs at the FitGym and in the outdoor spaces, including football, basketball, indoor cricket and weight training. During a visit my inspection team observed a group of young people playing a game of football with youth workers, and all participants were obviously having a good time, based on the level of engagement.

Young people are also encouraged during their free time to utilise the FitGym, the games room and the unit yards for sport (noting, however, that the Liffey unit does not have an exercise yard).



Holiday programs are provided during school holidays and activities occur in addition to school during term time.

During one visit, a particularly popular program that was being run was making sushi rolls. The young people were proud of the sushi they had made and shared some with my inspection team. Other programs include weekend cooking classes, robot building with the 'robot man'. Other external visitors in the past have provided drumming and skating lessons.

On other visits my team have observed periods where young people have not had many activities occurring. This can be for a range of reasons including staff shortages, a young person choosing not to attend or engage in an activity, or another group accessing the particular activity scheduled for the Centre that day and security requirements necessitating certain young people are separated. I have also heard reports of very positive days at AYDC when the program of activities is full and young people are active throughout the day.

AYDC has a clear understanding that boredom, in addition to lockdowns, has consequences on the behaviour of young people. Research has shown that sport and physical activity helps young people cope with the detrimental impacts of detention.²³

As much as it can in a climate of staffing shortages, AYDC works to ensure that there are sufficient programs in place. Therefore, it is not necessary for any recommendations to be made around increasing programs as I am confident as the staffing situation improves there will be a corresponding improvement in the range of programs offered.

In terms of engagement with external sporting teams, AYDC advised that pre-COVID-19 this was a usual practice, but COVID-19 restrictions impacted AYDC's capacity to engage with external providers. The AYDC High Risk designation for COVID-19 was removed only a few weeks prior to DECYP providing requested information in preparation for the inspection, but my team was advised that efforts are underway to re-engage with this kind of opportunity.

Since the inspection, my staff have also heard of additional programs for young people. This has included Hoops 4 Life, which uses basketball to assist young people in developing the social, personal and life skills needed to make better life decisions. The outdoor education program has also offered classes in kayaking in the AYDC pool, where young people can learn how to launch and paddle a kayak whilst learning teamwork and safe water skills. It was also

²³ Norman M, Sonoda J, & Ricciardelli R (2024) '[Sport, Physical Activity, and Young People Who Are Incarcerated: A Scoping Review](#)', *Youth Justice*, 0(0):1-24 [ahead of print], doi: 10.1177/14732254231220594



suggested that orienteering would be offered in 2024, so students would be using maps and compasses to find checkpoints around the AYDC site.

Passive recreation is extensive

An extensive collection of board games and other passive recreation activities are available to young people. My inspection team visited the room where a lot of these supplies are stored, as pictured in Figure 6. There was also an extensive DVD collection, as pictured in Figure 7 A, which has been well-utilised during lockdowns as young people have been given access to DVD players whenever possible to help pass the time locked in their room.

Art and craft activities are popular, and my team has observed young people wearing hats and shirts with designs they have made and printed themselves.

A Play Station 4, with a range of games, is in every unit for young people to play. A games room with foosball and an XBOX is also available.

A music room containing drum equipment and other musical instruments was also observed during the inspection. It was unclear how often it is utilised given staffing issues.

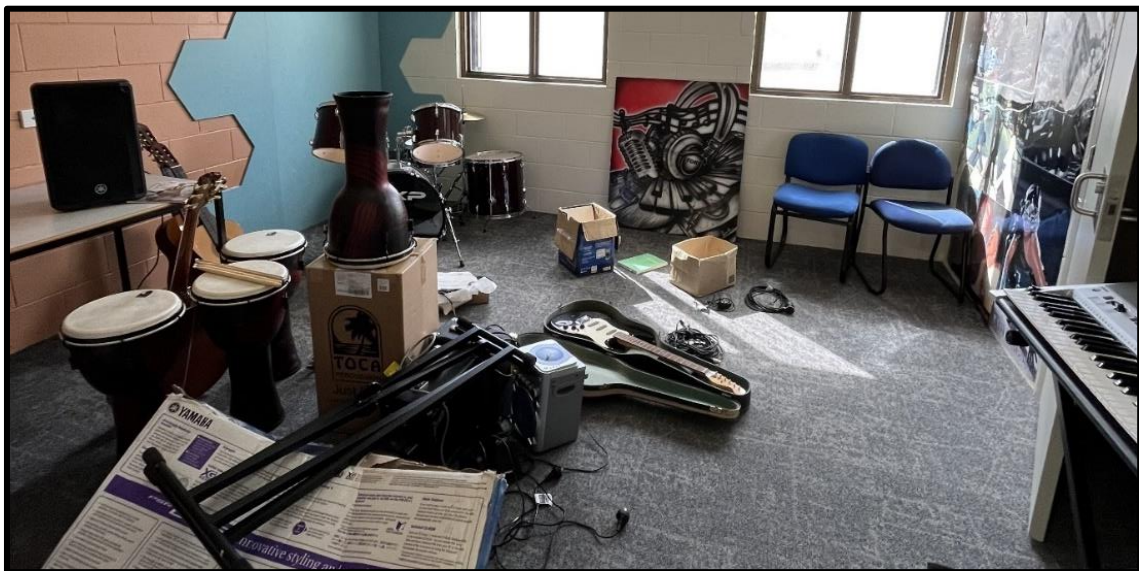


Figure 6. Music room at AYDC





Figure 7. A) Collection of DVDs, console games, board games and puzzles available to young people. B) Close-up image of some of the puzzles and board games available to young people. C) Collection of craft and hobby items stored at AYDC, this room contains a significant number of resources beyond what is pictured.

Clothing, toiletries and period products

Clothing allowance has increased since the last inspection

Young people are only permitted to wear clothing provided by AYDC. Underwear is provided, however young people are allowed to wear their own underwear if they choose. Young people can wear their own cap or beanie but this does require permission from the Operations Coordinator.

Pleasingly, the clothing allowance received by young people on admission has doubled since the 2017 inspection, and young people now receive two sets of clothes. Each young person receives:

- two pairs of pyjamas
- two pairs of track pants
- two fleecy jumpers
- two t-shirts
- two pairs of socks
- two pairs of underwear
- one pair of slippers
- one pair of sneakers

AYDC Stores, as pictured in Figure 8 B, holds a variety of clothing for female and male young people, most of which is new. Stores also has some second-hand clothing in good condition. Clothing issued to young people is generally new. The second-hand clothing is only used in an extraordinary situation. For example, if a young person comes into AYDC over the weekend when there are no Stores staff to go to the shops and purchase appropriately sized clothing if none is on-site.

During this inspection one young person raised concerns with my staff about the amount of weight they gained whilst in detention and that the clothing they had been issued was now tight. Another young person showed my team holes in their clothing.

In discussions with AYDC staff my inspection team was advised that different sizes and replacement items would be provided as required. The small number of young people in detention at any one time in AYDC usually means that staff can be quite responsive to the needs of individual young people. It may be useful, however, for AYDC staff to remind young people that they can ask for replacement clothes if required and/or for case management to schedule in regular reviews for longer term detainees to discuss clothing needs.





Figure 8 A) Cupboard containing male and female clothing packs, laundry packs and snack packs given to new detainees. B) Stores facilities has a collection of clothing and shoe options for young people.

Young people are responsible for washing their own clothes and have daily access to the laundry facilities that are provided in each unit. Being responsible for washing their own clothes helps the young people learn independence and life skills. Youth workers provide supervision and instruction for young people when using the laundry.

Two pairs of underwear or socks would appear to be adequate to allow young people to change their underwear and socks daily, where one pair is being worn and one is being washed. However, physical and physiologic changes during adolescence, such as menstruation and increased sweating, may need increased hygiene.²⁴ This may include regularly changing underwear and socks. If a young person showers later in the day, for example after physical exercise or because of underwear staining due to heavy periods, they may not have enough time to wash and dry clothes ready for the next day. Add to this the uncertainty that arises around routine when lock downs occur and access to the laundry is limited, AYDC should consider increasing the allotment of underwear and socks, in consultation with the young people.

²⁴ Crewe S (2016) [Skin, sweat and more: navigating physical changes during puberty](#), Children's Hospital of Richmond at VCU website, accessed 8 January 2024;

Kumar K & Uttekar P (2022) [How Do I Help My Teenager With Hygiene?](#), MedicineNet website, accessed 8 January 2024.

Recommendation 10

Increase young people's underwear and socks allowance from the current allowance of two sets per stay at AYDC.

Young people receive swimwear for use in the pool. Male young people are provided with board shorts and female young people are provided with board shorts and a tankini top or a rashie top. The swimwear is purchased new as needed, and young people take this swimwear with them when they leave AYDC. During the inspection my team saw sunscreen freely available in units.

When young people are taken to an off-site activity, they are provided with any specialty clothing they might require, for example appropriate footwear or a weatherproof jacket for a bushwalk.

In terms of wet weather gear, there are umbrellas stored in unit offices to be used when young people are walking to cars if they are going off property. My inspection team was told that young people are not routinely provided with rain jackets, and consequently when it is raining young people don't often leave their units. The desire for people to be outside does not necessarily decrease if it's raining. This was highlighted by one staff member who noted that there were no raincoats but said "the other day one of the girls really needed some fresh air, even though it was raining. She went to the end of the garden and back".

Another staff member told my team that there are rain ponchos available from Stores for staff or young people to use if required but was unsure if young people knew about them. The staff member suggested that these ponchos could be added to the entry 'coming in' pack. As highlighted by the consultant in their Mental Health inspection report, exposure to nature benefits mental health, so steps such as this would be worthwhile to increase time outside.

Recommendation 11

AYDC consider adding rain ponchos and/or weatherproof clothing to the entry pack provided to young people so they can go outside in all weather conditions in line with standard 9.10.



Toiletries and period products are provided free of charge

Toiletries are provided to young people on admission to AYDC, and as required after admission. The toiletries pack includes shampoo, soap, toothbrush, toothpaste, deodorant, and toilet paper. They are able to purchase additional items, such as makeup, hair products and skin products with their allowance, as discussed below on page 46. Some of these products are pictured in Figure 9. Period products (tampons and pads) are provided as required.

Razors are provided to young people on request and are provided after an appropriate risk assessment is undertaken by AYDC staff. Nail clippers are provided by CPHS staff under supervision.



Figure 9 Range of toiletry products available at AYDC

Allowances

Allowances have not increased for a number of years

All young people receive an allowance to spend on canteen and toiletries. The amount young people receive is dependent on their Behaviour Development Program (BDP). The BDP relates to each young person's individual behaviour and their engagement in core parts of their daily routine. The Commission of Inquiry discussed a number of issues with BDPs in detail in its report.

The allowance is on a sliding scale, where young people who have demonstrated the most appropriate behaviour and most engagement receive the largest allowance and the largest amount to spend on canteen and toiletries.

For each young person, 25% of their weekly allowance is placed into their savings. This is then given to the young person when they are released from AYDC, ensuring that they have some money when released.

The allowances have not increased for a number of years. Given the increase in the cost of living, consideration should be given to increasing the allowances.

Recommendation 12

AYDC consider increasing the financial allowances for young people.

All young people are given their financial records weekly when placing their canteen order for snacks, drinks and other items as discussed below on page 46.

Young people can also spend their allowance on clothes. They can tell AYDC staff what they would like to buy, such as clothing from a particular brand. These clothes will be bought for them and placed in the young person's property container, which they can access when they leave AYDC. If a young person purchases a cap, they may be able to wear that while at AYDC if they receive permission from the Operations Coordinator.



Property

Young people's property is itemised and stored securely onsite



Figure 10 Young people's property containers at AYDC. Please note the photo has been digitally altered to remove information that may lead to the identification of a young person.

When young people are admitted to AYDC, all property they bring with them is itemised and stored. This property will include the clothes they are wearing and any sundries they have with them, for example money or jewellery. The property is described to ensure easy identification. This description includes style, colour and size or amount. Once property has been itemised it is placed into the young person's property container.

Once young people are provided with AYDC clothing, the clothes the young person was wearing on arrival are washed by AYDC staff before they are put into the young person's property container, as pictured at Figure 10.

The 'Personal Property on Admission' form is signed by the young person and

the AYDC staff member admitting the young person. If a young person is under the influence of alcohol or drugs at the time of admission, the form is date stamped where the young person would normally sign.

My inspection team sighted a number of these 'Personal Property on Admission' forms. These forms were appropriately detailed in describing the property, including brand, colour, and size of clothing. Not all the forms were signed by the young person and/or the AYDC staff member. As these signatures are best practice to ensure that all young person's property is accurately recorded and agreed upon, AYDC management should reinforce that the signatures of both staff and young people are necessary.

Any property that is accumulated during the young person's stay at AYDC, or sent in by a young person's family, will be added to this stored property. This property will be recorded on the Youth Custodial Information System (YCIS) (a computer information system used by the centre).

We were advised that any young person's property that is lost while being stored is replaced by AYDC. There is no formal policy regarding this, it's just what is done. AYDC have indicated that they are in the process of developing a formal policy for this. In response to a request for details of property complaints from the past 12 months, only one complaint was referenced and it did not involve any property being lost.

Young people are provided with information about what property they are allowed to have in their room. This is included in the 'Ashley Youth Detention Centre Unit Rules' booklet. This information covers clothing, room decorations such as posters, reading and writing materials, electrical items such as MP3 players, and art and craft items.

A young person may request access to any property stored for them by AYDC. If the item requested is assessed as suitably low risk to the young person and to other people, it will be provided to the young person. An example my inspection team often sees is caps worn by young people. Young people are provided with all stored property when the young person is released from AYDC.



Canteen

A wide variety of items are available for purchase, but canteen forms are difficult to read for young people with low literacy

Young people at AYDC can purchase items from the canteen on a weekly basis via an order form. Items available are toiletries, snacks and drinks, and stationery and sundries. As previously mentioned, young people at AYDC are provided with toiletries. However, they can purchase additional items, such as makeup, hair products and skin products. AYDC canteen forms are included in Appendix 2: AYDC canteen list. They show the items available for young people to purchase.

The cost of canteen items to young people is the same as it costs for AYDC to buy them; canteen prices are only increased if the cost to purchase them increases. Positively, if any items are on sale when purchased by AYDC, these savings are passed on to young people. The prices of most items available on canteen were similar to the prices at the 2017 Wellbeing inspection, and any price rises were very small. The price of some items had decreased from 2017.

Canteen collection by young people is supervised by AYDC staff to limit the possibility of bullying and coercion by other young people. Once canteen is collected, it is stored by the young person in their bedroom, where it is only accessible by that young person.

My team reviewed the range of drinks and snacks available for purchase through the canteen. Pleasingly, there has been a reduction in the number of high sugar snacks available, and an increase in healthier snacks in line with recommendations made in the last Wellbeing inspection in 2017.

All the drinks and snacks on the canteen order form are now colour-coded using the traffic light system to provide guidance on healthy options. This positive change arose as a result of a recommendation from my 2017 inspection report. Green foods are classed as the healthiest choice and should make up the majority of snacks and drinks. Amber foods should be consumed in moderate amounts. Red foods should be consumed in limited amounts.²⁵ The canteen has a mix of green foods (31% of total choices), amber (38%), and red (31%). There

²⁵ Health and Human Services (2020) [Healthy choices: food and drink classification guide](#), Victoria State Government



are restrictions in place, so that young people are limited to purchasing only two of some amber and red category drinks and food.



Figure 11. Some of the snack foods available to young people at AYDC through canteen

Stores staff outlined that they ask young people what they'd like to be added to the canteen list. The staff try to focus on 'green' items, however when they are put on the canteen list they are often not purchased.

The canteen list is on two A4 pages and relies on a young person having reasonable levels of literacy and numeracy. Young people in detention generally have low levels of literacy and numeracy, and their literacy and numeracy skills are often well below the level that would be expected based on their age.²⁶ The canteen form could be made into an easier format for young people to understand, regardless of their literacy or numeracy skills.

Recommendation 13

Make the canteen form more accessible for young people with lower levels of literacy and numeracy.

²⁶ White J, te Riele K, Corcoran T, Baker A, Moylan P & Abdul Manan R (2019) [Improving educational connection for young people in custody](#), Victoria University, accessed 17 January 2024.



Conclusion

The inspection standards considered in this report cover a range of topics that contribute to wellbeing. These include recreation, religious, spiritual and cultural life, clothing, toiletries and period products, property, allowances and canteen.

Lockdowns, which started in June 2022, were obviously having an impact on young people's ability to engage in various programs and recreation. This, in turn, no doubt leads to greater frustration and anger amongst young people and ultimately affects their wellbeing.

The inspection occurred during the Commission of Inquiry into the Tasmanian Government's Response to Sexual Abuse in Institutional Settings. This inspection is a point in time inspection, and it is important to differentiate that the matters considered by the Commission of Inquiry stretch over a considerable length of time. The case studies referenced in the Commission of Inquiry report are matters for serious reflection and response, but it is also important to emphasise the positive work being conducted at AYDC and my inspection team saw evidence of this during the inspection.

I make a total of 13 recommendations in the hope that these will ultimately help to improve the wellbeing of young people in detention.



List of appendices

Appendix 1: Inspection standards

Appendix 2: AYDC canteen list

Appendix 3: Progress against past wellbeing recommendations

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Youth wellbeing inspection 2024

Appendix 1 Inspection standards



**Office of the
Custodial Inspector**
Tasmania

Wellbeing inspection standards

The Inspection Standards for Young People in Detention in Tasmania can be viewed in their entirety on the Office of the Custodial Inspector website²⁷. The following standards were inspected during the wellbeing inspection.

1. Governance and procedural fairness

...

1.8 All young people should be able to satisfy the needs of their religious, spiritual, and cultural life.

- 1.8.1 All young people have easy and private access to representatives of their faith.
- 1.8.2 Young people know the timing of religious services; these times are appropriate to different religions.
- 1.8.3 Centre activities are arranged so that young people are able to attend religious services.
- 1.8.4 Worship areas are equipped with facilities and resources for all faiths.
- 1.8.5 Religious representatives demonstrate and promote understanding, acceptance of and respect for different religions.
- 1.8.6 Young people are able to attend faith classes and groups in addition to worship and private discussions.
- 1.8.7 Young people are able to obtain, keep and use artefacts that have religious or cultural significance, provided they do not pose a risk to safety or security.
- 1.8.8 Young people are able to celebrate all major religious and cultural festivals and are encouraged to participate in their planning and organisation. These are actively promoted to all young people.
- 1.8.9 Monitoring of the different religions in the detention centre population is comprehensive, accurate and is reviewed regularly to shape service provision.
- 1.8.10 Procedures are in place to allow young people to express their cultural identity, for example, through access to food requirements or cultural advisers.

²⁷ Office of the Custodial Inspector (2018) '[Standards & guidelines – Inspection Standards for Youth Custodial Centres in Tasmania](#)', Office of the Custodial Inspector Tasmania website.



- 1.8.11 Young people should be encouraged to learn about their own cultural heritage, other cultures and the origins of cultural activities during structured activities – both internally run and from visiting external groups and experts.
- 1.8.12 Aboriginal spirituality should be encouraged and strengthened through cultural programs, visits with Elders and other representatives of Aboriginal communities and through observance of customs, rites of passage and tribal traditions.

9. Health and wellbeing

...

9.8 Young people should have a minimum ten hours out of bedroom each day.

- 9.8.1 These out of bedroom hours are used to promote attendance at education and programs as well as recreation activities.
- 9.8.2 Hours out of bedroom should only be reduced in exceptional circumstances and deemed necessary by the Centre Manager

9.9 Young people should have daily opportunities for physical and recreational activity as well as a regular structured sport and recreation program.

- 9.9.1 Sport and recreational activities should be available on a daily basis, whether informally during leisure time or through a structured recreation program and all young people have the opportunity to belong to a sporting team or recreational group.
- 9.9.2 Physical education and fitness provision caters for a range of abilities and is effective at improving the fitness of young people.
- 9.9.3 Units should have activities and equipment for use during leisure time, and the detention centre should have indoor and outdoor sport facilities.
- 9.9.4 Young people are instructed on the proper use of equipment by appropriately qualified staff and the equipment is appropriately supervised so that young people feel safe when using it.
- 9.9.5 Information on young person participation in sport and recreation activities should be included in case planning meetings.
- 9.9.6 Appropriate and well-maintained equipment, clothing and footwear is used in all recreational activities.



- 9.9.7 Young people with physical or other disabilities or injuries which prevent them from active participation in sport should be encouraged to be involved in other ways or they should be offered an appropriate alternative.
- 9.9.8 External teams and experts are sought to attend the detention centre on occasions for sporting events, clinics and other activities. Where possible, suitable young people are able to engage in sport or recreation outside the detention centre in the lead-up to release.

9.12 Young people's property is held securely in storage and recorded accurately.

- 9.12.1 Personal effects or property that is confiscated on admission is kept in safe custody.
- 9.12.2 A standard list details the possessions that young people are allowed to keep; this list is adequate to meet the needs of young people.
- 9.12.3 All property is accurately recorded and marked.
- 9.12.4 Young people are adequately compensated for any goods or clothing that is lost while in storage.
- 9.12.5 Young people are able to access their stored property on application and on release.

9.10 All young people must be provided with clean clothing and bedding appropriate to the climate, as well as necessary toiletries and sanitary products.

- 9.10.1 Young people have access to laundry facilities at least weekly to wash and iron their clothing.
- 9.10.2 Young people are provided with enough clean underwear and socks to be able to change them daily.
- 9.10.3 Young people are issued with enough warm, weatherproof clothing and shoes to go out in all weather conditions.
- 9.10.4 Issued clothes are a good fit and in good condition.
- 9.10.5 Razors and nail clippers should be allowed with adequate supervision and taking into account individual risk factors.

...



9.13 Young people can purchase a suitable range of goods at reasonable prices to meet their needs and can do so safely.

- 9.13.1 Young people have access to a selected range of products at prices comparable to those in the community.
- 9.13.2 The list of available goods is on display in every unit and in a format that is easy to read and understand.
- 9.13.3 Young people are allowed to buy items within 24 hours of arriving at the detention centre and will receive the items the following day.
- 9.13.4 Young people arriving with no private money are given an advance of up to one week's pay which they can repay once they start earning.
- 9.13.5 Orders can be placed at least once a week.
- 9.13.6 All young people are able to access accurate records of their finances and can do so without charge.
- 9.13.7 The purchase process has visible and active supervision by staff. The system is effectively managed to ensure young people are safe from bullying.
- 9.13.8 A range of approved hobby materials are available.
- ...



Youth wellbeing inspection 2024

Appendix 2 AYDC canteen list



Toiletries List

Supplied when required, at no cost				Female residents only			
Shampoo (2in1)		Standard Toilet Roll		Pack of 8 Tampons			
Safety Toothbrush				Pack of 14 Sanitary Pads		Dental floss available from Unit Office	
Bar of Soap				Hair Bands		Razors available from Ops Co-ordinator	

Item	Items listed below may only be ordered once a fortnight.	
Deodorant		
Toothpaste		

Item	Items listed below may only be ordered once a month.	
Hairbrush		
Mug		

Item	Items listed below may only be ordered once a month.	Price	Number Requested	Amount Debited
Loofah		\$2.69		
Lip Gloss or Chap Stick		\$3.00		
Shave Lather		\$4.60		
Hair Wax		\$5.50		
Dove Sensitive Skin Soap		\$1.10		
Body Wash		\$6.00		
Exfoliant		\$7.50		
Moisturiser		\$3.17		
Face Cream		\$6.60		
Face Cleanser		\$7.00		
Conditioner		\$1.90		
Shampoo		\$1.90		
Mascara		\$4.50		
BB Cream		\$11.00 to \$16		
Drink Bottle		\$4.50 to \$5.50		

Nom. Youth Worker Signature: _____ Resident's Signature: _____

Name..... Unit:.....Date.....

Total spend on canteen per week:

Red: \$3.50 - Orange: \$5.50 - Yellow: \$7.00 - Green: \$10.00 * You can only buy 2 of each item from the section below

 Food you should be cutting down on	 Food that is an ok choice	 Food that is a healthier choice	Traffic lights system to assist with healthy food choice selection: source <i>Healthy choices: food and drink classification guide</i> , Victoria Department of Health and Human Services, 2014
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Item	Traffic lights	Price \$	Order	Received	Item	Traffic lights	Price \$	Order	Received
					*2 of each item from section below				
600ml Water		.60							
*Sparkling Mineral Water		.75			*Fruit Trail Mix		2.00		
*Lemon & Lime Mineral Water		2.00			*Roasted Fava Beans & Chickpeas x 2 pack		1.75		
*600ml Coke Zero		2.95			*Oat Bars		.50		
Flavoured Milk - Chocolate or Strawberry		1.30							
Nesquik Choc or Strawberry – 1 only		2.80			*Fruit Cups		1.12		
					*Freddo Frog		.50		
Arnott's Shapes- BBQ- Pizza		.50			*Doritos 45g		1.60		
Rice Cakes – Salt & Vinegar - Sour Cream & Chives – Original		2.70			*Smiths –BBQ or S & V depends on availability 45g		1.60		
					*3of each item from section below				
					*Mentos: Rainbow - Fruit - Mint		1.10		

Stationery & Sundries

Item	Price \$	Order	Received		Totals
Cards – Birthday - Sympathy - Get Well	1.00				
Christmas Cards	.20				
Coloured Pencils	2.00				
Sketch book	2.50				
Writing pad	.85				
Pencil case	1.00				
Puzzle book	2.00				
Playing cards	2.50				
Pen	.45				
Pencil 4B 2H 2B 5B 6B	.50				
ALL CANTEEN ITEMS ARE SUBJECT TO AVAILABILITY				I have received my order	
				Young person to sign	X
Goggles (<i>withdrawal form needed</i>)	\$7.00				
MP3 with headphones (<i>withdrawal form</i>)	\$POA				
Sunglasses (<i>withdrawal form needed</i>)	\$5 to \$12				

Youth wellbeing inspection 2024

Appendix 3 Progress against past wellbeing recommendations



Progress made against past wellbeing recommendations

In September 2022, prior to the wellbeing inspection that was conducted in November that year, the Custodial Inspector (CI) requested the Department of Communities Tasmania (DCT) provide an update of progress made against recommendations made in the 2017 Care and Wellbeing Inspection Report. The DCT had oversight of Ashley Youth Detention Centre (AYDC) at that time. The Department for Education, Children and Young People (DECYP) was established on 1 October 2022 and subsequently took over responsibility for AYDC.

The following table contains:

- the previous CI recommendations regarding wellbeing;
- the original response from DCT
- an update supplied by DCT regarding the current status of the recommendations as at September 2022; and
- the CI analysis of the current status of the recommendations as at November 2022 (at which time AYDC was the responsibility of DECYP).

All recommendations made as a result of the 2017 Care and Wellbeing Inspection are available from www.custodialinspector.tas.gov.au/inspection_reports



Progress on recommendations made to Department of Communities Tasmania.

Property			
18. Ensures that both an admissions unit staff member and the young person to whom property belongs sign the property sheet listing signed-in property.			
DCT response (2017)	DCT update (Sep-2022)	CI Analysis (Nov-2022)	Status
Supported - Existing Initiative The personal property on admission form supports signatures from both the young person and admission unit staff. This form is kept with the property and a copy on the residents' file. Information from the form is also entered into the Youth Custodial Information System. If gifts are received, for example Christmas and Birthdays, they are stored with personal property and the property list is amended. These forms are now subject to audit	Upon admission a young person's personal items will be itemised and placed in a personal property box. These are kept in a secure location until the young person is released and the items are returned to them. When the items are handed over during admission, the young person is offered the opportunity to sign the Personal Property Form that itemises their property. Not all young people will sign the form and it is documented when they refuse.	During our inspection we observed a number of completed forms. Not all forms were signed by a young person and/or youth worker. Ongoing education / training of youth workers is required to increase procedural compliance. As stated by DCT in their update, young people may refuse to sign the form. In this case, the youth worker date stamps the form where the young person would normally sign. This recommendation is considered to be complete.	Completed



Canteen			
19. Provides additional healthy food options for purchase through the canteen.			
DCT response (2017)	DCT update (Sep-2022)	CI Analysis (Nov-2022)	Status
Supported in Part Items on the canteen list are subject to occasional review. These reviews take into consideration the preferences of the young people on site, historical demand, shelf life, cost as well as those items freely available in the Units. If there is an expressed demand for a healthy item, that can be provided safely (no metal ring pulls), consideration will be given to making these freely available in the Units. The provision of baked beans is an example of this.	The canteen offers a selection of healthy food options such as rice cakes, fruit cups, trailmix and oat bars.	Food and beverages available to purchase from the canteen are now colour-coded to assist young people in making healthy choices. There has been a reduction in the number of high sugar snacks available, and an increase in healthier snacks. Stores ask young people about which items they would like to be added to canteen. This recommendation is considered to be complete.	Completed



Youth wellbeing inspection 2024

Appendix 4 Department for Education, Children and Young People response



**Office of the
Custodial Inspector**
Tasmania

Department for Education, Children and Young People
SERVICES FOR YOUTH JUSTICE

GPO Box 169, HOBART TAS 7001 Australia
youthjusticeservices@decyp.tas.gov.au
Ph (03) 6165 8551



30 May 2024

Richard Connock
Custodial Inspector

Dear Mr Connock

Draft Youth Wellbeing Inspection Report

Thank you for providing the Department for Education, Children and Young People with the opportunity to review the draft Youth Wellbeing Inspection Report 2024, and provide a response to the recommendations. The Department supports all recommendations of the Youth Wellbeing Inspection Report 2024, either in full or in part.

There are a number of initiatives underway by the Department to continually review and improve operations in Ashley Youth Detention Centre (AYDC), to optimise and support the wellbeing of young people in the Centre. Some key drivers of these changes include the *Keeping Kids Safe Plan* (KKS) action items and the Commission of Inquiry into Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (COI) Recommendations. A number of the Recommendations of the Youth Wellbeing Inspection Report intersect with work that may already be underway, or partially underway, and this has been noted where relevant.

The Department will strive towards the proposed completion dates provided, but please note they may be impacted by KKS and COI related priority work to support the immediate safety and wellbeing of children and young people in AYDC.

Please find attached a more detailed response to each of the recommendations.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jenny Burgess".

Jenny Burgess
ASSOCIATE SECRETARY



Department for Education, Children and Young People responses to recommendations

- 1 DECYP lobby to have time out of room added as an indicator for youth justice services in the Productivity Commission's Report on Government Services.**

Response

Tasmania is currently participating in discussions with the Productivity Commission regarding the inclusion of time out of room data within the Report on Government Services. Tasmania's ability to provide reliable and accurate data is dependent on the completion of policy changes to isolation practices, and the implementation of the new data management system for Youth Justice. The applicability of this recommendation

Level of acceptance	Supported in part
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Custodial Youth Justice Data and System Insights
Proposed completion date	2026

- 2 The Aboriginal education program at AYDC be increased beyond 40 minutes per week per unit to better support Aboriginal young people in detention. Greater access to a variety of cultural items, subject to any necessary risk assessments, should occur. The program should be able to be delivered outside at AYDC as well as inside units. Visits on Country should be incorporated into the program.**

Response

This recommendation is dependent on the availability and capacity of such service provisions to be expanded. A policy and procedure to support connection with family and community, in alignment with COI Recommendation 12.23, is due to be finalised and implemented in mid-2024, with financial provisions to support increased visits for young people in AYDC, including from community members.

Level of acceptance	Supported in part
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Aboriginal Education Services Ashley Youth Detention Centre Office of Youth Justice
Proposed completion date	Mid 2025



3 Establishing a yarning circle and an outdoor cultural garden should be prioritised. Young people should be given the option to be included wherever possible in work to prepare and maintain the space.

Response

There have been delays to this project, including challenges engaging appropriate guiding cultural expertise. The Department will endeavour to prioritise this work and address these ongoing challenges.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Ashley Youth Detention Centre
Proposed completion date	Mid 2025

4 AYDC consider engaging a humanist chaplain.

Response

This recommendation will be considered concurrently with Recommendation 6, and will be dependent on the availability of such services locally.

Level of acceptance	Supported in part
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Ashley Youth Detention Centre Office of Youth Justice
Proposed completion date	December 2025

5 AYDC management arrange and offer a meeting schedule with religious and cultural leaders who visit AYDC regularly to provide an opportunity to discuss any issues that arise or are observed during their visits.

Response

This recommendation will be dependent on the availability of such leaders to attend. The Office of Youth Justice will work closely with AYDC Management and relevant religious and cultural leaders to establish a Terms of Reference and agreed upon frequency for these meetings.

Level of acceptance	Supported in part
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Ashley Youth Detention Centre Office of Youth Justice
Proposed completion date	December 2024



-
- 6 AYDC establish a strategy for engagement with volunteers and external organisations. As part of that process, AYDC work with all existing and new organisations that have staff or volunteers that engage with young people at AYDC to prepare Memorandums of Understanding. The AYDC Young People Consultation Group should be involved in the process as appropriate.**

Response

The actioning of this recommendation will be considered through consultation with young people, and within the scope of the broader Departmental approach to such service provisions. Service Level Agreements or Contracts may be deemed more appropriate than a Memorandum of Understanding in some instances.

Level of acceptance	Supported in part
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Ashley Youth Detention Centre Office of Youth Justice
Proposed completion date	December 2025

- 7 Religious and cultural leaders be given an opportunity to engage with youth worker recruits to outline their role and function when attending AYDC.**

Response

This recommendation will be dependent on the capacity of such leaders to attend induction sessions. Efforts will be made to find an agreeable time during induction planning prior to each round of youth worker recruitment.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Ashley Youth Detention Centre
Proposed completion date	December 2024 (ongoing)

- 8 AYDC review security arrangements for external visitors, including providing a mandatory induction session for new visitors, as well as regular induction refresher sessions. The induction should cover basics such as how concerns about the welfare of residents can be reported, the different security codes and other safety and security considerations.**

Response

A new control room is being designed and constructed at AYDC, to ensure movements around the centre are safe and coordinated. The Emergency Management processes are also currently under review, to support the management of security codes and critical incidents.

This recommendation will be considered alongside this ongoing work, to ensure the timely and appropriate review of external visitor processes and inductions to AYDC.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Ashley Youth Detention Centre Office of Youth Justice
Proposed completion date	December 2025

- 9 DECYP review its policies and procedures relating to Registration to Work with Vulnerable People to ensure it is complying with its obligations under the Registration to Work with Vulnerable People Act 2013.**

DECYP conduct an audit of all employees and volunteers at AYDC to ensure that Registration to Work with Vulnerable People details are up to date and list AYDC as an employment or volunteer location.

Response

The Department is in the process of reviewing the pre-employment screening and WWVP policies. AYDC will work to align procedures and auditing processes with the broader Departmental approach.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	HR Recruitment Ashley Youth Detention Centre
Proposed completion date	Mid 2025



10 Increase young people's underwear and socks allowance from the current allowance of two sets per stay at AYDC..
Response

This recommendation will be considered through the Young People Consultation Group, to gain an understanding of what the ideal allowance is for young people. Changes will be made according to the outcomes of this consultation.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Ashley Youth Detention Centre
Proposed completion date	September 2024

11 AYDC consider adding rain ponchos and/or weatherproof clothing to the entry pack provided to young people so they can go outside in all weather conditions in line with standard 9.10.
Response

This recommendation will require consideration of the safety risks of the materials to young people and what occurs in other jurisdictions, to determine a suitable approach. Pending this, a trial may be undertaken of including these items in entry packs for young people.

The Young People Induction Booklet review is currently being scoped, and this will also include updating information regarding what types of clothing can be made available to young people whilst in AYDC.

Level of acceptance	Supported in part
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Office of Youth Justice Ashley Youth Detention Centre
Proposed completion date	December 2024

12 AYDC consider increasing the financial allowances for young people.
Response

This recommendation will be considered alongside the development of a new Positive Behaviour Support Program for young people.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Office of Youth Justice Ashley Youth Detention Centre
Proposed completion date	December 2025



13 Make the canteen form more accessible for young people with lower levels of literacy and numeracy.**Response**

This will be supported through engagement with the AYDC Young People Consultation Group.

Level of acceptance	Supported
Responsible agency(ies)	Department for Education, Children and Young People
Responsible business area	Office of Youth Justice
Proposed completion date	December 2024





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