

Families, Community and Partnerships Inspection Report

Inspection of Youth Custodial Services in Tasmania, 2019

October
2019



Produced by the Tasmanian Custodial Inspector

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1 From the Custodial Inspector

The *Custodial Inspector Act 2016* requires me to carry out a mandatory inspection of each custodial centre in the State at least once every three years and to report to the responsible Minister and Parliament. “Custodial centre” is defined in the Act to include a prison within the meaning of the *Corrections Act 1997* and a detention centre within the meaning of the *Youth Justice Act 1997*.

To meet my legislative obligations using the limited resources available, the Custodial Inspectorate undertakes themed inspections of custodial centres focussing on particular inspection standards. The intention is, at the end of a three year cycle, all facets of custodial centres will have been inspected against the full set of inspection standards.

I am required by section 15 of the Act to prepare a report on my findings and recommendations in relation to each mandatory inspection to the Minister. I report directly to the Minister responsible for the custodial centre and the responsible Minister is required to table a copy of my inspection report in each House of Parliament. In this way, the findings and recommendations relating to inspections become a matter of public record.

In March 2019, the fourth theme based inspection of Ashley Youth Detention Centre was undertaken, focussing on Families, Community and Partnerships. I am pleased to present this report of that inspection.

Prior to publication, the Department of Communities Tasmania, the department responsible for the management of Ashley Youth Detention Centre, was consulted and invited to correct any factual inaccuracies in this report. Appendix 5 details the response of Communities Tasmania to the recommendations.

Richard Connock
Custodial Inspector

October 2019



2 Acknowledgements

Acknowledgment and appreciation is extended to all staff at Ashley Youth Detention Centre and the Department of Communities Tasmania who supported this inspection.

I also acknowledge the contribution of external service providers who willingly engaged with the inspection team during this inspection.



3 Executive Summary

The inspection standards for young people in detention relating to Families, Community and Partnerships cover such things as detention centres working with families, support networks and cultural networks of young people to seek to reduce reoffending. They also consider the detention centre's partnerships with government and community organisations and are focussed on improving integrated services to young people.

Themes include:

- contact with family and friends;
- access to the detention centre for visits by family and friends;
- connections to the community;
- community activities conducted by the detention centre;
- volunteer community service activities for young people;
- young people who are parents or have parental responsibilities; and
- relationships with external organisations.

For the most part, compliance with the standards was considered through observation by the inspection team during an onsite visit to Ashley Youth Detention Centre (AYDC) on 4 and 5 March 2019.

AYDC is managed by Children and Youth Services (CYS), an operational unit of the Department of Communities Tasmania (CT). CYS is responsible for providing care and custody, at various levels of security, for young people detained and remanded in custody in Tasmania.¹

During the inspection, a number of sources of information were used to assess AYDC against the inspection standards. Apart from the onsite visit, these included: meetings with CT senior management; individual interviews with AYDC staff; meetings with external service providers; a review of documentation; a desktop audit of AYDC policies, procedures and registers; and observation by the inspection team. Discussions were also held with a number of young people at AYDC.

The inspection found that:

- AYDC has established excellent relationships with external agencies who provide a range of services to young people at AYDC, however, there is little community activity – activity external to AYDC where young people in detention undertake activities in the community for the purposes of reintegration, resocialisation, and re-establishing

¹ Note: For the purposes of this report, a reference to the terms 'detainee' and 'resident' means young people that are lawfully detained in custody at AYDC and includes both those that are remanded and those that are sentenced.



relationships with family and friends and making new connections in the community - conducted by the Centre;

- all young people at AYDC are encouraged to maintain contact with family and friends by means of personal visits, telephone calls and letters;
- AYDC's facilitation of visits by family and friends was commendable. The visit room, however, is sparse, conversation echoes, there is no outside facility for visits and no child play areas;
- little privacy is afforded to young people making telephone calls; and
- despite email being a relevant and timely source of communication, there is no electronic communication available to young people at AYDC due to poor internet coverage onsite and concerns about young people accessing inappropriate sites.



4 Summary of Recommendations

It is recommended that Communities Tasmania:

1. Updates the *AYDC Unit Rules* and *Information for Young People and Families* booklets to ensure currency and consistency of information across all areas.
2. Provides a private space in each unit at AYDC, to afford appropriate privacy for young people to make telephone calls. Additionally, a telephone system with the ability to record calls similar to those being used in other jurisdictions should be considered.
3. Considers implementing video visits for young people at AYDC by means of communication tools such as Skype and FaceTime to further facilitate family and community contact.
4. Updates the visiting facilities at AYDC, including by providing an outdoor visits area, to make visits more relaxed and family friendly.
5. Considers providing a secure, electronic form of communication for young people at AYDC, such as the 'Email a Prisoner' system.
6. Considers including in case management records invitations to families, significant others and community supports to participate and have input into young people's case management and exit planning meetings.
7. Considers ways to increase the participation of young people at AYDC in community activities outside of the Centre to strengthen their connections with community.



5 About Ashley Youth Detention Centre

CYS is responsible for providing care and custody for young people detained and remanded in custody at AYDC.

AYDC is Tasmania's only youth detention facility² 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.

AYDC can accommodate up to 50 young offenders of all genders aged from ten to 18 years, spread across four accommodation units. The Centre is staffed 24 hours per day to cater for the number of young people in detention at any particular time.

The *Youth Justice Act 1997* requires AYDC to rehabilitate young people 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.

There is a variety of recreational facilities for young people at AYDC, including:

- an indoor gym, which has a basketball court and a fitness area;
- an outdoor swimming pool, open seasonally;
- an outdoor basketball court;
- cricket nets; and
- a barbeque area.

Young people at AYDC come from various backgrounds and generally face major social and developmental challenges. Risky behaviours are common and most have experienced: trauma; neglect; mental health issues; physical abuse or substance misuse.

Studies have found that young people on remand have:

- poorer mental and physical health;
- higher occurrence of suicidal thoughts and behaviours;
- more family difficulties;
- poorer school attendance; and
- emotional and behavioural problems interfering with schooling and social activities;

than most young people in the general community.³

² 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 Minimum Security Prison to be detention centres for young people. In practice, however, it would be extremely rare for a young person to be detained for any significant length of time in an adult custodial centre.

³ Australian Institute of Health and Welfare, *National data on the health of justice-involved young people: a feasibility study 2016–17*, page 7. Refer <https://www.aihw.gov.au/getmedia/4d24014b-dc78-4948-a9c4-6a80a91a3134/aihw-juv-125.pdf.aspx?inline=true>

To meet the needs of young people at AYDC, a range of organisations provide services including:

- Correctional Primary Health Services (CPHS)⁴, which is responsible for healthcare provision at AYDC; and
- the Department of Education which is responsible for the Ashley School;

as well as other relevant government and non-government organisations.

⁴ CPHS is part of the Tasmanian Health Service. CPHS nurses staff the healthcare centre at AYDC. CPHS medical officers who travel from the south of the state provide General Practitioner services at AYDC.



6 Inspection Methodology

Inspection provides independent, external evaluation of a custodial centre that includes an analysis of areas that require improvement. It is based on gathering a range of evidence that is evaluated against an established inspection framework.

All inspections of custodial centres are conducted against the Custodial Inspector's published inspection standards. The inspection standards are based on international human rights standards, and cover matters considered essential to the safe, respectful and purposeful treatment of young people in custody.

The inspection standards specify the criteria for inspection. During the Families, Community and Partnership inspection, a number of sources of evidence were used to assess Ashley against the standards. These sources of evidence included:

- individual interviews and conversations carried out with staff, young people, and service providers;
- documentation, including procedural manuals, policies and training documents; and
- observation by inspectors, documented by contemporaneous notes.⁵

In addition, desk-based research and analysis was carried out.

After an inspection is completed, inspection reports are tabled in Parliament. Prior to tabling, custodial centre management and the responsible Minister are consulted with, and invited to correct any factual inaccuracies in the report.

How will the inspection team make judgements?

The inspection team will ensure that their judgements are:

- **secure** - based on sufficient evidence
- **first-hand** - based on direct observation of processes, young people and staff⁶
- **reliable** - based on the criteria in the inspection standards
- **valid** - accurately reflecting what is achieved and provided
- **corporate** - findings reflect the collective view of the inspection team

⁵ The observations, findings and recommendations are limited by the information available, or disclosed, to the inspection team.

⁶ First-hand wherever possible, and if not a direct observation the information relied on will be fact checked and confirmed by another reliable source.



7 Inspection Standards

The *Inspection Standards for Young People in Detention in Tasmania* provide the structure for reviewing and assessing the performance of AYDC in relation to the treatment, and conditions, of young people in detention.

The standards were developed taking into account the range of relevant international treaties and covenants, the *Australasian Juvenile Justice Administrators Juvenile Justice Standards 2009*, and the Australian Children's Commissioners' and Guardians' *Statement on Conditions and Treatment in Youth Justice Detention November 2017*.

The standards are based on the *Inspection Standards for Juvenile Justice Custodial Services in New South Wales*. I consulted with CT and the (then) Interim Commissioner for Children and Young People and his staff to draft and finalise the inspection standards.

Independent monitoring and assessment is important to ensure custodial services are meeting these standards. An independent perspective can identify issues – both shortcomings requiring improvement and strengths that can be better utilised – that may not be obvious to the custodial centre, thereby providing a continuous improvement framework.

The standards relating to Families, Community and Partnerships are located at Chapters 4 and 5 of the standards, which are available in their entirety on the Custodial Inspector's website www.custodialinspector.tas.gov.au and at Appendix 2 to this report.

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7.1 Contact with Family and Friends

Inspection Standards – 2.1.3 and 4.1

The inspection standards connect the decent and humane treatment of young people in detention to their having contact with family and friends. The standards recognise this contact is necessary to ensuring a young person's psychological wellbeing and their successful reintegration into the community upon release.

The inspection found that all young people at AYDC are encouraged to maintain contact with family and friends by means of personal visits, telephone calls and letters.

The Behaviour Development Scheme

The level of access to telephone calls and personal visits is dependent on the young person's level in the AYDC's *Behaviour Development Scheme* (BDS). The scheme consists of colour levels: red; orange; yellow and green. A young person's placement on the BDS reflects their behaviours, participation in programs, general attitude and involvement in incidents at AYDC. The aim of the BDS is to improve the behaviour of young people and when this behaviour improves, they move through the colour levels and can earn extra incentives. The red colour level represents the poorest behaviour and the green colour level the best.

Young people can make seven telephone calls per week, regardless of their colour level. The yellow and green colour levels permit extra phone calls – three extra for yellow and five extra for green.

Green is the only level that allows personal visits to take place outside AYDC in a suitable, neutral venue with immediate family or significant others. This personal leave is supervised by staff and is allowed pursuant to AYDC's *Temporary Leave* policy which outlines the requirements for such leave. The policy includes assessments of risk to:

- the young person;
- family members;
- staff who are supervising the visit; and
- members of the community.

The inspection team noted that the BDS document does not outline the minimum entitlements with regard to mail, telephone calls and visits. Some of these are outlined in other documents, specifically the *Ashley Youth Detention Centre Unit Rules* and the *Ashley Youth Detention Centre Information for Young People and Families* booklets. Some information in the BDS document is inconsistent with the booklets. For instance, the *Unit Rules* indicate that extra phone calls for young people on yellow and green are 'purchased' whereas the BDS document indicates that they are to be provided at no charge. It is noted that the *Information for Young People and Families* booklet was updated recently (in February 2018) whereas the BDS document and *Unit Rules* were last updated in November 2016 and October 2012 respectively. These documents should be updated to ensure currency and consistency of information across all areas.



Telephone calls

The expectation of inspection standard 4.1.3 is that there should be sufficient telephones at AYDC for young people to make calls to and receive calls from family and friends, and that they should be located so as to discreetly provide security measures while allowing some privacy for calls.

The inspection considered AYDC's Standard Operating Procedure #25 titled *Telephone Calls and Written Correspondence* which outlines the requirements for calls to be made to and from young people at AYDC.

Upon admission, young people are permitted to make telephone contact with a nominated family member, significant other or other professional person⁷. These telephone calls are separate to, and not counted as, calls permitted pursuant to the young person's BDS colour.

Within five days of admission, young people complete a Telephone/Visit List detailing who they wish to make telephone calls to and receive telephone calls from. People listed by a young person are contacted by Admissions Induction Unit staff to confirm that they will accept calls from the young person.

The *Unit Rules* state that staff must supervise all phone calls; no young person is to use telephone equipment without supervision by AYDC staff. Procedure #25 provides:

Personal telephone calls are to be fully supervised, that is, maintaining the young person within line of sight and hearing range. However staff are to adopt an unobtrusive approach to supervision wherever possible.

For telephone calls to be made, young people need to request staff to provide a telephone, which is then plugged into a telephone point. In the majority of residential units, the only telephone connection point is located in the unit common area. A young person in the induction unit demonstrated how he makes a phone call and said that the location of the connection point, being beside the unit entry door, was problematic and provided no privacy. It was clear to the inspection team that any conversation would carry throughout the common area.

In residential units where telephone points are not in the common area, points are located in rooms which do not contain any acoustic partitions or panelling. The inspection team noted this would make it difficult for a young person to carry on a conversation, and supervision by AYDC staff would be challenging.

The procedure, when followed, appears to provide some level of security, but little privacy is afforded to the young person making the call, regardless of telephone location.

The provision of a private space in each unit, with acoustic panelling installed would provide appropriate privacy for young people to make calls. Additionally, a telephone system with the ability to record calls would provide privacy and permit the young person to engage in natural and comfortable conversation with family and friends whilst allowing AYDC to review

⁷ Such as a lawyer or youth justice worker.



calls to meet security requirements. This would also eliminate the need for staff to supervise personal telephone calls.

The inspection team was advised that a log of all telephone calls is kept. The procedure provides designated times for telephone calls to be made and received as follows:

- *Monday – Friday inclusive: 6:00pm – 9:00pm*
- *Saturday and Sunday: 10:00am – 9:00pm.*

Personal telephone calls made and received by young people are a maximum duration of ten minutes.

The Procedure also outlines arrangements for telephone contact between a young person at AYDC and a person at another detention centre or prison.

Mail

Written correspondence can be sent and received by young people at AYDC. The exceptions are where:

- the young person wishes to write to a person in another detention centre or prison – unless appropriate approvals have been obtained;
- AYDC has determined the person is unsuitable or not permitted to have contact with the young person; or
- the mail recipient has contacted AYDC to expressly request that they not be contacted by the young person.

The inspection team was advised by staff that for the safety and security of the Centre and the community, all mail to and from young people is checked by operational staff. If a prohibited item or inappropriate content is discovered in incoming mail, the Centre Manager determines whether the item will be disposed of, or stored in the young person's property to be accessed upon release. In any event, the young person is advised that the item has been received, and what has happened to it. If the item is disposed of, a record is made in the young person's property list.

Staff also advised the inspection team that with respect to outgoing mail, if operational staff discover inappropriate content, the item is returned to the young person with advice that it will not be sent out unless the unsuitable content is removed.

The procedure outlines arrangements for mail to be sent from young people at AYDC to a person in another detention centre or prison, including appropriate permissions that must be obtained. Mail is submitted to the Operations Manager who makes contact with the Manager of the other detention centre or prison to seek permission for the item to be sent. In the event a letter or parcel for a young person is received from another detention centre or prison, the Operations Manager must approve the provision of the item to the young person. If the item is not approved, it is placed in the young person's property to be accessed upon release. The young person and the centre from which the item was sent must be informed that the item was not provided to the young person, but was placed in his/her property. A record of



the item is made on the young person's property list.

As noted, the inspection team was advised that there is no electronic communication available to young people at AYDC due to poor internet coverage onsite and concerns about young people accessing inappropriate sites. The inspection team raised the possibility of implementing a system such as *Email a Prisoner*⁸ which is used in other custodial centres. In today's society, and particularly for young people, email is a relevant and timely means of communication and the *Email a Prisoner* system addresses the issues of security and inappropriate content.

Personal Visits

The inspection standards require that arrangements for visits are flexible, visitor-friendly, allow for relaxed communication, and include options for outdoor visits and child play areas.

Information about the Centre's visits policies, visiting hours, and how to book visits is available at the Centre – in the Admissions Unit and the Visitors Room – and on its website⁹, as is information about how to contact the Centre and make complaints.

The Telephone/Visit List completed by young people lists people they wish to receive visits from whilst they are at AYDC. All people on the list are vetted by Admissions Induction Unit staff, the Case Management Coordinator and the Operations Coordinator. This process provides an opportunity for young people to have a say in who visits them, and for persons listed by the young people to accept or decline to visit.

The inspection found that AYDC's facilitation of visits by family and friends was commendable. The inspection team spoke with the Admissions Officer, who also scheduled visits as the Visitors Room is located in close proximity to the Admissions Unit.

Approved visitors book visits by phone or email. Scheduling of visits appeared to be extremely adaptable, with staff willing to do all they could to accommodate visitors. The inspection team noted that staff were extremely flexible with regard to days and times for visits and were more than agreeable to extending the duration of visits to double or triple the usual time for family and friends travelling long distances, for example from Hobart to the Centre.

The AYDC Standard Operating Procedure #9 titled *Site Entry/Exit – Visitors and Service Providers* outlines the requirements for visitors to young people at the Centre including: entry to the Centre; prohibited and unauthorised items; refusal of entry; and directions to leave the Centre. If a visitor is refused entry or is asked to leave, AYDC records the refusal/termination of visit and an Incident Report is completed.

AYDC maintains an Alerts Register for those people:

- prohibited from contacting particular young people in custody; or
- who display significant behavioural issues that impact on young people at a visit.

⁸ See www.emailaprisoner.com.au

⁹ https://www.dhhs.tas.gov.au/youth/youth_justice/aydc/visits



The Alerts Register is checked prior to visits being scheduled to ensure the safety and security of the young person and the Centre.

Visitors are not subject to any searches when they arrive at AYDC. They sign the Visitors Book and are provided with a safety and security briefing. All visitors are required to place personal items brought into the Centre in a visitor locker. Lockers are located outside the Visitors Room and cannot be accessed during the visit.

Visitors bringing, or attempting to bring, prohibited items into AYDC may be banned from the Centre. Staff reported that temporary bans have only ever been imposed; no visitor has been permanently banned.

All visits are supervised by at least one operational staff member. Staff are available before, during and after the visit to answer any visitor queries. The supervising staff member is responsible for the security of the Visitors Room, the young person, all visitors and other staff in the area.

There is no outside facility for visits and there are no child play areas. The visit room is sparse and conversation echoes. To facilitate a more pleasant visit, particularly for younger children visiting with parents, the Admissions Officer will provide a box of games along with refreshments. Nappies and baby wipes are also available from the Admissions Officer if required.

For security reasons, visitors are prohibited from bringing food or gifts for the young person. Exceptions are made for special occasions such as birthdays when family or friends can request permission to bring a cake.

Once the visit is completed and visitors have departed, the procedure indicates that a young person is subject to a clothed body search¹⁰ and that an unclothed search¹¹ may be conducted if it is suspected the young person is in possession of an unauthorised item which they are not prepared to surrender. The inspection team was advised however that clothed body searches are only conducted if it is suspected the young person is concealing a prohibited item.

Searches are discussed in detail in the inspection report relating to Custody dated August 2019.

Given the location of AYDC, it is understandable that it may be difficult for some families to visit there. To lessen the financial impact upon families, AYDC offers a number of incentives such as bus tickets, fuel vouchers and taxis from Deloraine; Redline coach services stop at Deloraine and taxis are the only option for visitors who do not drive. There is no means testing applied to these incentives.

AYDC does not pursue or pressure families and friends to visit, nor does it review the frequency of visits to young people. The inspection team concedes this is probably due to

¹⁰ Also known as a 'pat search' or 'pat down'. No removal of clothing is required.

¹¹ Also known as a 'strip search' where the top half of clothing is removed, searched and returned to the young person prior to the bottom half of clothing being searched in the same manner.



the small number of young people in custody. Staff are usually aware of the family circumstances of the young people in custody and, sadly, it was reported that some do not receive any visits. The reasons for this included family breakdown and the young person being subject to an order under the *Children, Young Persons and their Families Act 1997*¹².

Inspection standard 4.1.8 requires that visits should not be withheld as a sanction. There was nothing to indicate to the inspection team that visits are ever withheld, or used as a tool to manage the young person's behaviour. Rather, visits are openly encouraged and, commendably, it appeared that staff go above and beyond what would typically be expected to facilitate meaningful contact for young people through visits.

At the onsite inspection, the possibility of Skype or video visits was raised. Staff said that video visits had been trialled in the past, however there was very little uptake from young people. Video visits using Skype or similar technology are an innovative and cost effective alternative communication method for young people who do not receive onsite visits. With technology becoming more accessible and tools such as Skype and FaceTime now widely accepted forms of communication in the community, the possibility of video visits which are supervised by staff should be reconsidered.

Case Planning

Detention centres can reduce the offending behaviour of young people by working directly with their families and engaging other support networks in the community. Inspection standard 4.1.10 relates to the involvement of family members and/or significant others in case planning for, and the management of, young people at AYDC.

Case plans are developed for each young person at AYDC. A Case Manager is also appointed for each individual. Case planning starts immediately upon admission to the Centre and continues until the young person's discharge. It seeks to address issues contributing to the young person's offending behaviour by the provision of services and programs tailored to their individual needs. The case plan considers each young person's educational needs, health, program options, accommodation and plans on leaving the Centre. Establishing the case plan involves linking the young person with services to meet their needs such as drug and alcohol counselling, sexual health services, mental health services and Centrelink.

Once established, the plan directs the daily management of the young person and their involvement in programs while they are at the Centre. The case management process is outlined in the diagram at Appendix 3.

Case plans are regularly reviewed by means of weekly Centre Support Team (CST) and Case Plan Review (CPR) meetings. The CST considers the young person's progress during the preceding week and reviews their behaviour, program participation and involvement in

¹² Courts may make a care and protection order if satisfied that a child is at risk. An order may grant custody of the child to either a guardian, a member of the child's family, the Chief Executive Officer of a non-government organisation that provides facilities for the residential care of children, or the Secretary of Communities Tasmania.



any incidents. The outcome of the CST meeting is discussed with the young person by the Case Manager at the CPR meeting. At the CPR meeting, the young person's goals and the actions they have taken – or have to take – to achieve them are discussed.

AYDC's *Case Management Guidelines* provide:

Case planning involves the input of the Centre, Community Youth Justice and Child Protection staff, the young person and their family.

In particular, the Guidelines indicate that stakeholders, including family, should be invited to the initial case planning meeting and the exit planning meeting which is held prior to a young person's discharge from the Centre. The inspection team was provided with a sample of case management files and noted that family circumstances, community supports¹³, relationships with siblings and significant others were integral considerations in the establishment of the case management plan. The case management files indicated to the inspection team that community youth justice workers are involved in both the case planning and exit planning meetings. It was not clear, however, whether families were involved/engaged in these processes as there were no details relating to families. That is not to say that family involvement had not been invited, only that in the samples provided to the inspection team there was no evidence of family involvement. It is acknowledged that in some instances, family circumstances and difficult relationships may prevent involvement in case planning.

Recommendation:

That CT updates the AYDC *Unit Rules* and *Information for Young People and Families* booklets to ensure currency and consistency of information across all areas.

Recommendation:

That CT provides a private space in each unit at AYDC, to afford appropriate privacy for young people to make telephone calls. Additionally, a telephone system with the ability to record calls similar to those being used in other jurisdictions should be considered.

Recommendation:

That CT considers implementing video visits by means of communication tools such as Skype and FaceTime to further facilitate family and community contact.

Recommendation:

That CT updates the visiting facilities at AYDC, including by providing an outdoor visits area, to make visits more relaxed and family friendly.

Recommendation:

That CT considers providing a secure, electronic form of communication for young people at AYDC, such as the 'Email a Prisoner' system.

¹³ Such as mentors, involvement in community groups and sports clubs



Recommendation:

That CT considers including in case management records invitations to families, significant others and community supports to participate and have input into young people's case management and exit planning meetings.



7.2 Community Connections

Inspection Standards – 4.2

Inspection standard 4.2 relates to young people at AYDC having connections with the community, which are strengthened by participation in activities and interventions involving community organisations, elders and relevant government and non-government agencies.

Community Organisations at AYDC

The inspection found that AYDC has ongoing involvement with a number of external organisations that regularly attend the centre to engage with young people such as:

- City Mission – to deliver the Self-Management and Recovery Training (SMART) program discussed below;
- The Glimarman – a local airbrush artist who shares his skills with the young people at AYDC;
- Movement Effects Gym – to deliver a fitness program to young people;
- Friends of Ashley – a volunteer visitor group program facilitated by Prison Fellowship Australia¹⁴ and undertaking activities including skate boarding;
- Save the Children – a youth worker visits AYDC at least fortnightly, and often weekly, to provide one-on-one mentoring and assistance with determining goals for re-entering the community; and
- The Aboriginal Elders Council of Tasmania – to deliver its mentor visit program, discussed below.

The inspection team met with some of the above organisations to discuss their experiences and the provision of services to young people at the centre:

- City Mission's SMART program is delivered on a weekly basis. SMART is a practical and solution focused program designed to give those struggling with addictive behaviours a number of coping strategies that they can use to help achieve their goals. City Mission reported that the program is well received, however there are times when young people scheduled to attend the program do not, for various reasons, and this hinders delivery of the program and its outcomes. Encouragement from staff for young people to attend, if scheduled, might assist with the progression of young people through the program.
- Save the Children assists young people to get back into school, programs or work, as re-engagement is sometimes difficult due to family connections or past offending

¹⁴ See <https://prisonfellowship.org.au/2017/11/14/friends-of-ashley/>

behaviour. The youth worker works closely with CYS, courts and other community services to introduce new opportunities for young people being introduced back into the community. Save the Children also attends exit plan meetings at AYDC and assists young people on release to attend Centrelink, and demonstrates how to engage appropriately with these services. Save the Children reported a good working relationship with AYDC.

- Aboriginal elders from the Aboriginal Elders Council of Tasmania attend AYDC at least once a fortnight to engage with young people. The Council runs programs for young people during school holidays such as the Red Dust Healing¹⁵ program and LORE¹⁶ - Land, Origin, Respect and Elders. The Council also facilitates activities such as ochre painting and clap-stick making at the Centre. Cultural festivals such as NAIDOC Week and Harmony Day are celebrated every year with activities, including the preparation of cultural foods. The Council indicated that its main role is to support young Aboriginal people and to encourage Aboriginal spirituality, but it engages with and supports all young people at AYDC. The elders advised the inspection team that they felt welcomed and supported by staff in their visits to young people at the Centre.

AYDC also has a private agreement with a chef to facilitate delivery of a Life Skills Program which is available to young people on yellow and green colour classifications. The program involves food preparation with nutrition, cooking and life skills as its objectives. Literacy and numeracy, budgeting, confidence, teamwork, problem solving and decision making are other skills that are intended to result from participation in the program. The inspection team spoke with the facilitator who indicated that the program was well supported by young people and staff.

The Life Skills Program links in with a Centre-wide morning tea which is held fortnightly. This is a Centre initiative and is regarded as a pro-social, 'Ashley community' event and community organisations and service providers who are onsite are invited to attend. The organisations the inspection team spoke with reflected positively on this opportunity to engage with young people, staff and other service providers/facilitators in an informal setting.

Program Guidelines

AYDC's *Program Guidelines* assist staff and service providers to design, deliver, assess, evaluate and develop programs for young people. There are four levels of programs which are outlined in the diagram *Framework for Rehabilitation Programs* at Appendix 4.

¹⁵ A group program for indigenous and non-indigenous men and women that examines the intergenerational effects of colonisation on the mental, physical and spiritual well being of Indigenous families and encourages individuals to confront and deal with the problems, hurt and anger in their lives. It is delivered Australia-wide. For more information refer <https://www.thereddust.com/>

¹⁶ LORE is delivered alongside the Red Dust Healing program and refers to Aboriginal lore which is passed on through the generations through songs, stories and dance and governs all aspects of traditional life. It is common to see the terms 'law' and 'lore' being used interchangeably.



Level 3 and 4 programs are designed for young people identified at the highest risk of reoffending. Level 4 programs are usually specialised, intensive programs dealing with serious offences, for instance extreme violence and sex offences. The inspection team noted that Level 4 programs were rarely delivered as they were rarely required.

AYDC's Standard Operating Procedure #9 *Site Entry/Exit – Visitors and Service Providers* outlines the requirements for service providers attending the Centre. Program service providers must make a formal application including providing full details of the proposed activity/program, its intended benefits, and personal details for all proposed visitors/facilitators. A full police check is conducted for all proposed visitors/facilitators before the application is progressed.

Once police checks are conducted, program outlines¹⁷ are created by community volunteers and service providers in partnership with the Program Coordinator. The program outline clarifies for all parties the service to be delivered and ensures that the proposed service meets the criminogenic and rehabilitative needs of young people at AYDC. Other considerations in determining program suitability include the age, gender and ethnicity of the young people participating. The program outline document essentially forms an agreement between AYDC and the provider of services and sets out the protocols for service delivery.

Participation in Programs

Individual participation in programs is ultimately determined by the Program Assessment Team (PAT) comprised of AYDC's Program Coordinator, Case Management Coordinator, Operations Manager, Operations Coordinator and the Ashley School Principal. The PAT meets as required to review a young person's placement in program groups and to consider a risk assessment for the proposed placement.

Participation in programs is monitored by means of case management (see 7.1) to ensure that individual targeted needs are being met and young people are achieving the desired outcomes - that is, a positive change in behaviours. This also includes reviewing the services provided to ensure they are relevant to the changing population at AYDC, their ages and individual needs.

AYDC's Program Coordinator liaises with the Ashley School to obtain the teaching timetable, so that programs delivered by external organisations can be scheduled for time out of class, school holidays or teacher's leave. The inspection team was advised that scheduling is sometimes challenging due to a number of factors including:

- public holidays;
- peer group mix¹⁸; and

¹⁷ Some program outlines were commercial arrangements where AYDC purchased services (such as MFX Gym and The Glimarman), while others are volunteer services from community based agencies such as City Mission, or volunteers from the community wanting to support young people in custody.

¹⁸ There may be different ages and developmental levels to consider, as well as associations and conflicts.



- fitting the programs around, and in conjunction with, young peoples' individual case management plans.

Programs and the Incentive Scheme

All programs delivered at AYDC are incentive based, so young people are encouraged to participate. Participation in programs is linked to the BDS in that incentives, such as additional telephone calls, extended television time, access to portable DVD player and movies or PlayStation portable and games are available. The type and number of incentives available is dependent on the young person's colour level.

Young people's engagement in programs is reviewed weekly at the Multi-Disciplinary Team (MDT)¹⁹ meeting and if it is determined that other programs will assist the young person, these are arranged.

Community Activities for Young People at AYDC

The inspection team requested records of all community activities undertaken by young people outside of the Centre for the 2018 calendar year; these could not be provided as they are not kept. Staff advised the inspection team that in previous years, young people have been involved in local sporting teams including cricket and football, to strengthen their connections with community. No such activities occurred during 2018.

Recommendation:

That CT considers ways to increase the participation of young people at AYDC in community activities outside of the Centre to strengthen their connections with community.

¹⁹ The MDT consists of the following positions: Manager, Professional Services and Policy (or delegate); Operation Manager (or delegate); Case Management Coordinator; Ashley School Principal (or delegate); Clinical Psychologist; Ashley Nurse; and Senior Practice and Quality Advisor (Children and Youth Services).



7.3 Ashley Youth Detention Centre's Location

Inspection Standard – 4.3

Inspection standard 4.3 requires that young people should be held as close as possible to their home region. As AYDC is the only youth detention centre in Tasmania, assessments to determine which facility will be the best placement for a young person are not relevant as there is no choice.

Inspection standard 4.3.1 provides that video link communication be made available to families of young people in detention who live out of region. As previously discussed, currently AYDC does not have adequate internet service to explore electronic communication, however this option should be reviewed when the communications network has been upgraded.

Inspection standard 4.3.2 specifically relates to the financial and geographical hardships of visits imposed on some families. The inspection team considers that as far as possible, staff recognise the importance of young people maintaining contact with their home by promoting visits from family and friends, being flexible with visit times and duration and providing financial assistance to families to enable them to visit.



7.4 Peer Interaction, Community Service Activities and Parental Responsibilities

Inspection Standards – 4.4 to 4.6

Peer Interaction and Social Contact

Inspection standard 4.4 relates to the importance of peer-based activities (including involvement from the community), programs targeting peer based offending, peer associations in the Centre, access to appropriate controlled electronic communication and regular access to information, entertainment and multi-media appropriate to their developmental level and age.

The inspection team was informed that players from the Hawthorn Football Club and other identities including boxer Daniel Geale and Jack Wilson (from Australian Ninja Warrior) have attended the Centre to engage with young people. In all instances, the visits have been well received.

Young people at AYDC have social contact with a range of other young people beyond those accommodated in their residential unit through program delivery, the Ashley School, structured activities and supervised free time.

Peer associations and conflicts are managed through risk assessments during the induction process. They are continually managed by means of weekly case management meetings which discuss the placement of and program engagement for young people.

The inspection standard requires that programs targeting peer-based offending should be available. The AYDC *Program Guidelines* require that AYDC:

...provides all young people in custody with access to a structured range of therapeutic, educational, vocational and recreational programs to address their criminogenic and social needs.

Access to Information, Entertainment and Multi-media

Young people have access to entertainment such as television, DVD players and movies and MP3 devices to play music files. These are available through the incentive scheme.

The inspection team observed young people engaging in unit activities such as playing PlayStation games. Whether the games the inspection team observed were age and developmentally appropriate is questionable; some were of a violent nature.

Supervised computer access at the Ashley School also enables young people to access age and developmentally appropriate information and multi-media.



External Community Service Activities

The inspection team was provided with examples of young people who engaged in external community service activities. While all young people have the opportunity to voluntarily engage in programs whilst residing at AYDC, external community service activities are only available for those who have been sentenced. Participation in external community service activities is risk assessed to ensure adequate supervision and safeguards for the young person and the community are in place.

Young People with Parental Responsibilities

At the time of the inspection, there were no young people with parental responsibilities being accommodated at AYDC and the inspection team was advised that this occurs only very occasionally.

Due to their infrequent presentation, these young people are managed on a case-by-case basis. The case management process is used to address their individual requirements, taking into account their responsibilities and needs.

As was previously reported in the *Health and Wellbeing Inspection Report 2017*, AYDC has a program available for residents that are young parents and this includes information about how to look after their child(ren) and themselves. It is an individualised program for young people expecting a baby, who already have an infant, or who intend to join a partner in a similar situation and would benefit from after-care support information. There is a good relationship between AYDC and the family planning clinic in Launceston and a large focus on sexual health is provided on the reception of a young person into detention.



7.5 Partnerships

Inspection Standard – 5.1

Inspection standard 5.1 relates to the detention centre's partnerships with government and community organisations and is designed to improve integrated services to young people.

Education, Training and Skills Partnerships

The Department of Education Tasmania provides education services to all young people at AYDC through the onsite Ashley School. The school undertakes initial testing of each young person to determine developmental needs and to implement an individual learning plan. The school also enables young people to access training and skills development courses such as the 'white card'²⁰, safe food handling and learner driver's licence.

The inspection team was advised that the Centre had previously obtained 'start up' training programs from TasTAFE at no cost. An example of this was the provision of Certificate I and II in Kitchen Operations courses, nationally recognised vocational qualifications, facilitated by a teacher from Don College. The Certificate courses were considered to provide great skill sets for young people to return to the community with, and would certainly enhance employment prospects. These programs, however, are no longer facilitated at AYDC as they now come at considerable cost. While AYDC has managed to secure the *Healthy Food, Cooking, Nutrition and Life Skills* program, which provides cooking lessons for young people, there is no associated vocational qualification or statement of attainment.

The inspection team was advised that there is currently no formal agreement between CT and the Department of Education Tasmania; initial discussions have recently taken place to put in place such an agreement.

Other Partnerships

The inspection standard also requires that the Centre seeks partnerships with:

- research bodies or businesses in the community to enhance sustainability; and
- organisations to enhance research and evaluation of its practices.

There was no evidence provided to suggest such partnerships are, or have been, put in place.

²⁰ A nationally recognised, mandatory requirement to work in the construction industry. The course covers safety requirements and is considered to be an induction to the construction industry.



Appendix 1 - Glossary of Terms and Acronyms

- AYDC** Ashley Youth Detention Centre
- BDS** The Behaviour Development Scheme, incorporating the incident management scheme and incentive scheme, which is used by AYDC to classify young people based on their behaviours.
- CHPS** Correctional Primary Health Services, responsible for healthcare provision at custodial centres, including AYDC throughout Tasmania.
- CYS** Children and Youth Services, an operational unit of the Department of Communities Tasmania. CYS manages AYDC.



Appendix 2 - The Inspection Standards

2.1.3 There is adequate information available in the foyer, visits area, and on relevant websites regarding visits policy, visiting hours, how to book visits, make queries or lodge complaints. Staff should be available to answer queries in person before, during and after visits and at other times via telephone or written contact.

4.1 The treatment of young people and the conditions in which they are held must meet contemporary community standards of decency and humanity.

4.1.1 Contact with family and friends where safe to do so is treated as a basic entitlement and is promoted as essential to the young person's psychological wellbeing and to their successful reintegration into the community.

4.1.2 Young people are entitled to make and receive various forms of communication including mail, telephone calls and detention centre visits.

4.1.3 Telephones are sufficient in number and location to allow for equitable access and privacy.

4.1.4 The visits system is flexible and visitor-friendly, and allows for relaxed communication.

4.1.5 Security measures are discreet and sensitive to privacy.

4.1.6 Visiting areas include options for outdoor visits and child play areas.

4.1.7 Family and or friends of a young person are only refused access to visit a young person for a valid reason and as a last resort, and any denial of access is explained clearly to the visitor and young person.

4.1.8 Visits are not withheld as a sanction as part of any behaviour management regime.

4.1.9 The detention centre regularly reviews the number and frequency of visits per young person to ensure all young people are receiving meaningful contact with family or friends. The detention centre takes proactive steps to address lack of contact as appropriate.

4.1.10 Significant family members (or a significant other nominated by the young person) are informed and involved in the young person's management and case planning wherever possible.

4.1.11 Consular involvement is sought for any foreign nationals and they receive assistance to maintain contact with family through the provision of overseas phone calls or the use of video link. Arrangements should be flexible enough to accommodate international time zones.

4.2 Young people's connections to the community should be strengthened by participation in interventions and activities involving relevant government and non-government agencies, community organisations and elders.

4.2.1 Involvement with community organisations is regular and ongoing.

4.2.2 Protocols and agreements to support service delivery or visiting services are in place.

4.2.3 The detention centre conducts outreach activities, such as participation in local committees or representation at local events.

4.2.4 Whenever possible, Aboriginal young people participate in cultural activities and celebrations with other Aboriginal people.

4.2.5 Community events and promotions are incorporated in to the detention centre's routine and activities. For example NAIDOC week and Harmony Day.

4.2.6 Centre management regularly reviews services provided by agencies to accommodate the changing needs of young people.

4.3 Young people should be held as close as possible to their home region.

4.3.1 Video link communication is made available to families of young people in detention who live out of region.

4.3.2 Centre management recognise the financial or geographical hardships for some families to visit the detention centre and proactive measures are taken to increase visitor numbers for young people.



4.4 The importance of peer interaction and social contact to healthy development should be recognised during custody.

4.4.1 Peer-based activities (including involvement from community and sporting groups) should be encouraged.

4.4.2 Peer associations within the detention centre should be identified and managed effectively, including in decisions regarding unit and bedroom placement.

4.4.3 Programs targeting peer-based offending should be available.

4.4.4 There should be consideration of appropriately controlled forms of electronic communication to and from family and friends.

4.4.5 Young people should have regular access to information, entertainment, and multi-media appropriate to their age and developmental level.

4.5 Young people should have the opportunity to voluntarily engage in community service activities while in custody.

4.5.1 Community service activities must always be appropriate to the development and maturity of the young person and must incorporate adequate supervision and protection safeguards.

4.5.2 The full extent of the benefits to society derived from these activities should be explained to the young person.

4.5.3 Preferably, community service should be focused on activities that benefit the young person's local community or have a personal relevance.

4.6 Special considerations should be made for young people who are parents or who have parental responsibilities.

4.6.1 Young people with their own children should be enabled to have a positive relationship with their children such as through flexible visiting arrangements, home leave where appropriate, and suitable child-friendly visit facilities.

4.6.2 Young parents should be helped to address any issues in their primary relationship if relevant through programs or counselling.

4.6.3 Specific services should be available for pregnant young women and new mothers in addition to youth health services – this may include appropriate food and nutrition, maternal health services, and flexible visiting arrangements.

4.6.4 Developmentally appropriate relationship and sexual health programs, and programs on parenting skills and health should be available to all young people regardless of their parental status.

4.6.5 Young people are helped to fulfil any parental responsibilities. Young people undergoing separation and child protection procedures are well supported.

5.1 The detention centre operates in partnership with both government and community organisations to ensure that programs and activities offered are effective and based on evidence and good practice.

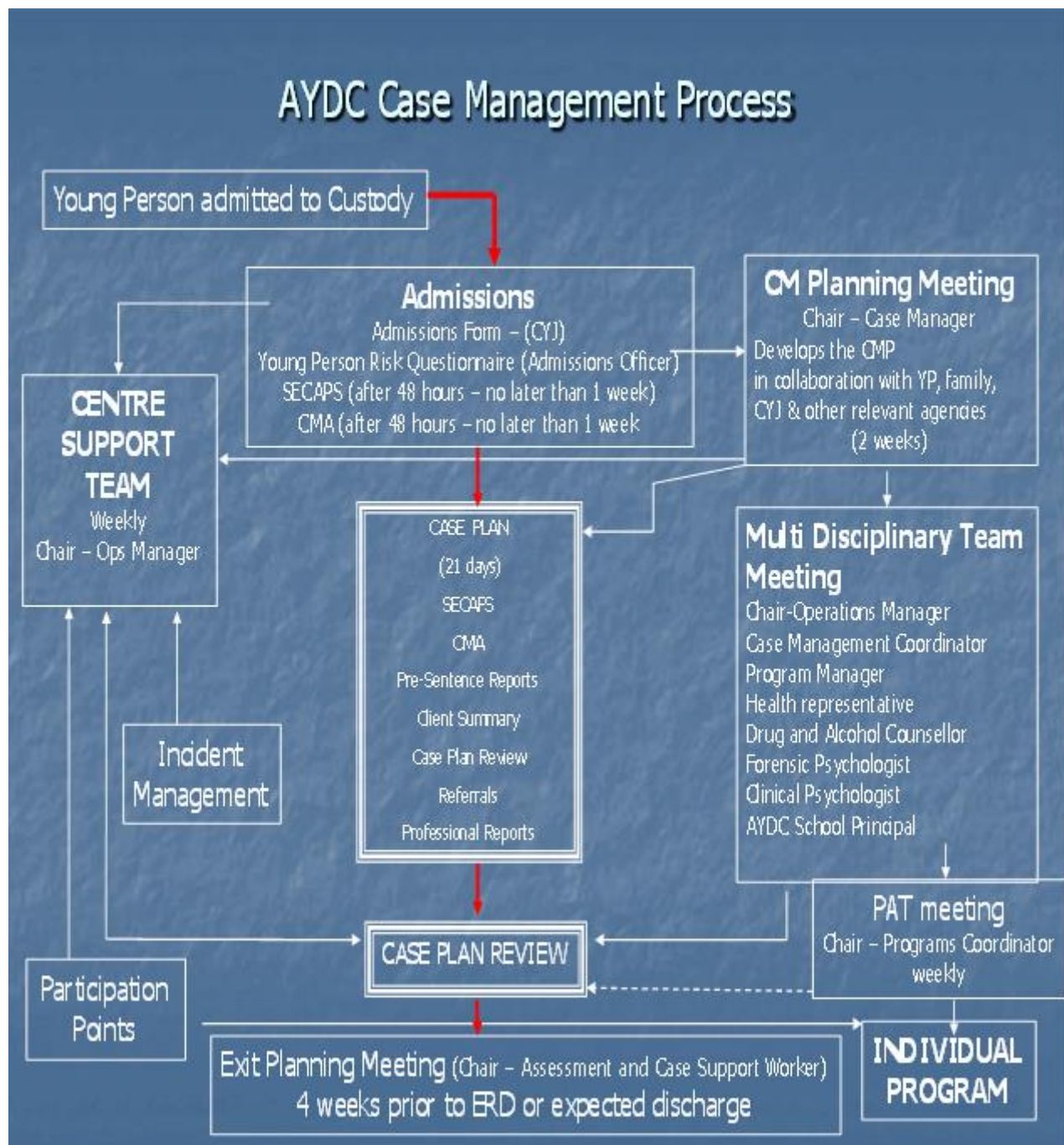
5.1.1 The provision of education, training and skills is developed and well-coordinated with external organisations and leads to demonstrable benefits for young people.

5.1.2 The detention centre seeks partnerships with research bodies or businesses in the community to enhance sustainability.

5.1.3 The detention centre seeks partnerships with organisations to enhance research and evaluation of its practices.



Appendix 3 - Case Management Process



Appendix 4 - Framework for Rehabilitation Programs

Figure 1: Framework for Rehabilitation Programs (Day and Howells 2003).



This Framework has been adapted into the AYDC context as demonstrated in Figure 2: AYDC Program Framework and Figure 3: AYDC Program Framework Levels & Participation, Engagement and Achievement Matrix. All of this data is collected using Figure 4: Young Person's Individual Timetable.

Appendix 5 - Communities Tasmania Response to Recommendations

Department of Communities Tasmania Comments

The report predominately considers compliance with the Custodial Inspector's Inspection Standards based upon observations gained through an inspection of Ashley Youth Detention Centre (AYDC) on 4 and 5 March 2019.

It is acknowledged that the recommendations in the report are based upon observation by the inspection team during the onsite visit to AYDC. In addition, a number of other sources were used to assess AYDC against the inspection standards including meetings with Communities Tasmania (CT) senior management, interviews with AYDC staff, meetings with external providers, review of documentation including AYDC policies, procedures and registers, discussions with young people and observations by the inspection team.

It was pleasing to see the inspection team noted a number of robust and comprehensive practices, procedures and other mechanisms in place to meet Inspection Standards 2.1.3 and 4.1. This includes: excellent relationships between AYDC and external agencies who provide a range of services to young people at AYDC; encouragement of young people to maintain contact with family and friends; AYDC's facilitation of visits by family and friends and staff willingness and flexibility to go above and beyond to accommodate visitors.

It is noted that the recent AYDC Equal Opportunity Inspection Report included a recommendation to update the AYDC Information for Young People and Families booklet. The scope of this review and update incorporates recommendation 1 in this report, with consultation soon to commence. In addition, recommendation 2 regarding a private space for telephone calls and the capacity to record calls was included in the AYDC Custody Inspection Report recommendations. CT did not support the recording of telephone calls and noted that this appeared contrary to the installation of private spaces for making calls.

AYDC encourage and facilitate family involvement in the case management of the young person. This is reflected in the Case Management Guidelines whereby the admission/entry process includes invitations to all stakeholders (including family and significant others) to the Case Planning Meetings. Any contact or attempted contact with family and others is recorded on YCIS. Invitations to Exit Planning Meeting are sent to all stakeholders and with invitations and attempted contact recorded in YCIS. The Exit Planning and Review procedure includes facilitation of family attendance at the Exit plan meeting and engagement of parent/carer/guardian in the process. Family members and/or significant others are encouraged and supported to contribute to the exit planning process.

Overall, the recommendations in this report will help inform policies, procedures and infrastructure requirements that will contribute to improved family, community and support networks for young people at AYDC.



Communities Tasmania would like to provide the following clarification:

- On Page 14 the report notes that once the visit is completed and visitors have departed, the procedure indicates that a young person is subject to a clothed body search and that an unclothed search may be conducted if it is suspected the young person is in possession of an unauthorised item which they are not prepared to surrender. The inspection team were subsequently advised that clothed body searches are only conducted if it is suspected the young person is concealing a prohibited item. CT would like to confirm that since the inspection was undertaken, a new Personal Search procedure has been implemented at AYDC which specifies that all personal searches (including after contact with visitors) are to be based on reasonable grounds. The *Site Entry/Exit – Visitors and Service Providers* Standard Operating Procedure #9 will be updated to reflect this.



Responses to Recommendations

Recommendation	Response/Acceptance Level
1. That CT updates the AYDC <i>Unit Rules</i> and <i>Information for Young People and Families</i> booklets to ensure currency and consistency of information across all areas.	Supported - Existing Initiative This work has previously been identified through the quality improvement work at AYDC as requiring a review. Consultation is about to commence with all areas across AYDC and external stakeholders. The recommendation to review and update the <i>Information for Young People and Families</i> booklet was previously identified in the Equal Opportunity Inspection Report. The scope will now be expanded to ensure consistency of information across all areas.
2. That CT provides a private space in each unit at AYDC, to afford appropriate privacy for young people to make telephone calls. Additionally, a telephone system with the ability to record calls similar to those being used in other jurisdictions should be considered.	See below Supported – private spaces for telephone calls As previously noted in response to the Custody Inspection Report, limited private spaces within residential units are available for young people to make telephone calls. In the event of a sensitive telephone call being required, a young person may be provided with use of another professional room within the centre. Additional spaces are being considered as part of the planned infrastructure upgrade. Not Supported – recording of telephone calls CT does not support the recording of telephone calls as this appears to be contrary to the recommendation for installing private spaces for making calls and may in part be an infringement of confidentiality. In addition, the current telephone system does not have the capability to record calls.



Recommendation	Response/Acceptance Level
3. That CT considers implementing video visits for young people at AYDC by means of communication tools such as Skype and FaceTime to further facilitate family and community contact.	Supported in Principle This will be considered as part of the infrastructure commitment to AYDC.
4. That CT updates the visiting facilities at AYDC, including by providing an outdoor visits area, to make visits more relaxed and family friendly.	Supported - Existing Initiative Visiting facilities are to be upgraded as part of the infrastructure commitment to AYDC.
5. That CT considers providing a secure, electronic form of communication for young people at AYDC, such as the 'Email a Prisoner' system.	Supported in Principle CT acknowledges the importance of email as a relevant and timely means of communication for young people. There is currently no infrastructure capacity to facilitate a secure, electronic form of communication for young people at AYDC. This will be considered as part of the infrastructure upgrade at AYDC and when internet coverage improves.
6. That CT considers including in case management records invitations to families, significant others and community supports to participate and have input into young people's case management and exit planning meetings.	Supported - Existing Initiative Case Management hold regular meetings with residents, inclusive of Case Plan Reviews (CPR) and during Exit Planning. Exit Planning sees invitations to many stakeholders, including family, government and non-government connections. Case Management note the attendance and content of these meetings, and any other relevant discussions such as a resident complaint. In addition, such information including electronic emails/invites are stored within Youth Custodial Information System (YCIS) for the purpose of auditing in line with quality improvement work. Family and significant others are immediately advised/consulted when a young person is admitted to the centre and encouraged to attend and participate in conferencing and other decision making processes. Travel reimbursement options are made available to parents/guardian in the form of fuel reimbursement cards or bus travel vouchers.



Recommendation

7. That CT considers ways to increase the participation of young people at AYDC in community activities outside of the Centre to strengthen their connections with community.

Response/Acceptance Level**Supported - Existing Initiative**

AYDC regularly considers ways to increase the participation of residents in community activities. The Manager of Professional Services & Policy met with Centre Manager and key staff on 11 September 2019 to determine the strategic pathway for Programs for the 2019/2020 year. Strategic partnerships are sought and/or retained with Colony 47, Save the Children, Deloraine Football Club and the Tasmania Police Early Intervention & Youth Action Units. AYDC is currently working with the Manager, Skills Response, Department of State Growth for Apprenticeship opportunities for residents. AYDC has also introduced external learning opportunities for residents, receiving an Industry Award for its work introducing a resident to a Gym Instructor Course, which included attendance at community gyms.





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CUSTODIAL INSPECTOR
TASMANIA

