

# Equal Opportunity Inspection Report

Inspection of Youth Custodial Services in  
Tasmania, 2019

September  
2019



### **Produced by the Tasmanian Custodial Inspector**

Address: Level 6, 86 Collins Street, Hobart, Tasmania 7000  
Telephone: 1800 001 170 (Free call)  
Facsimile: 03 6173 0231  
Email: [custodial.inspectorate@custodialinspector.tas.gov.au](mailto:custodial.inspectorate@custodialinspector.tas.gov.au)  
Website: [www.custodialinspector.tas.gov.au](http://www.custodialinspector.tas.gov.au)

ISSN 2209-895X (Print)  
ISSN 2209-8968 (Online)

DISCLAIMER: This document has been prepared by the Custodial Inspector for general information purposes. While every care has been taken in relation to its accuracy, no warranty is given or implied. Further, recipients should obtain their own independent advice before making any decisions that rely on this information.

# Contents

|                                                                      |           |
|----------------------------------------------------------------------|-----------|
| <b>From the Custodial Inspector</b>                                  | <b>1</b>  |
| <b>Acknowledgements</b>                                              | <b>2</b>  |
| <b>Executive Summary</b>                                             | <b>3</b>  |
| <b>Summary of Recommendations</b>                                    | <b>5</b>  |
| <b>About Ashley Youth Detention Centre</b>                           | <b>6</b>  |
| <b>Inspection Methodology</b>                                        | <b>8</b>  |
| <b>Inspection Standards</b>                                          | <b>9</b>  |
| 1    Inspection Standard 1.3                                         | 10        |
| 2    Inspection Standard 1.4                                         | 21        |
| <b>Appendix 1 - Glossary of Terms and Acronyms</b>                   | <b>27</b> |
| <b>Appendix 2 – The Inspection Standards</b>                         | <b>28</b> |
| <b>Appendix 3 - CYS Policy Documents</b>                             | <b>29</b> |
| <b>Appendix 4 - CYS Induction Program Checklist</b>                  | <b>32</b> |
| <b>Appendix 5 - Communities Tasmania Response to Recommendations</b> | <b>34</b> |





## From the Custodial Inspector

The *Custodial Inspector Act 2016* requires me to carry out a mandatory inspection of each custodial centre at least once every three years and to report to the responsible Minister and Parliament.

As has been previously reported, to meet these legislative obligations using the limited resources available, the Custodial Inspectorate undertakes themed inspections of custodial centres focussing on particular inspection standards. At the end of a three year cycle, all facets of custodial centres will have been inspected against the full set of standards.

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

The term “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* – thus Ashley Youth Detention Centre falls under my oversight.

In March 2019, a theme-based inspection of the standards relating to disadvantage, discrimination, equity, diversity, bullying and cultural awareness was undertaken at Ashley. The inspection also considered how the needs of young people in detention with disabilities and a high level of vulnerability are met. This inspection was titled *Equal Opportunity* which is a broad term, widely understood in Australia to cover discrimination, and associated issues such as harassment, bullying and victimisation. I am pleased to present this report detailing the findings of and the recommendations resulting from that inspection.

Prior to publication of this report, the responsible Secretary was consulted and invited to correct any factual inaccuracies in it, and to provide a response to the recommendations. The Department of Communities Tasmania’s response to the recommendations is included in Appendix 5.

Richard Connock  
**Custodial Inspector**

July 2019



### Acknowledgements

I would like to extend my thanks and appreciation to the Department of Communities Tasmania staff, particularly those that work at Ashley Youth Detention Centre, and Correctional Primary Health Services staff who assisted with and supported the Equal Opportunity inspection.

I also greatly value the contribution of the young people in detention to this inspection report.



## Executive Summary

Ashley Youth Detention Centre (AYDC) is managed by Children and Youth Services, an operational unit of the Department of Communities Tasmania. Children and Youth Services (CYS) is responsible for providing care and custody, at various levels of security, for young people detained and remanded in custody in Tasmania. CYS is also responsible for providing secure transport between AYDC, health facilities and courts.

This inspection report contains findings and recommendations in relation to the Equal Opportunity inspection of AYDC which was announced in December 2018 and conducted in March 2019.

The inspection examined AYDC in the context of the inspection standards relating to:

- equity;
- diversity;
- discrimination;
- disabilities; and
- bullying.

The relevant inspection standards are standards 1.3 and 1.4 of the *Inspection Standards for Young People in Detention in Tasmania* - the head of each standard is as follows:

*1.3 No young person should experience disadvantage, discrimination or abuse while in custody. Application of centre policies and procedures should not result in a young person being treated less favourably because of their race, age, sexual orientation, lawful sexual activity, gender, gender identity, relationship status, pregnancy, breastfeeding, parental status, family responsibilities, disability, religion, politics, culture or social origin.*

*1.4 The distinct needs of young people with disabilities, with a high level of vulnerability, and those with mental health issues should be assessed and they should have equitable access to services, activities and amenities, including specific assistance relating to their needs.*

A number of evidence sources were used to assess AYDC against these standards. In particular, the inspection involved an onsite visit; meetings with senior management; individual interviews with staff and external service providers; a review of documentation including relevant strategies and policies; and first hand observation by the inspection team.

Summarised below are the key findings from the inspection:

- The assessment process for young people is robust and if a young person has any special needs they are identified through this process.
- Case management is handled well, with individual case management plans developed for every young person entering AYDC. Case planning involves the review of a young



person's social, legal and criminogenic needs – the plan contains actions to address any identified needs. The plans are specifically tailored to address individual requirements on a case-by-case basis.

- For the most part young people at AYDC are treated fairly and equitably, although it did appear from discussions with some staff that there is a risk that when a young person has difficult or challenging behaviours that the young person's concerns may not be adequately addressed or taken seriously.
- AYDC has appropriate policies and procedures in place relevant to the inspection areas. They are, however, mainly overarching CYS policies and are not specific to AYDC and do not contain guidance or reference to how the policies are, or should be, implemented at AYDC or put into practice by centre staff. Ideally, centre specific policies and procedures should be introduced.
- AYDC does not have specific active strategies for the protection of vulnerable and at-risk young people and strategies to identify and manage bullying. Rather such issues are managed through an individual's case management plan.
- Staff are not adequately trained in diversity, equity and disability awareness. Furthermore, there is no clear information relating to promoting equity or diversity in the centre for young people or staff.
- As previously outlined in the *Custody* inspection report dated August 2019 there are questions as to whether incident reports are written contemporaneously with the incidents they record.



## Summary of Recommendations

It is recommended that Communities Tasmania:

1. Ensures that there are effective centre specific strategies and policies for AYDC covering:
  - anti-discrimination;
  - protection of vulnerable and at-risk young people;
  - identifying and managing bullying and harassment of young people;
  - equity, diversity and the active promotion of respect for difference; and
  - the management of young people with disabilities at AYDC to ensure their needs are being met.
2. Provides specific training, including regular refresher training, for AYDC staff in relation to both staff and young people, in the following areas:
  - protection of vulnerable and at-risk young people;
  - managing and identifying bullying;
  - supporting diversity and promoting equity;
  - methods for preventing discrimination;
  - disability awareness;
  - managing specific disabilities; and
  - cultural awareness and diffusing cultural conflicts.
3. Ensures the AYDC *Information for Young People and Families* booklet is updated and includes information for young people regarding anti-discrimination, equity, diversity and actions to take if they are subjected to bullying.
4. Implements processes to ensure all AYDC staff directly or indirectly involved in incidents complete an incident report before the conclusion of their shift on the day the incident occurs or within 24 hours of the incident occurring.
5. Ensures that an online incident reporting system is implemented at AYDC as a priority when the internet capacity at the centre permits.
6. Ensures that all AYDC staff receive basic disability awareness training and ongoing training in managing young peoples' specific disabilities.
7. Introduces specific policies for staff to address bullying and harassment of young people.





## About Ashley Youth Detention Centre

CYS is responsible for providing care and custody for young people detained and remanded in custody. AYDC is the only youth detention facility in Tasmania.<sup>1</sup> It is located on the outskirts of Deloraine in northern Tasmania, approximately 230 kilometres from Hobart, on approximately 90 acres of land which is run as a farm.

AYDC houses young offenders of all genders aged from ten to 18 years and has the capacity to accommodate 50 young people at one time. The centre runs 24 hours a day and its 50 bed capacity is spread across four accommodation units. The centre is staffed to cater for the number of young people in detention at any particular time.

The purpose of AYDC is to provide secure care and custody for young people detained or remanded by the courts, through the provision of rehabilitative programs in accordance with the principles contained in the *Youth Justice Act 1997*. The Act requires CYS to rehabilitate young people in conflict with the law and to protect the community from illegal behaviour.

Recreational facilities for young people at AYDC include 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.

In 2017-18 in Tasmania, on an average night:

- 62% of young people in detention were on remand – that is, awaiting the outcome of their court matter, or found guilty and awaiting sentencing. 38% of young people in detention were serving a sentence.<sup>2</sup>
- Twelve males and one female were held in detention with four young people identifying as Aboriginal or Torres Strait Islander.<sup>3</sup>

The statistics in the table below are taken from the Department of Health and Human Services Annual Report 2017-18:<sup>4</sup>

|                                                            | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|------------------------------------------------------------|---------|---------|---------|---------|
| Average daily young people in Custodial Youth Justice      | 10.3    | 9.2     | 10.7    | 11.4    |
| Distinct number of young people in Custodial Youth Justice | 52      | 33      | 65      | 58      |

<sup>1</sup> 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.

<sup>2</sup> Young people may be on sentenced and unsentenced orders at the same time in which case they are counted as sentenced.

<sup>3</sup> <https://www.aihw.gov.au/getmedia/55f8ff82-9091-420d-a75e-37799af96943/aihw-juv-128-youth-detention-population-in-Australia-2018-bulletin-145-dec-2018.pdf.aspx?inline=true>

<sup>4</sup> [https://www.dhhs.tas.gov.au/data/assets/pdf\\_file/0005/355577/DHHS\\_Annual\\_Report\\_2017-18.pdf](https://www.dhhs.tas.gov.au/data/assets/pdf_file/0005/355577/DHHS_Annual_Report_2017-18.pdf)



The young people at AYDC come from all parts of the State. Generally, they face major social and developmental challenges and most have experienced abuse or trauma. Risky behaviours are common in young offenders and include: smoking; alcohol misuse; illicit drug use; and risk-taking sexual behaviours.

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.<sup>5</sup>

Young people in the justice system are likely to have experienced more than one of the following:

- disabilities;
- abuse;
- neglect;
- substance misuse; and
- mental health issues.

To meet the needs of these young people service delivery is provided by a range of organisations including Correctional Primary Health Services (CPHS)<sup>6</sup> which is responsible for healthcare provision, the Department of Education which is responsible for the Ashley School, and other relevant government and non-government organisations.

---

<sup>5</sup> 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>.

<sup>6</sup> 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.



## 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. The inspection team obtain data from multiple sources and by doing so is able to validate the information it collects through cross verification and to test the consistency of findings. In most cases, the information is collected from at least three different sources. These sources are conversations, observations, and documentation:

- Conversation is talking with young people, staff, and service providers in an informal, unstructured way. Conversations can take place as the inspection team walks around custodial centres or in organised meetings and focus groups.
- Observations are taken during onsite visits to custodial centres. Observations can be documented using check lists or contemporaneous notes.
- Documentation refers to tangible materials, such as procedural manuals, policies, strategies, registers and spreadsheets etc.

During the Equal Opportunity inspection, a number of sources of evidence were used to assess AYDC against the standards. These sources of evidence included individual interviews carried out with staff, young people and service providers; documentation; and observation by inspectors.<sup>7</sup>

As noted, inspection reports are published in Parliament after an inspection is completed. Prior to publication of the report custodial centre management and the responsible Minister are consulted with, and invited to correct any factual inaccuracies in the report.

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 staff<sup>8</sup>
- **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.

---

<sup>7</sup> The observations, findings and recommendations are limited by the information available, or disclosed, to the inspection team.

<sup>8</sup> First-hand wherever possible, and if not a direct observation the information relied on will be fact checked and confirmed by another reliable source.



## 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 of, and conditions for, 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*. The Custodial Inspector consulted with the Department of Communities Tasmania and the Interim Commissioner for Children and Young People and his staff throughout the drafting process of the inspection standards.

Independent monitoring and assessment is important to ensure custodial services are meeting 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 inspection standards are publicly available on the Custodial Inspector's website [www.custodialinspector.tas.gov.au](http://www.custodialinspector.tas.gov.au).

Summarised in this section are the findings of the inspection team in respect of inspection standards 1.3 and 1.4 for young people in detention in Tasmania.

Inspection standards 1.3 and 1.4 are provided in full in Appendix 2.



## 1 Inspection Standard 1.3

Inspection standard 1.3 requires that no young person should experience disadvantage, discrimination or abuse while in custody. All young people should have equal access to the full range of services available in the detention centre.

Children and young people should be given clear information and instruction about how the detention centre promotes equity and diversity, and how to obtain support regarding equity or diversity issues in a way that they can understand.

### Access to Services

The inspection found that the young people at AYDC have a wide range of professional services open to them to address their needs, including:

- health staff<sup>9</sup>;
- advocates, such as the Commissioner for Children and Young People;
- teachers<sup>10</sup>;
- youth workers; and
- external service providers, such as the Tasmanian Aboriginal Centre (TAC).

As previously reported in the *Inspection of Ashley Youth Detention Centre in Tasmania, 2017 Health and Wellbeing Inspection Report*, medical practitioners and psychologists provide services on a regular basis, though these professionals are not based onsite.

To ensure young people have access to the services they need, case management plans are developed on admission. These plans are specifically tailored to address individual requirements and needs on a case-by-case basis. The inspection team was advised that case management plans address, as required, needs relating to:

- cultural and religious issues;
- mental health issues;
- physical disabilities;
- intellectual disabilities;
- learning disabilities;
- emotional behaviour development;
- neurological impairments;
- gender and sexuality;
- autism spectrum disorders; and
- difficult behaviours, such as over-sexualised behaviours.

---

<sup>9</sup> Nurses and general practitioners employed by CPHS. Consultant psychologists and psychiatrists engaged by AYDC and dental services are provided by local community practices as required.

<sup>10</sup> Teachers at the Ashley School are employed by the Department of Education.



The case management plans ensure that strategies and actions are employed, and services engaged, such that a young person's identified needs are addressed and monitored throughout their period of detention, with plans modified as required.

It is rare that a young person with physical disabilities is accommodated at the detention centre, however, AYDC is well equipped to deal with mobility issues and the like. The infrastructure allows for ease of access for those with mobility issues and includes disability bedrooms, level access to education and program areas, and wheel chair accessible showers and toilets.

There are many young offenders with cognitive impairment, such as acquired brain injuries and foetal alcohol spectrum disorders, which is not a visible disability. The inspection team noted with some concern that from discussions with staff there appeared to be little awareness of non-visible disabilities. Having said that, the initial assessments that are undertaken on admission do appear to be identifying any special needs so that there are no gaps in services accessed. Rather, the concerns of the inspection team are that there is no systemic approach to training staff to assist with identification of, and appropriate strategies for dealing with disabilities.

### *Anti-discriminatory Practices and Accommodating Diversity and Difference*

AYDC does not have any system-wide strategies to promote anti-discriminatory practices. Despite this, positively, the inspection found that young people at AYDC are not treated less favourably because of race, age, sexual orientation, gender, gender identity, pregnancy, parental status, disability, or religious belief or affiliation.

Generally, the population at AYDC is small and largely homogenous – male, heterosexual and either white Anglo-Saxon or of Aboriginal descent. From time to time, there will be young people, for example, from multi-cultural backgrounds, who observe different religions, are female, transgender, or pregnant or who have parental responsibilities. Due to the infrequent presentation of diverse individuals, these young people are managed on a case-by-case basis and their needs are written into their case management plan, as was discussed above.

Examples of strategies and actions that AYDC uses to accommodate diversity and ensure no young person is disadvantaged or discriminated against include:

- youth workers using emoji cards to communicate with a young person with autism;
- allowing flexibility in foods provided to young people where there are special needs based on religious beliefs, vegetarian preference or needs linked to autistic tendencies;
- outsourcing appointments to ensure that young females are able to access health professionals of the same gender in the community;
- outsourcing equipment such as wheelchairs and splints, or services such as physiotherapy for young people with mobility issues or disability needs;
- providing Muslims with a copy of the Koran and a prayer mat and allowing those young people to pray at various times of the day as required by the Muslim faith;





- assisting pregnant young females with access to obstetric appointments, referrals to a child health nurse and providing information regarding their food and nutrition needs during pregnancy;
- engaging with local aboriginal organisations to ensure the delivery of volunteer run in-reach services and programs; and
- allowing young people to identify with their gender of choice, including ensuring appropriate accommodation placement, referring to them by their preferred pronoun and chosen name and providing clothing of their choice.

The inspection found that for the most part young people at AYDC are treated fairly and equitably, although it did appear from discussions with some staff that there is a risk that when a young person has difficult or challenging behaviours that the young person's concerns may not always be adequately addressed or taken seriously.

### *Policies and Centre Specific Strategies*

Standard 1.3.2 requires the detention centre to have an effective anti-discrimination strategy, an equity and diversity policy and to actively promote respect for difference.

In this regard, AYDC has a number of relevant documents including:

- a centre specific information sheet titled *Working with Young People who Identify as Sexual/Gender Diverse* which provides advice to staff who work with young people who identify as sex/gender diverse. It requires that young people are to be treated with respect regardless of their 'Sexual/Gender diversity' and staff should be trauma informed in order to recognise and acknowledge past experiences in the young person's life; and
- a centre specific policy titled *Guidelines for Working with Young Aboriginal People and Other Young People from Culturally and Linguistically Diverse (CALD) Backgrounds*. The scope of this policy, issued in 2010, is designed to ensure that all needs and risks associated with indigenous and other young people from culturally and linguistically diverse backgrounds in custody are being met in a culturally competent and sensitive manner.

AYDC also provided the following overarching CYS policy documents relating to this inspection:

- *Personal Identity and Diversity* - this policy aims to ensure CYS is *Responsive to diversity of children, young people, adults and families*;
- *Prevention and Earlier Intervention* - this policy provides that CYS will *Deliver enhanced targeted programs where vulnerable individuals require additional assistance to improve safety, health and wellbeing*; and
- *Needs and Strengths Based Services* - this policy requires CYS to undertake appropriate screening and assessments to determine and plan suitable needs and strengths based supports and interventions.

It should be noted that these CYS policy documents, all issued in July 2015, are brief, broad in their terms and very high level, largely because they are intended to apply to all CYS services including their community based services, Community Youth Justice and Child



Safety Service – they are not detention centre specific. The documents are not procedural in nature and, of significance to the inspection, do not contain guidance or reference as to how the policies are, or should be, implemented at AYDC or put into practice by centre staff. The inspection team noted that these documents are not reader friendly and the intent of the respective policies is not immediately clear. Copies of the CYS policy documents are included in Appendix 3.

The inspection found that there is no clear information on promoting equity or diversity provided for young people or staff. Specifically in respect of young people, there is no reference to equity, diversity or discrimination in the *Information for Young People and Families*<sup>11</sup> booklet or the *AYDC Unit Rules*<sup>12</sup>. The *Information for Young People and Families* booklet is not version controlled, nor does it have an implementation or review date, which makes it hard to determine if it is up-to-date. The *AYDC Unit Rules* document was last revised and amended in 2012.

Given the passage of time, all of the documents referred to above should be reviewed to ensure they are up-to-date and processes accord with current best practice. Ideally, these documents should contain reference to an implementation date and revision date, with version control applied.

### *Active Strategies for Protection of Vulnerable and At-risk Young People and Bullying*

Inspection standard 1.3.3 provides that detention centres should have active strategies for the protection of vulnerable and at-risk young people and that identify and manage bullying. These strategies should be reviewed regularly.

It appeared to the inspection team that AYDC does not have active strategies, rather it relies on its *Behaviour Development Scheme* (BDS), which incorporates the AYDC incentive scheme and incident management scheme, to address and prevent bullying and to protect vulnerable and at-risk young people. The BDS provides that AYDC has:

*...an integrated framework of procedures and processes that seek to create and maintain an environment that is sensitive to gender, cultural diversity, mental health, disability, and age needs of young people in custody.*

The inspection team considers that the BDS, incorporating the incentive scheme and the incident management scheme, goes some way to addressing bullying and preventing it. In addition, the Centre Support Team (CST)<sup>13</sup> reviews incidents on a weekly basis. The inspection team was advised that CST's review of incidents generally highlights if there is a pattern of concerning behaviour or over-representation of a particular individual(s). In some situations, a more timely response than waiting on the outcome of CST meetings would be required to address and prevent bullying of young people. The inspection found, however,

<sup>11</sup> This booklet is provided to young people and their families to outline rights, responsibilities, centre rules and regulations.

<sup>12</sup> The unit rules are provided to young people when they are inducted, and outline the day to day rules and operations of AYDC.

<sup>13</sup> The BDS and CST are discussed in more detail in the below section titled *Allegations and Incidents*.



that there is no coordination of strategies relevant to inspection standard 1.3.3.

The AYDC booklet *Information for Young People and Families* defines bullying as:

*...any unwelcome, repeated aggression that one or more people do to harm, dominate or cause distress to another person.<sup>14</sup>*

The inspection team noted that the booklet describes what bullying is and what action the young person could take to prevent it, but it does not outline what actions a young person should take if they are subject to bullying, other than not to react to bullying behaviour.

### **Recommendation:**

That Communities Tasmania ensures there are effective centre specific strategies and policies for AYDC covering:

- anti-discrimination;
- protection of vulnerable and at-risk young people;
- identifying and managing bullying and harassment of young people; and
- equity, diversity and the active promotion of respect for difference; and
- the management of young people with disabilities at AYDC to ensure their needs are being met.

### *Staff Training*

Inspection standard 1.3.4 requires that all staff are trained in the following areas:

- active strategies for the protection of vulnerable and at-risk young people;
- identifying and managing bullying;
- cultural awareness;
- supporting diversity;
- preventing discrimination; and
- methods for diffusing cultural conflicts.

Staff training at AYDC is undertaken on-site and is provided in multiple ways:

- by Quality Improvement and Working Development (QIWD), a division of Communities Tasmania;
- online training through Tasmanian Health Education Online (THEO);
- peer based on-the-job training<sup>15</sup>; and
- instruction from senior AYDC staff.

<sup>14</sup> Information for Young People and Families booklet.

<sup>15</sup> AYDC refer to this type of training as 'buddy shifts' - being a shift where the trainee is paired up with an experienced youth worker to provide guidance and on-the-job training during the induction period.



The inspection team was advised that AYDC's comprehensive staff induction training covers the requirements of this standard. After staff have completed the initial induction training, all further training is delivered as required to address any new processes or changes to existing processes. Staff training is delivered in accordance with a structured training schedule which is designed to ensure that staff attend one training day every three months. The inspection team was advised that staff rosters were under review and changes to the rosters will result in significantly increased staff training contact hours – staff will attend one training day every month when the changes become effective.

The inspection found that, in fact, the induction training does not cover discrimination, harassment and bullying of young people – the training in relation to these areas was specifically directed at workplace interactions with staff, management and the department.

Likewise, the induction training does not cover cultural awareness, supporting diversity and methods for diffusing cultural conflicts. To ascertain whether these areas were covered by training outside the induction training, the inspection team reviewed the following training packages:

- *Discrimination, Harassment and Bullying* that is delivered to all Communities Tasmania staff;
- *Aboriginal Cultural Awareness*; and
- *Multicultural Awareness in the Health and Community Sector*<sup>16</sup>.

The inspection found that the departmental *Discrimination, Harassment and Bullying* training package only covers discrimination, harassment and bullying of staff, it does not relate to discrimination, harassment and bullying of young people. This training package is available online through THEO.

The *Aboriginal Cultural Awareness* and *Multicultural Awareness in the Health and Community Sector* courses are available online through THEO. It is important to note that both of these courses are focussed on staff relations and are not directed specifically at working with young people.

In addition to training courses not adequately covering the elements of inspection standard 1.3.3, the inspection found that training was not current for all AYDC staff. In this regard, a range of staff members advised that training had not been a priority for previous management. As a result, currency in staff training has become an issue. Staff training records confirmed currency as an issue with some staff members having not attended anti-discrimination, cultural awareness and anti-bullying training for a number of years. Many have not received any training since their induction, in any event.

It should be noted that the inspection also found that not all AYDC staff were listed on the training records provided to the inspection team by Communities Tasmania – only the people

---

<sup>16</sup> This training is also referred to in Communities Tasmania documentation as *Cultural Knowledge in the Health and Community Sector* and *Multicultural Knowledge in the Health and Community Sector*.



that have completed training are listed, and it is not clear how many people remain untrained. Post inspection, AYDC advised that the lack of regular training is being addressed through the introduction of a new training position, Senior Learning and Development Officer – AYDC. This is positive as the inspection identified that much more needs to be done in the training domain.

### **Recommendation:**

That Communities Tasmania provides specific training, including regular refresher training, for AYDC staff in relation to both staff and young people, in the following areas:

- protection of vulnerable and at-risk young people;
- managing and identifying bullying;
- supporting diversity and promoting equity;
- methods for preventing discrimination;
- disability awareness;
- managing specific disabilities; and
- cultural awareness and diffusing cultural conflicts.

### *Equity and Diversity and Conveying Information to Young People*

Inspection standards 1.3.5 and 1.3.6 focus on ensuring that young people are given clear information about equity and diversity and how they can obtain support regarding any issues that arise in these areas. More generally, information and instructions should be provided to young people in a way that they can understand.

There is no clear information (provided to young people or staff) on promoting equity or diversity, or how to obtain support regarding any issues that arise in these areas. The inspection team noted the *Information for Young People and Families* booklet does not include specific references to equity and diversity or how to obtain support if issues arise in these areas. As discussed above, in relation to inspection standard 1.3.2, this booklet should be updated to include information for young people about anti-discrimination, equity and diversity.

### **Recommendation:**

That Communities Tasmania ensures the AYDC *Information for Young People and Families* booklet is updated and includes information for young people regarding anti-discrimination, equity, diversity and actions to take if they are subjected to bullying.

In terms of conveying information to young people at AYDC, the induction process is significant. On admission to AYDC, young people receive both verbal and written information about the Centre's rules and their rights and responsibilities during the period when they are accommodated in the induction unit. The inspection found that this information is conveyed



in a way that is appropriate to the young people's developmental age and background. Additionally, the booklet *Information for Young People and Families* is provided, which includes an easy to read version of the centre's regulations, rules and policies.

To ensure that all relevant information is provided to a newly admitted young person, youth workers inducting a young person are required to complete all steps outlined in the checklist *Induction Program for Young People Procedure*. The checklist includes an explanation of the young person's rights and responsibilities. A copy of the checklist is contained in Appendix 4.

As for ongoing communications with young people following the induction phase, the inspection team did not observe any interactions that demonstrated that rights and responsibilities are explained to a young person, or considered. Based on the information provided it is assumed that ongoing interactions between staff and young people and the CST outcomes and BDS processes provide opportunity for further explanation and discussion about rights and responsibilities.

### *Allegations and Incidences*

To protect the rights, and ensure the safety, of young people in detention the following inspection standards apply:

*1.3.7 Allegations and incidents are treated consistently and investigated thoroughly. Incidents are routinely reported, patterns identified, and strategies are put in place to address new and emerging trends.*

*1.3.8 Interventions and responses to allegations address both victim and perpetrator.*

Accurate and timely incident reporting is of utmost importance as it serves several purposes, including:

- ensuring that incidents are followed-up and appropriate action taken;
- contributing to the dynamic security of the detention centre;
- providing a basis for investigations and operational reviews;
- ensuring that management is promptly notified when significant incidents occur;
- providing management with the information necessary to plan incident responses and address media enquiries; and
- providing statistical data for strategic planning and reporting purposes.

The inspection found that at AYDC allegations and incidents can be reported in the following ways:

- a staff member completing an incident report;
- a young person raising issues with staff; or
- another person raising the issue on the young person's behalf (such as family, a lawyer, an external service provider, or the Commissioner for Children and Young People).





Reporting of incidents is dependent on staff and young people at AYDC. In addition to incidents, staff are required to report any instance of illness or injury. For various reasons, including fear of retribution, young people in particular may not wish to report an incident.

Reporting of both incidents and allegations at AYDC is treated in the same manner - they are documented by way of a paper based incident report submitted to management. Incidents are subject to review by the Centre Support Team no more than a week later.

In practice, the Centre Support Team (CST) convenes every week to review all incidents and discuss the management of young people. Types of matters considered by CST include:

- decisions about a young person's colour levels (classifications) under the incentive scheme;
- residential accommodation placement;
- formal requests from young people;
- applications for leave permits from young people – for example, to attend community based programs; and
- assessments of young people's participation and progress in centre programs.

CST consists of the on-duty Operations Coordinator, the Case Management Coordinator, the Programs Coordinator and staff from each unit. The Operations Manager or Operations Supervisor chairs the team.

Where an urgent issue arises, as a result of a young person's poor behaviour for example, an Interim Centre Support Team meeting is held. The Interim Centre Support Team consists of the Operations Manager or Operations Supervisor, the Case Management Coordinator, the Programs Coordinator and the Operations Coordinator.

CST and Interim Centre Support Team decisions are consensus based as far as possible. Where consensus is not reached, the chairperson of the meeting has the determining vote. The young person is informed of the outcome as soon as possible after the meeting. Young people have the right to appeal these decisions.

Inspection standard 1.3.8 provides that interventions and responses to allegations address both victim and perpetrator. In this regard, conferencing is a diversionary process used at AYDC which involves the young person, the victim, support persons, guardians and other relevant staff. It is intended to have a restorative effect and provide recommendations for appropriate sanctions, which can be formal or informal. If there was an allegation that was reported (as an incident) the conference would address both victim and perpetrator.

### *Issues with Incidence Reporting*

The inspection found that while incidents are routinely reported, there are no processes in place to identify patterns or collect data so that strategies can be put in place to address new and emerging trends. An electronic reporting system would assist with the capture such information and ideally would encompass functionality to undertake data interrogation and analysis and generate automated reports.





As previously outlined in the *Custody* inspection report there are issues as to whether incident reports are being completed contemporaneously with the incidents to which they refer. The inspection found, however, that timely completion of incident reports may be impacted by staff rostering. Working memory may be impaired and important details for the incident report may be missed if too much time has elapsed since an incident.

The inspection team was provided with two procedures relating to incident reporting:

- *Standard Operating Procedure #1 – Incident Reporting* (effective date January 2013, Review date January 2016), which was provided before the commencement of the onsite inspection; and
- *AYDC Incident Reporting*. A hardcopy of this document was provided to the inspection team during the onsite visit. There is no Unique Identifier or Effective from date on the document, so it was unclear whether this document is current and in use by staff.

Both of the procedures relating to incident reporting require staff to complete reports within a 24 hour period. *Standard Operating Procedure #1 – Incident Reporting* requires reports to be completed by the end of the relevant shift and if this is not possible the Operations Coordinator must be advised. *AYDC Incident Reporting* requires that reports must be finalised within 24 hours of an incident occurring.

#### **Recommendation:**

That Communities Tasmania implements processes to ensure all AYDC staff directly or indirectly involved in incidents should complete an incident report before the conclusion of their shift or within 24 hours of an incident occurring.

The inspection team reviewed a sample of incident reports and found that:

- reports were not always completed in the required timeframes; and
- on some occasions incident reports were not completed in full by staff.

Of particular concern, important information such as the time of the incident and details of the staff involved were omitted from some reports. The review also found that not all staff involved in incidents completed incident reports. This is alarming as all staff that have been involved in, or witnessed, an incident should be required to complete an incident report.

The inspection team was advised that the incident reporting process had been recently reviewed and updated but that there are limitations with the process. In particular, an online reporting system cannot be implemented at present due to the poor internet coverage at AYDC. As a result, incident reports remain paper based and will do so until internet capacity is significantly improved.



Paper based reporting is not best practice, though it is understood that AYDC is doing the best it can whilst being constrained by the limitations of technology. It is the expectation of the inspection team that online reporting will be implemented as a priority as soon as internet capacity at AYDC is improved.

**Recommendation:**

That Communities Tasmania ensures that an online incident reporting system is implemented at AYDC as a priority when the internet capacity at the centre permits.

## 2 Inspection Standard 1.4

Inspection standard 1.4 requires that the distinct needs of young people with disabilities, a high level of vulnerability, and those with mental health issues should be appropriately assessed and they should have equitable access to services, activities and amenities. If required, specific assistance relating to a young person's needs should be provided.

The inspection team was advised by both AYDC staff and CPHS nurses that the assessment process for young people is robust and they have every confidence that any special needs will be identified. In this regard, the inspection found that assessment and assistance are provided through expertise on-site or appropriate referrals to specialist facilities.

There are a number of tools used at AYDC to ensure the thorough assessment of young people in detention as outlined below.

### Assessments

The expectation of inspection standard 1.4.2 is that:

*There are appropriate assessments conducted to identify the needs of young people with disabilities, including young people presenting with potentially undiagnosed conditions. This could involve expertise on-site or appropriate referrals to specialist facilities for assessment and setting up a management plan.*

It appeared to the inspection team that there is a robust assessment process in place and AYDC is performing well in this area.

In terms of identifying the needs of young people with disabilities, on admission to the detention centre, AYDC staff and CPHS nurses separately assess the young person using the following tools:

- a *Young Person Risk Questionnaire* (youth worker);
- a health assessment (CPHS nurse);
- a medical assessment (general practitioner); and
- a living skills assessment (youth worker).

In addition, a young person must participate in the AYDC induction program, even if they have participated in an induction program on a previous admission. To ensure that a young person understands the information covered in the induction program, the youth worker determines the appropriate pace of the program.

### Case Management Assessment

In addition to the assessments referred to above, the Case Management Co-ordinator or Case Manager completes a number of assessments as part of the induction process including:

- Case Management Assessment;
- Case Assessment Tool (CAT); and a



- Secure Care Psychosocial Screening report (SEACAPS).<sup>17</sup>

A Youth Level of Service / Case Management Inventory (YLS/CMI) report is completed by Community Youth Justice and can be accessed by staff if required. The YLS/CMI is similar to the SECAPS report as they can both be used to measure risk of recidivism.

The Ashley School also completes initial testing of a young person to inform their Individual Education Plan (IEP).

The purpose of these assessments is to:

- assess the factors contributing to the young person's offending;
- stabilise the young person at the centre;
- design and implement an individual case plan for each young person; and
- ensure individual and group programs provided to the young people at the centre and in the community have a direct relationship with their identified needs.

### Case Planning

Case planning involves review of a young person's needs in terms of their social, legal and criminogenic requirements. The plan contains actions to address any identified needs. According to the AYDC Case Management Guidelines, *the resultant plan directs program interventions and daily management tasks of the young person within the centre*.<sup>18</sup>

To inform the case plan, AYDC receives reports on a young person's background from their family, Tasmania Police, Community Youth Justice, Child Protection Services and community organisations, such as the Tasmanian Aboriginal Council, where relevant.

The inspection found that the case planning process used at AYDC satisfies the requirements of inspection standard 1.4.4. Specifically, this process ensures that highly vulnerable or immature young people, and those with mental health issues have a management plan specifying any special needs. The case plans cover all areas of centre life and it appeared that all staff involved in the management of young people are aware of the plans.

A Case Plan Review (CPR) is a weekly meeting that is attended by the Case Manager, a Youth Worker and the young person, to review the progress made by the young person during the preceding week. The purpose of reviewing the case plans is to ensure they are meeting the needs of the young people, and any new issues are considered and included in the plan.

The CPR meeting outcome is updated weekly and discussed at the Multi-Disciplinary Team (MDT) meeting.

---

<sup>17</sup> The assessment tool is used to assist in determining a young person's needs whilst they are at AYDC.

<sup>18</sup> AYDC Case Management Guidelines, issued July 2014.



### Multi-Disciplinary Team

The terms of reference for AYDC's Multi-Disciplinary Team provide:

*The purpose of the Multi-Disciplinary Team (MDT) meeting is to provide assessment, review, monitoring and a referral forum to address the needs of all young people in custody at the Ashley Youth Detention Centre (AYDC). Its further purpose is to optimise health outcomes, address other risk factors and to plan for the young person's return to the community.*

The MDT consists of the following members:<sup>19</sup>

- 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).

The MDT develops and implements responses to individual care/case management plans for the period of a young person's detention. Feedback is provided to the young person whilst in custody through the case management process, in particular CPR meetings. As far as practicable, a plan for release, including referral to appropriate agencies and service providers for ongoing care, is formulated in collaboration with Community Youth Justice. The release plan is largely facilitated by Community Youth Justice and a formal exit plan is also developed by AYDC for all young people on detention orders.<sup>20</sup> For young people that have been on remand for a longer term, the exit planning process will occur but it is not formalised due to the young person's legal status. It would be rare to commence the exit planning process for a young person that has been on remand at AYDC for a short period.

The inspection team met with a number of staff who participate in the above case management processes. They advised that the circular nature of the CPR and MDT meetings provides good coverage in terms of addressing any identified needs of a young person. Issues or concerns raised by the young person or staff in the CPR meeting are assessed and discussed at the MDT and, if necessary, actions implemented. Decisions made by MDT are relayed back to the young person at the CPR meetings.

The inspection team was satisfied that these processes ensure that the distinct individual needs of young people are being addressed at AYDC.

<sup>19</sup> As listed in the AYDC Multi-Disciplinary Team Terms of Reference issued March 2018.

<sup>20</sup> AYDC Multi-Disciplinary Team Terms of Reference, issued March 2018.



### Staff Training

Inspection standard 1.4.2 requires that all staff receive basic disability awareness training. In addition, staff working closely with young people with disabilities should receive ongoing training in managing specific disabilities.

To assess this standard, the inspection team reviewed the suite of staff training documents. There were none relating to disability awareness and managing young people with specific disabilities.

Additionally, the inspection team met with numerous members of staff, all of whom when queried about training specific to the needs of young people with disabilities indicated that they had not received any targeted relevant training.

Post inspection, discussions were held with the Senior Learning and Development Officer – AYDC who confirmed that there is no specific disability training for AYDC staff.

As a general observation, noted also in 7.1 above, when discussing disabilities with staff the inspection team noted there was a focus on physical disabilities. Staff did not appear to recognise cognitive impairment and learning disabilities. All staff should receive initial training in relation to disabilities and cognitive impairment, acquired brain injuries, mental health and suicide and self-harm. This initial training should be followed up with regular refresher training. It is vital that AYDC implements a systemic approach to training staff to assist with identification of, and appropriate strategies for, dealing with disabilities.

#### **Recommendation:**

That Communities Tasmania ensures that all AYDC staff receive basic disability awareness training and ongoing training in managing young peoples' specific disabilities.

### Bullying and Abuse of Young People

Inspection standard 1.4.3 provides:

*Staff are alert to and quickly address any bullying, verbal or physical abuse or other negative actions towards highly vulnerable or immature young people and young people with disabilities.*

The inspection found that there is no AYDC specific policy for staff that addresses bullying or harassment of young people. This should be addressed.

Staff advised the inspection team that bullying, abuse and negative actions between young people are managed first informally and then formally, if escalation is required. Escalation would be dealt with at CST and CPR meetings.

The comprehensive case management process, outlined above, provides an opportunity for young people to say if they feel they are being bullied or treated negatively. Staff expressed confidence that all issues come to light through CPR meetings and CST.





Additionally, staff advised the inspection team that due to the low numbers of young people accommodated at AYDC, they generally know all the young people well. This can lead to complacency which carries a risk that staff may be 'caught out' when a young person's behaviour does not fit the usual pattern.

Young people are provided with a copy of a booklet titled *Information for Young People and Families* which covers bullying and sexual harassment. The relevant information, however, is very brief and importantly it does not inform the young person of possible actions they can take if they are either bullied or harassed by another young person or staff member.

In the event that bullying, abuse and negative actions are identified between young people, there is a formal mediation process in place run by the Conference Convenor.

**Recommendation:**

That Communities Tasmania introduces specific policies for AYDC staff to address bullying and harassment of young people.

### *Young People with Disabilities*

As previously discussed, AYDC is located on a flat parcel of land and there are no stairs in any of the buildings, allowing young people with physical disabilities and mobility issues to gain access to all required areas such that they can engage fully with centre activities. Non-physical disabilities appear to be identified through the assessment and case management processes outlined above.

The inspection team was advised that with regard to ensuring young people with disabilities receive appropriate assistance, equipment and resources, referrals will be made to relevant services if AYDC cannot meet the specific needs of the young person.

The inspection found that there are no specific disability plans for young people at AYDC. Despite this, the inspection found that any needs specific to a young person's disability are adequately covered in the individual case management plans.

Of some concern, the inspection team found no evidence of information sheets, procedures or specific policies specifically relating to the management of young people with disabilities – there were only brief, general references to disability in other documents. Although no issues were identified with current practices, ideally, there should be a specific information sheet, policy or procedure outlining AYDC requirements for staff working with young people with disabilities.

**Recommendation:**

That Communities Tasmania introduces specific policies for AYDC relating to the management of young people with disabilities to ensure their needs are being met.



### Working Relationships and Agency Agreements

Inspection standard 1.4.7 provides:

*There are working relationships and agreements in place with relevant government and non-government agencies to enable multi-agency management and release planning for young people with disabilities.*

The inspection found that:

- AYDC has working relationships with a number of government agencies and external providers as discussed throughout this report;
- services are provided internally and externally to assist young people to gain skills, contribute to the local community and address their offending and behaviour needs; and
- release planning is considered as part of the comprehensive case management planning process.



## Appendix 1 - Glossary of Terms and Acronyms

|      |                                                                                                                                                                                |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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. |
| CPHS | 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                                                                   |
| THEO | Tasmanian Health Education Online                                                                                                                                              |



## Appendix 2 – The Inspection Standards

**1.3 No young person should experience disadvantage, discrimination or abuse while in custody. Application of centre policies and procedures should not result in a young person being treated less favourably because of their race, age, sexual orientation, lawful sexual activity, gender, gender identity, relationship status, pregnancy, breastfeeding, parental status, family responsibilities, disability, religion, politics, culture or social origin.**

---

1.3.1 All young people have equitable access to the full range of services available within the detention centre.

1.3.2 The detention centre has an effective anti-discrimination strategy, equity and diversity policy and actively promotes respect for difference.

1.3.3 The detention centre has active strategies for the protection of vulnerable and at-risk young people and to identify and manage bullying. Strategies are reviewed regularly.

1.3.4 Staff are trained in the strategies relevant to 1.3.3 as well as cultural awareness, supporting diversity, preventing discrimination, and methods for diffusing cultural conflicts.

1.3.5 Children and young people are given clear information about how the detention centre promotes equity and diversity, and how to obtain support regarding equity or diversity issues.

1.3.6 Information and instructions are provided to young people in a way that they can understand.

1.3.7 Allegations and incidents are treated consistently and investigated thoroughly. Incidents are routinely reported, patterns identified, and strategies are put in place to address new and emerging trends.

1.3.8 Interventions and responses to allegations address both victim and perpetrator.

**1.4 The distinct needs of young people with disabilities, with a high level of vulnerability, and those with mental health issues should be assessed and they should have equitable access to services, activities and amenities, including specific assistance relating to their needs.**

---

1.4.1 There are appropriate assessments conducted to identify the needs of young people with disabilities, including young people presenting with potentially undiagnosed conditions. This could involve expertise on-site or appropriate referrals to specialist facilities for assessment and setting up a management plan.

1.4.2 All staff receive basic disability awareness training. Staff working closely with young people with disabilities also receive ongoing training in managing specific disabilities.

1.4.3 Staff are alert to and quickly address any bullying, verbal or physical abuse or other negative actions towards highly vulnerable or immature young people and young people with disabilities.

1.4.4 Highly vulnerable or immature young people, those with newly-diagnosed mental health issues and those with an existing diagnosis have a management plan specifying special needs to be addressed. This plan should include all areas of centre life and all staff involved in the young person's management should be aware of the plan. Young people with disabilities should be referred to relevant services to ensure they receive the appropriate assistance, assistive technology and other services.

1.4.5 Young people with disabilities are managed according to their individual needs. This may involve additional services, equipment, time and other resources to ensure they have equitable access to the services, activities and amenities needed to progress through detention and out of detention at the earliest suitable time.

1.4.6 Young people with physical disabilities are able to access all areas of the detention centre in order to engage fully with centre activities. Young people with non-physical disabilities also should have appropriate assistance to ensure they can fully engage with centre activities in meaningful ways.

1.4.7 There are working relationships and agreements in place with relevant government and non-government agencies to enable multi-agency management and release planning for young people with disabilities.



## Appendix 3 - CYS Policy Documents



# Policy

Children and Youth Services

## Personal Identity and Diversity

**Unique identifier:** P15/000386

**Effective from:** 1 July 2015

**Review:** 1 July 2016

---

**This Policy relates to the following CYS Policy Pillar:** Keeping Children and Young People Safe, Secure and Well.

CYS recognises and respects the diversity of children, young people, adults and families. This may be diversity of age, disability, gender, sexual orientation, national origin, race, religion and difference of thought, ideas and interests. CYS is responsive to these differences, delivering client-centred care that is specific to the individual. Children, young people and adults do better when they are placed at the centre of their own care and are able to develop a strong sense of identity and belonging.

### Statement of Position

This policy requires that CYS will:

- Equip its workforce with the skills and knowledge to understand and work with clients in a way that is respectful and promotes their individual identity and diversity.
- Take an individual's personal attributes; strengths and perspectives; age; and stage of personal development into account when planning and delivering services and supports.
- Consider and incorporate the unique ideas, customs and wisdom of different groups, during all interactions with these groups.
- Deliver culturally competent and culturally safe services. Help children and young people engaged with CYS to maintain their sense of identity by creating continuity of connection and belonging, including an understanding of where they have come from and who they are.
- Promote and demonstrate mutual respect, tolerance, cultural competency and understanding through all our communication and interactions. This is expressed through the way we talk and listen, the way we treat people and their personal belongings, the physical environment we create, the expectations we hold and the assumptions we make.
- Consult with individuals and groups from diverse backgrounds to develop practices that recognise and allow for the specific needs and motivations of diverse individuals and groups.
- Facilitate and actively support the children and young people in our care to safely express and explore their identity in their day to day life.
- Work with the children and young people in our care to identify and celebrate special events and transitions.

**Compliance with this policy is mandatory for:**

- All CYS staff

Children and Youth Services









## Prevention and Earlier Intervention

Unique identifier: P15/000388  
 Effective from: 1 July 2015  
 Review: 1 July 2016

**This Policy relates to the following CYS Policy Pillar:** Keeping Children and Young People Safe, Secure and Well.

CYS aims to ensure that children, young people, families and adults receive the right support at the earliest possible time, so that problems are addressed before they escalate. All CYS Programs have a role in prevention and earlier intervention, regardless of where the client is in the continuum of support or intervention.

Through the provision of universal services and targeted prevention strategies, CYS provides benefit to the general population as well as increased support for those most at risk.

### Statement of Position

This policy requires that CYS will:

- Apply the Public Health Model to service design, delivery and commissioning across CYS programs.
- Work to directly reduce risk factors and vulnerabilities and build on strengths.
- Undertake comprehensive assessments and make decisions in a timely manner so that children, young people and adults receive appropriate interventions to prevent further harm.
- Provide child health, growth and developmental assessments and parent/carer support, anticipatory guidance and information to maximise a parent/carers capacity to care for their child.
- Use client and family-led decision making early in, and throughout, an intervention.
- Support children in care to access child health, immunisation, growth, and developmental assessments as an effective way of keeping them safe and well.
- Fund or deliver enhanced or targeted programs where vulnerable individuals and/or families require additional assistance to improve safety, health and wellbeing, consistent with our strategic priorities.
- Co-locate services to increase opportunities for working in partnership at a local level to promote safe and healthy behaviours, where feasible.
- Promote changes to unsafe cultural and societal norms and organisational practices to improve individual and community safety.
- Contribute to, and participate in, research that will inform earlier intervention and prevention activities, enabling us to be part of the innovation, and maximise the impact of our endeavours.

### Compliance with this policy is mandatory for:

- All CYS staff



## Policy

Children and Youth Services

# Needs and Strengths Based Services

Unique identifier: P15/000385  
 Effective from: 1 July 2015  
 Review: 1 July 2016

**This Policy relates to the following CYS Policy Pillar:** Keeping Children and Young People Safe, Secure and Well.

CYS identifies the needs and strengths of children, young people, adults and families, through a range of mechanisms, to support appropriate, evidence informed and needs led interventions, service delivery and stability of relationships.

## Statement of Position

This policy requires that CYS will:

- Conduct age-appropriate screening and assessments of children, young people, adults and families as required, to collect information and identify their individual needs and strengths.
- Approach service delivery from a stance of inquiry, searching for details through questioning, applying meaning to information, optimising all available information sources, and adopting a non-expert attitude.
- Engage children, young people, adults and families in all assessments, clearly explaining this process, possible outcomes and confirming their understanding before undertaking the assessment and planning process.
- Use the information collected to inform decisions and develop needs led plans for the type and duration of intervention or service those individuals and/or families require.
- For children in our care, we will collect and purposefully utilise information from across a number of domains to inform an overall case planning direction, either towards reunification or stable long term care.
- Collaborate across program areas and with professionals and external partners, where there are shared clients, to increase understanding of each person's circumstances, development and behaviour and to remove unnecessary duplication.
- Repeat assessments at appropriate intervals recognising that situations change over time and planning for needs and strengths based supports and interventions need to be based on contemporary information.
- Undertake all assessments using agreed, reliable and validated tools. CYS staff will be supported and receive appropriate training to undertake and interpret these.

**Compliance with this policy is mandatory for:**

- All CYS staff

Children and Youth Services



## Appendix 4 - CYS Induction Program Checklist

|                                            |  |
|--------------------------------------------|--|
| <b>Form</b><br>Children and Youth Services |  |
|--------------------------------------------|--|

## Induction Program Checklist

Unique identifier: P16/000729  
 Effective from: 1 Jan 2017

This form relates to the following CYS Procedure: Induction Program for Young People

**Purpose**

To assist Custodial Youth Justice correctly induct a young person into Ashley Youth Detention Centre (AYDC).

Name: ..... DOB: .....

Admission Date: ..... Next Court: ..... Status: Remand ☐ Detention ☐

If program not completed the **Youth Worker** must provide a reason:

.....

| Task & Responsibility                                                          | Completion Date | Completed By | Supervising Youth Worker | Young Person |
|--------------------------------------------------------------------------------|-----------------|--------------|--------------------------|--------------|
| <b>Screening Assessments</b>                                                   |                 |              |                          |              |
| Young Person Risk Questionnaire Completed (Unit Staff)                         |                 |              |                          |              |
| Tier 1 Assessment Completed (CPHS Nurse)                                       |                 |              |                          |              |
| Medical Assessment Completed (Doctor)                                          |                 |              |                          |              |
| Living Skills Assessment (Unit Staff)                                          |                 |              |                          |              |
| • Bed making                                                                   |                 |              |                          |              |
| • Basic Chores                                                                 |                 |              |                          |              |
| • Personal hygiene                                                             |                 |              |                          |              |
| • Room maintenance                                                             |                 |              |                          |              |
| • Dining room etiquette                                                        |                 |              |                          |              |
| <b>Explanation of Rights and Responsibilities</b>                              |                 |              |                          |              |
| Telephone List Completed                                                       |                 |              |                          |              |
| Booklet-Information for Young People: handed out and read if necessary.        |                 |              |                          |              |
| Provide Part 6 of the Youth Justice Act 1997                                   |                 |              |                          |              |
| Provide copy of instructions issued under s124 of the Youth Justice Act 1997   |                 |              |                          |              |
| Provide rights information from the Commissioner for Children and Young People |                 |              |                          |              |

Children and Youth Services



|                                                                                              |  |  |  |  |
|----------------------------------------------------------------------------------------------|--|--|--|--|
| Provide information on How to make a complaint                                               |  |  |  |  |
| Explain the role of the Commissioner for Children and Young People as advocate for detainees |  |  |  |  |
| <b>Work Health and Safety</b>                                                                |  |  |  |  |
| Evacuation Procedure - Emergency Exits                                                       |  |  |  |  |

|                                                                         |  |  |  |  |
|-------------------------------------------------------------------------|--|--|--|--|
| <b>Expected Behaviour &amp; Consequences</b>                            |  |  |  |  |
| Booklet-Unit Rules: handed out and read, if necessary.                  |  |  |  |  |
| Show and discuss educational and personal development DVDs (Unit Staff) |  |  |  |  |
| Conferencing (Conference Convenor)                                      |  |  |  |  |
| <b>Case Planning and Management</b>                                     |  |  |  |  |
| SECAPS (Case Management Staff)<br>Date of last SECAPS to be entered.    |  |  |  |  |
| Community Youth Justice Admission Form Received                         |  |  |  |  |
| YLS-CMI assessment obtained                                             |  |  |  |  |
| Community Case Plan Obtained                                            |  |  |  |  |
| Child Safety Case Plan Obtained                                         |  |  |  |  |
| Case Management Assessment (Case Management Staff)                      |  |  |  |  |
| Case Management Processes (Case Management Staff)                       |  |  |  |  |
| Initial CPR Goals session (Case Management Staff)                       |  |  |  |  |
| <b>Program Planning</b>                                                 |  |  |  |  |
| Programs Framework (Programs Coordinator)                               |  |  |  |  |
| Ashley School (School Principal)                                        |  |  |  |  |

**NOTE:** This checklist is to be completed prior to integration into normal AYDC routine and once completed it must be forwarded to the Operations Supervisor.





## Appendix 5 - Communities Tasmania Response to Recommendations

### Department of Communities Tasmania Comments in relation to Equal Opportunity Inspection Report – Inspection of Youth Custodial Services in Tasmania - July 2019

The report considers compliance with the Custodial Inspector's Inspection Standards based upon observations gained through an inspection of Ashley Youth Detention Centre (AYDC) on 6 March 2019.

Since the inspection was undertaken, Children and Youth Services (CYS) has developed the 2019-20 CYS Business Plan which identifies the development and implementation of the AYDC Therapeutic Model of Care, the development and implementation of a Learning and Development Strategy for AYDC, employment of a Clinical Practice Advisor and generally a more effective operational model for AYDC as priorities for the coming year. These will assist in addressing several recommendations outlined in this report.

It is acknowledged the recommendations in the report are predominantly based upon information gathered through an onsite visit; meetings with senior management; staff and external service providers; a review of documentation; and first-hand 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 1.3 and 1.4, including the special needs assessment process, case management process and induction process.

It was also noted that there was no evidence of discrimination issues in AYDC and that there are a number of strategies and actions in place to accommodate diversity and ensure no person is disadvantaged or discriminated against. In addition, the inspection team was satisfied that AYDC case management plans ensure that strategies and actions are employed, and services engaged, such that a young person's identified needs are addressed and monitored throughout their period of detention. CYS acknowledges that there are opportunities to further strengthen existing policies and practices to address some of the recommendations in the report.

As also noted in the Inspection report, the population of AYDC is generally small and largely homogenous, enabling diversity and specific needs to be addressed on a case by case basis through case management plans and other processes in place at AYDC. As such, it is expected that while supporting all recommendations in the report, some specific aspects of these may be better managed on a case by case basis given the infrequent presentation of diverse individuals.

CYS is pleased to report that in the last 5 months since the inspection was undertaken, progress has been made against these standards in relation to the training recommendations (Recommendations 2 and 6). The Senior Learning and Development Officer for AYDC (who commenced in October 2018) has developed an AYDC Training Plan which lists mandatory training with timelines for all staff over the next 12 months, both at induction and ongoing. This training schedule includes workplace behaviour specific to working with young people in relation to cultural





training will be provided on Disability Awareness, Foetal Alcohol Spectrum Disorders and Aboriginal Cultural Competence.

Overall, the recommendations contained in this report will help inform procedures, practices, training requirements and funding decisions that will contribute to improved equal opportunity outcomes for young people at AYDC.

## Responses to Recommendations

| Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Response/Acceptance Level                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. That CT ensures that there are effective centre specific strategies and policies for AYDC covering:</p> <ul style="list-style-type: none"> <li>• anti-discrimination;</li> <li>• protection of vulnerable and at-risk young people;</li> <li>• identifying and managing bullying and harassment of young people;</li> <li>• equity, diversity and the active promotion of respect for difference; and</li> <li>• the management of young people with disabilities at AYDC to ensure their needs are being met.</li> </ul> | <p><b>Supported</b></p> <p>CYS engages in a continuous improvement program which includes ongoing review of all AYDC policies and procedures. These topics will be added to the CYS workplan and completion will be based on priority and competing work demands. The report noted that AYDC does have a number of strategies and actions in place to accommodate diversity, prevent discrimination, identify and manage bullying and to identify and manage special needs. These include the initial assessment upon induction to identify special needs, case management plans, the Behaviour Development Scheme, Centre Support Team and the AYDC Information for Young People and Families booklet. Strengthening existing strategies such as these and building on existing policies to ensure they are detention centre specific will be considered as part of this process.</p> |
| <p>2. That CT provides specific training, including regular refresher training, for AYDC staff in relation to both staff and young people, in the following areas:</p> <ul style="list-style-type: none"> <li>• protection of vulnerable and at-risk young people;</li> <li>• managing and identifying bullying;</li> <li>• supporting diversity and promoting equity;</li> <li>• methods for preventing discrimination;</li> <li>• disability awareness;</li> <li>• managing specific disabilities; and</li> </ul>             | <p><b>Supported - Existing Initiative</b></p> <p>The 2019-20 CYS Business Plan identifies the development and implementation of a Learning and Development Strategy for AYDC and employment of a Clinical Practice Advisor as priorities. The recently appointed Senior Learning and Development Officer at AYDC has reviewed the Inspection Standards and identified the specified training requirements which have been incorporated in the AYDC Training Plan July 2019 - June 2020. The Strategy incorporates training requirements at induction and ongoing/refresher training, which will be directed specifically at working</p>                                                                                                                                                                                                                                                |



| Recommendation                                                                                                                                                                                                                                             | Response/Acceptance Level                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• cultural awareness and diffusing cultural conflicts.</li> </ul>                                                                                                                                                   | <p>with young people. In addition, staff training contact hours are soon to be increased. The Learning and Development Strategy, including AYDC Training Plan, will address this recommendation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>3. That CT ensures the AYDC <i>Information for Young People and Families</i> booklet is updated and includes information for young people regarding anti-discrimination, equity, diversity and actions to take if they are subjected to bullying.</p>   | <p>Supported</p> <p>AYDC will update the AYDC Information for Young People and Families booklet to include information for young people regarding anti-discrimination, equity, diversity and actions to take if they are subjected to bullying.</p>                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>4. That CT implements processes to ensure all AYDC staff directly or indirectly involved in incidents complete an incident report before the conclusion of their shift on the day the incident occurs or within 24 hours of the incident occurring.</p> | <p>Supported</p> <p>AYDC will introduce additional processes to ensure that incident reports are completed in a comprehensive and timely manner, in accordance with the procedure.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>5. That CT ensures that an online incident reporting system is implemented at AYDC as a priority when the internet capacity at the centre permits.</p>                                                                                                  | <p>Supported</p> <p>The internet capacity issue at AYDC has been resolved. Further changes to the reporting database are required to enable it to be Windows 10 compatible. This will occur in 2019-20.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>6. That CT ensures that all AYDC staff receive basic disability awareness training and ongoing training in managing young peoples' specific disabilities.</p>                                                                                           | <p>Supported - Existing Initiative</p> <p>As noted in Recommendation 2, the new Learning and Development Strategy for AYDC and the AYDC Training Plan has considered and incorporated the training requirements related to these Inspection Standards. This includes Disability Awareness training and Foetal Alcohol Spectrum Disorder (FASD) training. Ongoing training on managing young peoples' specific disabilities will be assessed on a case by case basis. Given the low number of residents and the diverse number of disabilities, mandatory training may be targeted towards cognitive impairment, such as acquired brain injuries</p> |





| Recommendation                                                                                        | Response/Acceptance Level                        |
|-------------------------------------------------------------------------------------------------------|--------------------------------------------------|
|                                                                                                       | and FASD, which present more frequently in AYDC. |
| 7. That CT introduces specific policies for staff to address bullying and harassment of young people. | Supported<br>See Recommendation 1.               |







OFFICE OF THE  
**CUSTODIAL INSPECTOR**  
TASMANIA

