

Hear Me Out Report

Frequently Asked Questions



Commissioner for
Children and Young People
Western Australia

Why did the Commissioner conduct this Inquiry?

On 3 October 2023, due to ongoing concerns regarding children and young people in detention in WA, the Commissioner for Children and Young People WA (‘the Commissioner’) determined it critical to hear the views of children and young people at Banksia Hill Detention Centre and Unit 18. In particular, the Department and Minister had announced the introduction of a new operating philosophy and model of care, and the Commissioner determined it was necessary to monitor implementation progress. The aim was to fulfil my legislative function to monitor the wellbeing of children and young people, including those in detention.

How was this report prepared?

We spoke to 43 children and young people at Banksia Hill Detention Centre (BHDC) and Unit 18 in Casuarina Prison. We provided an opportunity for staff through an anonymous online survey. We asked the Department of Justice for lots of information about BHDC and Unit 18, things like, how many out-of-cell-hours; details of programs, services and activities available and much more about staff training, recruitment and supports available.

What did we ask children and young people?

We asked children and young people about their accommodation and food; what a typical day looks like; information given to them on arrival at BHDC and Unit 18; time spent outside their cell in the sun and fresh air; school programs; making a complaint; who to talk to if they were worried about something or someone; contact with their family, lawyer or case worker; the types of activities and programs available, including cultural activities and; what they hoped to do once released.

What did children and young people in detention say?

Children and young people felt it is really important to have good relationships with staff and sometimes they are not always treated respectfully.

Children and young people talked about lots of lockdowns, not having enough staff around, some use of force, racism, feeling worried about other children and young people in detention, up-coming court, funerals and sorry business, programs that don’t suit them or don’t interest them, breaking the rules and sometimes being managed differently, not being supported after release. They also requested more visits from the Commissioner.

They also told us wait times to see the doctor and nurse are sometimes too long. Children and young people look forward to phone calls and visits by family members and this can happen on a regular basis. Sometimes visits are cancelled, or phones may be damaged, and this can cause some distress.

Food may not be so great at BHDC but meals offered at Unit 18 were better quality and variety. Children and young people told us that they went to school every day and there are programs and activities that they would do.

What did staff and service providers say?

Most of the staff who did the survey, really wanted a job where they would help children and young people. They said it would be good to get more training to help detainees; and have mentoring and support to help them in their work.

Many felt that the environment was not positive for either staff or children and young people, and that safety was a key concern.

Some felt that they did not receive enough training to support the children and young people. Some felt that inconsistency in approaches made the environment difficult.

What did government provide my office?

The Commissioner requested a significant amount of data from the Department of Justice, predominantly for the period of the Inquiry – that is, April 2023-November 2023. The department provided a range of data to the inquiry team though it is noted that much of the information was not available at the level of detail requested. We asked them to provide us with data and information relating to out-of-cell-hours, hours of education, programs, activities and services offered to children and young people, staffing FTE, training and supports.

The lack of outcome measurement may impact the department's ability to fully implement individualised child-centred supports and services for detained children and young people, which is the premise of the model of care.

What did we find out from all the interviews, surveys and information from Government for children and young people in detention in WA?

For children and young people in detention it is important to have a say in plans and decisions for them; focus on the needs rather than the behaviours and make sure they know what to do if they are worried about something. It is important that staff make sure they know about a child or young person in detention and what they need, so they can care for them properly.

It is important for staff to build quality relationships with the children and young people to develop strong relational security and safety.

What did the Commissioner say to Government about improvements that need to be made?

The Commissioner made 16 recommendations for improvements, including reviewing the plans government have for children and young people in detention to ensure they are working and focus on continuous improvement.

The detention centre needs to be adequately resourced and staff supported to do the jobs and build better relationships.

Programs and activities should not only be fun and engaging but should also help each child and young person with what they need to make a difference in their lives. Departments of Education, Health, Communities, Training and Workforce Development work together to deliver school programs, activities, health and mental health services.

Every individual child and young person in detention needs an individual plan to address individual needs and record things such as how many hours out of cell, or in education, the reasons for cancelled visits, programs or activities, if schoolwork is too hard or too easy, how many times they see the health and mental health team and improving access to health and mental when they need to.

Give children and young people options or ways to let someone know if there is something they are worried about or information they need to know when they enter. Make sure the focus is on caring for the children and young people in both Unit 18 and BHDC – and ensuring the focus is on prevention, diversion, rehabilitation and restorative justice. Improve services and supports for children and young people when they are released to prevent them returning to detention.

Where to from here?

The Commissioner made 16 findings and recommendations in the report and has requested that the Department of Justice address these and provide an update to Parliament by 15 November 2024.