

CPSU/CSA Submission to the Inspector of Custodial Services

Banksia Hill Detention Centre Riot of 20 January 2013

Background:

The CPSU/CSA represents the vast majority of the staff working at Banksia Hill Detention Centre (BHDC), including the Youth Custodial Officers, administration staff and management.

To assist with the preparation of this submission, the CPSU/CSA has undertaken a process of broad consultation with our members since the riot of 20 January 2013 including a meeting of members on the 23 January 2013 and a number of visits to both Banksia Hill and Hakea Prison in the subsequent weeks.

Context / Actions of Staff:

The events of the night have been widely reported. Our members who were involved in the riot have completed reports on the TOMs system.

The CPSU/CSA recognises the excellent work of its members on the night to ensure there was no injuries to staff or visitors to the centre.

All members have pointed to the actions and decision making of Senior Officer Michael Geoghegan as being central to ensuring the safety of staff.

The quick thinking of Officers Paddy O'Rourke and Angela Proctor in safely escorting a group of visitors (including young children) from the Family Visits room to the Gatehouse while the incident was in progress should also be recognised.

The CPSU/CSA would also like to acknowledge the work of its members who formed the Primary Response Team (PRT). The PRT escorted officers who had been isolated in unit offices to the staff amenities area. The PRT then maintained a cordon around the staff amenities area prior to assisting the Emergency Support Group (ESG) and Police with escorts when the rioters were apprehended.

Members have also endorsed the actions of Superintendent Mark Buscombe and Assistant Superintendent Douglas Coyne for the strong leadership and good communication shown on the night.

Contributing / Causal Factors:

The closing of Rangeview

The decision of Government to close Rangeview Remand Centre to accommodate a Young Adult Facility (Wandoo), resulting in one juvenile facility for the entire state, can only be described as nonsensical.

The CPSU/CSA and its members were outspoken in their opposition to the move to one facility from the outset.

Extract from CPSU/CSA Press Release - 6 July 2012

“Our members can’t understand why the Barnett Government has entered into a \$171million arrangement with controversial multi-national company Serco to run the Murdoch facility for the next 15 years,” Ms Walkington said.

“It is hard to justify handing over that money when at the same time government agencies are being forced to cut 8% from their budgets.

“The Barnett Government is intent on privatising government services without giving a thought about the impact on the community, the workers or the people inside juvenile detention.”

Combining all sentenced, remanded and short-term arrested juveniles, both male and female, in one centre creates increased potential for the sort of incident that occurred on the 20 January 2013.

Additionally, all of the ‘management options’ that were available to the Department of Corrective Services (DCS) with two juvenile facilities are no longer available. These ‘management options’ include, but are not limited to:

- Separation of co-offenders
- Segregating victims from their assailants
- Keeping sex-offenders separate from female detainees
- Separating staff from sentenced and remanded family members
- Lack of a relocation plan following a major incident or disturbance (such as a riot)

Inadequate staffing levels

In the months prior to the riot, it was commonplace for shifts at BHDC to be run with less than the required number of officers to facilitate a full unlock of detainees.

In these instances the centre runs on what is referred to as ‘rolling lockdowns’, where only a percentage of detainees are unlocked at any given time. This obviously results in more time in cell for detainees.

Repeated instances of ‘rolling lockdowns’, especially in warmer weather, invariably leads to unrest among detainees.

The CPSU/CSA has repeatedly called for additional officers to avoid the frequent occurrences of 'rolling lockdowns':

Extracts from CPSU/CSA Press Release – 24 October 2012

Children at the Banksia Hill Detention Centre are being locked in their cells for long periods of time because there aren't enough staff to deal with increased detainee numbers.

As a result the detainees are missing out on valuable education and rehabilitation programs and have very little recreation time.

Detainee numbers increased earlier this month when children and staff from the former Rangeview Remand Centre were transferred to the expanded Banksia Hill facility.

Community and Public Sector Union/Civil Service Association Branch Secretary Toni Walkington said Banksia Hill didn't have enough staff to handle the extra detainees.

"They were short staffed before the merger and the extra detainee numbers have added to a pressure cooker situation," Ms Walkington said.

"There are juvenile custodial officers who are on extended leave because of the stressful working conditions and others on secondment which is really putting the pressure on service delivery.

"The vacant positions are not being backfilled because of a freeze on full-time staffing levels."

Quotes from a juvenile custodial officer:

"We can't get all the detainees unlocked at the same time; it is simply not safe so we are releasing them on a rolling basis.

"We want to be positive role models to the detainees and lead them away from a life of crime but our ability to do that at the moment is restricted and staff morale is incredibly low.

"Staff are worried there will be more assaults as the weather gets warmer and the detainees become more aggravated.

"Staff are being asked to come in and work extra shifts which a lot of them are doing and some of them are now feeling guilty when they say no and have a day off.

"We run to a skeleton crew but if someone calls in sick there is no one on a roster that can backfill that position."

The CPSU/CSA would like to see additional permanent officers recruited and trained to cover the vacant positions caused by secondments, long-term leave and workers compensation.

For too long it has been claimed that BHDC is adequately staffed, while in reality, rosters are regularly posted with vacant lines. Almost all shifts are filled with a number of officers on overtime and there are number of occasions when even the lure of overtime is not enough to adequately fill shifts.

The CPSU/CSA is of the opinion that increased instances of personal leave, workers compensation claims and low staff morale are symptoms of prolonged under-resourcing.

Since the amalgamation and the riot, the CPSU/CSA has been made aware of two officers who have tendered their resignations. Each of them cited these events as playing a big part in their decisions. Numerous other members have indicated that they are now actively seeking alternative employment due to the amalgamation and riot.

The CPSU/CSA would like to see the Department provide incentives to retain the services of these experienced officers as well as attract new officers. The CPSU/CSA holds genuine fears that a failure to adequately address the issue of staff retention could see more staff leaving the Department in the coming months, further compounding the problems that led to the riot.

Management changes, communication and planning

Since the start of 2012, a year which saw the amalgamation of BHDC and Rangeview Remand Centre, there have been three Superintendents of BHDC. The instability had an impact on amalgamation planning and consultation with staff.

Members advised us at the time that 'change management' committees that were established prior to the amalgamation under one Superintendent, either met only once or twice before disbanding, or in some case did not meet at all under the subsequent Superintendent. As a result, experienced staff felt excluded from the consultation process.

There was a perception among members that the urgency to complete construction work in the lead-up to the amalgamation had become the Department's priority. Concerns were raised by members that corners were being cut to achieve the deadline, potentially to detriment of proper testing and commissioning of the new buildings:

Extracts from CPSU/CSA Press Release – 2 August 2012

"For months our members have been concerned Banksia Hill is being rushed to suit the \$171million, 15-year deal the Barnett Government has done with Serco for the Rangeview site," CPSU/CSA Branch Secretary Toni Walkington said.

It has been openly said there is no alternative date and that the relocation must take place in September.

When a previous unit was commissioned at Banksia Hill it was not functioning properly and members fear it could be the same again.

"The last time they got asked to go operational well before it was ready staff and detainees had to endure unacceptable conditions, including failing toilet systems," Ms Walkington said.

"If the building process is not complete and more people are at the facility it will not take much under a pressure-cooker situation for something similar to happen again."

Security / Cell Integrity:

Since it opened in 1997, Banksia Hill Detention Centre was operated and staffed on the premise that when detainees were locked in a cell they were 'secure'. The ease in which detainees were able to free themselves from their cells during the riot (at times unassisted) was alarming.

Members have reported that a number of cells in Urquhart Unit were breached with frightening ease.

The CPSU/CSA is aware of communication from at least one concerned member to BHDC management, made prior to the amalgamation, which raised concerns about the security of the cells in both Urquhart and Yeeda Units, particularly focussing on the glazing and the way glass was fitted. These concerns were acknowledged but not acted upon.

Since the riot the Department has made the CPSU/CSA aware of the work that has been approved to 'beef up' the security to both the cells and unit offices. Our members will be working closely with BHDC management to ensure this work is done to an acceptable standard and thoroughly tested prior to the return of detainees from Hakea Prison.

Security Systems / Infrastructure:

The CPSU/CSA is satisfied that the security systems (security cameras and perimeter security) in BHDC are sufficient. Footage captured during the riot has been used successfully in identifying detainees and also highlighting some of the failings of the infrastructure within the centre.

The use of cameras would be further enhanced with improved lighting within BHDC. This has been highlighted as an area of concern numerous times following prior incidents, especially during the construction period.

Members who were on shift during the riot made it clear that the staff amenities area requires work to make it more secure as a matter of urgency.

Members have repeatedly raised concerns with management about the effectiveness (or lack thereof) of the fences surrounding Urquhart and Yeeda. Time and time again these fences are effortlessly breached by detainees, as they were on the night of the riot. Members have reported that a 60 year old officer managed to scale the fence surrounding Urquhart unit in less than 90 seconds, just to prove the point. The CPSU/CSA recommends the upgrade of those fences to an anti-climb fence to assist in the prevention of future large-scale incidents.

To further assist in managing large populations, especially at crucial times such as prior to evening lock-down, the CPSU/CSA is also calling for the installation of two further anti-climb fences; one to surround Karakin and Jasper Units, and one to surround Lenard and Turner Units.

For a number of years our members have been calling for air-conditioning to be installed in all units. This would negate the need for fans in the cells. It was the motors from those fans that were widely used on the night of the riot to shatter and break cell windows.

Security Practices / Staff Protocols:

The actions and awareness of staff prior to, during, and after the riot have been rightly praised by the Department.

The CPSU/CSA would like to see those officers who undertake the voluntary PRT training, and act in PRT roles during major incidents, receive a financial incentive to recognise their efforts.

PRT trained members have also indicated their wish to have access to some of the same tools that Prison Officers use, such as chem-agent, for utilisation in major incidents. Many members believe that access to these implements would have prevented the escalation of the riot and negated the need for external agencies to be called in to assist.

Emergency Management / Response:

Members have reported that as of 20 January 2013, the emergency procedure for a major disturbance at BHDC was to decamp to Rangeview Remand Centre. Clearly the emergency procedures for BHDC require updating.

The lack of a second juvenile facility severely limits the options available to the Department should there be a repeat of the events of 20 January.

The CPSU/CSA is largely happy with the actions of Police and Emergency Response Group (ESG) and the communication between agencies on the night.

Members are open to changing BHDC operating times to ensure that the ESG are still at neighbouring Hakea during the hour leading up to (and including) evening lock-down.

Hakea Interim Arrangement:

During the meeting of CPSU/CSA members at BHDC 23 January, members made it clear that they felt BHDC was no longer a safe place to be for staff and detainees alike. Members adopted a position that they were happy to work with female detainees in Yeeda Unit and the very young male detainees and those requiring medical or crisis-care in Harding Unit. The remaining male detainees however, would need to be relocated while the necessary work was being done to BHDC to make it safe.

This position was put to the Commissioner by the CPSU/CSA at meeting on 24 January. By the afternoon of 25 January, and after the positive involvement of the WA Prison Officer's Union, the Hakea Prison arrangement was agreed upon by the Department and both unions.

While the CPSU/CSA and its members recognise that it is by no means ideal that we have juveniles residing in an adult prison facility, the fact there is now no second juvenile facility in the state leaves virtually no other workable (and safe) options.

Conclusions:

The CPSU/CSA acknowledges the excellent work of its members at BHDC on the night of the riot in ensuring the safety of their colleagues and young people within the centre.

The CPSU/CSA is disturbed by the fact that its members were not adequately consulted and listened to in the months leading up to the amalgamation and subsequent riot.

The CPSU/CSA sees prolonged under-resourcing and the unnecessary closure of Rangeview Remand Centre as being the central indirect causes to the events of 20 January 2013.

The CPSU/CSA recommends the recruitment and training of extra YCOs occurs as a matter of urgency, along with the introduction of an attraction and retention incentive for prospective and existing officers.

The CPSU/CSA looks forward to having an ongoing involvement with the Department in overseeing the repairs and remedial work being carried out at BHDC with a view to ensuring a return to a safe and secure workplace for both the staff and the young people they look after.

The CPSU/CSA acknowledges the ongoing work of its members at Hakea Prison in what has been a very trying and unsettling period for all concerned. They continue to show goodwill and are adapting on a daily basis to changes to the daily program. All of this while enduring the constant pressure a variety of external agencies shining the spotlight on their activities.

The CPSU/CSA considers the re-establishment of a second juvenile facility within Western Australia essential.

Signed:



8 March 2013

Toni Walkington

Branch Secretary

CPSU/CSA

445 Hay Street

PERTH WA 6000

9323 3800