

SENDING WA CHILDREN TO MAXIMUM SECURITY ADULT PRISON IS NOT OUR ONLY OPTION

15th July 2022

Dear Premier,

Maximum security adult prison cannot meet the needs of traumatised children with complex needs. It violates children's rights and fails to respond to the underlying causes of their behaviour.

The decision to send 20 children from Banksia Hill Detention Centre to the maximum-security Casuarina Prison is untenable. **An alternative solution must be found.**

Sending children to an adult facility is a breach of their human rights. In addition to requirements of a rehabilitative and reintegrative approach, the UN Convention on the Rights of the Child holds that every child is to be separated from adults. Placing children in adult prisons compromises their basic safety, and compromises their future ability to remain out-of-contact with the justice system.

The State Government previously attempted a similar course-of-action in 2013, deciding to send a number of children to Hakea Prison to cope with operational issues at Banksia Hill Detention Centre. The **fallout of this decision was immeasurable**, and the children who were sent to Hakea experienced significant mental harm including post-traumatic stress disorder and required intensive support to process what had happened to them. The instability at Banksia Hill Detention Centre was never resolved.

These successive failures in youth detention are symptoms of a broken system.

Despite the evidence base demonstrating that responding to youth justice issues requires interventions across many social areas, WA currently lacks a whole of government strategy in this critical area. This has led to a lack of funded, effective alternatives and options for responding to children and young people in the communities that need them most, and a disconnect between service systems which fail to meet the needs of this vulnerable group and shuffle young people around until they fall through cracks.

It's these failures, and the failures to adequately address the alarming conditions in Banksia Hill Detention Centre, that has created the concerning situation which faces us now.

But we have a better way. **It is possible to both increase community safety, and ensure the rights and wellbeing of young people are upheld.**

Children in our youth justice system need **our** help; not further harm.

We are proposing alternative, evidence-based solutions to prioritise the safety of West Australian's *and* provide a path forward to fixing our broken youth justice system. We ask you to (*please see detailed asks attached to this letter*):

TAKE IMMEDIATE ACTION TO ADDRESS THE CURRENT CRISIS:

- ➔ Take immediate action to **not send these children to adult prison**
- ➔ Develop and **implement tailored trauma informed treatment and rehabilitation plans** for these young people, based on comprehensive assessments of their needs
- ➔ Provide an **adequate Model of Care in Youth Detention**, building pathways out
- ➔ Immediately **invest in community-based alternatives to detention** and move children aged 10 to 13 out of Banksia Hill Detention Centre

ACT ON URGENT REFORM TO OUR YOUTH JUSTICE SYSTEM:

- ➔ **Reform legislation** to prioritise diversion and prevention; Including Raising the Age of Criminal Responsibility from 10 to 14 years, and abolishing mandatory sentencing.
- ➔ **Develop a cross-government vision and strategy** to fix our broken youth justice system.
- ➔ Identify the communities in most urgent need of youth justice action, and **resource place-based justice reinvestment initiatives** to address the root causes of offending

We believe as a community we can do better.

If we focus our investment and responses on the underlying causes of offending, we can effectively rehabilitate and reintegrate young people, creating pathways to a better future for these children, and the community as a whole.

Signed by,



Glenda Kickett and Daniel Morrison
Co-Chairpersons

on behalf of Social Reinvestment WA, and the following 75 organisations:

#	Organisation Name	Key Representative
1.	Youth Affairs Council of Western Australia	Sandy McKiernan, Chief Executive Officer
2.	WA Justice Association	Tom Penglis, Executive Director
3.	Justice Reform Initiative	Mindy Sotiri, Executive Director

4.	Change the Record	Cheryl Axleby, Co-Chair Change the Record
5.	Uniting WA	Michael Chester, Co-Chief Executive Officer
6.	Uniting Church WA	Geoffrey Bice, Executive Officer: Social Justice
7.	Oxfam Australia	Anthea Spinks, Acting Chief Executive
8.	Amnesty International Australia	Sam Klintworth, National Director
9.	Community Legal WA	Chelsea McKinney, CEO
10.	Indigenous Psychological Services	Dr Tracy Westerman, AM, Managing Director
11.	Indigo Junction	Sharon Gough, CEO
12.	Key Assets Australia	Dr Dianne Jackson, CEO
13.	Southcare Inc	Dr Nicky Howe, CEO
14.	Shelter WA	Michelle Mackenzie, CEO
15.	Accordwest	Evan Nunn, CEO
16.	Australian Lawyers for Human Rights	Kerry Weste, President
17.	Ngala	Fiona Beermier, CEO
18.	SCALES Community Legal Centre	Gai Walker, Managing Director
19.	The Westerman Jilya Institute for Indigenous Mental Health	Stuart MacLeod, COO
20.	Centre for Human Rights Education, Curtin University	Associate Professor Caroline Fleay, Co-Director
21.	Perth Inner City Youth Service	Andrew Hall JP, Executive Officer
22.	West Australian Stolen Generations Aboriginal Corporation T/A Yokai Healing Our Spirit	Jim Morrison, Chair
23.	Bringing Them Home WA Inc.	Anthony Hansen, Aboriginal Co-chair, Alan Carter, Non-Aboriginal Co-chair
24.	Hello Initiative	Ashleigh Small, Chief Executive Officer
25.	CREATE Foundation	Jacqui Reed, Chief Executive Officer
26.	Communicare Inc	Melissa Perry, Chief Executive Officer
27.	WAAC	Lisa Dobrin, Chief Executive Officer
28.	FCAWA	Melanie Every, Executive Officer
29.	Riverview Community Services	Dr Tania Watson
30.	Parkerville Children and Youth Care Inc	Kim Brooklyn, Chief Executive Officer
31.	YMCA (WA)	Tim McDonald, Chief Executive Officer
32.	Neami National	Nicole Jolly, WA State Manager
33.	Rise	Justine Colyer, CEO
34.	St Vincent de Paul WA	Susan Rooney, CEO
35.	WA Council of Social Service	Louise Giolitto, CEO
36.	Whitelion Youth Agency	Daniel Pisani, WA State Manager
37.	St Vincent de Paul Society WA	Susan Rooney, CEO
38.	Regional Alliance West Inc	Chris Gabelish, Operations Manager
39.	Consumers of Mental Health WA	Sandra Higgins, Acting CEO
40.	Tom Price Youth Support Association Inc	Marian Hearne, CEO
41.	Mercy Care	Anthony Smith, CEO
42.	Kin Disability Advocacy Inc	Wendy Rose, CEO

43.	Youth Legal Service In.	David Kernohan, Director
44.	WA Network of Alcohol and other Drug Agencies	Jill Rundle, CEO
45.	ConnectGroups Support Groups Association WA Inc.	Antonella Segre, CEO
46.	Peel Youth Services Inc t/as Choyces	Liz Prescott, CEO
47.	Peel Community Development Group	Liz Prescott, Chair
48.	Reconciliation WA	Jody Nunn, CEO
49.	Volunteering WA	Tina Williams, CEO
50.	Youth Involvement Council	Vicki Tree, CEO
51.	Australian Childhood Foundation	Joe Tucci, CEO
52.	Pilbara For Purpose Inc.	Karen Armstrong
53.	Orana House Inc	Mel Rowe
54.	100 Families WA	Alex Hughes, Project Manager
55.	Palmerston Association	Emma Jarvis, CEO
56.	Local Drug Action Groups Inc.	Jennifer O'Mullane, CEO
57.	Ngarliyarndu Bindirri Aboriginal Corporation	Tanya Dearle, Executive Assistant
58.	Foundation for Indigenous Sustainable Health (FISH)	Mark Anderson, Chief Executive Officer
59.	TransFolk of WA	Hunter Gurevich, Chair
60.	Anglicare WA	Mark Glasson, CEO
61.	Youth Focus	Arthur Papakotsias, CEO
62.	Ethnic Communities Council of WA Inc	Vivienne Pillay, Executive Officer
63.	Wungening Aboriginal Corporation	Daniel Morrison, CEO
64.	Coolabaroo - Moorditch Gurlongga Association Inc.	Joanne Della Bona, CEO
65.	Outcare	Shane Mauger, Managing Director
66.	Centrecare	Tony Pietropiccolo AM, CEO
67.	Save The Children	Noelene Swanson, State Director
68.	RUAH	Debra Zanella, CEO
69.	NAIDOC Perth	Glenda Kickett, Chairperson
70.	Waalitj Foundation	Lisa Cunningham, CEO
71.	Australian Youth Affairs Coalition	Reece Moir, Engagement Lead
72.	MacKillop Family Services	Kelle Goes, State Director, WA and NT,
73.	Aboriginal Health Council of WA	Des Martin, Chief Executive Officer
74.	Youth Advocacy Centre	Katie Acheson, Chief Executive Officer
75.	Western Australian Association for Mental Health	Taryn Harvey, Chief Executive Officer Kerry Hawkins, Chairperson