

Open Letter from Organisations to WA Government

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

July 2022

Dear ____

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:

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,

[Organisation List]

[Name]

[Logo]

**If you have not received a link to the sign on document and would like to sign-
Please email your Organisations Name, Key Representative Name, and Logo to:
srwa@wacoss.org.au**

“We need a long-term, system-wide vision for reform of youth justice in our state to balance community safety and the rights and wellbeing of children.”