

Youth Justice Reform Select Committee inquiry into youth justice reform in Queensland

Submission No: 23
Submitted by: Australian Worker's Union
Publication: Making the submission and your name public
Attachments: See attachment
Submitter Comments:

Committee Secretary
Youth Justice Reform Select Committee
Parliament House
George Street
Brisbane Qld 4000

Sent via email: youthjustice@parliament.qld.gov.au

Submission from the Australian Workers' Union of Employees, Queensland to the Youth Justice Reform Select Committee of the 57th Queensland Parliament



Authors' Name: Stacey Schinnerl (Secretary, AWUEQ)
Organisation: The Australian Workers' Union of Employees, Queensland
Street Address: L13/333 Adelaide St, Brisbane City QLD 4001
Mailing Address: GPO Box 88, Brisbane 4001
Email Address: secretary@awu.org.au
Telephone Number: 1800 298 753

Our Coverage:

The Australian Workers' Union of Employees, Queensland (AWU) have coverage of Detention Youth Workers who work in Queensland's three major youth detention centres.

The vast majority of Detention Youth Workers in Queensland are active members of the AWU.

Introduction:

The AWU recognises the significant personal cost faced by victims of youth crime in Queensland, and as Queenslanders we are concerned with reducing the incidence and impact of youth crime in our community.

AWU members are unfortunately all too familiar with the impact of youth crime in Queensland, having lost multiple members over the past 18 months at the hands of young offenders driving stolen cars.

The AWU pays our respects to these members, as well as their family, friends, and workmates. They are remembered fondly in their workplaces and are dearly missed.

By virtue of our industrial coverage, the AWU's major stake in the inquiry into youth justice reform relates to the functioning of Queensland's youth detention system.

Regarding the terms of reference of the Youth Justice Reform Committee (the Committee), there are four main areas of concern for the AWU and our membership:

1. Queensland's youth detention staffing shortage.
2. Workplace violence, staff morale and culture in Queensland's youth detention centres.
3. The necessity of moving adults out of the youth detention system.
4. The construction of two new Centres and the Wacol Youth Remand Centre.

This submission will focus on these four areas.

1. Queensland's youth detention staffing shortage.

The AWU submits to the Committee that a significant staffing shortage across the youth detention system is a major factor behind the incidence of youth crime in Queensland.

This significant staffing shortage is causing workers to be assaulted in these workplaces (*see section 2*) and is impacting the delivery of programs designed to rehabilitate youth offenders while they are in detention.

In order to understand the impact that poor staffing has on the provision of rehabilitation programs in youth detention, it is important to understand how youth detention centres are staffed and operated.

To preserve staff safety, there is currently a 1:4 Detention Youth Worker to Young Person ratio in effect in the youth detention system.

This ratio is used to determine how many young people are allowed out of their room at any given time, and is subject to dynamic risk assessments (i.e., a worker may determine it is safe to let four smaller 13-year-olds out at a time, while only releasing two larger 16-year-olds who are prone to violence in a different instance).

If there aren't enough workers on shift at a Centre to meet this 1:4 ratio, units remain in either 'Night Mode' or 'Controlled Cell Occupation'.

Rehabilitation programs and Education Queensland schooling is not delivered to young people while these operations are in place, meaning that a significant portion of young people are not receiving meaningful rehabilitation support at any given time.

A snapshot of units at Cleveland Youth Detention Centre (CYDC) gathered by our members between Monday 13th November 2023 and Wednesday 22nd November 2023 showed an average of 5 units in Night Mode or Controlled Cell Occupation per day.

That is an average of around 33% of the young people at CYDC not receiving meaningful rehabilitation on any single day of that 10-day period.

AWU members believe that this inability to deliver consistent rehabilitation programming is a significant factor on the recidivism rates of young offenders.

That is one of the reasons why AWU members ran a large-scale campaign earlier this year to draw attention to this significant staffing shortage and call on the Government to make working in youth detention a more attractive role.

Our members called on the Government to take radical action, and thankfully they listened – delivering the most significant pay increase any group of workers in the public service has seen in a long time.

The Government's offer was made in August and endorsed unanimously by AWU members at each Centre. The ballot for the proposed agreement concluded on the 15th of November, with over 400 staff members unanimously voting to accept the deal.

The AWU would like to take this opportunity to thank Premier Annastacia Palaszczuk, Treasurer Cameron Dick, Minister Di Farmer, Director General Bob Gee and former Minister Leanne Linard for listening to our members and taking action on this issue.

With the agreement now endorsed by the workforce and signed by the parties, the AWU anticipates that this significant wage rise will assist the Government with attracting more workers to work in the youth detention system.

This is especially important, considering the Government is building two new Youth Detention Centres and a new Youth Remand Centre in Wacol (*see section 4*).

2. Workplace violence, staff morale and culture in Queensland's youth detention centres.

As a consequence of this severe staff shortage, Detention Youth Workers are subject to extreme workplace violence.

In the first six months of this year, there have been 140 reports of assaults on staff in Queensland's youth detention centres - an average of over five (5) assaults on workers by youth offenders every single week.

This violence is a result of several different factors, including:

- The significant staffing shortage in Queensland's youth detention system.
- Poor staff morale and subsequent absenteeism.
- A culture of disrespect and incredulity of Detention Youth Workers' dynamic risk assessments.

AWU members constantly find themselves making dynamic risk assessments that end up being overridden by upper Centre management, some of which have little to no operational experience and are often not on site when the calls are made.

These incidents follow the same unfortunate pattern:

1. The workers identify a risk to their safety.
2. They make a dynamic risk assessment.
3. They report the risk assessment up the chain of command.
4. The risk assessment is overruled.
5. The worker is assaulted.

AWU members believe that incredulity from their management toward their dynamic risk assessments poses the biggest risk to their personal safety after the staffing shortage.

These are incredibly challenging and violent workplaces. Workers want to feel supported by their management. Being assaulted because your line manager doesn't believe your assessment of risk to your personal safety is anything but supportive.

This is creating a negative and demotivating workplace culture that is causing absenteeism. AWU members also report that young people pick up on this demotivation during their rehabilitation programming, making that programming less effective.

While we acknowledge that the Government is taking action to address this staffing shortage, AWU members believe that there is still a long way to go before the other points have been properly addressed.

3. The necessity of moving adults out of Youth Detention Centres.

It is the firm position of the AWU that adults have no place residing in youth detention centres.

It is the experience of our members that adult offenders tend to be physically larger and stronger than younger detainees, meaning that the effect of their violence towards others within youth detention centres tends to be more severe.

Moreover, they are often the architect of violence undertaken by younger detainees, issuing directions for coordinated assaults on staff and other young people.

AWU Secretary Stacey Schinnerl provided evidence to the Economics and Governance Committee (EGC) in February 2023 while the EGC was considering the Government's Strengthening Community Safety Bill 2023.

The submission provided by the AWU raised multiple suggestions on how to strengthen the provisions of the Bill that related to moving 18+ year old adults out of youth detention centres to adult correctional facilities. These were not adopted by Government.

According to figures provided to the AWU by our members, there were 27 adults residing in Queensland's three youth detention centres as of 2pm 22nd November 2023, with at least 6 more set to turn 18 in the next three months.

That means that **around 10%** of the total population across Queensland's three youth detention centres **are adults** – more than half the planned capacity of the Wacol Youth Remand Centre.

If the Government wants to create more capacity in the system, they should prioritise removing these adults from the youth detention system to adult corrections as soon as possible.

4. The construction of two new Centres and the Wacol Youth Remand Centre.

Woodford and Far North Queensland:

It is clear that we need more capacity in the youth detention system, and we broadly agree with the Government's proposed construction of two new Centres (one in Woodford and one in Far North Queensland). However, the AWU believes that the paramount concern of Government over the next few years must be finding the requisite staff to safely operate these Centres before they open.

In addition to concerns around the attraction of new staff for these centres, AWU members believe that several common-sense safety initiatives should be included in their detailed design:

1. **Must include a Restorative Segregation Unit** – These new centres must include a standalone Restorative Segregation Unit. Not having one of these units leads to a culture of violence and intimidation without consequence.
2. **Double Units** – Double units allow for a quicker response time to codes, making incident response safer for Detention Youth Workers and young people. Having double units will also reduce the risk of Detention Youth Workers hurting themselves while rushing to respond to a code. Double units would be quicker, easier and cheaper to construct than a standalone unit, while also providing a safer work environment.
3. **Video Conferencing Equipment in Interview Rooms** – A greater availability of video conferencing areas for court appearances will decrease movements and less stress at work caused by young people refusing to attend court.
4. **Cameras in Education Queensland Classrooms** – Education Queensland classrooms can be violent places. Cameras act as a deterrent, while also making it easier to gather evidence after an assault.
5. **Fit-for-Purpose Training Space** – Detention Youth Workers need a dedicated training space at one of these new facilities. With a large influx of staff needed to work the two new centres, having a dedicated training space will be very important.
6. **Prison Doors** – Having prison doors in the new centres would limit the amount of exposure Detention Youth Workers have to violent behaviour when they have to open a room door to provide something to a young person.

AWU members are firmly opposed to the use of double bunks in the new centres, as they lead to a higher incidence of physical and sexual assault among young people that is obviously counterproductive to their physical safety and ongoing rehabilitation.

The Wacol Youth Remand Centre:

The AWU understands the need for interim measures such as the Wacol Youth Remand Centre to address capacity issues in the short to medium term while these new centres are constructed.

The AWU also understands that this facility will not be used as a youth remand centre in perpetuity.

However, the AWU does hold concern about the potential operations of this facility as they relate to the movement of young people to and from school and programs at Brisbane Youth Detention Centre (BYDC) or West Moreton Youth Detention Centre (WMYDC).

These movements are flash points for violence and present opportunities for young people to assault workers and each other – put simply, the more movements in a day, the more risk of harm to these workers.

The primary consideration of the Government when determining how they will perform movements at this centre must be the safety of their workforce.

Conclusion

The safety of AWU members is the paramount concern of our union, and we believe it should also be the paramount concern of Government when they are making decisions relating to the youth detention system.

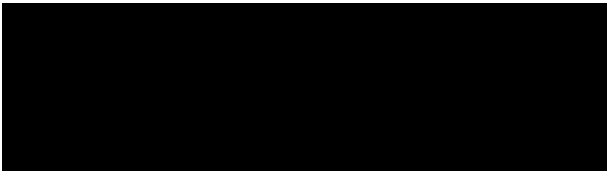
The AWU acknowledges the historic pay rise that this Government has delivered to our members in order to begin remedying the staff shortage being experienced across the system.

However, more must be done on an operational level to protect our members in these dangerous workplaces.

That means:

- Driving a culture that supports our members while they are working on the floor in these centres.
- Moving adults out of the system to free up capacity and protect staff members and young people.
- Designing these new centres in a way that protects young people and staff.

The AWU will continue to engage with the Government in good faith to deliver better safety outcomes for our members and the broader Queensland community.



Stacey Schinnerl

Secretary

The Australian Workers' Union of Employees, Queensland

22 November 2023