

# Youth detainees moved to adult maximum-security prison in Western Australia

John Harris  
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Last month, the Western Australia (WA) Labor government ordered the transfer of 17 boys from the Banksia Hill youth detention centre to the Casuarina maximum-security adult prison. The Banksia Hill detention centre holds youth aged 10-18 who have been sentenced to imprisonment or are awaiting trial, denied bail or are on remand.

Reports have emerged this week that at least one of the children has been hospitalised after self-harming.

The *Guardian* reported yesterday it had “confirmed” that one teenager had required medical treatment and another child had “made threats to self-harm but did not do so.” According to the *West Australian*, four of the children had been hospitalised, including three who had swallowed shards of broken glass.

The transferred boys, whose arms and legs were shackled during the move, are aged as young as 14 and most are indigenous. WA Corrective Services maintains that juvenile detainees will be kept separate from the adult prisoners at Casuarina. The Department of Justice claims that the move is only a temporary measure and that the group of teenagers will be returned to the youth detention centre “as soon as practicable.”

The transfer of children into an adult prison is an undemocratic and punitive measure against a highly vulnerable and oppressed section of working-class youth. The decision drastically increases the teenagers’ risk of irreversible emotional and psychological harm, physical and sexual abuse, recidivism and suicide.

The Australian Lawyers for Human Rights (ALHR) group released a statement on July 15 declaring that the decision to send children to the maximum-security adult prison was a flagrant violation of international standards and that there are “no circumstances that justify the placement of children in adult prison facilities.”

Kerry Weste, ALHR president said “moving children into an adult prison facility is not only inconsistent with international human rights standards, it is also contrary to clear medical and psychology evidence that tells us how to reduce recidivism and facilitate the rehabilitation of children without incarceration.”

This is not the first time that youth have been moved to an adult prison from Banksia Hill. In 2013, when 73 children were transferred to Hakea Prison, many experienced significant

mental harm including Post-Traumatic Stress Disorder (PTSD), according to the ALHR.

The plan to move the children was announced by the State Labor government on July 5, after a state budget hearing in June showed that approximately 100 of the 250 cells at Banksia Hill were too damaged to use.

The centre also confronts a massive staff shortage, with more than 4,000 shifts unfilled in the first half of the year. This has led to the slashing of education, counselling and other programs at the facility.

Adam Tomison, the Director General of the WA Department of Justice, claimed the young inmates had significant offending histories and for months had destroyed infrastructure, assaulted staff, escaped from their cells and were harming themselves. These comments serve to portray the teenagers as “out-of-control” to justify increased state brutality to punish and intimidate them.

Conditions at the Banksia Hill centre are reportedly nightmarish. An April report by WA’s Custodial Service Inspector found systemic and grave violations of the children’s human rights at the centre.

In November last year, four boys had spent less than an hour per day outside of their cells for several days. Inspector Eamon Ryan said, “We concluded that their human rights were being breached on those occasions.” The United Nations’ Mandela rules, which are not legally enforced in WA, require detainees to spend at least two hours out of their cell in a 24-hour period.

Ryan declared Banksia Hill “is not fit for purpose as a youth detention centre. It looks like, and in many respects runs like, an adult prison, even to the point where there are adult prison officers stationed there to assist in maintaining order and security.”

The inspector found that children were “detained in understaffed and inhumane conditions” at the centre and children with trauma and cognitive impairments were being denied proper meaningful interaction and treatment, resulting in further instances of self-harm.”

There were 24 suicide attempts at Banksia Hill between January and November last year. The conditions are so horrendous at the facility that several boys had formed a “suicide pact” while being held under observation at the

facility's Intensive Support Unit.

In February, a judge for the Perth Children's Court described the experience at a boy at Banksia Hill as one of "prolonged, systematic dehumanisation and deprivation." He heard the case of a 15-year-old child who had spent 33 days confined to his cell alone with no fresh air or exercise. Such prolonged solitary confinement amounts to torture.

The boy was sentenced in February by Children's Court president Hylton Quail for burglary and a series of assaults on officers at Banksia Hill. Judge Quail said the boy, who suffered from Fetal Alcohol Spectrum Disorder (FASD) and PTSD from severe childhood neglect, was "one of the most damaged children to have appeared before me."

In 2016, medical experts from the Telethon Kids Institute found that 89 percent of children in Banksia Hill Detention Centre had a severe neurodisability or cognitive challenges, and that 36 percent of the detainees suffered from FASD.

Professor Carol Bower, director of FASD Research Australian, declared this was the highest known prevalence of FASD and severe neuro-developmental impairment in a corrective setting anywhere in the world.

The move to send the 17 children to the maximum-security prison has caused widespread outrage. More than 75 organisations and community groups have signed an open letter to the state Labor Premier Mark McGowan, urging him to reverse the decision.

Last month, over 100 people marched through Perth in protest. Pamela Blurton, said she was "disturbed" to learn that her 15-year-old grandson was being moved to the adult prison. Banksia Hill had left him traumatised, "he's tried to commit suicide three times in Banksia and (again) when he came home," she said. "I'm really fearing that I'll be burying my grandson before he buries me."

Many young prisoners have complex trauma, post-traumatic stress, and other psychological and neurological issues caused by unemployment, social dislocation, family breakdown, and alcohol and drug addiction.

Working-class youth face an endlessly deteriorating economic and social crisis. Any pretense of tackling the underlying social problems, or even of providing treatment and rehabilitation programs for juvenile prisoners, has been abandoned.

According to a report released in April by Youth Action, the number of young people (aged 15-24) not engaged in employment, education, or training increased by 30 percent to 391,300—equivalent to 12 percent of the total youth population—during the first year of the pandemic in Australia. This is the highest level of youth non-engagement on record.

WA has the second highest average rate of children in detention in Australia after the Northern Territory (NT), detaining some 4.96 young people aged 10-17 per 10,000. Large numbers of those in youth detention have not been put on trial or charged with any crime. According to the Australian

Human Rights Commission, a 2019 snapshot of children in juvenile detention facilities revealed that at any one time over 50 percent are on remand.

According to the Australian Institute of Health and Welfare (AIHW), in the years 2020-2021, WA had the highest rates of Aboriginal and Torres Strait Islander youth incarceration across Australia, at 212.8 per 10,000 people. Young indigenous people represent only 5.8 percent of all people aged 10-17 in Australia but account for approximately 49 percent of those in juvenile detention.

Aboriginal and Torres Strait Islanders are the most oppressed section of the working class. A 2020 report into youth detention centres found that of the 77 children at Banksia Hill, 74 percent were indigenous.

Incarceration is in no way an effective form of rehabilitation for young people. According to a 2021 AIHW report, 80 percent of 10-16 year olds released from sentenced detention in 2018-19 were incarcerated again within 12 months.

The inhumane detention of youth under Labor governments is by no means limited to WA. In 2016, after inmates damaged Melbourne's Parkville youth prison, the Victorian Labor government illegally moved some of the detainees to Barwon Prison, a maximum-security adult jail. There they were capsicum sprayed and faced extended periods of solitary confinement.

In the NT, where the high number and brutal treatment of youth detainees has been the subject of countless parliamentary inquiries and media exposures, the Labor government last year introduced "tougher than ever" laws denying bail to children for offences as minor as unlawful entry and allowing police to electronically monitor those youth who are granted bail.

These episodes, along with the transfer of the Banksia Hill detainees, underscore that Labor, no less than the Liberal-Nationals, is a party of capitalist "law and order," committed to carrying out punitive and cruel attacks on the most vulnerable layers of the population, including children.

Their treatment is a warning of the preparations for broader suppression of the working class, amid mounting opposition to the cost of living crisis, massive social inequality and war.



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