

Right to Information Decision – Public Disclosure Log

Right to Information No.: RTI201718-020-CT

Date of Application: 04 December 2018

Date of Decision: 21 February 2019

Information Requested

The information requested:

The registers of any unclothed searches conducted at the youth detention centre for the period 1 June 2018 to 30 November 2018, including (but not limited to):

- the gender and Indigenous status of detainees subjected to unclothed searches;
- information pertaining to the number of unclothed searches conducted;
- the number of items of contraband located as a result of unclothed searches; and
- the nature of those items.

Any other documents that provide guidance on the conduct of unclothed searches of detainees at the youth detention centre, including, without limitation, instructions, manuals, guidelines, policies and directives.

If unable to obtain copies of the registers of unclothed searches, request as much information as available regarding the number of unclothed searches, the gender and Indigenous status of those searched and the number and nature of items located as a result of the searches.

The request under the Act does not seek the confidential information of any individual prisoner, officer or other person.

Decision and Statement of Reasons

Table 1: 1 June 2018 - 30 November 2018 search data

| Gender | | Indigenous status | | Number of unclothed searches | number items found |
|--|--------|-------------------|----------------|------------------------------|--------------------|
| Male | Female | ATSIC | non identified | | |
| 187 | 16 | 113 | 90 | 203 | 0 |
| Total number of gender/indigenous based searches conducted - not total number of individual's | | | | | |

Table 1 notes:

- Searches of young persons in the detention centre are subject to the requirements of the *Youth Justice Act 1997*. For example, searches may be conducted on return to the centre or where the manager's opinion is that it is necessary in the interests of security of the centre. Searches of the person include clothed searches by 'pat down' or metal detecting wand and 'unclothed searches'. The current procedure includes safeguards to balance dignity and rights with the safety of the young person and the detention centre. These include but are not limited to: recognising that searches are conducted in the context they may be intrusive and cause adverse emotional reactions, searches must be authorised by

nominated senior officers of the detention centre, search officers are trained in search procedures, gender balance is maintained, the young person is not touched by the searching officer, searches are conducted in a private room, only the searching officer observes the young person while a second officer only observes the searching officer, the young person first removes clothing from the upper body (the clothing is then searched by the officer) before dressing then removes clothes from the lower body before redressing, the young person is not required to bend over or further expose the body other than the soles of the feet, behind the ears, and an open mouth. The search concludes with the young person being asked to note any issues with the way the search was conducted.

- Ashley Youth Detention Centre takes seriously its responsibilities for Work Health and Safety, not only to protect the health and safety of employees, but to also protect the health and safety of other detainees.
- While the figures identified no contraband found in the three month period of the RTI search, the search regime is based on previous discovery of contraband, including weapons.
- There has been significant work undertaken through an Ashley Youth Detention Centre Change Management Program titled *the Ashley + Approach*. This work has a continued to focus on culture and leadership to support a model of trauma-informed care of young people in detention.
- The Ashley + Approach will encompass development of systems and processes to support a more therapeutically aligned practice, together with staff training, supervision and support. The model will extend work previously undertaken regarding the professionalisation of youth work staff and the ongoing development of rigorous operational procedures supporting safety and wellbeing of young people and Centre staff.
- The Ashley + Approach has already delivered revised operating procedures for isolation and use of force, and will continue to look at other operating procedures including forced searches to ensure the requirements for work health and safety is balanced with a supported therapeutic approach.