



## Appendix C: Summary of Survey Results - Young People

### Introduction

The ACT Human Rights Commission (the Commission) is committed to the engagement of children and young people in processes that affect their lives. This commitment is consistent with Article 12 of the United Nations' *Convention on the Rights of the Child*, which states that:

'States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.'

To reflect this commitment, all young people detained at Bimberi from January to March 2011 were invited to complete an 80 question survey designed and administered by the Commission.

### Survey limitations

The survey was not professionally designed, and was not intended to be academically rigorous. Rather, it was designed to be another tool the Commission could use to engage with young people to hear their views. On the most part, the Commission did not verify the accuracy of the survey responses, with results therefore needing to be treated with some caution. Just because a young person, or a group of young people, reported something to be the case, does not necessarily mean that it was the case.

Having said that, all surveys were completed with support from Commission staff, either one-on-one, or in small groups, and most young people who participated appeared to be interested in the questions, and to take their time to form a serious and considered response. Additionally, when young people completed the survey in small groups (with Commission staff present) they did not appear to be influenced by each other, with participants frequently stopping to discuss the range of views being expressed.

While the Commission does not claim that all of the survey results are completely factual, they do represent the views of 19 young people living in Bimberi, and they appear believable and consistent with information provide to the Commission by a range of participants during face to face interviews and in written submissions.

### Results

Nineteen young people completed the survey, including 16 young men and three young women. Of those who responded to the question, one reported that they spoke a language other than English at home, and six identified as being from an Aboriginal or Torres Strait Islander background. Participants ranged in age from 14 to 18 years old.

### Engagement with the youth justice system

Almost 80% of participants (n=15) reported to have been in custody before their current admission. Over half of the participants reported that they had first been detained before they were fourteen (n=10), with 40% reporting that they had spent more than a year in custody (in total).

Young people reported a number of reasons for their early involvement in the youth justice system. Some reported family related issues, issues related to money, and issues related to their peer networks. Three young people reported a link between their involvement with care and protection services, being placed in out of home care and acting out as a result. Some young people reported that better financial support and family interventions might have influenced their early criminality.

There was a fairly even balance between the number of young people reporting that they were serving a committal (n=10) and those reporting that they were on remand (n=9). Young people reported that they were often sentenced for breaching bail conditions, with some reporting that they believed their bail conditions to be unreasonable and unmanageable.

### On admission

Eight young people reported being treated well on admission to Bimberi, and eight reported that they were treated badly, or neither well nor badly. Most young people (n=14) reported feeling safe on their first night at Bimberi.

All young people reported being searched when they first arrived at the Centre, with 70% reporting that they were searched with their clothes on.

Most young people reported that they were offered a medical check up on admission and were asked about any health issues that they might have. Almost 90% reported that they saw a doctor or nurse within a day of their admission. Two-thirds reported being offered a shower on admission, and 50% reported being offered a phone call.

Most young people reported that issues they presented with on admission (such as letting family know where they were, or feeling upset) were addressed on admission. Twenty percent of young people who identified as having alcohol or other drug issues reported being offered support on admission, and 10% of young people who smoked reported being offered assistance.

Most young people reported that they were not informed about issues, supports, or their rights when first admitted, with only one of the young people reporting having received a resident's handbook (after requesting one). Less than a third of young people reported that they had been told about where in the Centre they were allowed to go. Only 22% (n=4) of young people reported that they understood all of the information given to them on admission.

Most young people reported, however, that they were often told by their case manager about what services were available, and how to stay in contact with family and friends using the phone system. Over half of the young people reported that felt informed about the Official Visitor and her role.

### *Day to day arrangements at the Centre*

#### *Mixing*

All young people reported that there were times that they were unable to mix with other residents while at Bimberi, with 90% wishing for more opportunities to mix. Young people reported feeling safe in mixing with young people either all the time (n=12) or most of the time (n=6). No young people reported feeling safe only sometimes or never.

#### *Clothing and shoes*

Over 80% of young people reported being unhappy about the quality of their footwear (n=15), and 43% felt that their clothes were 'bad'. Most reported that they were allowed to wear their own clothes when leaving the Centre or going to court.

#### *Food*

Around 90% of young people reported that the food at Bimberi was 'good' or 'very good' when cooked by the chefs at the Centre (n=16).

#### *Programs and services*

Young people reported sporting activities (primarily playing football); vocational activities (such as the Barista course, bricklaying and construction); art; music; metalwork; and woodwork classes as being some of the best programs they completed while at the Centre.

However, almost 90% of the young people reported that there were not enough things to do at Bimberi (n=16). Some reported wanting more cooking and life-skills courses, while others reported wanting opportunities to do science and youth work classes.

More than half of young people reported that they were able to spend time out-doors, use the pool, read the paper, and watch the news each day. All young people reported that they were never able to access the internet, with most reporting that they were unable to use computers or to play table tennis.

#### *Health*

Most young people reported that the quality of health services at the Centre was 'good' or 'very good', with just under half reporting that it was easy to access a counsellor, psychologist or alcohol or other drug service.

Twenty percent of young people reported that they were not receiving support for their mental health issues, and doctors, nurses and opticians were generally seen as hard to access. Young people reported being unsure about what sexual health programs were offered, or how to access them.

Most young people reported that required medication was provided at Bimberi.

### **Education**

Most young people reported that the quality of education at Bimberi was OK (n=11), while four reported that it was either good or very good.

### **Time in rooms**

Most young people reported spending significant periods of time in their rooms and within their units. Young people reported that on the weekends, in particular, they often did not leave their units until after 10.00am - more than 14 hours after they had entered their cabin the night before.

### **Safety**

Most young people reported feeling completely safe at the Centre on their first night, when mixing with others, and in general. One young person reported that it might be 'really scary' for new residents when they first arrive, and suggested that a mentoring system might help younger residents. One young person reported that it was common to get into physical fights with other detainees, but that these were usually stopped quickly by staff.

### **Treatment by staff**

Almost 50% of young people reported occasions when staff had made insulting remarks about them (n=9). Three young people reported that staff had made insulting remarks about their culture, and two young people reported that staff had made insulting comments about their families

Seventy-five percent of young people reported that there was at least one staff person in Bimberi that they could tell if they were treated badly (n=14), but only 40% percent said that they would tell (n=7). Five young people reported that they would tell a peer, or the Human Rights Commission (n=5), the Official visitor (n=3) or a family member (n=3). Several young people identified the current Operations Manager as person they trusted and who treated them respectfully.

## **Behaviour management**

Young people reported being generally unhappy about the behaviour management system at the Centre, with the majority reporting that they considered the incentive and discipline system to be unfair. Most young people reported having had their privileges withdrawn, or having a fine or warning.

Most young people reported that they had been punished as a whole group for the actions of an individual or a small group, and some reported that they thought this was unfair.

No young person reported being placed in the isolated safe room. Twelve young people reported that they had been placed on segregation. Six of these young people reported that they had been segregated for a week or less, and 4 reported that they had been segregated for one month or more.

Some young people reported that they believed that segregation was unfair, and that the practice was implemented in an inconsistent manner and for reasons that did not justify the punishment. One young person reported feeling disillusioned with the process for review of segregation orders, and frustrated with not being able to attend education while in segregation.

## **Searches**

Nearly all young people reported having been frisk-searched and strip searched while at Bimberi (n=18). Most young people reported frisk-searches as happening 'often', and strip searches happening 'sometimes'. No young people reported receiving a body cavity search, or being searched using a sniffer dog. Seventy percent of young people reported that staff of the opposite sex were never present (n=13) during a strip-search, with four of the remaining young people reporting that staff of the opposite sex were rarely present.

Just under 50% of the young people who answered the question reported that they were present when their room was searched, and two young people reported that legal documents had been removed from their room during a search and were not returned.

### ***Restraints***

Over half of the young people reported that they had been placed in handcuffs, a restraint belt, or another restraint device while in Bimberi (n=10). Forty-two percent reported that they were physically restrained by staff 'sometimes', and just under 40% of young people reported an injury that was a result of a staff restraint (n=7).

### ***Having a say and raising concerns***

Sixty percent of young people reported that they had little say on the way things were run at Bimberi (n=12), with most young people reporting that they would like more input in-put into recreational activities, education programs, mixing practices, rewards systems, searches, phone calls and visits and preparation for return to the community.

Fifty percent of young people reported that it was easy to make a complaint at Bimberi, but most young people reported that complaints made to staff members were handled 'unfairly'. Most young people reported that complaints made to their lawyer were dealt with better than complaints made to members of staff, and some young people reported that they were unsure about the effectiveness of the Public Advocate and the Official Visitor.

### ***Rehabilitation***

Most young people reported that they were unconvinced that Bimberi had a rehabilitative function, with most reporting that weren't many services to help them change their behaviours. One young person reported that they thought programs were more helpful when a young person was ready to change, and that young people might be more motivated to change offending behaviour as they approached adulthood.

More than a third of young people reported that that they did not have a case plan for when they were released from Bimberi, or that they didn't know about the plan if one existed (n=7).

Seventy percent of young people reported that they had a small amount of in-put into their case plans and case conferences.

### ***Staying connected***

#### ***Legal***

Just under 65% of young people reported that they could speak to a lawyer in private while in Bimberi.

#### ***Family***

Over 40% of young people reported that restrictions had been placed on phone calls and visits with their families, with all of these young people reporting that they thought these restrictions were unfair. Over 90% reported that they thought that their families were generally treated 'well' or 'OK', but most young people reported that visits with their families only 'sometimes' started on time. Twenty-five percent of young people reported that they thought that they would be informed if someone in their family was sick.

#### ***Maintaining ongoing cultural and religious connections***

All of the young people who identified as being Aboriginal or Torres Strait Islander reported that they had been visited by workers from an Aboriginal or Torres Strait Islander service.

Over 80% of the young people who identified as being Aboriginal or Torres Strait Islander reported that their culture was respected in Bimberi, and over 65% reported that they had a chance to express their culture while in Bimberi.

Fifty percent of young people reported that it was very easy to participate in religious services if they wanted to.