

Case studies from closed environments



Case
studies

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Case studies

Following are some of the case studies relating to correctional centres and youth justice services highlighted in last year's annual report by the Queensland Ombudsman.

Highlighting the need for better record keeping for fair management

Better management of 'out of cell' time

The complaint

The complainant's son was a prisoner accommodated at a secure correctional centre in Queensland. The prisoner was separately confined on a Safety Order in the correctional centre's Detention Unit. The complaint was that the prisoner was not receiving two hours of out of cell time as per the conditions of the Safety Order.

The investigation

This Office's investigation found that the prisoner's Safety Order was compliant with the Corrective Services Regulation 2017 that requires prisoners that are separately confined be given an opportunity to access fresh air for at least two hours per day.

However, when the correctional centre's case notes were inspected, there were insufficient case notes indicating why the prisoner's out of cell time ceased on the occasions when it was less than two hours. This raised concerns about whether or not the Safety Order was being properly implemented.

Making a difference

As a result of the investigation QCS committed to ensuring that

case notes fully record the instances when a prisoner declines the opportunity to use out of cell hours when offered, or when a prisoner requests to cease their out of cell time.

The improved case records provide better evidence of the management of a prisoner subject to a Safety Order.

Inflexible policy not practical for pregnant prisoner

Access to maternity clothes in correctional centres

The complaint

The complainant's pregnant daughter was a prisoner at a correctional centre. She provided items of maternity clothing to the correctional centre as her daughter needed larger sizes to fit her comfortably due to her progressing pregnancy. The items were not provided to her daughter as the centre only accepted items through this process at two specific times in any year and the correct application process had not been followed in this particular case. This was deemed necessary to maintain the safety and security of the centre.

The next specified time items could be provided was after the prisoner's baby was due. The expectation of the correctional centre was that the prisoner should purchase items through the correctional centre system outside of these times. The complainant was concerned that her daughter could not afford to do so.

The investigation

The investigation found the case highlighted a systemic issue with the centre's policy of only allowing items to be provided

and given to prisoners twice each year and did not take personal circumstances into account. The centre acknowledged that it was not practical to only allow items to be provided twice each year.

Making a difference

The centre advised that it would clarify the process with the prisoner directly in order to expedite her having suitable clothing for the remainder of her pregnancy. The centre also advised that it was reviewing the policy with a view to better consideration of requests on an individual basis.

Youth detention

Common issues from detention centre inspections

A number of issues are common across both the Brisbane Youth Detention Centre (BYDC) and the Cleveland Youth Detention Centre (CYDC).

1. 17 year olds in youth detention centres

Previously, 17 year olds in Queensland were generally accommodated in adult correctional centres. The Youth Justice (Transitional) Regulation 2018 came into place on 12 February 2018 and guides the way 17 year olds are transitioned from adult prisons to youth detention centres. The Office's current focus includes monitoring this transition and ensuring that it does not have a negative impact on the rights of young people in detention or the operations of youth detention centres.

2. Overcrowding

Overcrowding is an increasingly common problem within both

BYDC and CYDC. The lack of availability of suitable accommodation for the numbers of young people detained in centres, with their complex needs, is causing complex management issues, including the use of rooms not designed for long-term detention. Officers have also been advised that overcrowding is leading to lengthy delays in transferring young people from watch houses to detention centres. Overcrowding also has impacts on access to facilities, not designed for the number of detainees, and access to education or to some programs.

3. Complaints management

Effective complaints management within their detention centres is critical to young people in detention having confidence that any grievances will be adequately and appropriately dealt with. Any delays or deficiencies in complaints management may lead to young people taking more drastic action to raise their concerns.

All of the above emerging issues will continue to be monitored through the Office's ongoing inspections of youth detention centres.

View the full annual report - [Queensland Ombudsman Annual Report 2017-18](#)

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