

**Geoff Breusch**

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**From:** Geoff Breusch  
**Sent:** Friday, 19 August 2016 7:01 AM  
**To:** Yvette D'Ath; James Sullivan  
**Subject:** Shared from Twitter: Children's commissioner calls for review of Queensland's 'concerning' youth detention - ABC News (Australian Broadcasting Corporation)

[Children's commissioner calls for review of Queensland's 'concerning' youth detention - ABC News \(Australian Broadcasting Corporation\) from ABC News Brisbane's Tweet](#)

[Download the Twitter app](#)

## Geoff Breusch

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**From:** Geoff Breusch  
**Sent:** Friday, 19 August 2016 8:15 AM  
**To:** david.mackie@justice.qld.gov.au  
**Subject:** Fwd: Shared from Twitter: Children's commissioner calls for review of Queensland's 'concerning' youth detention - ABC News (Australian Broadcasting Corporation)

I'll give you a bell about this later.

Begin forwarded message:

**From:** <Geoff.Breusch@ministerial.qld.gov.au>  
**Date:** 19 August 2016 at 7:00:52 AM AEST  
**To:** <Yvette.D'Ath@ministerial.qld.gov.au>, <James.Sullivan@ministerial.qld.gov.au>  
**Subject:** Shared from Twitter: Children's commissioner calls for review of Queensland's 'concerning' youth detention - ABC News (Australian Broadcasting Corporation)

Children's commissioner calls for review of Queensland's 'concerning' youth detention - ABC News (Australian Broadcasting Corporation) from ABC News Brisbane's Tweet

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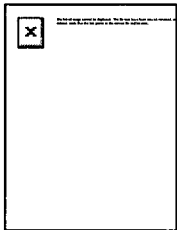
## Geoff Breusch

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**From:** David Mackie <David.Mackie@justice.qld.gov.au>  
**Sent:** Friday, 19 August 2016 8:58 AM  
**To:** Geoff Breusch  
**Subject:** Re: Shared from Twitter: Children's commissioner calls for review of Queensland's 'concerning' youth detention - ABC News (Australian Broadcasting Corporation)

Spoken to the A-G in detail this morning

Regards  
David



**David Mackie**  
Director-General  
Department of Justice and Attorney-General  
PH: 07 3239 3543 EMAIL: [david.mackie@justice.qld.gov.au](mailto:david.mackie@justice.qld.gov.au)  
State Law Building | GPO Box 149 | Brisbane | QLD | 4001 |

On 19 Aug 2016, at 8:16 AM, Geoff Breusch <[Geoff.Breusch@ministerial.qld.gov.au](mailto:Geoff.Breusch@ministerial.qld.gov.au)> wrote:

I'll give you a bell about this later.

Begin forwarded message:

**From:** <[Geoff.Breusch@ministerial.qld.gov.au](mailto:Geoff.Breusch@ministerial.qld.gov.au)>  
**Date:** 19 August 2016 at 7:00:52 AM AEST  
**To:** <[Yvette.D'Ath@ministerial.qld.gov.au](mailto:Yvette.D'Ath@ministerial.qld.gov.au)>, <[James.Sullivan@ministerial.qld.gov.au](mailto:James.Sullivan@ministerial.qld.gov.au)>  
**Subject:** Shared from Twitter: Children's commissioner calls for review of Queensland's 'concerning' youth detention - ABC News (Australian Broadcasting Corporation)

[Children's commissioner calls for review of Queensland's 'concerning' youth detention - ABC News \(Australian Broadcasting Corporation\)](#) from ABC News Brisbane's [Tweet](#)

[Download the Twitter app](#)

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Unless stated otherwise, this email represents only the views of the sender and not the views of the Queensland Government.

## Geoff Breusch

---

**From:** John Austin  
**Sent:** Friday, 19 August 2016 10:20 AM  
**To:** Geoff Breusch  
**Subject:** ABC AM request

Hi Geoff

ABC World Today program wants a response to Aust Law Council suggestion made on AM this morning – calling for states to set up their own indept youth justice review systems. Very vague and as you can read something of a thought bubble at best.

Do you want to respond?

Reporter is Penny Timms with 11.15 deadline.



Queensland  
Government

**John Austin**

Assistant Media Advisor  
**Office of the Hon. Yvette D'Ath MP**  
Attorney-General and Minister for Justice and  
Minister for Training and Skills

P 07 3719 7415 Mob NP\_49-Sch4

State Law Building Cnr Ann and George Streets Brisbane QLD 4000 GPO Box 149 Brisbane QLD 4001

<http://www.abc.net.au/am/content/2016/s4522680.htm>

MICHAEL BRISENDEN: The Law Council of Australia says these latest reports of alleged mistreatment of youth detainees prove the need for **each state and territory to conduct their own independent reviews into their juvenile justice systems.**

For more, I'm joined live in our Parliament House studio by the council's president, Stuart Clark.

Stuart Clark, good morning.

STUART CLARK: Good morning.

MICHAEL BRISENDEN: Is there any indication that the states have anything like this planned?

STUART CLARK: Not as yet. What we think is that there are enough matters of concern that are now being raised to suggest that there is a real need for review of children in detention, the detention centres, the way they operate in each of the states and territories.

There is a couple of ways that could be done: an independent arm's length review, similar to the royal commission in the Northern Territory. Perhaps not quite at the royal commission level.

And secondly, we'd like to see the Federal Government ratify the optional Protocol on the Convention Against Torture, which would set up and would require the Government to set up independent permanent review mechanisms to monitor what is going on in these centres.

MICHAEL BRISENDEN: What about extending the royal commission in the Northern Territory to a national one?

STUART CLARK: That has some problems. First of all: to get the states involved, you'd need cooperation from each of the states to have the joint commission.

Secondly, we're a little bit concerned that if we extend the Northern Territory commission to cover the whole of the country, it's going to require very considerable resources. It's going to take much longer.

We think it is important the issues in the Northern Territory be dealt with and be dealt with quickly.

So rather than expand it into a national enquiry, we'd like to see stand-alone reviews at arm's length from government.

MICHAEL BRISSENDEN: Clearly there's a problem in the Northern Territory; it seems there's a problem in Queensland; there are suggestions there is a problem in Western Australia. How widespread is it? Do we need to ...

STUART CLARK: Well, we simply don't know. We believe that the situation in some states is better than others. Clearly there's a problem in the Northern Territory. Clearly there are some issues in Queensland which were exposed yesterday. We know from other reports that Western Australia faces its challenges.

There are a whole range of issues: the way these centres operate, the way that oversight operates. And of course, there's the question of: why is the level of Indigenous incarceration for children so astronomically high?

MICHAEL BRISSENDEN: Well, what legal issues does that raise? Because most of the detainees in these institutions, as we've heard: an overwhelming majority of them are Indigenous. What are the legal ramifications of that?

STUART CLARK: Well, it's not the question of the legal ramifications. I think it's a question of the social ramifications.

We've got to ask ourselves: why are 64 per cent of the children in detention in the Queensland detention centres Indigenous, when the population generally is six per cent? There is something clearly wrong.

There is something clearly wrong also with the reasons for so many children being on remand: that is, they haven't been sentenced.

They've been held in these detention centres either awaiting trial or awaiting sentence. That just can't be right. And it's in part probably because there is nowhere else for them to go.

One of the issues we'd like to have a look at is why are there not other options available for treatment.

MICHAEL BRISSENDEN: It does seem like the system is in a bit of a crisis. It is sort of out of control, isn't it? I mean, is that the way you see it?

STUART CLARK: There are serious problems. And one of the things that really concerns me is that the absolute numbers are not that high. I mean, we're not talking about institutions which have 1,000 people in it. We're talking about institutions with very, very small numbers.

And you've got to ask yourself: why, with small numbers, do we need to police dogs being used to try and get children out of a swimming pool? There's something clearly wrong.

MICHAEL BRISSENDEN: We heard there the problems some have had substantiating claims of abuse. That seems like an extraordinary problem to have. Is there anything that we can do now, right now to fix that part of it?

STUART CLARK: Well, clearly there's a problem with their internal discipline procedures. It strikes me that, if there is an allegation made and there is some level of independent collaboration, as I understand - and it's very difficult obviously commenting on a report like this - but if there is some level of collaboration, I would have thought that that justified an investigation.

And it is a real concern to me that allegations, even when backed up by some independent witness, are not being investigated.

Again: there is a need for independent oversight and, as I come back to it, establishing or ratifying the optional protocol would require governments to set up independent review bodies.

MICHAEL BRISSENDEN: These allegations were around in the Northern Territory for some time. It took the Federal Government to intervene to get the Northern Territory to, well, to intervene and announce a royal commission. What gives you any hope that the state governments are going to act independently of the Federal Government?

STUART CLARK: The fact that this is now out in the open. There is a desperate need for light to be shone on the situation: a desperate need for transparency. Once these things come out into the open, then we'll see some political momentum, I hope, to take some further steps in terms of investigation.

But it's not just investigating historical allegations: what we need, as I keep coming back to, is some form of independent review which is ongoing.

If we only ever investigate historical events once they come to light because of some sort of expose bit - Four Corners, the Guardian or the 7.30 Report - it's just not good enough.

We need to set up mechanisms which ensure that these things don't happen and can't happen into the future.

MICHAEL BRISSENDEN: OK. Stuart Clark, we'll leave it there. Thank you very much for joining us.

STUART CLARK: It's an absolute pleasure.

MICHAEL BRISSENDEN: And that is Stuart Clark, the president of the Law Council of Australia.

**From:** Media Statements QLD <statements@qld.gov.au>  
**Sent:** Friday, 19 August 2016 3:36 PM  
**To:** Geoff Breusch  
**Subject:** Attorney-General orders independent review of Queensland Youth Detention Centres



## Media release

Attorney-General and Minister for Justice and Minister for Training and Skills  
The Honourable Yvette D'Ath

### Attorney-General orders independent review of Queensland Youth Detention Centres

Attorney-General and Minister for Justice Yvette D'Ath has ordered an independent review be conducted into Queensland's Youth Detention Centres.

Mrs D'Ath said the review would help ensure Queenslanders can have confidence in the administration of youth justice in the state.

"Since the revelations about youth detention policies in the Northern Territory last month, the Queensland Government has sought to address as openly and transparently as possible, issues raised publicly about Queensland's own youth detention facilities," said Mrs D'Ath.

"Last night however, very serious allegations were levelled against the staff of youth detentions centres by former detainees and former employees.

"The administration of youth justice is a complex and sensitive issue, which is designed at all times to protect the interests of the young people in its care.

"Part of that protection is a prohibition on discussing details of young people in the youth justice system.

"Without the express consent of individuals involved, including any former employees whose employment was terminated, I am unable to address in any meaningful way the substance of these allegations.

"It is clear that while these allegations continue to be made and consent has not been provided to respond to them fully, an independent review is the appropriate mechanism to address all allegations that have been made and any additional allegations that may come forward.

"As I have said repeatedly, if any other person is aware of any other allegations relating to Queensland youth detention centres, they should make a complaint to one of the agencies that has oversight of Queensland's youth justice system now, so that they can also be examined as part of this review."

The government will shortly release full terms of reference for the review, but the focus will be firmly on the practices, operation and oversight of Queensland's Youth Detention Centres, specifically referring to the allegations raised last night.

## Geoff Breusch

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**From:** Geoff Breusch  
**Sent:** Friday, 19 August 2016 3:16 PM  
**To:** Kirby Anderson  
**Subject:** Re: Youth Detention Centres - draft release

Sorted, thanks

On 19 Aug 2016, at 3:11 PM, Kirby Anderson <[Kirby.Anderson@ministerial.qld.gov.au](mailto:Kirby.Anderson@ministerial.qld.gov.au)> wrote:

Sorry didn't see this -- all good of course

Sent from my iPhone

On 19 Aug 2016, at 1:38 PM, Geoff Breusch <[Geoff.Breusch@ministerial.qld.gov.au](mailto:Geoff.Breusch@ministerial.qld.gov.au)> wrote:

Can we get a quick review on this please?

<Document1.docx>



## Geoff Breusch

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**From:** Kirby Anderson  
**Sent:** Friday, 19 August 2016 3:12 PM  
**To:** Geoff Breusch  
**Subject:** Re: Youth Detention Centres - draft release

Sorry didn't see this -- all good of course

Sent from my iPhone

On 19 Aug 2016, at 1:38 PM, Geoff Breusch <[Geoff.Breusch@ministerial.qld.gov.au](mailto:Geoff.Breusch@ministerial.qld.gov.au)> wrote:

Can we get a quick review on this please?

<Document1.docx>

## Geoff Breusch

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**From:** Geoff Breusch  
**Sent:** Friday, 19 August 2016 1:39 PM  
**To:** @Premiers Media  
**Subject:** Youth Detention Centres - draft release  
**Attachments:** Document1.docx

Can we get a quick review on this please?

**Geoff Breusch**

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**From:** Media Reporters <mediareporters@premiers.qld.gov.au>  
**Sent:** Friday, 19 August 2016 7:30 PM  
**To:** External - Media Reporters  
**Subject:** Evening Media Summary (Complete) - Friday 19 August 2016

Good evening. Please see below for the complete Evening Media Summary for Friday 19 August 2016.

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For any clips of the below stories, please contact [mediareporters@premiers.qld.gov.au](mailto:mediareporters@premiers.qld.gov.au)

### **Ten Eyewitness News Queensland 5:00pm** (Ten Network)

NP\_73(2)

**6<sup>th</sup> Story:** The State Government has ordered an independent review into youth detention centres after serious allegations of abuse were levelled at former employees. Attorney-General Yvette D'Ath said "This is not a situation such as the Northern Territory where concerns were raised and potentially no action taken". The Attorney-General says images recently released of Townsville's Cleveland Centre were three years old and the incidents have already been investigated with some staff dismissed.

**Others:**

- Attorney-General Yvette D’Ath has ordered an independent inquiry into claims of abuse in Queensland’s two youth detention centres following allegations that staff were violent towards some young offenders. The review report will be delivered in November.
- 

**Nine News Brisbane 6:00pm** (Nine Network)

**Others:**

- There will be a review of Queensland’s youth detention centres following the broadcast of images showing one boy being overpowered and handcuffed and girls menaced by a security dog. Queensland Attorney-General Yvette D’Ath says, “I believe it is important to put these allegations to bed to ensure the public has confidence in our system and so I will conduct an independent review to show that.”

**ABC News Queensland 7:00pm** (ABC 1)

**1<sup>st</sup> Story:** The Queensland Government has ordered an independent review into the state’s youth detention centres. It follows revelations by the ABC of multiple instances of alleged mistreatment of juveniles at the Townsville facility. Attorney-General Yvette D’Ath said “An independent review is the appropriate mechanism to address all allegations that have been made, and any additional allegations that may come forward”. The ABC has also revealed several other instances of alleged mistreatment in Brisbane and Townsville. In one case, a report said 8 aboriginal children were locked in solitary confinement for up to 22 hours per day for 10 days in a row. The report also said that some children had their wrists broken while being restrained.

+++

Regards

Jodi



**Queensland  
Government**

**Jodi Staunton Smith**

Senior Media Consultant, Communication Services

**Strategy and Engagement**

Department of the Premier and Cabinet

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## Geoff Breusch

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**From:** Sean Harvey <Sean.Harvey@justice.qld.gov.au>  
**Sent:** Friday, 19 August 2016 2:30 PM  
**To:** David Mackie (Justice); James Sullivan; Geoff Breusch  
**Subject:** Facts.docx  
**Attachments:** Facts.docx

Hello

FYI

Here is the background doc with details around the latest media issues.

Regards

Sean

## Facts

NP\_49-Sch4

- **Amnesty**

**Amnesty International has three primary areas of concern:**

1. Mistreatment of young people – predominantly Indigenous - in detention is a national issue
2. There is a need for an independent inspector separate from the government who has access to detention centres for the purpose of monitoring and reporting on human rights abuses
3. The use of dogs as a method of torture to instil fear & intimidation in children

**Key points in response**

**Reducing over-representation**

- Youth Justice is committed to reducing the over-representation of Aboriginal and Torres Strait Islander young people in detention. Youth Justice adopts a culturally responsive approach to working with young people and achieving improved outcomes.

**Independent oversight**

- The complaints process provides for several points of contact and oversight by external agencies. Any breach of practice requirements is taken seriously and investigated by a dedicated officer; there is the potential to refer matters to the Department's Ethical Standards Unit or an appropriate external body (e.g. CCC, QPS, Office of the Public Guardian)



- There are a range of avenues through which young people may make complaints, and are supported by the department to do so, including: directly to the centre, to the QPS, to the Office of the Public Guardian, or to the Queensland Ombudsman. Young people may also speak with, or write confidentially to, Community Visitors from the Office of the Public Guardian.

### **Use of dogs**

- A security dog and registered handler was introduced at CYDC in 2014 owing to the presence of an active construction site which presented a number of safety and security risks. The security dog was introduced to help alert staff to emerging incidents surrounding the active construction site. The practice ceased on 16 October 2015 when it was identified that the use of a dog was no longer needed to preserve safety and security at the facility.

- **Children's Commissioner**

The National Commissioner Meagan Mitchell has not written to this Department or the Attorney-General raising any concerns with the oversight mechanisms in detention. On 22 March 2016 Ms Mitchell wrote to the Department seeking information about bodies that had oversight of detention centres. The Department responded on 2 June 2016 providing a comprehensive response. There was no response back from the Commissioner. Ms Mitchell has not visited any detention centres in Queensland.

Queensland has oversight mechanisms that are at least as substantial as other jurisdictions and in many cases more robust.

- **Decline in Incidents**

Since January 2015 the average number of incidents per month for each young person in custody has reduced significantly **from 4.9 to 1.6**. This is largely due to policy and operational reforms including initiatives such as the implementation of Trauma Informed Practice. Incidents that are recorded include spitting, aggression towards staff and young people, failing to take direction, matters involving violence and range of issues associated with the behaviour of young people.

- **Numbers in Detention**

As at 19 August 2016 there are 145 young people in detention compared with 188 young people in detention compared with 12 months previously, a 23% decrease comparatively.

Professor Kerry Carrington suggested on Lateline that there was nothing being done about the increasing number of young people in detention despite declining a long-term trend in youth offending. Professor Carrington (correctly) highlighted that in comparison with other jurisdictions, Queensland has exceptionally high numbers of children remanded in custody.

Youth Justice is pursuing a range of strategies to manage the overall numbers in detention. Youth Justice is a critical partner in the Children Court Committee project chaired by Judge Shanahan. This committee is seeking to identify practical ways of better meeting the needs of young people in the youth justice system. The data analysis and research arms of Youth Justice are actively engaged in exploring policy and practice options with respect to all young people on youth justice orders. In particular, Youth Justice is addressing the issue of recidivism through innovative programs such as the *Transition to Success* alternative education and training initiative, and the embedding throughout Youth Justice a commitment to trauma informed care. Youth Justice is putting in place robust and comprehensive evaluation frameworks for all these new approaches.

- **17 years olds in detention**

The Youth Justice system in Queensland does not currently have the capacity to incorporate 17 year old offenders within youth detention centres rather than the adult prison system. If from this point on, all 17 year old offenders sentenced to a period of incarceration were housed in youth detention centres rather than adult prisons, a minimum additional 50 detention centre beds would be required (a 22% increase over current capacity).

- **Recommendations of Inspectors**

Since March 2015, of the 45 recommendations made by the Youth Detention Inspectorate, 35 have been fully completed and six have been partially completed. A further three recommendations will be considered for implementation in the context of the progressive roll-out of trauma informed practices. The final two recommendations remain under review.

- **Oversight**

A young person (or their family) is able to make a complaint or raise an issue or concern through many different avenues. This includes making a complaint locally to a staff member or to the youth detention centre and/or can make a complaint to an external body including but not limited to:

- Queensland Police Service
- Legal representation
- Crime and Corruption Commissioner
- Public Guardian (Community Visitors who visit weekly)
- Queensland Ombudsman
- Youth Detention Inspectorate
- Aboriginal and Torres Strait Islander Elders visit the centres on a weekly basis and work with young people

In July 2014, Youth Justice implemented an enhanced oversight and review process for both Youth Detention Centres (YDCs). The new process introduced a pro-active, data driven, scheduled approach that is integrated with other governance structures and able to identify existing issues and forecast emerging issues affecting young people under supervision. To support this new process the **Service Review Unit** was established under the leadership of the Chief Inspector, Youth Justice within the Office of the Assistant Director-General, Youth Justice.

- **Reform in Detention**

There has been a significant range of reforms in the detentions centres since the current government came to power which include changes resulting from inspectorate reports:

1. Finalisation of a complete review of all youth justice policy and procedures in youth detention.
2. Developed PAC training (Protectiveness Active Continuum) which has resulted in fewer injuries improved safety, reduced violent incidents and resulted in \$1.8M savings in Workplace premiums
3. Trauma Informed Practice implemented in 2014, majority of staff in detention centres have been trained. Trauma Informed Practice means young people issues are better supported
4. Positive behaviour support – Framework to positively reinforce young people to integrate back into the community
5. Updated and improved complaints process, which is aligned with the governments CAPE (Conduct and Performance Excellence)
6. Implemented a First Nations Action Board to advise directly on policy and procedures targeting the over representation of Aboriginal and Torres Strait Islander
7. YJ have conducted a cultural review of CYDC and implemented a range of cultural programs and processes
8. 2014 implemented behaviour support teams that increased the number of psychologists available to support young people and improved case management
9. Introduced a new service review team July 2015 to conduct quarter reviews of service centres ensuring the needs of young people are meant and also to lead specific reviews
10. YJ has implemented a new process to analyse incidents greatly improving the monitoring and reviewing processes
11. Streamline the youth detention centre operations manual and made it accessible to all staff
12. Implementing a new female program – Girls Moving On - based on a successful evidenced based US program
13. Implemented a new program called Learning and Growth Through Adventures On The Inside
14. YJ is about to implement biometric miliwave scanners to reduce the need for partially clothed searches which have negative effects on young people

15. Invited a Dr Mark Lipsey to develop SPEP across Queensland an international recognised evaluation process
16. Established cultural units to better support Aboriginal and Torres Strait Islander Young People
17. Increased our video conferencing capabilities for use in court and to connect families
18. Safe select profiling recruitment process (Developed by the Australian Institute of Forensic Psychologists)
19. Innovative programs - RSPCA puppy program; Bee behind bars program; Chicken maintenance program;
20. Nutrient programs, that help the young people develop healthy eating habits
21. Mental health first aid training
22. Analysis of speech and language and comprehensions of young people in detention
23. The expansion of CYDC from 48 beds to 96 beds
24. Implementation of intelligence officers to increase the safety of staff and young people
25. YJ implemented roof access prevention strategies that have dramatically reduced roof incidents that are a danger to young people and staff and have previous result in significate damage
26. Introduction of the graffiti management program to reduce the impact of graffiti in detention centre and holding young people accountable for their actions
27. Professionalising our workforce by introducing Cert IV in YJ, Cert IV in frontline management, Practical People Management Matters, Diploma in Youth Justice, Managing with Confidence and Diploma of Management
28. YJ have also trialling body worn cameras
29. YJ implemented changes in partial clothes searches in line with the introduction of trauma informed practice
30. Introduction of Detention centres giving back to the community through making and donating cubby houses, wildlife nests and doll houses
31. The reintroduction of VET programs and improved skills for young people in detention
32. The transfer of girls from the BYDC to CYDC to have greater access to family and other supports systems
33. Establishing a Children's Court Committee, chaired by the Children's Court President to look at strategies to reduce remand.

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Assistant Media Advisor  
**Office of the Hon. Yvette D'Ath MP**  
Attorney-General and Minister for Justice and  
Minister for Training and Skills

P 07 3719 7415 Mob NP\_49-Sch4  
State Law Building Cnr Ann and George Streets Brisbane QLD 4000 GPO Box 149 Brisbane QLD 4001

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**MICHAEL BRISENDEN:** The Law Council of Australia says these latest reports of alleged mistreatment of youth detainees prove the need for **each state and territory to conduct their own independent reviews into their juvenile justice systems.**

For more, I'm joined live in our Parliament House studio by the council's president, Stuart Clark.

Stuart Clark, good morning.

STUART CLARK: Good morning.

**MICHAEL BRISENDEN:** Is there any indication that the states have anything like this planned?

STUART CLARK: Not as yet. What we think is that there are enough matters of concern that are now being raised to suggest that there is a real need for review of children in detention, the detention centres, the way they operate in each of the states and territories.

There is a couple of ways that could be done: an independent arm's length review, similar to the royal commission in the Northern Territory. Perhaps not quite at the royal commission level.

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STUART CLARK: Well, we simply don't know. We believe that the situation in some states is better than others. Clearly there's a problem in the Northern Territory. Clearly there are some issues in Queensland which were exposed yesterday. We know from other reports that Western Australia faces its challenges.

There are a whole range of issues: the way these centres operate, the way that oversight operates. And of course, there's the question of: why is the level of Indigenous incarceration for children so astronomically high?

MICHAEL BRISSENDEN: Well, what legal issues does that raise? Because most of the detainees in these institutions, as we've heard: an overwhelming majority of them are Indigenous. What are the legal ramifications of that?

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STUART CLARK: Well, clearly there's a problem with their internal discipline procedures. It strikes me that, if there is an allegation made and there is some level of independent collaboration, as I understand - and it's very difficult obviously commenting on a report like this - but if there is some level of collaboration, I would have thought that that justified an investigation.

And it is a real concern to me that allegations, even when backed up by some independent witness, are not being investigated.

Again: there is a need for independent oversight and, as I come back to it, establishing or ratifying the optional protocol would require governments to set up independent review bodies.

MICHAEL BRISENDEN: These allegations were around in the Northern Territory for some time. It took the Federal Government to intervene to get the Northern Territory to, well, to intervene and announce a royal commission. What gives you any hope that the state governments are going to act independently of the Federal Government?

STUART CLARK: The fact that this is now out in the open. There is a desperate need for light to be shone on the situation: a desperate need for transparency. Once these things come out into the open, then we'll see some political momentum, I hope, to take some further steps in terms of investigation.

But it's not just investigating historical allegations: what we need, as I keep coming back to, is some form of independent review which is ongoing.

If we only ever investigate historical events once they come to light because of some sort of expose bit - Four Corners, the Guardian or the 7.30 Report - it's just not good enough.

We need to set up mechanisms which ensure that these things don't happen and can't happen into the future.

MICHAEL BRISENDEN: OK. Stuart Clark, we'll leave it there. Thank you very much for joining us.

STUART CLARK: It's an absolute pleasure.

MICHAEL BRISENDEN: And that is Stuart Clark, the president of the Law Council of Australia.

## Geoff Breusch

---

**From:** Tim Goodwin <tim.goodwin@justice.qld.gov.au>  
**Sent:** Friday, 19 August 2016 6:50 AM  
**To:** Media Relations; Paul Holmes; Geoff Breusch; Sean Harvey; Roger McCarthy  
**Subject:** FW: Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre  
**Attachments:** image002.png

Again, we'll save this morning, let me know if you have difficulties with the SharePoint link.

Tim Goodwin  
Manager, Media Relations  
Department of Justice and Attorney-General

Sent from mobile

---

**From:** Media Reporters  
**Sent:** 19/08/2016 6:38 AM  
**To:** Tim Goodwin  
**Cc:** Media Reporters  
**Subject:** RE: Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

Hi Tim

Please see the 7:30 Report regarding the Cleveland Youth Detention Centre below for your information. Also there was the coverage on Lateline which we will organise and forward through shortly as well.

<https://dpcqld.sharepoint.com/MediaReportingServices/layouts/15/guestaccess.aspx?guestaccesstoken=MbhF7mE%2fVQpV9hjkzBL9jxuMleyQbpSxvSubjB3JjMk%3d&docid=1fba2cce912b244b98d70474b0f566739&rev=1>

Have a great Friday.

Cheers

Ange



**Queensland  
Government**

**Angela Nutt**

Senior Media Consultant, Communication Services  
Strategy and Engagement  
Department of the Premier and Cabinet

P 07 3003 9148 M [NP\\_49-Sch4](mailto:NP_49-Sch4)

Executive Building, Level 2, 100 George Street, Brisbane QLD 4000  
PO Box 15185, City East, QLD 4002

---

**From:** Tim Goodwin [mailto:tim.goodwin@justice.qld.gov.au]  
**Sent:** Thursday, 18 August 2016 7:51 PM  
**To:** Media Reporters <mediareporters@premiers.qld.gov.au>  
**Subject:** RE: Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre



Thanks Morgan, appreciate that.

Tim Goodwin  
Manager, Media Relations  
Department of Justice and Attorney-General

Sent from mobile

---

**From:** Media Reporters  
**Sent:** 18/08/2016 7:38 PM  
**To:** Tim Goodwin; Media Reporters  
**Subject:** RE: Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

Hi Tim,

As previously discussed, we'll send the 7:30 story through tomorrow morning, but here is the lead story from ABC tonight in the meantime.

ABC News – 18 August 2016:

<https://dpcqld.sharepoint.com/MediaReportingServices/layouts/15/guestaccess.aspx?guestaccesstoken=8lDuyIZGl uTtHTGCqI18g65Arw1bjNpsr5mlIXWAVxE%3d&docid=16b7881b3199c431c92fb97edb60cb295&rev=1>

Cheers,  
Morgan



**Queensland  
Government**

**Morgan Magee**  
Media Reporting Officer, Communication Services  
**Strategy and Engagement**  
Department of the Premier and Cabinet  
P 07 3003 9150 M [NP\\_49-Sch4](#)  
Executive Building, Level 2, 100 George Street, Brisbane QLD 4000  
PO Box 15185, City East, QLD 4002

---

**From:** Tim Goodwin [<mailto:tim.goodwin@justice.qld.gov.au>]  
**Sent:** Thursday, 18 August 2016 2:47 PM  
**To:** Media Reporters <[mediareporters@premiers.qld.gov.au](mailto:mediareporters@premiers.qld.gov.au)>  
**Subject:** FW: Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

Good afternoon

Are you able to record a 7:30 Report story? We understand the story previewed below is running on the program tonight, and I expect there will be follow up interest tomorrow.

Also on Twitter: <https://twitter.com/abc730/status/766117715295690754>

Thanks  
Tim

**Tim Goodwin**  
Manager, Media Relations  
Communication Services Branch | Department of Justice and Attorney-General  
Direct: 322 47382 | Mobile: [\[redacted\]](#) | Media inquiries: 3008 8765 | E: [media.relations@justice.qld.gov.au](mailto:media.relations@justice.qld.gov.au)

---

**From:** Jen Knight [mailto:[jen.knight@isentia.com](mailto:jen.knight@isentia.com)]  
**Sent:** Thursday, 18 August 2016 1:23 PM  
**To:** Ron McDonald <[Ron.McDonald@justice.qld.gov.au](mailto:Ron.McDonald@justice.qld.gov.au)>  
**Cc:** QLD <[qld@isentia.com](mailto:qld@isentia.com)>  
**Subject:** Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

Hi Ron,

FYI on the story below, we suspect this might run on the 7:30 report tonight. Do let us know if you wish to tee up a video copy of this one

Kind regards

Jen

**Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre**

“The Queensland Attorney-General Yvette D'Ath has been contacted for comment.”

7.30 By [Michael Atkin](#) and [Sarah Whyte](#)

Updated 7 minutes ago First posted 26 minutes ago

<http://www.abc.net.au/news/2016-08-18/images-of-alleged-mistreatment-cleveland-youth-detention-centre/7758204>



**Photo:** The boy, 17, is placed in handcuffs and ankle cuffs in Cleveland Youth Detention Centre.

**Map:** [Townsville 4810](#)

Images of alleged mistreatment at Townsville's Cleveland Youth Detention Centre have emerged, prompting calls for the royal commission into Northern Territory juvenile detention to be extended to Queensland.

One series of CCTV images obtained exclusively by 7.30 shows a boy, 17, being held face down by five adults. He was handcuffed, ankle-cuffed, stripped naked then left alone in isolation for more than an hour.

The incident was prompted by the boy refusing to have a shower.

Images from another incident caught on CCTV footage show a girl in a swimming pool being threatened by security guards with an un-muzzled dog.

The disturbing images are contained within internal Government reports written in 2013 and 2015 by the Queensland Government's own Youth Detention Inspectorate.

Amnesty International received the reports under Freedom of Information laws.

**Do you know more about this story? Email [7.30syd@your.abc.net.au](mailto:7.30syd@your.abc.net.au)**

**'This type of practice is humiliating'**

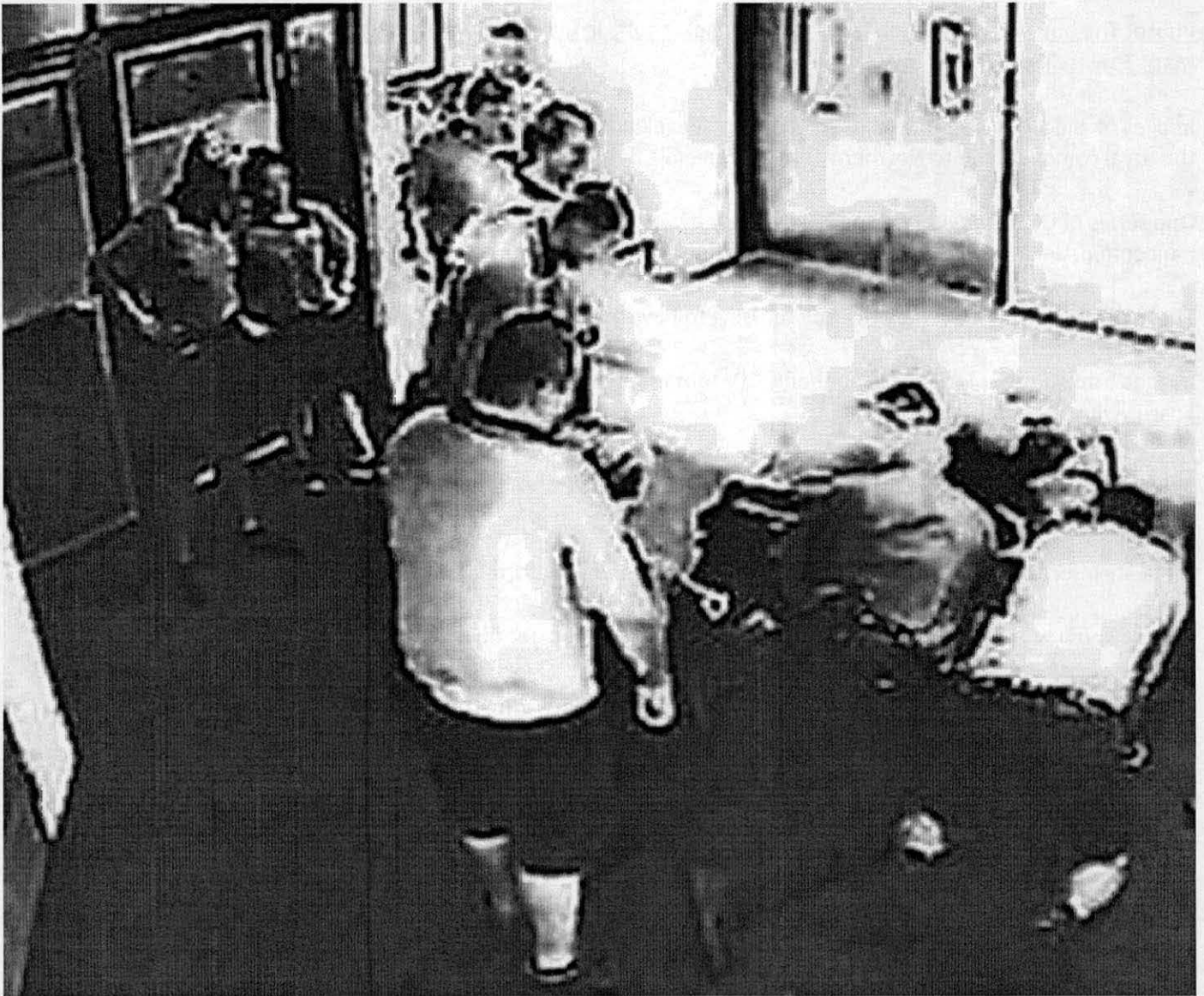


Photo: When the boy refused to have a shower a staff member radioed for assistance and at least 14 staff members responded.

The incident involving the boy occurred in January, 2013. He had been placed on high suicide alert and had an extra youth worker allocated to support him after attempting suicide five days earlier.

The boy was asked to go to his room and have a shower and refused. A staff member radioed for assistance from other staff, and at least 14 staff members responded.

The report said the boy, who was sitting on a table with his arms folded, did not appear to be abusive or physically threatening, but there was no audio on the CCTV recording.

Staff used physical force to move the boy from the table to the floor, the report said. He was held face down, his hands placed in handcuffs behind his back and his feet in ankle cuffs.

The report said policy states "ankle cuffs are to be used only during a medical emergency leave of absence (ie escort outside of the centre) where handcuffs cannot be applied".

The after-hours on-call manager said the boy "was extremely aggressive". The manager advised that staff should "place him in separation, remove his clothes and leave him with his SR [tear resistant] shorts."

The video footage shows that while being restrained a "centre-issued Hoffman Rescue knife" was used to cut his T-shirt, shorts and underpants off, leaving him naked on the floor. The report said his clothing was removed as it was considered there was a risk he might harm himself with it.



Photo: The boy is placed in a separation cell. Moments later his clothes are removed.

He was left naked for more than an hour in isolation.

"This type of practice is humiliating and has the potential to cause emotional, psychological as well as physical harm to the young person," the Government report said.

The Queensland inspectorate found the force applied to the 17-year-old was a potential breach of the law and could have caused psychological harm to a teenager who was already at high risk of suicide.

It demanded Cleveland conduct an investigation of the incident, but that review never happened because the detention centre said it did not have enough staff to conduct it.

### **'It's disgusting'**

Shayleen Solomon, who knows the boy well, said, "No kid deserves to be treated like that at all, it's disgusting."

She worked at Cleveland Youth Detention Centre and claims she witnessed the same young person being treated with excessive force a year earlier in 2012.

"They had him face down on the ground, trying to put handcuffs on him. You could not move for men. I was kneeling on floor in front of him with my hands underneath his forehead, because he was headbutting the ground, asking them to stop because they were hurting him, and they didn't stop," she said.

"Everybody knew that he was very, very ... he suffered a lot of mental illness. The child came to the detention centre with a lot of trauma, and obviously he was trying to hurt himself as way of speaking out."





Photo: A security dog barks at girls in the swimming pool.

### **Dog used to threaten children**

A 2015 Youth Detention Inspectorate report raised major concerns about the use of private security and guard dogs.

Three Aboriginal girls ran away from staff and jumped into a swimming pool when they were not meant to. One girl refused to get out of the pool.



Photo: The girl is confronted by the unmuzzled dog.

Two private security guards attended the pool with an un-muzzled dog on a long leash. When she wanted to leave the swimming pool, the dog handler released a sufficient length of leash to allow the dog to closely approach the girl "in what would be perceived an aggressive manner and stopped her from withdrawing from the swimming pool", the report said.

At least eight staff were around the pool. The dog was up on its hind legs and barking aggressively at the young girl.

"This type of response is concerning as the security officers have no legal authority to physically touch or restrain a young person who is in the legal custody of the department," the report said.

"There is also a real risk that such security strategies have an adverse effect on staff efforts to build rapport with the children."



**Photo:** Professor Gracelyn Smallwood looks at the images of alleged mistreatment of juvenile offenders.

Nurse Professor Gracelyn Smallwood said people would be horrified by the images.

She used to work at Cleveland and is calling for Queensland to be added to the Royal Commission into Youth Detention in the Northern Territory.

"It's just like normal behaviour for this brutal treatment ... Australians were horrified at Don Dale, they will be doubly horrified at some of the images that 7.30 report showed me today," she said.

Asked if she thinks Queensland should to be added to the Royal Commission, Ms Smallwood said "without a doubt".

"If you would have asked me this question last week I would have said no.

"This has been a mass conspiracy of silence and people at the top who have just shelved these reports need to be dealt with. They need to be taken to task and sacked."

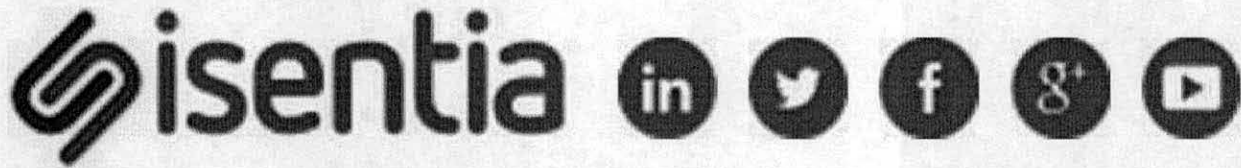
The Queensland Attorney-General Yvette D'Ath has been contacted for comment.

**Topics:** [community-and-society](#), [law-crime-and-justice](#), [townsville-4810](#)

First posted 26 minutes ago

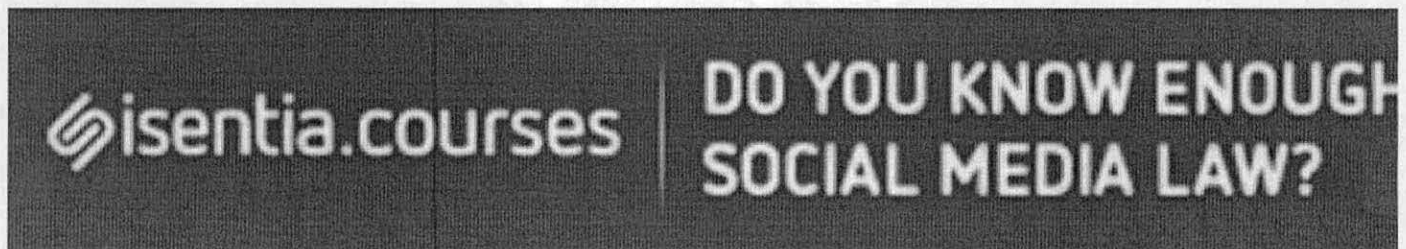
JEN KNIGHT

Account Executive



ASX ISD

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## Geoff Breusch

---

**From:** Media Reporters <mediareporters@premiers.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 7:36 PM  
**To:** External - Media Reporters  
**Subject:** Evening Media Summary (Complete) - Thurs, 18 August 2016  
**Attachments:** EMS (5.00 - 7.30pm) - Thursday 18 August 2016.pdf

Good evening. Please find the complete Evening Media Summary for Thurs, 18th August 2016 below.

+++

For any clips of the below stories, please contact [mediareporters@premiers.qld.gov.au](mailto:mediareporters@premiers.qld.gov.au)

NP\_73(2)



## ABC News Queensland 7:00pm (ABC 1)

**1st Story:** The ABC has obtained 'shocking' images of allegations of mistreatment at a Townsville Youth Detention centre. CCTV footage shows a teenage boy being pinned to the floor, his hands and feet shackled. A State Government report shows a knife was used to cut the boy's clothing off, leaving him naked on the floor. A former youth worker at the centre claims she witnessed other incidents of 'excessive force'. Inspectorate Reports for the Cleveland Youth Detention Centre have been obtained under a right to information by Amnesty International. The Report found this incident was so serious it 'could have breached the law' and ordered a formal review, which never happened due to insufficient resources. In another documented incident, an unmuzzled guard dog was used to intimidate an aboriginal girl, which was found to have breached guidelines. Former inmate NP\_49-Sch4 says he too was a victim of excessive force. He claims he was 'tormented' by guards. Queensland's Attorney-General says she's unable to comment on the fresh allegations, but says any new complaints will be addressed. Townsville elders say multiple complaints about the facility have been 'ignored' and it has been a 'mass conspiracy of silence'. The elders are calling for the Royal Commission into Youth Detention in the Northern Territory to be widened to include Queensland.



**Queensland  
Government**

**Morgan Magee**

Media Reporting Officer, Communication Services

**Strategy and Engagement**

Department of the Premier and Cabinet

P 07 3003 9150 M [NP\\_49-Sch4](#)

Executive Building, Level 2, 100 George Street, Brisbane QLD 4000

PO Box 15185, City East, QLD 4002

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## Geoff Breusch

---

**From:** Geoff Breusch  
**Sent:** Thursday, 18 August 2016 6:34 PM  
**To:** Roger McCarthy; Ron McDonald  
**Cc:** Sean Harvey; Paul Holmes; Tim Goodwin  
**Subject:** RE: Updated general version of response

Fine with me

---

**From:** Roger McCarthy [mailto:Roger.McCarthy@justice.qld.gov.au]  
**Sent:** Thursday, 18 August 2016 6:32 PM  
**To:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>; Geoff Breusch <Geoff.Breusch@ministerial.qld.gov.au>  
**Cc:** Sean Harvey <Sean.Harvey@justice.qld.gov.au>; Paul Holmes <Paul.Holmes@justice.qld.gov.au>; Tim Goodwin <tim.goodwin@justice.qld.gov.au>  
**Subject:** RE: Updated general version of response

Thanks Ron.

Cheers

Roger

Sent from my Windows Phone

---

**From:** Ron McDonald  
**Sent:** 18/08/2016 6:28 PM  
**To:** [Geoff Breusch](#); [Roger McCarthy](#)  
**Cc:** [Sean Harvey](#); [Paul Holmes](#); [Tim Goodwin](#)  
**Subject:** Updated general version of response

Hi guys

Following the late changes to the questions from Michael Atkin at the ABC, I've had to incorporate those into the proposed general response to other media outlets looking for a response. We already have the Courier-Mail and BuzzFeed looking for a statement.

Proposed is:

*Please attribute to a spokesperson for the Department of Justice and Attorney-General:*

The Department is unable to comment on specific cases raised by a media outlet in relation to the Cleveland Youth Detention Centre due to privacy legislation relating to juveniles that is in place to protect young people in the justice system.

In general terms, during the normal course of incidents, young people receive post incident support including discussions with staff about what occurred and whether they feel they were treated appropriately.

All young people are entitled to make a complaint in relation to any incident and those matters are investigated thoroughly.

All complaints are investigated internally and externally to the centre. Where allegations are substantiated, staff involved are disciplined. The Department has a zero tolerance approach towards violence against young people.



Private security dogs were used initially while new buildings were being erected at the Cleveland Youth Detention Centre. The building site contained materials that if not properly secured could have been used as weapons and led to injury to staff and young people. The contract with the security provider was to maintain security around the building site but not to interact with young people.

When Centre Management became aware that private security dogs had been used in an incident relating to young people in a pool in August 2015, a direction was issued by Centre management that they were no longer to use the security dogs.

The use of the dogs had been extended to enable significant works to be carried out on reducing roof access by young people which had previously resulted in significant cost due to damage and risk to young people.

In response to the March 2015 Inspectorate Report, the Centre agreed to remove the use of private security dogs once work on the centre relating to roof access points had been completed because the same risks applied in terms of conducting significant building within a place of detention.

The building work was still ongoing in August 2015 but the dogs were removed at that time following the inappropriate use of the dogs in the pool incident.

The Department invites any young person who has been mistreated in a youth detention centre to provide details of any incident. Again, all complaints are investigated thoroughly and, where allegations are substantiated, staff are disciplined, which may include termination of employment.

ENDS

Regards

Ron

Ron McDonald  
Principal Media Officer  
Communication Services Branch  
Department of Justice and Attorney-General Level 15, State Law Building, 50 Ann St Brisbane  
3247 4436

## Geoff Breusch

---

**From:** Roger McCarthy <Roger.McCarthy@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 6:32 PM  
**To:** Ron McDonald; Geoff Breusch  
**Cc:** Sean Harvey; Paul Holmes; Tim Goodwin  
**Subject:** RE: Updated general version of response

Thanks Ron.

Cheers

Roger

Sent from my Windows Phone

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**Sent:** 18/08/2016 6:28 PM  
**To:** Geoff Breusch; Roger McCarthy  
**Cc:** Sean Harvey; Paul Holmes; Tim Goodwin  
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Regards

Ron

Ron McDonald  
Principal Media Officer  
Communication Services Branch  
Department of Justice and Attorney-General Level 15, State Law Building, 50 Ann St Brisbane  
3247 4436

## Geoff Breusch

---

**From:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 6:29 PM  
**To:** Geoff Breusch; Roger McCarthy  
**Cc:** Sean Harvey; Paul Holmes; Tim Goodwin  
**Subject:** Updated general version of response

Hi guys

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ENDS

Regards

Ron

Ron McDonald  
Principal Media Officer  
Communication Services Branch  
Department of Justice and Attorney-General Level 15, State Law Building, 50 Ann St Brisbane  
3247 4436

## Geoff Breusch

---

**From:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 6:02 PM  
**To:** Geoff Breusch  
**Subject:** RE: Updated responses

No worries, thanks for that...will shoot it off shortly....

---

**From:** Geoff Breusch [mailto:Geoff.Breusch@ministerial.qld.gov.au]  
**Sent:** Thursday, 18 August 2016 5:57 PM  
**To:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Subject:** RE: Updated responses

Slight mods, otherwise good.

---

**From:** Ron McDonald [mailto:Ron.McDonald@justice.qld.gov.au]  
**Sent:** Thursday, 18 August 2016 5:54 PM  
**To:** Geoff Breusch <Geoff.Breusch@ministerial.qld.gov.au>  
**Subject:** Updated responses

What do you think?

**An aboriginal teenage girl was involved in a non-violent incident where she jumped into a swimming pool without permission on 25/8/15. As she was getting out of the pool a guard dog was used to intimidate her and she got back into the pool. Is this treatment of a breach of QLD and UN guidelines on youth detention?**

Private security dogs were used initially while new buildings were being erected at the Cleveland Youth Detention Centre. The building site contained materials that if not properly secured could have been used as weapons and led to injury to staff and young people. The contract with the security provider was to maintain security around the building site but not to interact with young people. When Centre Management became aware that private security dogs had been used in an incident relating to young people in a pool in August 2015, a direction was issued by Centre management that they were no longer to use the security dogs.

The use of the dog had been extended to enable significant works to be carried out on reducing roof access by young people which had previously resulted in significant cost due to damage and risk to young people.

**What action has been taken against the staff and private security guards involved? Why weren't private security guards and dogs withdrawn from Cleveland Youth Detention Centre when this action was first recommended by the Ethical Standards Unit's Youth Detention Inspectorate?**

In response to the March 2015 Inspectorate Report, the Centre agreed to remove the use of private security dogs once work on the centre relating to roof access points had been completed because the same risks applied in terms of conducting significant building within a place of detention.

The building work was still ongoing in August 2015 but the dogs were removed at that time following the inappropriate use of the dogs in the pool incident.

Cheers

Ron

Ron McDonald  
Principal Media Officer  
Communication Services Branch  
Department of Justice and Attorney-General Level 15, State Law Building, 50 Ann St Brisbane  
3247 4436

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## Geoff Breusch

---

**From:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 5:20 PM  
**To:** Geoff Breusch  
**Subject:** Updated version  
**Attachments:** JAG-#3381345-v1-Draft\_media\_response\_CYDC\_allegation\_7\_30\_Report\_18082016.DOC

Hi Geoff

Updated version...

Ron McDonald  
Principal Media Officer  
Communication Services Branch  
Department of Justice and Attorney-General Level 15, State Law Building, 50 Ann St Brisbane  
3247 4436



## Geoff Breusch

---

**From:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 4:43 PM  
**To:** Geoff Breusch  
**Subject:** FYI - 20160818\_Media\_Response\_YJ\_Incidents\_ABC  
**Attachments:** JAG-#3381474-v1-20160818\_Media\_Response\_YJ\_Incidents\_ABC.docx

Hi again Geoff

This one is an abbreviated version of the full response to the ABC, which has been requested by other media outlets after reading the ABC promos. Any issues?

Thanks

Ron

Ron McDonald  
Principal Media Officer  
Communication Services Branch  
Department of Justice and Attorney-General Level 15, State Law Building, 50 Ann St Brisbane  
3247 4436

## Geoff Breusch

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**From:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 4:40 PM  
**To:** Geoff Breusch  
**Subject:** Draft media response\_CYDC allegation\_7.30 Report\_18082016  
**Attachments:** JAG-#3381345-v1-Draft\_media\_response\_CYDC\_allegation\_7\_30\_Report\_18082016.DOC

Hi Geoff

Edited version of Sean's previous response, with tracked changes, that has been endorsed by everyone here. Are you okay with it?

Thanks

Ron

Ron McDonald  
Principal Media Officer  
Communication Services Branch  
Department of Justice and Attorney-General Level 15, State Law Building, 50 Ann St Brisbane  
3247 4436

## Geoff Breusch

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**From:** Geoff Breusch  
**Sent:** Thursday, 18 August 2016 3:39 PM  
**To:** @Premiers Media  
**Subject:** FW: Amnesty International release - Cleveland

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**From:** Tim Goodwin [mailto:tim.goodwin@justice.qld.gov.au]  
**Sent:** Thursday, 18 August 2016 3:37 PM  
**To:** Media Relations <Media.relations@justice.qld.gov.au>; Geoff Breusch <Geoff.Breusch@ministerial.qld.gov.au>; Roger McCarthy <Roger.McCarthy@justice.qld.gov.au>; Sean Harvey <Sean.Harvey@justice.qld.gov.au>  
**Subject:** Amnesty International release - Cleveland

FYI for those who haven't seen it, this is the Amnesty International release regarding the inspection reports.

## Secret documents reveal culture of abuse in Queensland juvenile detention

18 August 2016, 01:55PM

Australia urgently needs an independent investigator for all places of detention, said Amnesty International today, after uncovering over 1,000 pages of documents detailing abuse and mistreatment against children in detention in Queensland.

### Abuse and secrecy

"We've shone a light into the dark corners of these detention centres, and found a culture of abuse and secrecy going back many years," said Roxanne Moore, Indigenous Rights Campaigner at Amnesty International Australia.

"It shouldn't take the probing of an international human rights organisation for the public to hear about terrible abuses suffered by children in detention."

"This culture of secrecy has existed for many years, through successive governments. The problem is systemic and goes beyond politics. Queensland kids need bipartisan support to create a more humane and preventative justice system, focused on rehabilitating vulnerable children, rather than further traumatising them," said Roxanne Moore.

### Brutal response

The documents include incidents at Townsville's Cleveland Youth Detention Centre (CYDC) and Brisbane Youth Detention Centre (BYDC) from 2010 to 2015. On an average day in 2015, 89 per cent of children in CYDC were Aboriginal and Torres Strait Islander.

One incident at CYDC in January 2013 involved a 17-year-old boy identified as being at a high suicide risk. When he refused to return to his room and sat on a bench with his arms folded, 14 staff responded to the situation. Several staff members held him down on the floor, putting him in handcuffs and legcuffs. They

then took the child to a tiny isolation cell where they cut his clothing and underpants off with a knife. The boy was left naked in the cell for over an hour, before being given a gown to wear.

Despite the brutal nature of this event, it was not reported as an 'incident of concern'. An internal review was not held immediately afterwards because the child himself did not make a complaint. The inspectorate later recommended an internal review, but the documents do not say if it was carried out.

"This case demonstrates both the failure of care for vulnerable children, and the lack of accountability in the detention system," said Roxanne Moore.

"It should not be left to a traumatised, suicidal boy to report the abuse carried out against him, in order for people to be held responsible for serious violations against a child in their care."

**Other incidents outlined in the documents include:**

- Use of dogs. In 2014, a child on a roof threatened to self-harm or suicide by hanging. A security guard and his dog were deployed to the scene, which was found to increase the young person's anxiety. In August 2015, a guard allowed an un-muzzled dog to approach an Indigenous girl in an "aggressive manner" while she was attempting to get out of a pool. Amnesty International has documented the use of dogs to instil fear into prisoners as a torture method used around the world.
- Solitary confinement. In March 2012 eight Indigenous children were held in isolation for 10 days in "near-continuous cell confinement" (approximately 22 hours a day). For the first two days of isolation, they were not allowed to leave their rooms at all.
- Frequent attempts at self harm or suicide, particularly at CYDC. According to the documents, last year saw 31 incidents of children in CYDC attempting suicide by "tying ligatures around their necks". This number rose from 20 instances at CYDC in 2014.
- Excessive use of force. For example, in 2010 at CYDC there were four incidents when children suffered fractured wrists as a result of control and restraint techniques.
- Partially clothed searches, during which children were asked to squat, with young girls asked to lift their breasts and young boys to lift their genitals prior to squatting - despite practices of squatting and lifting being prohibited in adult prisons.

Amnesty International is calling for an independent body to be appointed, entirely separate from the Queensland Government, to investigate all allegations of abuse in detention and make public the findings.

Any staff suspected of being involved in abuse should be suspended until investigations are completed.

The Federal Government must ensure independent oversight mechanisms are established in every State and Territory, by immediately ratifying the Optional Protocol to the Convention Against Torture.

"No more secrecy, no more sweeping it under the carpet. We've seen abuses happening in Northern Territory detention, now we've seen them in Queensland - we know it's happening everywhere. It's time to turn the spotlight into places of detention across Australia, so these abuses never happen again," said Roxanne Moore.

<http://www.amnesty.org.au/news/comments/42359/>

**Tim Goodwin**

Manager, Media Relations

Communication Services Branch | Department of Justice and Attorney-General

Media inquiries: 3008 8765 | E: [media.relations@justice.qld.gov.au](mailto:media.relations@justice.qld.gov.au)

**From:** Tim Goodwin <tim.goodwin@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 3:37 PM  
**To:** Media Relations; Geoff Breusch; Roger McCarthy; Sean Harvey  
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## Geoff Breusch

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**From:** Michael Atkin <Atkin.Michael@abc.net.au>  
**Sent:** Thursday, 18 August 2016 2:58 PM  
**To:** Geoff Breusch  
**Subject:** RE: ABC 7.30 request for statement by 4pm today

Thanks Geoff

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**From:** Geoff Breusch [mailto:Geoff.Breusch@ministerial.qld.gov.au]  
**Sent:** Thursday, 18 August 2016 2:55 PM  
**To:** Michael Atkin  
**Subject:** RE: ABC 7.30 request for statement by 4pm today

Hi Michael,

As much as they can, the Department are going to send a response addressing the specific of these.

In addition, this is attributable to the AG – and I am sending it to Ben Millington as well.

I want to be very clear – what we saw in the Northern Territory was appalling. I note that tear gas, spit hoods and mechanical chairs are not used in Queensland.

Queensland's Youth Justice system is administered under the portfolio of the Attorney-General rather than through prisons.

It employs specialist staff across an array of professional skills whose focus is to help address the wide variety of issues that are typically faced by children who find themselves involved in the youth Justice system.

Another fundamental difference between what has been revealed in the Northern Territory and how youth justice is operated in Queensland is that in Queensland all the allegations that have been put to the department over a number of years have been thoroughly investigated and referred to police or other investigative bodies where appropriate.

Incidents have been detailed in reports, and recommendations have been made for reform and been put into action.

When problems have been identified over the years, those problems have been addressed through changes to policies and procedures.

This has also seen dismissal of staff where inappropriate behaviour was identified.

As Attorney I cannot respond to the details of each and every individual matter, because the Youth Justice Act specifically prohibits the disclosure of details about individual young people who are in, or have been, in Youth Detention Centres – regardless of whether they are now adults.

However, if there are any allegations that have not been investigated fully or new allegations that are being brought forward, I welcome people to make a complaint and those details will be addressed in a transparent and appropriate manner.

In addition, if permission is given by individuals to discuss their particular matters, I would be in a position to discuss details of a particular matter in more detail. Unless that occurs, I am restricted from discussing details by the Youth Justice Act – restrictions that are in place to protect the privacy and interests of the young people themselves.

I believe it is important that as public officials we should all be mindful of the rhetoric and public debate about crime, young people and the myriad of challenges facing them and the broader community.

The increasingly damaging rhetoric we see in some corners dehumanises and marginalises young people and is one element of the public debate that can and should be addressed.

This government is committed to youth justice policy that is based on evidence. We want to provide the education, training, trauma care and support that is required to turn the lives of these young people around, help them contribute in years to come and in doing so help deliver a safer community for everyone.

---

**From:** Michael Atkin [<mailto:Atkin.Michael@abc.net.au>]  
**Sent:** Thursday, 18 August 2016 11:29 AM  
**To:** Geoff Breusch <[Geoff.Breusch@ministerial.qld.gov.au](mailto:Geoff.Breusch@ministerial.qld.gov.au)>  
**Subject:** ABC 7.30 request for statement by 4pm today  
**Importance:** High

Hi Geoff,

Please provide a response to the following by 4pm today:

A 17 year old boy was placed in hand cuffs and ankle cuffs following a code yellow on 20/1/13 in Heron unit. He was deemed at high risk of suicide. A knife is used to cut off his clothing and he is placed in isolation and left naked for over an hour without a mattress, pillow or suicide resistant bedding. Is this treatment of the young person a breach of QLD guidelines on youth detention?

The Ethical Standards Unit's Youth Detention Inspectorate requested Cleveland conduct an internal review but this was never conducted. Why wasn't this done when it was a recommendation of the unit?

What action has been taken against staff involved in this incident?

Nobody has ever asked the boy in this incident for his version of events. Why not?

Former youth worker Shayleen Solomon claims she saw this same boy treated with excessive force on 12/3/12 and registered her concern during a staff debrief into the incident. What action was taken after this incident by Cleveland Youth Detention Centre?

An aboriginal teenage girl was involved in a non-violent incident where she jumped into a swimming pool without permission on 25/8/15. As she was getting out of the pool a guard dog was used to intimidate her and she got back into the pool. Is this treatment of a breach of QLD and UN guidelines on youth detention?

What action has been taken against the staff and private security guards involved?

Why weren't private security guards and dogs withdrawn from Cleveland Youth Detention Centre when this action was first recommended by the Ethical Standards Unit's Youth Detention Inspectorate?

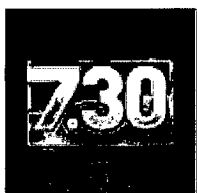
Professor Gracelyn Smallwood claims she attended an open day at Cleveland Youth Detention Centre during NAIDOC week this year. She claims she saw a young boy treated with excessive force being brought down by staff on concrete and made a complaint to management of the centre. What action has been taken over this incident?

7.30 has spoken with [NP\\_49-Sch4](#) who claims he was subject to excessive force in 2013.  is now 21 years old and no longer in detention. He claims a youth worker restrained him, placed a tshirt over his head and drove his head repeatedly into concrete leaving him with facial bruising and cuts. Will the Department investigate this incident?

There are now calls for Queensland to be added to the Royal Commission into Youth Detention in the Northern Territory. Does the QLD government support this call?

I can be contacted on the numbers below should you require more information.

Kind regards,



Michael Atkin  
Reporter, 7.30

P 07 3377 5118

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## Geoff Breusch

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**From:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 2:59 PM  
**To:** Geoff Breusch  
**Subject:** RE: ABC 7.30 request for statement by 4pm today

Thanks Geoff...working on it now..

Cheers

Ron

---

**From:** Geoff Breusch [mailto:Geoff.Breusch@ministerial.qld.gov.au]  
**Sent:** Thursday, 18 August 2016 2:49 PM  
**To:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Cc:** Tim Goodwin <tim.goodwin@justice.qld.gov.au>  
**Subject:** FW: ABC 7.30 request for statement by 4pm today

Hi Ron,

Further to our conversation, do you want to adjust this in the manner you normally would?

A couple of observations on a first pass – the second answer makes a few assumptions that we might need to look at.

In the one about why the dog stayed after the first incident – if it was because it was ONLY to be guarding the construction site, and was removed when it again went near young people, I think that needs to be very clear.

FYI, the following response will be going out from the AG in addition.

I want to be very clear – what we saw in the Northern Territory was appalling. I note that tear gas, spit hoods and mechanical chairs are not used in Queensland.

Queensland's Youth Justice system is administered under the portfolio of the Attorney-General rather than through prisons.

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---

**From:** Sean Harvey [<mailto:Sean.Harvey@justice.qld.gov.au>]

**Sent:** Thursday, 18 August 2016 12:51 PM

**To:** Geoff Breusch <[Geoff.Breusch@ministerial.qld.gov.au](mailto:Geoff.Breusch@ministerial.qld.gov.au)>; David Mackie (Justice) <[david.mackie@justice.qld.gov.au](mailto:david.mackie@justice.qld.gov.au)>; [adam.golebiowski@justice.qld.gov.au](mailto:adam.golebiowski@justice.qld.gov.au); Tim Goodwin <[tim.goodwin@justice.qld.gov.au](mailto:tim.goodwin@justice.qld.gov.au)>

**Cc:** [Adam.Golebiowski@justice.qld.gov.au](mailto:Adam.Golebiowski@justice.qld.gov.au); Tim Goodwin ([Tim.Goodwin@justice.qld.gov.au](mailto:Tim.Goodwin@justice.qld.gov.au)) <[Tim.Goodwin@justice.qld.gov.au](mailto:Tim.Goodwin@justice.qld.gov.au)>; Roger McCarthy <[Roger.McCarthy@justice.qld.gov.au](mailto:Roger.McCarthy@justice.qld.gov.au)> ([Roger.McCarthy@justice.qld.gov.au](mailto:Roger.McCarthy@justice.qld.gov.au)) <[Roger.McCarthy@justice.qld.gov.au](mailto:Roger.McCarthy@justice.qld.gov.au)>

**Subject:** RE: ABC 7.30 request for statement by 4pm today

Response:

**A 17 year old boy was placed in hand cuffs and ankle cuffs following a code yellow on 20/1/13 in Heron unit. He was deemed at high risk of suicide. A knife is used to cut off his clothing and he is placed in isolation and left naked for over an hour without a mattress, pillow or suicide resistant bedding. Is this treatment of the young person a breach of QLD guidelines on youth detention?**

The Department is unable to comment on specific matters. However, when a young person's behaviour is extremely heightened, or they become abusive or threatening self-harm, the previous policy related to isolating the young person and removing clothing that could be used for self-harm. At that time, clothes were removed as young people would make ligatures from shirts. In February 2013, the policy relating to suicide risk were enhanced by limiting the invasive methods used to remove clothing and other aspects surrounding a young person attempting to harm themselves.

**The Ethical Standards Unit's Youth Detention Inspectorate requested Cleveland conduct an internal review but this was never conducted. Why wasn't this done when it was a recommendation of the unit?**

**What action has been taken against staff involved in this incident?**

All incidents are reviewed and analysed as matter of practice including de-briefing with staff regarding actions taken when incidents occur. As mentioned, in February 2013, the policy relating to suicide risk was enhanced by limiting the invasive methods used to remove clothing and other aspects surrounding a young person attempting to harm themselves. In terms of any action against staff, staff would have acted within the appropriate guidelines and departmental requirements at the time. All young people are entitled to make a complaint in relation to any incident and those matters are investigated thoroughly.

**Nobody has ever asked the boy in this incident for his version of events. Why not?**

During the normal course of incidents, young people receive post incident support including discussions with staff about what occurred and whether they feel they were treated appropriately.

**Former youth worker Shayleen Solomon claims she saw this same boy treated with excessive force on 12/3/12 and registered her concern during a staff debrief into the incident. What action was taken after this incident by Cleveland Youth Detention Centre?**

Again, the Department cannot comment on specific matters or incidents. However, all complaints are investigated thoroughly both internally and externally to the centre, where evidence has been gathered and the allegations

substantiated, the staff involved are disciplined. The Department has a zero tolerance towards violence against young people.

**An aboriginal teenage girl was involved in a non-violent incident where she jumped into a swimming pool without permission on 25/8/15. As she was getting out of the pool a guard dog was used to intimidate her and she got back into the pool. Is this treatment of a breach of QLD and UN guidelines on youth detention?**

When Centre Management became aware that private security dogs were being used in incidents with young people, a direction was issued by Centre management that they were no longer to use the security dogs. This is no longer the practice in detention centres. Private security dogs were used only to maintain security when capital works were being done on Centre and to safely maintain building material on site.

**What action has been taken against the staff and private security guards involved? Why weren't private security guards and dogs withdrawn from Cleveland Youth Detention Centre when this action was first recommended by the Ethical Standards Unit's Youth Detention Inspectorate?**

In March 2015, the Inspectors recommended the removal of the private security dogs. The Centre agreed to remove the use of private security dogs following the completion of work in the centre relating to roof access points. There had been continual roof incident at the Centre which resulted in large amounts of property damage and injury to staff and young people. The use of the dog at the time of construction was to limit the possibility of young people accessing construction material which might lead to riots and injury to staff and young people.

**Professor Gracelyn Smallwood claims she attended an open day at Cleveland Youth Detention Centre during NAIDOC week this year. She claims she saw a young boy treated with excessive force being brought down by staff on concrete and made a complaint to management of the centre. What action has been taken over this incident?**  
Again, the Department cannot comment on specific incidents. At times, when young people are at events held at the Centre, there can be issues for young people and in some cases that can mean young people will find the opportunity to abscond from youth workers due to the number of people in the Centre. When young people's behaviour becomes heightened including violence or spitting on youth workers, force is at times used which is authorised and justified. Staff are trained to use force as a last resort and appropriate to the risk.

**7.30 has spoken with NP\_49-Sch4 who claims he was subject to excessive force in 2013. [redacted] is now 21 years old and no longer in detention. He claims a youth worker restrained him, placed a tshirt over his head and drove his head repeatedly into concrete leaving him with facial bruising and cuts. Will the Department investigate this incident?**

Again, the Department cannot comment on specific incidents. The Department invites any young person who has been mistreated in a youth detention centre to provide details of any incident. Again, all complaints are investigated thoroughly and where allegations are substantiated, staff are disciplined which may include termination of employment.

**There are now calls for Queensland to be added to the Royal Commission into Youth Detention in the Northern Territory. Does the QLD government support this call?**

The terms of the proposed Royal Commission are a matter for the Federal Government, and should it seek to widen those to other jurisdictions the Department will cooperate fully.

Sean Harvey | Assistant Director-General  
Youth Justice | [Department of Justice and Attorney-General](#)

Level 25, State Law Building, 50 Ann Street, Brisbane QLD 4000  
T: 07 3225 2035 | M: [redacted] | E: [sean.harvey@justice.qld.gov.au](mailto:sean.harvey@justice.qld.gov.au)

**Youth Justice** Work together... Act early... Support change...

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**From:** Geoff Breusch [<mailto:Geoff.Breusch@ministerial.qld.gov.au>]  
**Sent:** Thursday, 18 August 2016 11:43 AM  
**To:** Sean Harvey; David Mackie (Justice); [adam.golebiowski@justice.qld.gov.au](mailto:adam.golebiowski@justice.qld.gov.au); Tim Goodwin  
**Subject:** FW: ABC 7.30 request for statement by 4pm today  
**Importance:** High

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**Sent:** Thursday, 18 August 2016 11:29 AM  
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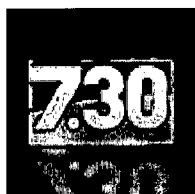
Professor Gracelyn Smallwood claims she attended an open day at Cleveland Youth Detention Centre during NAIDOC week this year. She claims she saw a young boy treated with excessive force being brought down by staff on concrete and made a complaint to management of the centre. What action has been taken over this incident?

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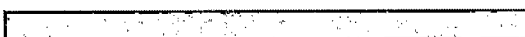
There are now calls for Queensland to be added to the Royal Commission into Youth Detention in the Northern Territory. Does the QLD government support this call?

I can be contacted on the numbers below should you require more information.

Kind regards,



Michael Atkin  
Reporter, 7.30



P 07 3377 5118  
T @michaelatkin  
F facebook.com/ABC730

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## Geoff Breusch

---

**From:** Geoff Breusch  
**Sent:** Thursday, 18 August 2016 1:54 PM  
**To:** Kirby Anderson  
**Subject:** RE: Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

Just went to see Kerryn about this. Formulating response now

---

**From:** Kirby Anderson  
**Sent:** Thursday, 18 August 2016 1:32 PM  
**To:** Geoff Breusch <Geoff.Breusch@ministerial.qld.gov.au>  
**Subject:** FW: Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

You around in the office at Parliament House? Kirby

---

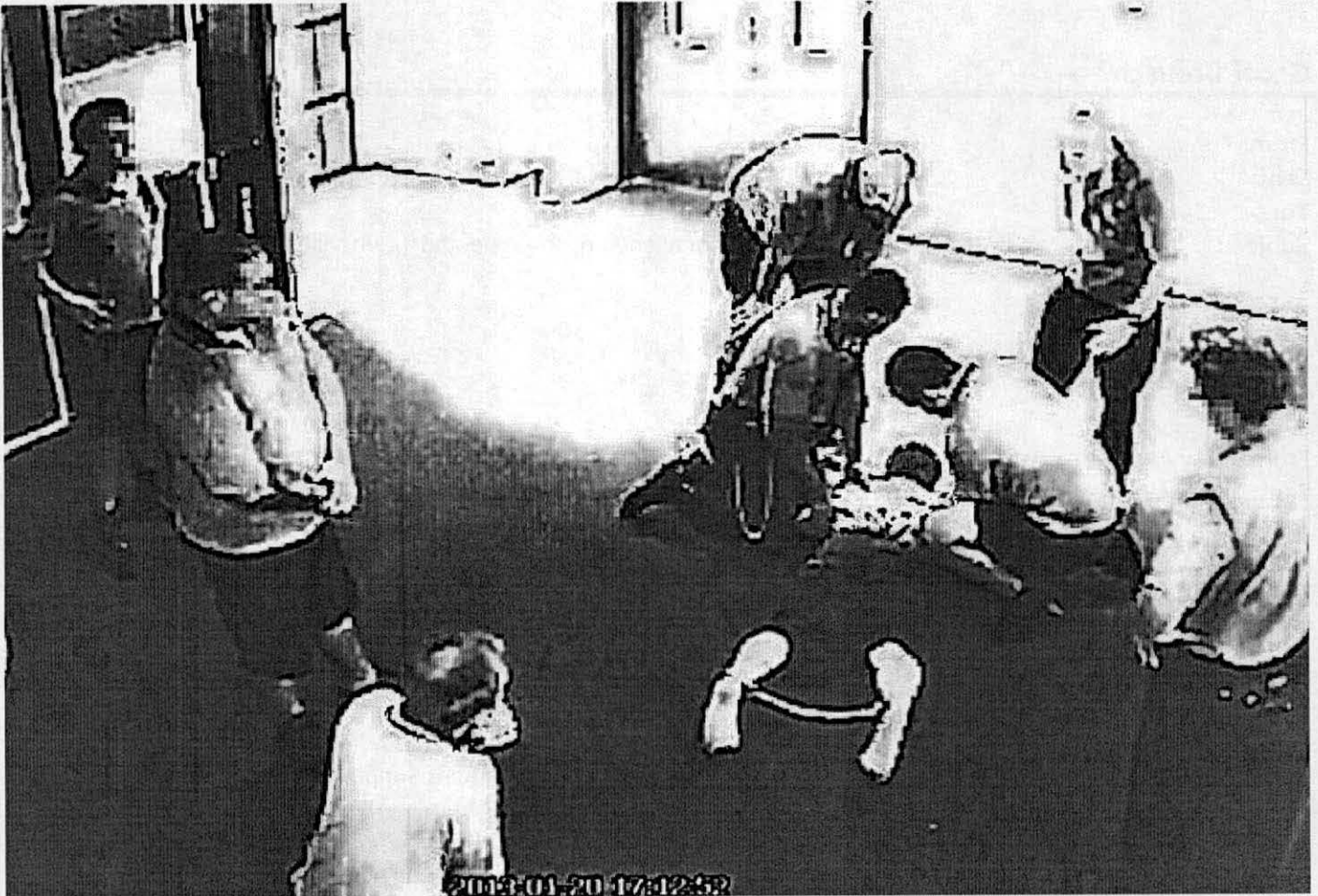
**From:** Brendon Strong  
**Sent:** Thursday, 18 August 2016 1:31 PM  
**To:** @Premiers Media <premiers.media@ministerial.qld.gov.au>; @Parliament Support <parliamentsupport@min.internal>; Fiona McNamara <Fiona.McNamara@ministerial.qld.gov.au>; Geoff Breusch <Geoff.Breusch@ministerial.qld.gov.au>  
**Subject:** Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

## Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

7.30

By [Michael Atkin](#) and [Sarah Whyte](#)

Updated 7 minutes ago Thu 18 Aug 2016, 1:22pm



**Photo:** The boy, 17, is placed in handcuffs and ankle cuffs in Cleveland Youth Detention Centre.

**Related Story:** [Former Cleveland inmate tells of frequent bashings, racial abuse by guards](#)

**Map:** [Townsville 4810](#)

Images of alleged mistreatment at Townsville's Cleveland Youth Detention Centre have emerged, prompting calls for the royal commission into Northern Territory juvenile detention to be extended to Queensland.

One series of CCTV images obtained exclusively by 7.30 shows a boy, 17, being held face down by five adults. He was handcuffed, ankle-cuffed, stripped naked then left alone in isolation for more than an hour.

The incident was prompted by the boy refusing to have a shower.

Images from another incident caught on CCTV footage show a girl in a swimming pool being threatened by security guards with an un-muzzled dog.

The disturbing images are contained within internal Government reports written in 2013 and 2015 by the Queensland Government's own Youth Detention Inspectorate.

Amnesty International received the reports under Freedom of Information laws.

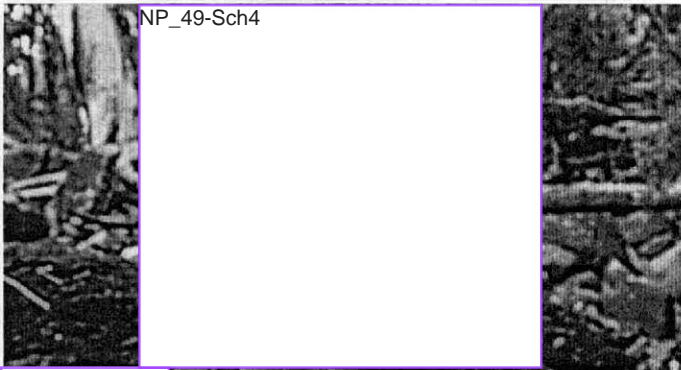
**Do you know more about this story? Email [7.30syd@your.abc.net.au](mailto:7.30syd@your.abc.net.au)**

**'THIS TYPE OF PRACTICE IS HUMILIATING'**

The incident involving the boy occurred in January, 2013. He had been placed on high suicide alert and had an extra youth worker allocated to support him after attempting suicide five days earlier.

**GUARD 'SPAT IN INMATE'S FOOD'**





17, says he was the victim of regular violent "takedowns", as well as mental abuse, while inside the Cleveland Youth Detention Centre.

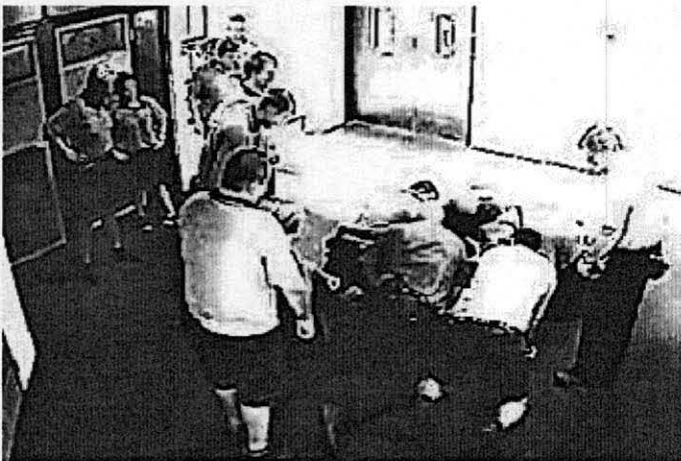
The boy was asked to go to his room and have a shower and refused. A staff member radioed for assistance from other staff, and at least 14 staff members responded.

The report said the boy, who was sitting on a table with his arms folded, did not appear to be abusive or physically threatening, but there was no audio on the CCTV recording.

Staff used physical force to move the boy from the table to the floor, the report said. He was held face down, his hands placed in handcuffs behind his back and his feet in ankle cuffs.

The report said policy states "ankle cuffs are to be used only during a medical emergency leave of absence (ie escort outside of the centre) where handcuffs cannot be applied".

The after-hours on-call manager said the boy "was extremely aggressive". The manager advised that staff should "place him in separation, remove his clothes and leave him with his SR [tear resistant] shorts."



**Photo:** When the boy refused to have a shower a staff member radioed

for assistance and at least 14 staff members responded.

The video footage shows that while being restrained a "centre-issued Hoffman Rescue knife" was used to cut his T-shirt, shorts and underpants off, leaving him naked on the floor. The report said his clothing was removed as it was considered there was a risk he might harm himself with it.

He was left naked for more than an hour in isolation.

"This type of practice is humiliating and has the potential to cause emotional, psychological as well as physical harm to the young person," the Government report said.



**Photo:** The boy is placed in a separation cell. Moments later his clothes

are removed.

The Queensland inspectorate found the force applied to the 17-year-old was a potential breach of the law and could have caused psychological harm to a teenager who was already at high risk of suicide.

It demanded Cleveland conduct an investigation of the incident, but that review never happened because the detention centre said it did not have enough staff to conduct it.

### **'IT'S DISGUSTING'**

Shayleen Solomon, who knows the boy well, said, "No kid deserves to be treated like that at all, it's disgusting."

She worked at Cleveland Youth Detention Centre and claims she witnessed the same young person being treated with excessive force a year earlier in 2012.

"They had him face down on the ground, trying to put handcuffs on him. You could not move for men. I was kneeling on floor in front of him with my hands underneath his forehead, because he was headbutting the ground, asking them to stop because they were hurting him, and they didn't stop," she said.

"Everybody knew that he was very, very ... he suffered a lot of mental illness. The child came to the detention centre with a lot of trauma, and obviously he was trying to hurt himself as way of speaking out."

### **DOG USED TO THREATEN CHILDREN**

A 2015 Youth Detention Inspectorate report raised major concerns about the use of private security and guard dogs.

Three Aboriginal girls ran away from staff and jumped into a swimming pool when they were not meant to. One girl refused to get out of the pool.



**Photo:** A security dog barks at girls in the swimming pool.

Two private security guards attended the pool with an un-muzzled dog on a long leash. When she wanted to leave the swimming pool, the dog handler released a sufficient length of leash to allow the dog to closely approach the girl "in what would be perceived an aggressive manner and stopped her from withdrawing from the swimming pool", the report said.

At least eight staff were around the pool. The dog was up on its hind legs and barking aggressively at the young girl.



**Photo:** The girl is confronted by the unmuzzled dog.

"This type of response is concerning as the security officers have no legal authority to physically touch or restrain a young person who is in the legal custody of the department," the report said.

"There is also a real risk that such security strategies have an adverse effect on staff efforts to build rapport with the children."

## **CALL TO INCLUDE CLEVELAND IN ROYAL COMMISSION**



**Photo:** Professor Gracelyn Smallwood looks at the images of alleged

mistreatment of juvenile offenders.

Nurse Professor Gracelyn Smallwood said people would be horrified by the images.

She used to work at Cleveland and is calling for Queensland to be added to the Royal Commission into Youth Detention in the Northern Territory.

"It's just like normal behaviour for this brutal treatment ... Australians were horrified at Don Dale, they will be doubly horrified at some of the images that 7.30 report showed me today," she said.

Asked if she thinks Queensland should to be added to the Royal Commission, Ms Smallwood said "without a doubt".

"If you would have asked me this question last week I would have said no.

"This has been a mass conspiracy of silence and people at the top who have just shelved these reports need to be dealt with. They need to be taken to task and sacked."

The Queensland Attorney-General Yvette D'Ath has been contacted for comment.

<http://www.abc.net.au/news/2016-08-18/images-of-alleged-mistreatment-cleveland-youth-detention-centre/7758204>

## Geoff Breusch

---

**From:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 1:36 PM  
**To:** Geoff Breusch  
**Subject:** FW: Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre  
**Attachments:** image001.jpg; image002.jpg; image003.jpg; image004.jpg; image005.jpg; image006.jpg; image014.jpg

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**From:** Jen Knight [mailto:jen.knight@isentia.com]  
**Sent:** Thursday, 18 August 2016 1:23 PM  
**To:** Ron McDonald <Ron.McDonald@justice.qld.gov.au>  
**Cc:** QLD <qld@isentia.com>  
**Subject:** Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

Hi Ron,

FYI on the story below, we suspect this might run on the 7:30 report tonight. Do let us know if you wish to tee up a video copy of this one

Kind regards

Jen

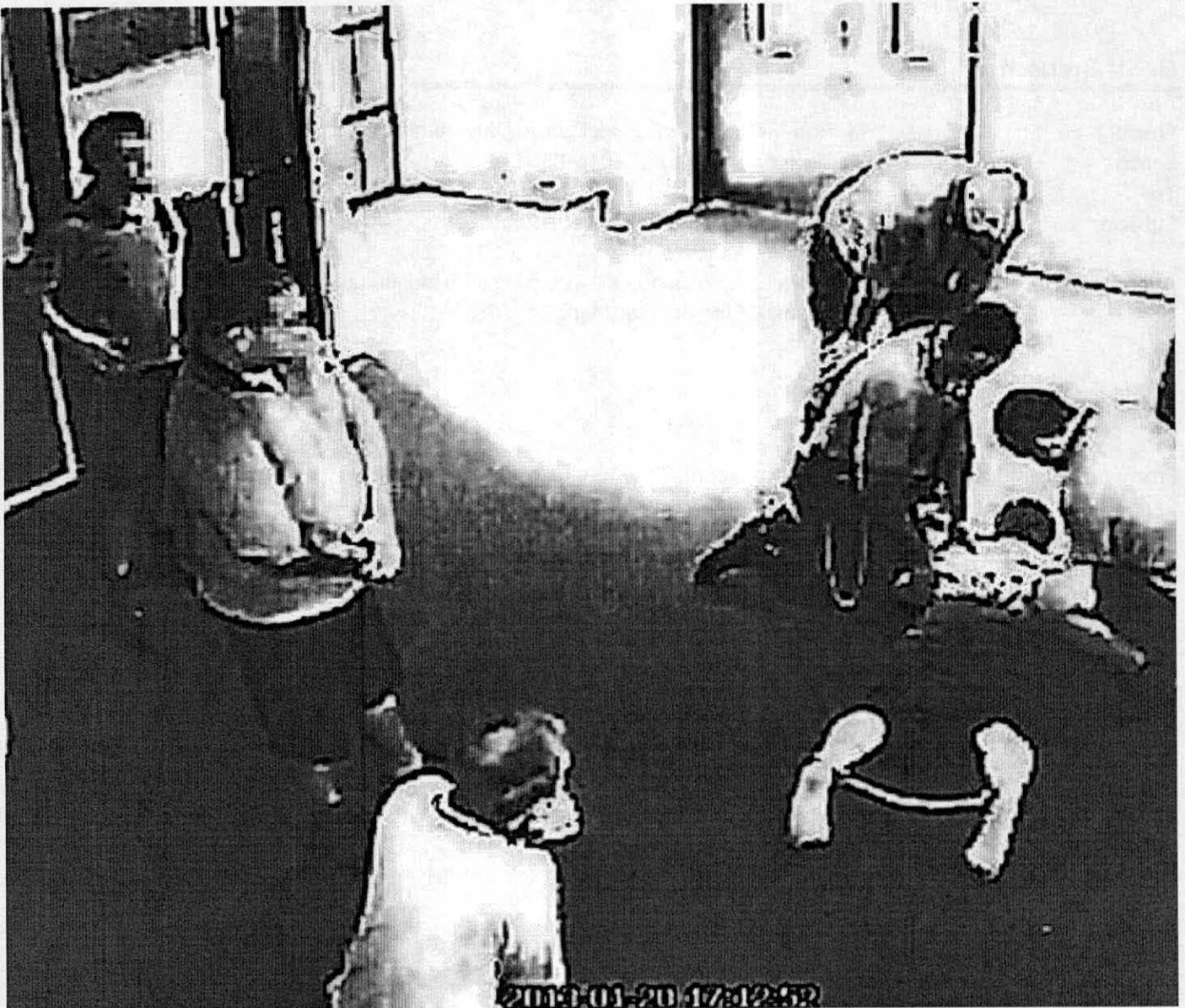
### Images emerge of alleged mistreatment at Townsville's Cleveland Youth Detention Centre

"The Queensland Attorney-General Yvette D'Ath has been contacted for comment."

7.30 By Michael Atkin and Sarah Whyte

Updated 7 minutes ago First posted 26 minutes ago

<http://www.abc.net.au/news/2016-08-18/images-of-alleged-mistreatment-cleveland-youth-detention-centre/7758204>



**Photo:** The boy, 17, is placed in handcuffs and ankle cuffs in Cleveland Youth Detention Centre.

**Map:** [Townsville 4810](#)

Images of alleged mistreatment at Townsville's Cleveland Youth Detention Centre have emerged, prompting calls for the royal commission into Northern Territory juvenile detention to be extended to Queensland.

One series of CCTV images obtained exclusively by 7.30 shows a boy, 17, being held face down by five adults. He was handcuffed, ankle-cuffed, stripped naked then left alone in isolation for more than an hour.

The incident was prompted by the boy refusing to have a shower.

Images from another incident caught on CCTV footage show a girl in a swimming pool being threatened by security guards with an un-muzzled dog.

The disturbing images are contained within internal Government reports written in 2013 and 2015 by the Queensland Government's own Youth Detention Inspectorate.

Amnesty International received the reports under Freedom of Information laws.

**Do you know more about this story? Email [7.30syd@your.abc.net.au](mailto:7.30syd@your.abc.net.au)**

**'This type of practice is humiliating'**

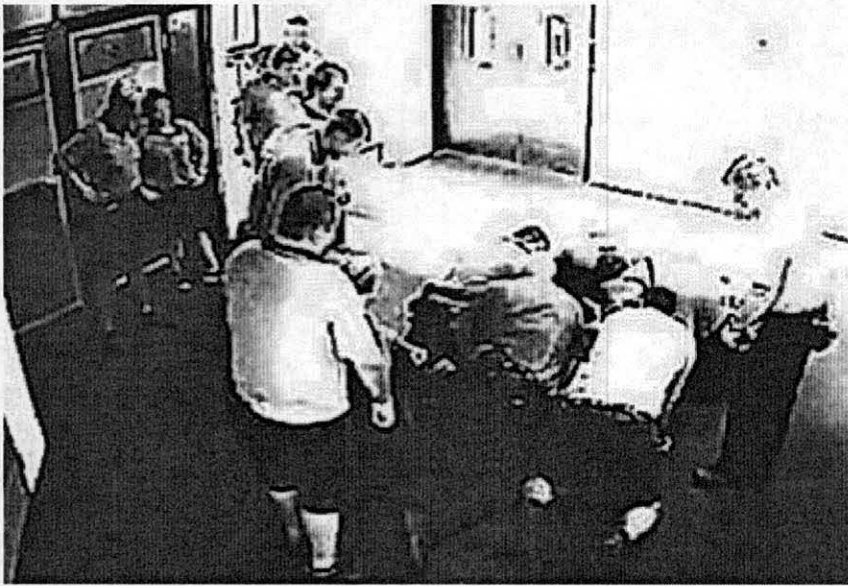


Photo: When the boy refused to have a shower a staff member radioed for assistance and at least 14 staff members responded.

The incident involving the boy occurred in January, 2013. He had been placed on high suicide alert and had an extra youth worker allocated to support him after attempting suicide five days earlier.

The boy was asked to go to his room and have a shower and refused. A staff member radioed for assistance from other staff, and at least 14 staff members responded.

The report said the boy, who was sitting on a table with his arms folded, did not appear to be abusive or physically threatening, but there was no audio on the CCTV recording.

Staff used physical force to move the boy from the table to the floor, the report said. He was held face down, his hands placed in handcuffs behind his back and his feet in ankle cuffs.

The report said policy states "ankle cuffs are to be used only during a medical emergency leave of absence (ie escort outside of the centre) where handcuffs cannot be applied".

The after-hours on-call manager said the boy "was extremely aggressive". The manager advised that staff should "place him in separation, remove his clothes and leave him with his SR [tear resistant] shorts."

The video footage shows that while being restrained a "centre-issued Hoffman Rescue knife" was used to cut his T-shirt, shorts and underpants off, leaving him naked on the floor. The report said his clothing was removed as it was considered there was a risk he might harm himself with it.



Photo: The boy is placed in a separation cell.

Moments later his clothes are removed.

He was left naked for more than an hour in isolation.

"This type of practice is humiliating and has the potential to cause emotional, psychological as well as physical harm to the young person," the Government report said.

The Queensland inspectorate found the force applied to the 17-year-old was a potential breach of the law and could have caused psychological harm to a teenager who was already at high risk of suicide.

It demanded Cleveland conduct an investigation of the incident, but that review never happened because the detention centre said it did not have enough staff to conduct it.

### **'It's disgusting'**

Shayleen Solomon, who knows the boy well, said, "No kid deserves to be treated like that at all, it's disgusting."

She worked at Cleveland Youth Detention Centre and claims she witnessed the same young person being treated with excessive force a year earlier in 2012.

"They had him face down on the ground, trying to put handcuffs on him. You could not move for men. I was kneeling on floor in front of him with my hands underneath his forehead, because he was headbutting the ground, asking them to stop because they were hurting him, and they didn't stop," she said.

"Everybody knew that he was very, very ... he suffered a lot of mental illness. The child came to the detention centre with a lot of trauma, and obviously he was trying to hurt himself as way of speaking out."





Photo: A security dog barks at girls in the swimming pool.

#### **Dog used to threaten children**

A 2015 Youth Detention Inspectorate report raised major concerns about the use of private security and guard dogs.

Three Aboriginal girls ran away from staff and jumped into a swimming pool when they were not meant to. One girl refused to get out of the pool.



Photo: The girl is confronted by the

unmuzzled dog.

Two private security guards attended the pool with an un-muzzled dog on a long leash. When she wanted to leave the swimming pool, the dog handler released a sufficient length of leash to allow the dog to closely approach the girl "in what would be perceived an aggressive manner and stopped her from withdrawing from the swimming pool", the report said.

At least eight staff were around the pool. The dog was up on its hind legs and barking aggressively at the young girl.

"This type of response is concerning as the security officers have no legal authority to physically touch or restrain a young person who is in the legal custody of the department," the report said.

"There is also a real risk that such security strategies have an adverse effect on staff efforts to build rapport with the children."

#### **Call to include Cleveland in royal commission**

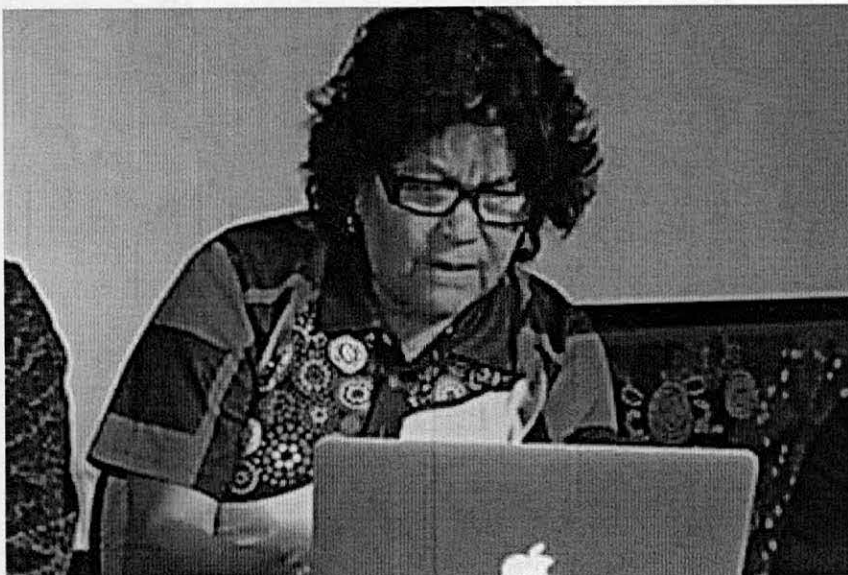


Photo: Professor Gracelyn Smallwood looks

at the images of alleged mistreatment of juvenile offenders.

Nurse Professor Gracelyn Smallwood said people would be horrified by the images.

She used to work at Cleveland and is calling for Queensland to be added to the Royal Commission into Youth Detention in the Northern Territory.

"It's just like normal behaviour for this brutal treatment ... Australians were horrified at Don Dale, they will be doubly horrified at some of the images that 7.30 report showed me today," she said.

Asked if she thinks Queensland should to be added to the Royal Commission, Ms Smallwood said "without a doubt".

"If you would have asked me this question last week I would have said no.

"This has been a mass conspiracy of silence and people at the top who have just shelved these reports need to be dealt with. They need to be taken to task and sacked."

The Queensland Attorney-General Yvette D'Ath has been contacted for comment.

**Topics:** [community-and-society](#), [law-crime-and-justice](#), [townsville-4810](#)

First posted 26 minutes ago

**JEN KNIGHT**

Account Executive



ASX ISD

T +61 7 3259 2123 M [NP\\_49-Sch4](#) W [isentia.com](#) A Level 2, 4 Kyabra Street, Fortitude Valley, 4006, Queensland, Australia

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**From:** Media Reporters <mediareporters@premiers.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 12:54 PM  
**To:** Brendan Connell; Brendon Strong; Elly Begley; Kerryn Manifold; Kirby Anderson; Spencer Jolly; Susan McGrady; Dominic Moore; Ellen McIntyre; Emma McBryde; Louise Foley; Michael Frawley; Michelle Connolly; Zac Skyring; Geoff Breusch; James Sullivan; Adam Golebiowski; Ben Armstrong (Justice); Donna Hansen; Helen Ainsworth; John Gardiner; Paul Holmes; Paul Turner; Susan Grantham (Justice); Tim Goodwin; Brooke Baskin; Grace Williams  
**Cc:** Angela Nutt; Gary Robertson; Jodi Staunton-Smith; Morgan Magee; Peter Taggart; Scott Dixon  
**Subject:** ABC: Cleveland detention centre: Former inmate tells of frequent bashings, racial abuse by guards

<http://www.abc.net.au/news/2016-08-18/cleveland-inmate-tells-of-bashings-by-guards/7760432?section=qld>

## Cleveland detention centre: Former inmate tells of frequent bashings, racial abuse by guards

### Lateline

By [Ben Millington](#) and Tierney Bonini

**A 17-year-old boy has spoken out about being tormented by guards who regularly bashed and racially abused him at North Queensland's Cleveland youth detention centre.**

### Key points:

- Former detainee says he was physically and racially abused at Cleveland detention centre
- In one incident a guard spat in his food
- Former workers say the boy was 'targeted' by guards

[NP\\_49-Sch4](#) told Lateline one guard spat in his food, he was not allowed outside his unit without restraints, and he was the victim of regular violent "take-downs" while inside the Townsville facility.

"They used to call me black dog, caged monkey, abo, all sorts of filthy names, mother f\*\*\*er. It used to hurt me," he said.

"I'd have bruising, swelling to my face and back. There was some days I couldn't walk because my back was so sore."

[\[redacted\]](#) claims of mental and physical abuse have been corroborated by former and current workers at the detention centre. They told Lateline about the aggressive behaviour of a handful of staff and how [\[redacted\]](#) was targeted by those guards.

The allegations are the latest reports of mistreatment to emerge from the Cleveland detention centre in the wake of the Four Corners report exposing abuse at Darwin's Don Dale detention centre, that prompted a royal commission into youth detention in the Northern Territory.

Former worker Graham Pattel said some staff would torment the boy to get a reaction and then respond with a so-called "take-down"; restraining him with physical force.

"I don't know why they were targeting him, other than he would challenge them every time they would torment him or tease him. They knew how he'd react," he said.

"There was no need to treat that young man with such force and humiliation.

## Guard told him 'I spat in your food'

[redacted] grew up in Cairns, north of Townsville, and says he started using marijuana and ice from a young age.

He was in and out of Cleveland after getting in trouble for breaking and entering and stealing cars.

During his last stint in Cleveland last year, he said certain guards "got it in for him," and he told Lateline of numerous instances of physical and mental abuse.

One incident in particular still haunts [redacted] He said that on January 23, 2015, he failed to get out of bed on time.

"You're supposed to be up by 7:15 but it was 7:16 and I wasn't up," he said.

"They came into my room, restrained me, took my shirt off, they kneed me a few times then elbowed me and stuff, my mouth was bleeding.

"When I finally got breakfast at 7:30, I received my breakfast and it was Weet-Bix and I was eating it. [The guard] rang me up in the intercom in my cell and tells me 'How does my spit taste? It's a big green one. Look under the Weet-Bix.'

"And he kept laughing. 'I spat in your food and you're eating it, how does it feel?'"

[redacted] said another staff member overheard the incident and he made a formal complaint, but in a written response was told the allegation "could not be substantiated".

[redacted] said he lived in constant fear of the guards.

"[In another incident] they started punching me in the ribs and kneeing me in the head, then they threw me on the floor and I landed onto my mate's stool and I was crying and crying," he said.

[redacted] claims that for most of his time inside Cleveland he was only allowed outside for short periods of time and his hands and feet would often be shackled when being transferred.

"It wasn't for a short time, it was for months at a time, it made me feel like an animal," he said.

## 'You could set your watch' by abuse

[redacted] said he spent most of his time in the centre's Behavioural Support Unit (BSU), an area of four cells isolated from the rest of the centre and used for children considered to be causing trouble in the prison.

One former worker, who wants to remain anonymous, told Lateline she worked one shift in the BSU and witnessed a staff member tease [redacted] until he snapped and they took him down.

"The whole situation could have been avoided if they didn't bait him," she said.

A current worker in the facility said she too had concerns for [redacted] welfare.

"There was no need to treat him like that. These kids come from pretty tough backgrounds as it is, they often get violence at home, they need to be shown that there's another way."

Mr Pattel and other workers at the centre have acknowledged that take-downs and restraints are necessary tools to deal with troubled children, but said they are methods of last resort and in [redacted] case were used excessively.

"It was pretty much every day. They'd call a code almost everyday on [redacted] You could pretty much set your watch to it," he said.

Guards have told Lateline that [redacted] was known to have behavioural issues and a short fuse, but teasing and torment exacerbated his problems.

Some staff members, including Graham Pattel, said they had a good rapport with [redacted] but when they offered to help, they were told to "take care of their own unit".

He has now been out of Cleveland for almost a year and is still traumatised by his experience.

"I see my psychologist about four times a week and I'm on medication just to help me get to sleep," he said.

"I still have bad dreams about the staff coming in the morning, waking me up. Cleveland scarred me for life."

Queensland's Department of Justice said it was unable to comment on [redacted] case, for legal reasons.

**Watch the report on Cleveland on Lateline tonight at 9.30pm (AEST) on ABC News 24 or 10.30pm on ABC TV.**



**Queensland**  
Government

**Peter Taggart**

Media Reporting Officer, Communication Services

**Strategic Engagement and Protocol**

Department of Premier and Cabinet

P 07 3003 9151 M [redacted]

Executive Building, Level 2, 100 George Street, Brisbane QLD 4000

PO Box 15185, City East, QLD 4002

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## Geoff Breusch

---

**From:** Tim Goodwin <tim.goodwin@justice.qld.gov.au>  
**Sent:** Thursday, 18 August 2016 11:57 AM  
**To:** Geoff Breusch; Sean Harvey; David Mackie; Adam Golebiowski  
**Cc:** Media Relations  
**Subject:** RE: ABC 7.30 request for statement by 4pm today

Thanks Geoff, we'll coordinate a response with YJ.

### Tim Goodwin

Manager, Media Relations

Communication Services Branch | Department of Justice and Attorney-General

Direct: 322 47382 | Mobile: NP\_49-Sch4 | Media inquiries: 3008 8765 | E: [media.relations@justice.qld.gov.au](mailto:media.relations@justice.qld.gov.au)

---

**From:** Geoff Breusch [<mailto:Geoff.Breusch@ministerial.qld.gov.au>]  
**Sent:** Thursday, 18 August 2016 11:43 AM  
**To:** Sean Harvey <Sean.Harvey@justice.qld.gov.au>; David Mackie <David.Mackie@justice.qld.gov.au>; Adam Golebiowski <Adam.Golebiowski@justice.qld.gov.au>; Tim Goodwin <tim.goodwin@justice.qld.gov.au>  
**Subject:** FW: ABC 7.30 request for statement by 4pm today  
**Importance:** High

---

**From:** Michael Atkin [<mailto:Atkin.Michael@abc.net.au>]  
**Sent:** Thursday, 18 August 2016 11:29 AM  
**To:** Geoff Breusch <[Geoff.Breusch@ministerial.qld.gov.au](mailto:Geoff.Breusch@ministerial.qld.gov.au)>  
**Subject:** ABC 7.30 request for statement by 4pm today  
**Importance:** High

Hi Geoff,

Please provide a response to the following by 4pm today:

A 17 year old boy was placed in hand cuffs and ankle cuffs following a code yellow on 20/1/13 in Heron unit. He was deemed at high risk of suicide. A knife is used to cut off his clothing and he is placed in isolation and left naked for over an hour without a mattress, pillow or suicide resistant bedding. Is this treatment of the young person a breach of QLD guidelines on youth detention?

The Ethical Standards Unit's Youth Detention Inspectorate requested Cleveland conduct an internal review but this was never conducted. Why wasn't this done when it was a recommendation of the unit?

What action has been taken against staff involved in this incident?

Nobody has ever asked the boy in this incident for his version of events. Why not?

Former youth worker Shayleen Solomon claims she saw this same boy treated with excessive force on 12/3/12 and registered her concern during a staff debrief into the incident. What action was taken after this incident by Cleveland Youth Detention Centre?

An aboriginal teenage girl was involved in a non-violent incident where she jumped into a swimming pool without permission on 25/8/15. As she was getting out of the pool a guard dog was used to intimidate her and she got back into the pool. Is this treatment of a breach of QLD and UN guidelines on youth detention?

What action has been taken against the staff and private security guards involved?

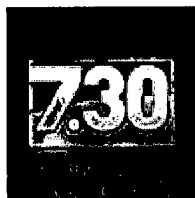
Why weren't private security guards and dogs withdrawn from Cleveland Youth Detention Centre when this action was first recommended by the Ethical Standards Unit's Youth Detention Inspectorate?

Professor Gracelyn Smallwood claims she attended an open day at Cleveland Youth Detention Centre during NAIDOC week this year. She claims she saw a young boy treated with excessive force being brought down by staff on concrete and made a complaint to management of the centre. What action has been taken over this incident? 7.30 has spoken with NP\_49-Sch4 who claims he was subject to excessive force in 2013. is now 21 years old and no longer in detention. He claims a youth worker restrained him, placed a tshirt over his head and drove his head repeatedly into concrete leaving him with facial bruising and cuts. Will the Department investigate this incident?

There are now calls for Queensland to be added to the Royal Commission into Youth Detention in the Northern Territory. Does the QLD government support this call?

I can be contacted on the numbers below should you require more information.

Kind regards,



Michael Atkin  
Reporter, 7.30



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## Geoff Breusch

---

**From:** Alex Robynson <Alex.Robynson@justice.qld.gov.au>  
**Sent:** Wednesday, 17 August 2016 5:55 PM  
**To:** Geoff Breusch  
**Cc:** David Mackie (Justice); Sean Harvey  
**Subject:** Fwd: ABC 7.30 interview request  
**Attachments:** image001.png; image002.jpg; image002.jpg; image003.jpg

**Sensitivity:** Confidential

Hi Geoff

See below regarding the incident.

Thanks

Alex

Sent from my iPhone

Begin forwarded message:

**From:** David Herbert <[David.Herbert@justice.qld.gov.au](mailto:David.Herbert@justice.qld.gov.au)>  
**Date:** 17 August 2016 at 5:09:30 PM AEST  
**To:** Alex Robynson <[Alex.Robynson@justice.qld.gov.au](mailto:Alex.Robynson@justice.qld.gov.au)>  
**Subject:** **FW: ABC 7.30 interview request**

Hi Alex

DCOIS screenshot re the incident Geoff is chasing up

I do not know what the outcome of any ESU investigation was

The incident predates the comprehensive review of policies and the new YDC manual (including PAC). I can say that under current policy provisions he would not be leg cuffed and would not have his clothing cut off. The detail is scant but I also doubt he would have been ground stabilised

Summary of charges is:

NP\_49-Sch4

David Herbert | Director

Youth Justice Practice Program and Design | [Department of Justice and Attorney-General](#)

Level 25 State Law Building Brisbane Q 4000

T: 07 3033 0891 | M: [NP\\_49-Sch4](#)



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**Cc:** Sean Harvey; David Mackie (Justice); [roger.mccarthy@justice.qld.gov.au](mailto:roger.mccarthy@justice.qld.gov.au); David Herbert; [adam.golebiowski@justice.qld.gov.au](mailto:adam.golebiowski@justice.qld.gov.au)  
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Spoke to the journalist – the first one relates to Incident 1450405 and 20/01/13

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Hi Geoff

Responses to the below:

**The treatment of a 17 year old boy following a code yellow on 20/1/30 in Heron unit**

Hard to confirm which incident this refers given the date provided. We believe it relates to an incident with a young person who was very aggressive, often attacking staff and threatening self-harm. In 2012, ESU investigated complaints made about CYDC staff member  relating to unauthorised use of force. Investigation concluded the complaint was unsubstantiated. Again, would need to confirm dates to determine the journalist is in fact referring to this matter.

**The treatment of an Aboriginal girl after she jumps into the swimming pool without permission on 25/8/15.**

This relates to the use of private security guard dogs to respond to incidents with young people. When I was advised that CYDC were using private security dog guards in this manner, I issued a direction that they were no longer to use the dogs. This is no longer the practice in detention centres.

**The response to the Code Black riot of 23/3/12.**

On 17 March 2012, a number of young people had scaled a roof and attempted to escape which involved. 6 young people armed themselves with bricks and timber from a work site and then attempted to escape using a scaffolding plank to scale a perimeter fence. The young people used

the bricks and timber as weapons against CYDC staff and Police. On 18 March 2012, a number of young people significantly damaged four accommodation rooms. On 18 March 2012 a young person repeatedly threatened to stab CYDC staff in the neck and then spat on a staff member. Staff received credible concerns about young people attempting to enact a hostage attempt with a view to gaining access to a centre vehicle for a second escape attempt, raising significant concerns regarding the safety of staff.

On 23 March 2012 an incident occurred where a young person refused a direction by two youth workers and became aggressive and difficult to manage. As they were attempting to deal with the situation, multiple young people set upon the two officers. A situation ensued which resulted in eleven young people and thirteen staff requiring treatment for pain and injuries after the event. Eight young people were identified as perpetrators and were placed in separation. They remained in separation in their rooms for varying amounts of time over each 24 hour period for 10 days to restore order in the centre. During this time the young people were monitored and provided with activities.

The incident was reviewed by the DJAG Youth Detention Inspectorate and was subsequently the subject of a major investigation by (then) Commission for Children and Young People and Child Guardian which delivered 24 recommendations.

These recommendations resulted in changes to policy and practice in detention centres, and additional internal oversight of detention centres. Following the disbanding of the Childrens Commission the Ombudsman provided oversight of the implementation of the recommendations. In August 2015, the Ombudsman wrote to the DG indicating that further investigation of the matter was unnecessary on the basis that the majority of the recommendations were implemented or implementation was in progress. The Ombudsman has now commenced periodic monitoring and review visits to detention centres. Community Visitors (who transferred to the Office of Public Guardian after the Childrens Commission was disbanded) continue to visit the centres on a weekly basis and also take confidential messages from young people and advocate on their behalf as a further source of external oversight.

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Alex

**Alex Robynson** | Principal Executive Officer  
Office of the Assistant Director-General | Youth Justice | Department of Justice and Attorney-General  
Level 25, State Law Building  
50 Ann Street, Brisbane Qld 4001  
T: 07 3225 2029 (x52029) | E: [alex.robynson@justice.qld.gov.au](mailto:alex.robynson@justice.qld.gov.au)

x

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Can we get a brief on these incidents as well please?

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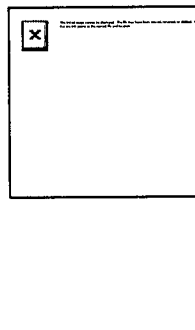
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F [facebook.com/ABC730](https://www.facebook.com/ABC730)

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