

WA Children's Court president Hylton Quail takes aim, again, at conditions inside Unit 18

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WA Children's Court President Hylton Quail says he is "lost for words" that nothing has changed in Unit 18. (*ABC News: Phil Hemmingway*)

The president of WA's Children's Court has again taken aim at Unit 18 – a controversial juvenile facility within an adult maximum-security prison – labelling it responsible for a young offender being released into the community more dangerous than when he went in.

WARNING: This story discusses incidents of self-harm and the image of an Indigenous person who has died.

Hylton Quail made the comments last Friday during sentencing of a 15-year-old being kept inside Unit 18 while on remand — a day after 16-year-old Cleveland Dodd died in hospital a week after he attempted to take his own life while detained inside the now notorious facility.

"It does seem though that those who administer Unit 18 do so with impunity," Judge Quail said in his sentencing.

"Those conditions in Unit 18 and the way that you have been treated whilst you have been in custody have been of no rehabilitative effect.

"You have therefore been released into the community more dangerous than when you went in."

Key points:

- Hylton Quail says the boy received no rehabilitation in Unit 18
- Judge Quail said he is therefore more dangerous now than when he went into prison
- He says those in charge of Unit 18 have been ignoring court rulings



aveland Dodd died a week after self harming in Unit 18. *(Supplied: Family)*

The boy was being sentenced for a number of serious offences including aggravated burglary and stealing along with several offences committed against guards, staff and property while detained.

'Brutalised and alienated'

The teenager has a criminal history going back three years and has spent some time in Banksia Hill and Unit 18 – his most recent stint in Unit 18 having started in August, during which time Judge Quail said he had basically been locked in his cell for 22 to 23 hours every single day.

"As this court has said as long ago as February this year, when you cage children and treat them like animals, you should expect when the door is opened that they will behave in that way, which is not to excuse what you do," he told the 15-year-old directly.

"There is no doubt ... that those conditions in Unit 18 put you in a group of boys ... who are subject to by far and away the worst conditions of incarceration of any group in this state, worse than any adult prison.

"It is clear that you have been brutalised and alienated and in turn, you have reacted against those who are responsible — directly responsible for looking after you in the detention centre."

Judiciary being 'ignored'

Judge Quail said it was very significant that continuing lockdowns [came after a court ruling in July of this year deemed them unlawful](#).

"What that means from my perspective, is that those who were in charge of Unit 18 – not the guards who are working with you, the people in charge of unit 18 – continue to ignore what this court has said," he said.

"I am lost for words that nothing has changed since then and the situation in Unit 18 seems to be getting progressively worse.

"And that since that decision (in July), you have been confined in your cell in the way that you have, and in particular on those six days I have identified, for 24 hours on each of those days."

YOUTUBE: Roger Cook refuses to confirm confidence in Department of Justice leadership following Unit 18 death.

Teen receives lighter sentence

Judge Quail sentenced the boy to a total of 14 months in detention, backdated to April.

"Which is a lot less than you would have got were it not for those factors, particularly the way you have been treated while in custody," he said.

"I am also satisfied that much of that time in custody amounts to a form of extrajudicial and unlawful punishment for your behaviour [while detained]."

The grandmother of the 15-year-old boy had spoken to the ABC about how she feared for her grandson's life if he remained in Unit 18, [after he recently attempted to take his own life in his cell](#).



the boy's grandmother cried in court when she heard about how much time he had spent in lockdown. (ABC News: Daryn
dvirna)

Unit 18 was initially established within the adult maximum-security Casuarina prison last year [as a temporary place to house what the government has labelled a "difficult cohort" of young offenders from the state's only juvenile facility, Banksia Hill Detention Centre.](#)

Over that time, there has been at least 20 attempted suicides and 350 incidents of self-harm.

Judge Quail has mentioned the conditions at Unit 18 on multiple occasions during sentencing since it was established, [including when he issued a contempt of court warning to the state government for housing juveniles in an adult facility.](#)

Cleveland's death last week, believed to be the first death in youth custody in WA since modern record-taking began in 1980, has led to growing calls to shut Unit 18.

If you or anyone you know needs help:

- [Lifeline](#) on 13 11 14
- [Kids Helpline](#) on 1800 551 800
- [MensLine Australia](#) on 1300 789 978
- [Suicide Call Back Service](#) on 1300 659 467

- [Beyond Blue](#) on 1300 224 636
- [Headspace](#) on 1800 650 890
- [ReachOut](#) at au.reachout.com
- [Care Leavers Australasia Network \(CLAN\)](#) on 1800 008 774

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