

## NOTICE OF FILING

### Details of Filing

Document Lodged:	Particulars (including Further and Better Particulars)
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
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File Title:	ALEXANDRA WALTERS & ANOR v STATE OF WESTERN AUSTRALIA
Registry:	WESTERN AUSTRALIA REGISTRY - FEDERAL COURT OF AUSTRALIA



*Sia Lagos*

Registrar

### Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



## Annexure C

Form 1  
Rule 16.41

### Amended Statement of Particulars

No: WAD251/2022

Federal Court of Australia  
District Registry: Western Australia  
Division: General

**ALEXANDRA WALTERS** and another person identified in the schedule  
Applicants

**STATE OF WESTERN AUSTRALIA**  
Respondent

#### Part 1: Chronological List of Incidents at Banksia Hill

1. On 23 May 2018, Ms Walters was admitted to BHDC and
  - a. Ms Walters was placed in a holding cell in reception until at 4.44am on 24 May 2018.
  - b. Ms Walters was then placed in the Cue Unit and confined to her cell until 6.41pm on 24 May 2018, when she was allocated a cell in the Yeeda Unit.
2. Between around 24 May 2018 to 26 May 2018, Ms Walters was confined to her cell in Yeeda except for being allowed short breaks out of her cell for showering and making a telephone call only.
3. On 31 May 2018 at about 6.00 pm a detainee turned off the light while Ms Walters was having a shower in the Yeeda Unit, causing Ms Walters to fall. Ms Walters reacted by yelling out words to the effect of, "Whoever touched my light, it isn't very nice. I will choke you all." ~~The~~ Other detainees made verbal threats towards Ms Walters with words to the effect of, "I'll flog you" and "You need to kill yourself" . At the decision of the Unit Manager, Officers then escorted Ms Walters to an observation cell in the Cue Unit.
  - a. Incident report number I48559629.
    - aa. Ms Walters self-harmed by scratching and cutting her legs while other detainees made verbal threats.
  - b. Walters was placed in the Cue Unit from 6.00 pm on 31 May 2018 until 5.47 pm on 1 June 2018.
  - c. Ms Walter was confined to her cell in the Cue Unit during that time except for short breaks for showering and exercise.

Filed on behalf of	Applicants
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4. On 8 June 2018 at about 7.45 am Ms Walters was observed to have approximately 20 scratches to her legs and ankles. A broken plastic pen was confiscated from Ms Walters by an Officer. Ms Walters was assessed by the clinical nurse for physical injuries at 1.30 pm that same day.
  - a. Incident report number I48857335.
5. On June 16 2018 at about 7:30am, Officers searched Ms Walters' cell in the Yeeda Unit and confiscated papers containing drawings, including a depiction of a knife, and written descriptions of custodial staff.
  - a. Incident report number I4198535.
6. On 19 June 2018 at about 3.30 pm Ms Walters was on the oval. An Officer reported that Ms Walters was picking up large branches and making statements about stabbing people.
  - a. Incident Report Number I49339590.
7. On 20 June 2018 at about 6.25 pm gatehouse Officers overheard a detainee say during a telephone call that Ms Walters had asked detainees to get her a knife or some scissors so she could stab herself. Recovery Officers handcuffed Ms Walters and escorted her to an observation cell in the Cue Unit.
  - a. Incident report number I49384591.
  - b. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - c. Ms Walters was compliant during the escort.
  - d. Ms Walters was strip searched after she was placed in the cell in the Cue Unit.
  - e. Ms Walters was placed in the Cue Unit from about 6.30 pm on 20 June 2018 to 4.09 pm on 21 June 2018.
  - f. Ms Walter was confined to her cell in the Cue Unit during that time except for short breaks for showering and exercise.
8. On 22 June 2018 at about 6.45 pm, Officers observed superficial scratches on Ms Walters legs. Officers alleged that Ms Walters was "visibly upset and angry" and stated words to the effect of, "I'm the one that's meant to be looking after the bird. All day they have been grabbing at it and being mean. I hate when people are cruel to animals". Recovery Officers handcuffed Ms Walters and escorted her to an observation cell in the Cue unit where she was told by a Youth Custodial Officer to just "relax in cell".
  - a. Incident report number I4973400.
  - b. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - c. Ms Walters was pat searched on arrival at the Cue Unit cell after which the handcuffs were removed.
  - d. Ms Walters was assessed by the clinical nurse who observed self-harm scratches on Ms Walters thighs and determined, "no ongoing treatment required".
  - e. Ms Walters was placed in the Cue Unit from 7.01 pm on 22 June 2018 to 5. 31 pm on 25 June 2018.

- f. Ms Walter was confined to her cell in the Cue Unit during that time except for short breaks for showering and exercise.
9. On 26 June 2018 at about 6.00 pm, a cell search was conducted on Ms Walters' cell in the Yeeda unit. Officers searched Ms Walters cell in the Yeeda Unit and confiscated a piece of plastic which Ms Walters had concealed in the window frame.
  - a. Incident report number I49644979.
10. On 27 June 2018 at about 6.00 am, Ms Walters was observed using a piece of Perspex to cut her leg and wrists in her cell in the Yeeda Unit. At about 8.05 am, Ms Walters was observed fashioning a noose from power cords. At about 8.44 am, Ms Walters handed over the Perspex pieces on the condition that she be given a piece of toast in exchange. Ms Walters was not offered toast and as such, ceased communications with Officers. At about 9.44 am, Recovery Officers entered Ms Walters' cell and physically restrained her. Ms Walters was handcuffed and escorted to the Cue Unit.
  - a. Incident report number I49650472.
  - b. Ms Walters was observed using a piece of Perspex to self-harm by cutting her legs and wrists for approximately 2 hours.
  - c. Recovery Officers placed Ms Walters in a figure four restraint.
  - d. Ms Walters was pat searched and placed in handcuffs.
  - e. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - f. At the Cue 02 observation cell, a secondary pat search of Ms Walters was conducted, and her handcuffs were removed.
  - g. Ms Walters was then strip searched and sterile clothing was provided.
  - h. Ms Walters was assessed for physical injuries by the clinical nurse at about 9.55 am, who observed superficial self-harm and determined "nil treatment required".
  - i. Ms Walters was placed in the Cue Unit from 2.03 pm on 27 June 2018 to 5.49 pm on 23 July 2018.
  - j. Ms Walters was confined to her cell in the Cue Unit for extended periods during that time, including at the times referred to in paragraphs 10 to 15 below, except for short breaks for showering or exercise.
11. On 1 July 2018 at about 11.50 am, Ms Walters was escorted to her cell in the Cue Unit for afternoon lockdown. A book titled, "The knife that killed me", was confiscated from Ms Walters.
  - a. Incident report number I49832257.
12. On 9 July 2018 at about 6.00pm, Ms Walters was in the laundry room. Officers observed superficial scratches and small amounts of blood on Ms Walters' arm. Ms Walters disclosed to the Officer that she had previously used a staple to self-harm. Ms Walters was then instructed to return to Cue. Officers allege that Ms Walters was given 10 minutes to comply with the officers instruction to return to the Cue unit, after which Recovery Officers used force to escort Ms Walters to the Cue Unit.
  - a. Incident report number I50191883.

- b. Recovery Officers took hold of Ms Walters arms in an escort hold with a wrist weave to escort her to the Cue Unit observation cell.
  - c. Ms Walters was confined in her cell for an undisclosed amount of time.
  - d. Ms Walters's was assessed for physical injuries by the nurse at about 6.20 pm.
13. On 10 July 2018 at about 6.00 pm, Ms Walters attempted to hide from her 1 on 1 supervising officer who she thought was 'stalking' her. Recovery Officers used force to escort Ms Walters to the Cue Unit.
- a. Incident report number I50237183.
  - b. Recovery Officers took hold of each of Ms Walters' arms in an escort hold and escorted Ms Walters to the Cue Unit observation cell.
  - c. Ms Walters was confined in her cell for an undisclosed amount of time.
14. On 11 July 2018 at about 10.40 am, Officers alleged that Ms Walters failed to comply with their direction to return to her cell in the Cue Unit to accommodate another detainee entering Cue. Recovery Officers used force to escort Ms Walters to her cell in the Cue Unit.
- a. Incident report number I50263516.
  - b. Recovery Officers grabbed hold of each of Ms Walters' arms, using an escort hold technique and a wrist weave hold, to escort Ms Walters to the Cue Unit.
  - c. Ms Walters was pat searched at the Cue Unit observation cell.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
  - e. Ms Walters was punished by:
    - i. Loss of programme placement for an unknown amount of time.
15. On 12 July 2018 at about 6.35 pm, Ms Walters was in the Yeeda Unit. Officers alleged that Ms Walters failed to comply with their direction to return to her cell for evening lockdown. Officers used force to escort Ms Walters to her cell.
- a. Incident report number I50335063.
  - b. Officers usedf a wrist weave hold to escort Ms Walters to the Cue Unit.
  - c. At the Cue Unit cell, Ms Walters was pat searched.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
  - e. Officers reported that Ms Walters was "too unsettled to be seen by medical".
16. On 13 July 2018 at about 5.15pm, Ms Walters was in the Yeeda Unit laundry room. Officers observed superficial cuts on Ms Walters' arm, which they reported "appeared to be recent". Recovery Officers used force to escort Ms Walters to the Cue Unit cell.
- a. Incident report number I50376090.
  - b. Officers used the wrist weave hold to escort Ms Walters to the Cue Unit cell.
  - c. Ms Walters allegedly refused to comply with a strip search on arrival at the Cue Unit cell.
  - d. Ms Walters was pat searched on arrival at the Cue Unit cell.

- e. Ms Walters was confined in her cell for an undisclosed amount of time.
17. On 18 July 2018 at about 9.45 am, Officers removed Ms Walters from participation in the Yeeda education activity, for allegedly drawing inappropriate pictures, for not following instructions and because other students were using staples which were perceived to present a risk of self-harm to Ms Walters. Ms Walters was taken to the yard, where she allegedly refused to follow instructions to stay within sight of officers.
    - a. Incident report number I50569966.
    - b. Ms Walters was confined in her cell for an undisclosed amount of time.
  18. On 19 July 2018 Officers searched Ms Walters' cell in the Cue Unit and confiscated papers containing notes including a song written by Ms Walters which contained threats to staff and other detainees.
    - a. Incident report number I50620774.
  19. On 29 August 2018 at about 6.10 pm, Ms Walters was in the Yeeda Unit when she asked an Officer about differing methods of strangulation and which methods were more likely to result in death. At about 6.40pm, during evening lockdown, the same Officer observed Ms Walters with a long piece of tape around her neck and confiscated it.
    - a. Incident report number I52501869.
  20. On 30 August 2018 at about 9.19 pm, Ms Walters was in the Yeeda Unit. Officers observed Ms Walters wrapping a sock around her neck.
    - a. Incident report number I52559190.
  21. On 3 September 2018 at about 9.40 am, Ms Walters was in the Yeeda education unit. Officers alleged that Ms Walters had drawn images and words which included threats toward a particular Officer who had directed Ms Walters to tie up her hair earlier in the day.
    - a. Incident report number I52695076.
  22. On 10 September 2018 at about 6.00 pm Officers attempted to transfer Ms Walters from Yeeda C Wing to an observation cell in the Cue Unit, telling her she would spend all lockdown periods there in future as a result of an "escalation of her ARMS regime... to continuous observation. Officers alleged that Ms Walters was afforded 15 minutes to comply with their instruction, after which Recovery Officers used force to escort Ms Walters to her cell.
    - a. Incident report number I53048373.
    - b. after 15 minutes of non-compliance with instruction to go to cell in CUE, Recovery Officers use force to escort and then secure Ms Walters in her cell in CUE.
    - c. Officers used the wrist weave hold to escort Ms Walters to the Cue Unit.
    - d. Ms Walters was pat searched on arrival at the Cue Unit observation cell.
    - e. Ms Walters was placed in the Cue Unit from 6.51 pm on 10 September 2018 until her release from BHDC at 12.30pm on 29 April 2019.
    - f. Ms Walters was confined in her cell in the Cue Unit for extended periods during

that time, including at the times referred to in paragraphs 20 to 24, 26 to 40, 44, 46, 47, 49, 51 to 55, 58 to 62, 65, 67 to 69, 71, 73, 75, 76, 78, 81, 83 and 84 below, except for short breaks for showering or exercise.

- g. Ms Walters was punished by:
  - i. Loss of program placement for an unknown period of time.
  - h. Ms Walters was assessed for physical injuries by the clinical nurse at about 8.00 pm who stated, "nil medical treatment required".
- 23. On 11 September 2018 at about 6.10 pm, Ms Walters was in the Yeeda Unit. Officers alleged that Ms Walters threatened Officers with spray bottles after which they used force to escort her to the Cue Unit.
  - a. Incident report number I53098169.
  - b. Officers used an escort hold to escort Ms Walters to an observation cell in the Cue Unit.
  - c. Ms Walters was punished with loss of television privileges for 2 days.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
- 24. On 12 September 2018 at about 12.05 pm, Ms Walters allegedly did not comply with Officers' instruction to return to her cell for lunchtime lockdown. Ms Walters' requested to be housed in cell 3 within the Cue Unit. However, as per her Personal Support Plan (PSP), Ms Walters was to be housed in the observation cell in the Cue Unit. Officers used force to escort Ms Walters to the Cue Unit.
  - a. Incident report number I53122436.
  - b. Recovery Officers used an 'arm drag technique' and then an escort hold to begin to escort Ms Walters to her cell in the Cue Unit
  - c. Ms Walters was allegedly non-compliant during that escort and Officers then applied a wrist weave escort hold during the escort. .
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
  - e. Ms Walters was punished with loss of telephone and television privileges for remainder of the day.
- 25. On 12 September 2018 at about 6.00 pm, Ms Walters was in the Yeeda lounge room. Officers alleged that Ms Walters did not comply with "multiple instructions" to return to her cell for evening lockdown. Recovery Officers used force to escort Ms Walters to the Cue Unit.
  - a. Incident report number I53145348.
  - b. Recovery Officers grabbed hold of each of Ms Walters' arms and used an 'arm-drag technique' to lift Ms Walters off ~~the couch~~ a chair in the lounge area.
  - c. Recovery Officers used an escort hold to escort Ms Walters to the Cue Unit.
  - d. It is alleged that Ms Walters was resistant to the escort.
  - e. At the Cue Unit observation cell, Recovery Officers forced Ms Walters face down on the mattress and held each of her arms down beside her.

- f. Ms Walters was confined to her cell in the Cue Unit for an undisclosed amount of time.
  - g. Ms Walters was assessed for physical injuries by the clinical nurse at about 6.12 pm.
26. On 13 September 2018 at 6.05 pm, it is alleged that Ms Walters was not compliant with Officers' instructions to return to the Cue Unit for evening lockdown. Officers reported that they observed Ms Walters holding a stick and motioning the stick towards Officers who allegedly counselled Ms Walters to release the stick and return to Cue "for the next eight or so minutes". Recovery Officers used force to escort Ms Walters to the Cue unit.
- a. Incident I53196695.
  - b. Recovery Officers took hold of each of Ms Walters' arms.
  - c. Recovery Officers used the wrist weave hold to escort Ms Walters to the Cue Unit.
  - d. Ms Walters was allegedly resistant to the escort.
  - e. At the Cue Unit cell, Ms Walters was placed in a 'prone position' on mattress and Officers took control of both her arms and placed them behind her back in handcuffing position.
  - f. Ms Walters was confined in her cell for an undisclosed amount of time.
27. On 16 September 2018 at about 11.20 am, Ms Walters was overheard expressing suicidal plans in a telephone call. Officers also confiscated Ms Walters' schoolbook after finding various drawings which depicted Ms Walters' plan to commit suicide by jumping off a building which resembled the Yeeda Unit at Banksia Hill Detention Centre. Ms Walters was confined to her cell in the Cue Unit for the remainder of the day as a 'precaution', except for a short break to exercise in the Cue Unit exercise area.
- a. Incident report I53293168.
28. On 16 September 2018 at about 6.00 pm, Officers alleged that Ms Walters was non-compliant with "multiple" instructions to return to the Cue Unit for evening lockdown, saying words to the effect of, "I am not going inside, I want to stay outside".
- a. Incident report number I53307953.
  - b. Ms Walters' alleged continued non-compliance with instructions led to Recovery Officers physically restraining her (one officer on each arm), before using force (escort hold and wrist weave) to escort her to the Cue Unit.
  - c. On return to her cell in the Cue Unit, Ms Walters was pat searched and then confined in her cell for an undisclosed amount of time.
  - d. At about 6.15pm, Ms Walters was assessed by a clinical nurse for physical injuries resulting from the use of force by Recovery Officers.
29. On 17 September 2018 at about 5.55 pm, Ms Walters was in the laundry room completing laundry chores. Officers alleged that Ms Walters was distressed because she was told that she would be returning to the Cue Unit for evening lockdown. Officers handcuffed Ms Walters and escorted her to the Cue Unit.

- a. Incident report number I53368696.
  - b. Officers physically restrained Ms Walters.
  - c. Officers used force to escort and secure Ms Walters' in her cell in the Cue Unit, including using a controlled escort hold .
  - d. On arrival at her cell in Cue Unit, Ms Walters was pat searched, and her handcuffs were removed.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
30. On 18 September 2018 at about 4.15 pm, Officers alleged that Ms Walters was not compliant with their instruction to return to the Cue Unit for afternoon lockdown. Ms Walters was observed holding a stick and was allegedly motioning the stick towards Officers in a 'threatening manner'. Ms Walters refused to hand over the stick and remained allegedly non-compliant with instruction to return to her cell.
- a. Incident report number I53424021.
  - b. Ms Walters was placed in a figure four restraint on the ground.
  - c. Recovery Officers restrained and handcuffed Ms Walters while she was held on the ground.
  - d. Ms Walters was in handcuffs while she was escorted to the Cue Unit.
  - e. Officers alleged that Ms Walters was resistant to the escort.
  - f. Recovery Officers used an 'under hook and pike' hold to escort Ms Walters to the Cue Unit.
  - g. On arrival at the Cue Unit cell, Ms Walters was held in a prone position on the mattress and her handcuffs were removed.
  - h. Officers then performed a 'hot exit'.
  - i. Ms Walters was confined in her cell for an undisclosed amount of time.
31. On 19 September 2018 at about 3.00pm, Ms Walters was in Case Planning Interview Room 3 when she said "Cue is depressing" and that she "did not want to go back [to Cue]." Waiting escort officers alleged that Ms Walters was not compliant with the instruction to return to cell. Ms Walters arms were subject to physical and mechanical restraints as escort officers grabbed her arms and applied handcuffs for escort back to Cue Unit.
- a. Incident I53474282.
  - b. Ms Walters was subject to both physical (controlled escort) and mechanical restraints (handcuffs) throughout the move from Case Planning back to her the Cue Unit.
  - c. While she was in handcuffs, Officers held Ms Walters' right and left arms and escorted her to the Cue Unit.
  - d. Officers alleged that Ms Walters remained non-compliant throughout the escort.
  - e. On arrival at her cell in the Cue Unit, Ms Walters was placed in the prone position on the mattress and subjected to a figure 4 restraint and a pat search, before

Officers, including Recovery Officers, performed a 'hot exit'.

- f. Ms Walters was confined in her cell for an undisclosed amount of time.
  - g. Ms Walters was punished by:
    - i. Loss of program placement for an unknown period of time.
32. On 20 September 2018 at about 6.00 pm, Ms Walters was escorted from the Cue yard to her allocated observation cell within the Cue Unit by Recovery Officers due to her alleged failure to comply with a direction to return to her cell within the time allowed by Officers.
- a. Incident report number I53545897.
  - b. Recovery Officers escorted Ms Walters to her cell using an escort arm hold.
  - c. On arrival at her cell, Ms Walters was pat searched.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
  - e. Ms Walters was punished by:
    - i. Loss of program placement for an unknown period of time.
33. On 22 September 2018 at about 3.00 pm, Ms Walters was in the gymnasium. Ms Walters allegedly refused to comply with direction to leave gym at 3 pm, an hour early, and spend the remainder of her recreation time locked down in her allocated observation cell in the Cue Unit. Officers instructed Ms Walters that handcuffs would be applied for her escort back to the Cue Unit, as required by her Personal Support Plan (PSP). Officers alleged that Ms Walters did not comply with this direction. Recovery Officers handcuffed Ms Walters and escorted her to the Cue Unit.
- a. Incident report number I53614220.
  - b. Recovery Officers tackled Ms Walters to the ground and took control of her arms and legs.
  - c. Ms Walters was held in a figure four restraint.
  - d. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - e. On arrival at her cell, Ms Walters was placed in a prone position on the mattress, held in a figure four restraint. She was then pat searched, her handcuffs were removed, and the Officers performed a 'hot exit'.
  - f. Ms Walters was confined in her cell for an undisclosed amount of time.
  - g. Officers reported that prior to this incident Ms Walters disclosed suicidal intentions including words to the effect of, "jump off head first to die".
34. On 23 September 2018, at about 6.00 pm, Ms Walters was in the Cue recreation yard. Officers observed Ms Walters allegedly "isolating herself in the far corner of the yard" and it is reported that they "formed the opinion that this was the same behaviour she exhibited yesterday before she refused to return to cell". Officers then enticed Ms Walters to return inside, with the false promise of being let back outside shortly thereafter. Once inside, Officers alleged that Ms Walters became distressed and demanded that she return outside to resume her recreation. Ms Walters positioned herself in the corner of the Cue lounge room area, and allegedly refused to comply with

a direction to return to her cell for evening lockdown and/or allegedly refused to move away from and stop damaging the window she was positioned next to. Ms Walters allegedly remained non-compliant, after being given 3 minutes to comply with the Officers' instructions. Recovery Officers then used force to escort Ms Walters from the lounge room, to her cell.

- a. Incident report number I53646413.
  - b. Recovery Officers grabbed hold of Ms Walters' left and right arms and escorted her to her cell.
  - c. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - d. On arrival at the Cue Unit cell, Ms Walters was placed in a figure four restraint, pat searched, her handcuffs were removed, and Officers performed a 'hot exit'.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
35. On 24 September 2018 at about 6.00 pm, Ms Walters was in the recreation yard in the Cue Unit. At approximately 6.20 pm, Officers instructed Ms Walters to return to her cell Ms Walters allegedly refused to follow instructions until Recovery Officers took hold of her arms and legs to move her to her observation cell in the Cue Unit. Ms Walters allegedly remained non-compliant throughout the escort.
- a. Incident I53685785.
  - b. Recovery Officers grabbed hold of Ms Walters' left and right arms and used a controlled escort hold to escort Ms Walters to the Cue Unit.
  - c. On arrival at the Cue Unit cell, Ms Walters was placed in a prone position on the mattress and placed in a figure four restraint. Officers then performed a 'hot exit'.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
36. On 25 September 2018 at about 3.37 pm, Ms Walters was observed touching the heater unit in the Cue Unit lounge area and expressing suicidal ideation. Ms Walters allegedly did not comply with a direction to stop playing with the heater. Ms Walters was then physically restrained by Recovery Officers and returned to her cell.
- a. Incident report number I53740357.
  - b. Officers used a controlled arm escort hold and a wrist weave hold to escort Ms Walters to her cell in the Cue Unit.
  - c. On arrival at her cell, Officers placed Ms Walters in a figure four restraint and then performed a 'hot exit'.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
37. On 26 September 2018 at about 12.05 pm, Ms Walters was in the Cue Unit lounge room, speaking with a medical professional and others. Officers instructed Ms Walters to return to her cell for a Wednesday afternoon lockdown. Ms Walters refused to comply with the instruction and said words to the effect of "I don't like being locked down. I'm bored and frustrated in my cell". After 3 minutes of continued non-compliance from Ms Walters, Recovery Officers physically escorted her back to her observation cell in the Cue Unit. .

- a. Incident I53772374.
  - b. Recovery Officers grabbed hold of Ms Walters' left and right arms and used a controlled escort hold to escort Ms Walters to her cell.
  - c. On arrival at her cell, Officers placed Ms Walters in a figure four restraint and pat searched her, then performed a 'hot exit'.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
38. On 27 September 2018 at about 5.45 pm, Ms Walters was eating dinner in the lounge area of the Cue Unit. Officers alleged that Ms Walters refused to comply with their direction to return to the Cue Unit observation cell for lockdown. Recovery Officers used force to physically escort Ms Walters to the Cue Unit cell.
- a. Incident report number I53614220.
  - b. Recovery Officers grabbed hold of Ms Walters right and left arm approximately 30 seconds after the use of force warning was issued by Officers and applied a wrist weave hold.
  - c. Officers alleged that Ms Walters remained resistant throughout the escort back to her cell.
  - d. Recovery Officers used force to escort to the Cue Unit cell.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
39. On 28 September 2018 at about 10.00 am, Officers alleged that Ms Walters refused to comply with the instruction to return to her cell in the Cue Unit, from the Cue Unit bathroom, as she was concerned that the t-shirt with which she had provided was too tight and revealing exposed her bra and was requesting an alternative tshirt. Recovery Officers escorted Ms Walters to her cell in the Cue Unit.
- a. Incident report number I53869817.
  - b. Ms Walters refused to comply with multiple instructions to return to her cell.
  - c. Officers reported Ms Walters was issued with a Use of Force warning and was given 1 minute to comply.
  - d. Ms Walters then returned to her cell.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
40. On 5 October 2018 in the Yeeda Unit classroom, Ms Walters was observed drawing "inappropriate imagery" of knives and blood. Officers confiscated her pencil. Ms Walters was then observed by Officers to be behaving inappropriately and was told she would have to return to the Cue Unit. Recovery Officers handcuffed Ms Walters and then escorted her back to her cell in the Cue Unit.
- a. Incident report number I54221803.
  - b. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - c. Ms Walters was told words to the effect of, "if you allow us to handcuff you, we will let you spend time in the lounge room".
  - d. Ms Walters submitted to being handcuffed and remained handcuffed during the

escort

- e. It is alleged that Ms Walters was non-compliant throughout the escort, scratching at the Recovery Officers hands and arms.
  - f. On arrival at the Cue Unit, Ms Walters was taken to her cell and not allowed to remain in the lounge room.
  - g. On arrival at her cell, Ms Walters was placed in a figure four restraint and her handcuffs were removed. She was then pat-searched before Officers performed a 'hot exit'.
  - h. Ms Walters was confined in her cell for an undisclosed amount of time.
41. On 7 October 2018 at about 11.20 am, Officers alleged that Ms Walters was distressed after an Officer refused to turn Ms Walters' radio on until Ms Walters "used her manners". Officers reported that Ms Walters failed to comply with their request for Ms Walters to return to her cell. Recovery Officers then used force to escort Ms Walters to the Cue Unit cell.
- a. Incident report number I54282873.
  - b. Recovery Officers used a controlled hold escort technique to escort Ms Walters to the Cue Unit.
  - c. On arrival at her cell, Ms Walters was placed on a mattress in a figure 4 restraint, and Officers performed a hot exit.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
42. On 8 October 2018 at about 2.50 pm, Officers alleged that Ms Walters had drawn an image depicting a knife, with the words, "die officers" next to it. Officers reported that Ms Walters refused to comply with their direction to hand over the pencil. Officers then used force to confiscate the pencil from Ms Walters and Recovery Officers carried Ms Walters to her cell.
- a. Incident report number I54247191.
  - b. Recovery Officers used soft shields to restrain Ms Walters against the window.
  - c. Recovery Officers grabbed hold of Ms Walters arms and legs and carried Ms Walters to the Cue Unit cell.
  - d. On arrival at the Cue Unit cell, Ms Walters was placed in a prone position on the mattress and pat searched.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
43. On 11 October 2018 at about 2.50 pm, Ms Walters was in the Yeeda Unit participating in an art program. As per her Personal Support Plan (PSP), Officers handcuffed Ms Walters and escorted to the Cue Unit for afternoon lockdown.
- a. Incident report number I54523757.
  - b. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - c. On arrival at the Cue Unit cell, Ms Walters was pat searched, and her handcuffs were removed.

- d. Ms Walters was confined in her cell for an undisclosed amount of time.
44. On 25 October 2018 at about 6.15 pm, Ms Walters was in the Yeeda Unit having dinner. As per her Personal Support Plan (PSP), Ms Walters was handcuffed as she was escorted to the Cue Unit for evening lockdown.
- a. Incident report number I55200614.
  - b. Ms Walters was handcuffed while she was escorted by two Officers to the Cue Unit.
  - c. On arrival at the Cue Unit cell, Ms Walters was pat searched, and her handcuffs were removed.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
45. On 26 October 2018 at about 3.50 pm, Ms Walters was in the gymnasium. As per her Personal Support Plan (PSP), Ms Walters was handcuffed before she was escorted by two Officers back to the Cue Unit for afternoon lockdown.
- a. Incident report number I55245250.
  - b. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - c. Ms Walters was compliant with the escort.
  - d. On arrival at the Cue Unit cell, Ms Walters was pat searched, and her handcuffs were removed.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
46. On 27 October 2018 at about 4.40 pm, Ms Walters was in the gymnasium's fitness room when she allegedly became agitated and made an abusive comment directed at an Officer and began pulling posters off the walls. Recovery Officers handcuffed Ms Walters and escorted her to her cell in the Cue Unit.
- a. Incident report number I55279524.
  - b. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - c. Ms Walters was compliant with the escort.
  - d. On arrival at the Cue Unit cell, Ms Walters was pat searched, and her handcuffs were removed.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
  - f. Ms Walters was punished by:
    - i. Loss of program placement for an unknown period of time.
47. On 30 October 2018 at about 8.00 am, it is alleged that Ms Walters was observed vandalising the exercise equipment in the fitness room by carving the words "DIE" and "LEXIE".
- a. Incident report number I55397882.
  - b. Ms Walters was punished by:
    - i. Loss of access to the fitness room for 8 days.
    - ii. Loss of canteen privileges for 8 days.

48. On 31 October 2018 at about 11.30 am, Ms Walters was attending education in the Cue Unit when she allegedly became frustrated during education activities, saying words to the effect of that it was a "waste of time". Ms Walters allegedly refused to finish her schoolwork and after about 5 minutes, Officers told her to return to her cell. Ms Walters allegedly continued to refuse to comply with the direction to return to her cell and so was physically restrained by Recovery Officers and escorted to her cell.
- a. Incident report number I54468174.
  - b. Recovery Officers forced Ms Walters to the ground and placed her in a figure four restraint.
  - c. Recovery Officers handcuffed Ms Walters and escorted her back to her cell. Ms Walters allegedly remained 'non-compliant' throughout the escort.
  - d. On arrival at her cell, Ms Walters was placed on the mattress in a prone position., pat searched and her handcuffs were removed and a hot exit was performed.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
  - f. Ms Walters was punished by:
    - i. Loss of television privileges for 2 days.
    - ii. Loss of canteen privileges for 6 days.
49. On 30 October 2018 at about 6.00 pm, it is alleged that Ms Walters was observed causing damage to Centre-issued shoes while in the Yeeda wing having dinner. Ms Walters allegedly refused to comply with the direction to stop destroying her shoes and moved into the lounge room area and threw a shoe at an Officer, striking him. Recovery Officers used physical restraints and force to escort her to the Cue Unit.
- a. Incident report numbers I55434377 and I55425578.
  - b. Recovery Officers used force to physically restrain Ms Walters's arms and legs, while she lay in a prone position and handcuffs were applied.
  - c. Recovery Officers used force to lift Ms Walters to her feet.
  - d. Recovery Officers controlled Ms Walters' left and right arm while she was escorted to the Cue Unit cell.
  - e. On arrival at the Cue Unit observation cell, Ms Walters was placed in a figure four restraint on the mattress and pat searched before Officers performed a hot exit.
  - f. Ms Walters was confined in her cell for an undisclosed amount of time.
  - g. Ms Walters was punished by:
    - i. A restitution charge of \$20
50. On 7 November 2018 at about 8.50 am, Ms Walters was observed using chalk to draw images and words on the floor of the Cue Unit recreation yard including words such as "die" and "officers".
- a. Incident report number I55794918.
  - b. Ms Walters was punished by work time.
51. On 7 November 2018 at about 5.30 pm, Ms Walters was in the Peel Unit attending a

social visit. At the conclusion of the social visit, Ms Walters was told that she would be returning to the Cue Unit for dinner. Ms Walters replied with words to the effect of, "why can't I go to Yeeda and have dinner there like everyone else?" Officers alleged that Ms Walters refused to comply with their direction submit to being handcuffed, which was a condition of her Personal Support Plan (PSP). Recovery Officers used force to handcuff Ms Walters and escorted her to the Cue Unit.

- a. Incident report number I55794918I55820709.
  - b. Recovery Officers grabbed hold of Ms Walters' arms and attempted to lift her off the chair she was sitting on.
  - c. It is alleged that Ms Walters resisted the restraint of Recovery Officers.
  - d. Recovery Officers dragged Ms Walters off the chair and put her in a figure four restraint on the floor.
  - e. Recovery Officers handcuffed Ms Walters.
  - f. Recovery Officers again controlled Ms Walters' arms while they escorted her to the Cue Unit.
  - g. On arrival at the Cue Unit cell, Ms Walters was again put in a figure four restraint, pat searched, and her handcuffs were removed before Officers performed a 'hot exit'.
  - h. Ms Walters was confined in her cell for an undisclosed amount of time.
52. On 11 November 2018 at about 9.00 am, Officers alleged that Ms Walters was drawing inappropriate drawings in her cell which depicted threats aimed at another detainee who had used Ms Walters facial soap and had left traces of pubic hair on said soap.
- a. Incident report number I55975544.
  - b. Ms Walters was punished by loss of television and radio privileges for 1 day.
53. On 11 November 2018 at about 5.45 pm, Officers instructed Ms Walters to return to cell to accommodate another detainee making a telephone call in the Cue Unit. Officers alleged that Ms Walters refused to comply with their instructions and replied with words to the effect of, "I have rights". Officers reported that Ms Walters was given approximately 5-8 minutes to comply with their instruction after which force was used to escort Ms Walters to her cell.
- a. Incident report number I55994468.
  - b. Officers grabbed hold of Ms Walters arms and put her in a wrist weave restraint.
  - c. It is alleged that after Officers made the first contact, Ms Walters 'kicked out' at Officers.
  - d. On arrival at the Cue Unit cell, Ms Walters was put in a figure four restraint and a hot exit was performed.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
  - f. While confined in her cell, Ms Walters was observed self-harming by pulling out large chunks of hair from her head.
  - g. Ms Walters was denied access to water in her cell until approximately the morning

of 12 November 2018.

54. On 13 November 2018 at about ~~8.15am~~2.00 pm, Officers alleged that Ms Walters had used a small piece of wire to write a 'death list' on a scratch card which had been located in her cell. At about 2.00pm Ms Walters was approached by Officers about the wire. Officers reported that Ms Walters was given "a few minutes" to hand over the sharp object to staff but refused. Officers further alleged that Ms Walters failed to comply with their instruction to return to her cell for a further 15 minutes. Officers used force to escort Ms Walters to her cell in the Cue Unit.
- a. Incident report number ~~I56097151~~I56075047 and I56907454.
  - b. Officers used the soft shields to restrain Ms Walters.
  - c. Ms Walters was placed in a figure four restraint.
  - d. Ms Walters was handcuffed while she was escorted to the Cue Unit cell
  - e. Officers used the under hook and pike hold to escort Ms Walters to the Cue Unit cell.
  - f. On arrival at the Cue Unit cell, Officers again put Ms Walters in a figure four restraint and removed her handcuffs.
  - g. Ms Walters was then observed self-harming by pulling out large chunks of hair from her head.
  - h. Ms Walters was confined in her cell for an undisclosed amount of time.
55. On 15 November 2018 at about 1.20 pm, Ms Walters was in the Admissions centre. Officers alleged that Ms Walters refused to comply with a routine return from court strip search. Ms Walters was transferred to a holding cell as a result.
- a. Incident report number I56213607.
  - b. Ms Walters was confined in the holding cell at 1.20 pm on 15 November 2018 until about 1.40 pm on 15 November 2018.
56. On 15 November 2018 at 1:40 pm, Officers alleged that Ms Walters failed to comply with their direction to move towards the wall so handcuffs could be applied. Officers used force to physically restrain Ms Walters and escort her to the Cue Unit.
- a. Incident report number I56213607.
  - b. Officers used force to control Ms Walters' arms in an attempt to handcuff Ms Walters.
  - c. It is alleged that after Officers made first contact, Ms Walters 'kicked out' at an Officer.
  - d. Officers restrained Ms Walters in a prone position on the ground.
  - e. Recovery Officers handcuffed Ms Walters and escorted her to the Cue Unit cell.
  - f. Ms Walters allegedly resisted the escort.
  - g. On arrival at her cell, Ms Walters was put in a prone position on the mattress, pat searched, the handcuffs were removed and Officers performed a 'hot exit'.
  - h. Ms Walters was confined in her cell for an undisclosed amount of time.

57. On 21 November 2018 at about 11.50 am, Ms Walters was in the Cue Unit. Ms Walters allegedly failed to comply with an Officers' direction to return to her cell for lunchtime lockdown. Officers used force to physically restrain Ms Walters and escort her to the Cue Unit cell.
- a. Incident report number I56528799.
  - b. Officers alleged that Ms Walters resisted Officer restraint by 'kicking out' at Officers.
  - c. Officers placed Ms Walters in a figure four restraint and handcuffed her.
  - d. Officers took hold of Ms Walters' arms and attempted to lift her to her feet.
  - e. Ms Walters was handcuffed while she was escorted to her cell.
  - f. During the escort, Officers forced Ms Walters face down on the ground, while her hands remained handcuffed behind her back.
  - g. On arrival at her cell, Recovery Officers pat searched Ms Walters and again put her in a figure four restraint and a hot exit was performed.
  - h. Ms Walters was confined in her cell for an undisclosed amount of time.
  - i. Ms Walters was punished by:
    - i. Loss of television privileges for 1 day.
    - ii. Work time of an unknown number of hours.
  - j. The clinical nurse attempted to assess Ms Walters at about 12.10 pm through the window on Ms Walters' cell door. The clinical nurse was unable to medically clear Ms Walters at this time as Ms Walters was reported to be "hiding behind her mattress".
  - k. Ms Walters was re-assessed by the clinical nurse for physical injuries at about 2.35 pm.
58. On 23 November 2018, at approximately 3.20pm, Officers alleged that Ms Walters had threatened staff and ~~at about 5.30 pm~~ Ms Walters was required to return to her cell. At about 5.30 pm Officers allegedly attempted to counsel Ms Walters concerning her behaviour, in response to which Ms Walters was "agitated" and "aggressive" towards Officers ~~when~~ Officers told Ms Walters that she would not be leaving her cell because she was "being punished for bad behaviour".
- a. Incident report numbers I56664642 and I56672540.
  - b. Ms Walters was punished by loss of television privileges for 1 day.
  - c. Ms Walters was confined that day in her cell during the afternoon unlock period.
59. On 24 November 2018 at about 7.00 am, Officers were allegedly unable to perform a welfare check on Ms Walters as she was hiding from view under her mattress. Officers did observe strips of ripped doona around Ms Walters' wrists and ankles.
- a. Incident report number I56692562.
  - b. Ms Walters was punished by having her mattress removed from her cell for an undisclosed amount of time.

- c. Ms Walters was compliant and allowed the mattress to be removed from her cell and re-secured in cell without incident.
60. On 26 November 2018 at about 4.00 pm, Ms Walters was in the Cue yard. Officers alleged that Ms Walters refused to comply with their instruction to return to her cell for afternoon lockdown. Officers reported entering the Cue unit recreation yard and walking towards Ms Walters when Ms Walters allegedly "launched forward" at Officers. Recovery Officers used force to escort Ms Walters to her cell.
- a. Incident report number I56796051.
  - b. Officers put Ms Walters in a figure four restraint.
  - c. Ms Walters was handcuffed while she was escorted to her cell.
  - d. Ms Walters was compliant throughout the escort.
  - e. On arrival at her cell, Officers alleged that Ms Walters refused to comply with their instructions to "kneel down" before removing the handcuffs. It is also alleged that Ms Walters attempted to "kick out" at Officers.
  - f. Ms Walters was placed in a figure four restraint, pat searched and her handcuffs were removed.
  - g. Ms Walters was confined in her cell for an undisclosed amount of time.
  - h. At about 7.00 pm, the clinical nurse attempted to assess Ms Walters through the window to her cell and reported, "nil treatment required".
61. On 28 November 2018 at about 11.26 am, Ms Walters was in the Cue yard. Officers alleged that Ms Walters refused to comply with their instruction to return to her cell for afternoon lockdown. Officers reported entering the yard and walking towards Ms Walters when Ms Walters allegedly "started to throw punches". Recovery Officers used force to escort Ms Walters to her cell.
- a. Incident report number I56879825.
  - b. Two Officers approached Ms Walters, who was backed up against the yard wall.
  - c. Ms Walters allegedly "started to throw punches in the direction of the Officer".
  - d. The Officers took hold of Ms Walters' left and right arms and used a wrist weave hold to restrain Ms Walters and then escorted her to her cell.
  - e. On arrival at her cell, Ms Walters was put in a prone position on the mattress while Officers restrained her arms and legs, she was pat searched and a hot exit performed.
  - f. Ms Walters was confined in her cell for an undisclosed amount of time.
  - g. At about 11.30 am, the clinical nurse attempted to assess Ms Walters through the window to her cell and reported being unable to medically clear Ms Walters because, "she lay under her duvet and would not peak through the glass. Cell was not opened".
62. On 29 November 2018 at about 4.05 pm, Ms Walters was in the Cue recreation yard when Officers told Ms Walters that she "needed to return to cell as staff needed to take their breaks". Officers alleged that Ms Walters refused to comply with Officer directions

- to return to cell. Recovery Officers used force to escort Ms Walters to her cell.
- a. Incident report number I56955032.
  - b. Ms Walters allegedly “began throwing punches with a closed fist” in the direction of the Officers as they approached her.
  - c. Officers took control of her right and left arm and used a wrist weave hold to restrain Ms Walters and escort her to her cell.
  - d. On arrival at her cell, Ms Walters was placed in a prone position on the mattress, while Officers restrained her arms and legs in a figure four restraint and pat searched her, before performing a hot exit.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.
  - f. At about 4.15 pm, the clinical nurse attempted to assess Ms Walters through the window to her cell and reported “no obvious signs of injury”.
63. On 30 November 2018 at about 3.45 pm, Ms Walters was in the Cue Unit recreation yard. Officers alleged that Ms Walters failed to comply with an Officers’ direction to return to her cell to accommodate lockdowns for staff breaks. Officers used force to escort Ms Walters to the Cue Unit cell.
- a. Incident report number I56999351.
  - b. Recovery Officers used a wrist weave hold to escort Ms Walters to the Cue Unit.
  - c. On arrival at the Cue Unit cell, Ms Walters was put in a figure four restraint and pat searched.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
64. On 15 December 2018 at about 10.30 am, Officers alleged that Ms Walters was rude to Officers conducting a routine welfare check on her. Ms Walters allegedly refuses to follow the instruction to return to her cell to “spend some time in cell due to the staff abuse and not following instructions”. Officers alleged that Ms Walters replied with words to the effect of, “I won’t go to cell unless I get the Texta pen I was promised” and continued to request additional privileges. Officers used force to escort Ms Walters to her cell in the Cue Unit.
- a. Incident report number I5773465.
  - b. Recovery Officers took control of her arms and legs and lifted Ms Walters in a vertical position, off the ground, and carried her to her cell.
  - c. On arrival at her cell, Ms Walters remained non-compliant and -a hot exit was performed.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
65. On 28 December 2018 at about 8.50 am, Officers searched Ms Walters’ cell while Ms Walters was in the shower and confiscated papers from her private journal which contained drawings that depicted her suicidal plans. Officers did not refer this incident to the psychology department.
- a. Incident report number I58425407.
66. On 30 December 2018 at about 2.45 pm, Ms Walters was in the Peel Unit Fitness

Room where Ms Walters was allegedly upset about the death of a pet bird. As per her Personal Support Plan (PSP), Recovery Officers handcuffed Ms Walters and escorted back to her cell in the Cue Unit.

- a. Incident report number I58425407.
  - b. Ms Walters was handcuffed while she was escorted from the fitness room.
  - c. Ms Walters was compliant with the escort.
67. On 6 January 2019 at about 4.45 pm, Ms Walters was in the Peel Unit when she allegedly refused to submit to being handcuffed as required for all movement within the Yeeda compound, and a condition of her Personal Support Plan (PSP). It is further alleged that Ms Walters refused to follow instructions to return to her cell, and instead sprinted towards a storage shed. –Officers used force to escort Ms Walters to the Cue unit.
- a. Incident report number I58775878.
  - b. Officers alleged that Ms Walters sprinted away from Officers and toward the left of the Cue Unit.
  - c. Officers took control of Ms Walters left and right arms and confined them behind her back.
  - d. Officers then forced Ms Walters to the floor, placing her in a figure four restraint.
  - e. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - f. On arrival at the Cue Unit cell, Ms Walters was again put in a figure four restraint, pat searched and her handcuffs were removed, before a hot exit was performed.
  - g. Ms Walters was confined in her cell for an undisclosed amount of time.
  - h. Ms Walters was punished by:
    - i. Loss of television privileges for 3 2-days between 6-8 January 2019.
  - i. At about 6.10 pm, Ms Walters was assessed by the clinical nurse for physical injuries.
68. On 6 January 2019 at about 7.15 pm, Officers observed ripped up pieces of paper in the shapes of letters on the floor of Ms Walters cell which read, “Someone’s gonna get punched tomorrow”.
- a. Incident report number I58781696.
69. On 8 January 2019 at about 10.15 am, Ms Walters was in the Cue Unit shower cubicle. It is reported that Ms Walters was “aggressive” after Officers replaced her original clothes with a different set. Officers reported Ms Walters complained that the new clothes were either “stained” or “fucked up”. Officers alleged that Ms Walters refused to comply with their instructions to return to cell. It is reported that a use of force warning was issued after which Ms Walters willingly returned to her cell.
- a. Incident report number I58864248.
  - b. Shortly after her arrival at the Cue Unit cell, Ms Walters was observed self-harming, using a staple.

- c. The clinical nurse assessed Ms Walters for physical injuries through the cell window.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
  - e. Ms Walters was punished by:
    - i. Loss of canteen privileges for 4 days.
    - ii. Loss of programme placement for an undisclosed amount of time.
70. On 11 January 2019 at about 6.45 pm, Ms Walters was in the Peel Unit attending a social visit. As per her Personal Support Plan (PSP), Recovery Officers attended the Peel Unit to handcuff Ms Walters and escort her to the Cue Unit. Officers alleged that Ms Walters failed to comply with their instruction to return to cell and two (2) use of force warnings were issued. It is further alleged that Ms Walters assaulted Recovery Officers who then used force to escort her to the Cue unit.
- a. Incident report number I59051286.
  - b. It is alleged that Ms Walters "lunged forward striking" Officer 1.
  - c. Officer 1 grabbed hold of Ms Walters' right arm.
  - d. It is further alleged that Ms Walters "kicked" Officer 2.
  - e. Ms Walters was then restrained to the ground in the prone position.
  - f. Ms Walters was handcuffed while she was escorted to the Cue Unit.
  - g. On arrival at the Cue Unit cell, Ms Walters was again put in a figure four restraint, pat searched, and her handcuffs were removed, before a hot exit was performed.
  - h. Ms Walters was observed to have superficial self-harm scratches to her arms and legs.
  - i. Ms Walters was confined in her cell for an undisclosed amount of time.
71. On 15 January 2019 at about 3.45 pm, Ms Walters was in the gymnasium. As per her Personal Support Plan (PSP), Recovery Officers attended the gymnasium and instructed Ms Walters to submit to being handcuffed prior to her escort. Officers alleged that Ms Walters failed to comply with their instruction and a use of force warning was issued. Recovery Officers used force to escort Ms Walters to the Cue Unit.
- a. Incident report number I59237153.
  - b. It is alleged that Ms Walters "lunged at Officer 1 with a closed fist and attempted to strike Officer 1 to the head".
  - c. Ms Walters was restrained to the ground while Officers controlled her arms and legs.
  - d. Ms Walters was handcuffed.
  - e. Recovery Officers lifted Ms Walters to her feet and escort her to the Cue Unit.
  - f. On arrival at the Cue Unit cell, Ms Walters was pat searched was again put in a figure four restraint, her handcuffs were removed before a hot exit was performed.
  - g. Ms Walters was confined in her cell for an undisclosed amount of time.



the Special Operations Group threatened to strip search Ms Walters and place her in rip proof clothing if she did not descend from the roof. As Ms Walters descended from the roof, Officers used force to restrain Ms Walters and escorted her to the Cue Unit.

- a. Incident report number I61332612.
  - b. Upon her descent from the roof by climbing down the recreation cage, Recovery Officers took control of Ms Walters arms and placed her prone on the floor so that they could apply handcuffs.
  - c. Ms Walters was handcuffed and then escorted to a MPU cell in the Cue Unit, where her handcuffs were removed, before she was strip searched by female officers (despite Officers assurances otherwise), placed in rip-proof clothing and left in the MPU cell with dinner and a mattress.
  - d. Ms Walters was confined in her cell for an undisclosed amount of time.
  - e. Recommendations were made by the Unit Manager to the Assistant Superintendent Officer that Ms Walters:
    - i. Remain in Cue Observation for a minimum period of 28 days; and
    - ii. All movements out of Cue Unit were to be conducted in restraints; and
    - iii. loss of television privileges for 1 day.
76. On 27 February 2019 at about 1.55 pm, Officers reported that Ms Walters becomes agitated and distressed when Officers inform her that she will be moved from MPU 03 to observation cell 02, not observation cell 01, the cell in which she has spent majority of her time in the Cue Unit, as per management decision. It is reported that Ms Walters had become proprietorial over observation cell 01 in which she spent most of her time and considered cell 02 to be "dirty" and "full of germs" and allegedly 'threatened the Officers in attendance.
- a. Incident number I61384426.
  - b. Ms Walters was punished by:
    - i. Loss of television for the remainder of the day.
    - ii. Loss of canteen for 3 days.
77. On 27 February 2019 at about 4.15 pm to 4.25 pm, Officers alleged that Ms Walters refused to move from MPU cell 03, observation cell 02 in the Cue unit following her shower. It is reported that Ms Walters complained that cell 02 was contaminated with menstrual blood. Recovery Officers used force to place Ms Walters in Observation cell 02.
- a. Incident number I61397298.
  - b. Recovery Officers took hold of Ms Walters' arms to lift her from a chair to her feet.
  - c. Recovery Officers used the wrist weave hold while escorting Ms Walters to the cell.
  - d. Recovery officers put Ms Walters face down in the prone position on a mattress on the cell floor (the figure 4 restraint) and hot exit preformed.
  - e. Ms Walters was confined in her cell for an undisclosed amount of time.

- f. Ms Walters was punished by loss of television privileges for 2 days.
78. On 27 February 2019 between about 7.45 pm and 8.00 pm Officers reported that they heard Ms Walters complaining about the stains and dirt in Observation cell 02 and wrapping fabric around her neck. At 8.08pm she strangled herself until the fabric broke. At 8.10pm the Unit Manager attended the cell and Ms Walters again complained of stains and dirt. At 8.30pm the onsite nurse attended the cell and observed red marks around Ms Walters' neck. At 9.10pm Ms Walters put up a mattress and resumed self-harm. Officers also reported that Ms Walters had refused all meals during the day.
- a. Incident number I61405449.
79. On 28 February 2019 at about 2.35 pm, Ms Walters was in Observation cell 02. Officers reported watching Ms Walters tie a long piece of t shirt material around her neck. Officers reported that Ms Walters "seems still very upset and angry".
- a. Incident number I61456765.
80. On 1 March 2019 at about 4.45 pm, Officers reported that they observed Ms Walters holding a stick in the Yeeda exercise yard ~~with a stick~~. Officers allegedly asked Ms Walters to handover the stick and return to MPU 04 cell in the Cue Unit.
- a. Incident report number I61505084.
- b. A use of force warning was issued.
- c. Ms Walters was then escorted to Cell MPU04 without further incident, and pat searched.
- d. Ms Walters then obscured the camera in Cell MPU04 with her mattress.
- e. Officers entered Ms Walters cell and observed fresh blood on her legs caused by self-harm with a piece of glass.
- f. Officers handed Ms Walters a mop and Ms Walters was told to clean the blood off the floor and walls.
- g. Ms Walters was then confined in a different cell for an undisclosed period.
81. On 18 March 2019 at about 9.50 am, Ms Walters was confined to her cell as punishment for "not following instructions and using abusive language".
- a. Incident report number I62301949.
- b. Ms Walters was confined in her cell for the morning recreation period.
82. On 23 March 2019 at about 9.30 am, Ms Walters reported to an Officer that she had swallowed a piece of glass overnight.
- a. Incident report number I62599251.
83. On 23 March 2019 at about 2.40 pm, Ms Walters was in the Cue lounge. Officers alleged that Ms Walters refused to reveal the drawings made in her journal and refused to comply with said Officers instruction to return to cell as a result. Recovery Officers attended the Cue lounge and it is reported that Ms Walters complied with the controlled escort to her cell.

- a. Incident report number I62598571.
  - b. Ms Walters was punished by:
    - i. being confined in her cell for the afternoon recreation period.
    - ii. loss of recreation privileges for 1 day.
84. On 23 March 2019 at about 3.40 pm while Ms Walters was confined in her cell, Officers reported watching Ms Walters cause superficial scratches to her arms and legs. When asked why she had done it, Officers reported that Ms Walters replied with words to the effect of, "why not - nothing else to do". An Officer attended Ms Walters's cell and Ms Walters surrendered a small staple.
- a. Incident report number I62605259.
85. On 17 April 2019, Officers alleged that Ms Walters refused to follow instructions, first from a teacher and then from Officers to go to her cell. Officers issued a use of force warning. Ms Walters then returned to her cell, whereafter Officers observed Ms Walters tying material around her wrist and using a sharp metal object to pierce the vein.
- a. Incident report numbers I63736209 and I63743254.
  - b. Ms Walters was confined to a Cue Unit observation cell for an undisclosed period, on continuous ARMS watch.
  - c. Ms Walters was charged \$100 restitution for damage caused to the mattress by bloodstains.
86. On 24 April 2019 at about 3.00 pm, Ms Walters was in the Peel Unit lounge area for recreation time. Officers alleged that Ms Walters started "swearing and yelling" at Officers. Officers used force to carry Ms Walters to the Cue Unit.
- a. Incident report number I64036031.
  - b. Officers 1 and 2 controlled Ms Walters arms, while Officer 3 controlled Ms Walters legs, and forced her to the ground, face up.
  - c. Officers turned Ms Walters over so that she was face down and handcuffed her.
  - d. Recovery Officers lifted Ms Walters from the ground and carried her to the Cue Unit cell, handcuffed.
  - e. On arrival at the Cue Unit cell, Ms Walters was again put in a figure four restraint.
  - f. Recovery Officers then pat searched Ms Walters and removed her handcuffs.
  - g. Ms Walters was confined in her cell for an undisclosed period.

**Part 2: Particulars of confinement**

1. Ms Walters was subjected to confinement in the circumstances described in Part 1, paragraphs: 1 to 3, 7, 8, 10, 12 to 17, 22 to 46, 48, 49, 51, 53 to 58, 60 to 64, 67, 69 to 71, 73 to 75, 77, 80, 83, 85 and 86.
2. Ms Walter's confinement was for the purpose of limiting or preventing interaction between Ms Walters and other detainees in her Unit in the circumstances described in Part 1, paragraphs: 3, 7, 8, 14, 51 and 53.
3. Ms Walter's confinement followed the use of force by Officers or threatened use of force by Officers in the circumstances described in Part 1, paragraphs: 3, 7, 8, 10, 12 to 17, 22 to 26, 28 to 46, 48, 49, 51, 53 to 58, 60 to 64, 67, 69 to 71, 73 to 75, 83 and 85 and 86.
4. Ms Walter's confinement followed incidents of self-harm in the circumstances described in Part 1, paragraphs: 7, 8, 10, 12, 16, 27, 36, 78, 79, 80, 82 and 85.
5. Ms Walter's was confined when Officers assigned to supervise Ms Walters during unlock hours were unavailable in the circumstances described in Part 1, paragraphs: 37 and 61.

**Part 3: Particulars of use of force.**

Ms Walters was subjected to use of force:

1. When it was not in an immediate period when Ms Walters was imminently presenting a risk of injury to herself or other detainees or staff in the circumstances described in Part 1, paragraphs: 7, 8, 10, 12, 13, 14, 15, 16, 22, 24, 25, 28, 29, 31 to 35, 37, 38, 40 to 42, 49 to 51, 53, 54, 56, 57, 63, 64, 75 and 77.
2. After the imminent risk of injury had passed and Ms Walters had been stabilised in the circumstances described in Part 1, paragraphs: 7, 10, 12, 13, 16, 22, 25, 26, 30, 33 to 36, 38, 42, 46, 48, 49, 51, 53, 54, 56, 60 to 63, 64, 67, 70, 71, 74, 75, 77 and 86.
3. Force that was more than the degree of minimum physical force required to control Ms Walters' behaviour in the circumstances described in Part 1, paragraphs: 7, 8, 10, 12 to 16, 22 to 26, 28 to 38, 40 to 44, 46, 48, 49, 51, 53, 54, 56, 57, 60 to 64, 67, 70, 71, 73 to 75, 77 and 86.

**Part 4: Particulars of handcuffing.**

Ms Walters was subjected to handcuffing:

1. For extended periods in which she was required to submit to handcuffs for movements within Banksia Hill in the circumstances described in Part 1, paragraphs: 31, 33, 40, 43 to 45, 51, 56, 66, 67, 70 and 71.
- 1A. Of the occasions referred to in Part 4, Paragraph 1, Ms Walters was subjected to handcuffing following use of force by Officers in the circumstances described in Part 1, paragraphs: 31, 33, 51, 56, 68, 71 and 72.
2. ~~It was not~~ Not authorised by the CEO or the Superintendent in the circumstances described in Part 1, paragraphs: 7, 8, 10, 29, 30, 34, 46, 48, 49, 54, 56, 57, 60, 75, 78 and 86.
3. ~~It was authorised~~ Authorised by the CEO or the Superintendent but not in an immediate period when the mechanical restraint of Ms Walters was necessary to prevent injury to herself or other detainees in the circumstances described in Part 1, paragraphs: 7, 8, 10, 29, 31, 33, 34, 40, 43 to 45, 48, 49, 51, 54, 56, ~~to~~ 57, 61, 67, 68, 71, 72, and ~~75 and 78~~.

**Part 5: Particulars of refusal to make Walters Reasonable Adjustments and engaging in punitive responses to manifestations of Ms Walters' ASD breach of duty of care.**

1. Failing to provide Ms Walters with adequate access to clean and unstained clothing, bedding, furniture, and accommodation in the circumstances described in Part 1, paragraphs: 39, 52, 69, 76, 77, 78 and 79.
2. Failing to adequately modify the behaviour and discipline policies at Banksia Hill to reduce the occasions of stress, anxiety and upset for Ms Walters in the circumstances described in Part 1, items: 10, 12 to 16, 21 to 26, 28 to 35, 37 to 41, 48, 51, 53, 55, 60 to 64, 67, 69, 70, 73 to 78 and 81.
3. Failing to ensure that Officers interacting with Ms Walters did not give Ms Walters peremptory, complex, or unpleasant commands in the circumstances described in Part 1, paragraphs: 10, 12 to 17, 21, 23 to 26, 28 to 30, 32 to 41, 46, 48, 49, 51, 53, 55, 60 to 64, 69 to 71, 73 to 77, 83 and 86.
4. Subjecting Ms Walters to use of force and restraint when she reacted with heightened emotional and physical responses to directions, commands and stressful situations in the circumstances described in Part 1, paragraphs: 10, 12 to 15, 22 to 26, 28 to 38, 40 to 42, 46, 48, 49, 51, 53, 54, 56, 60, 61 to 64, 67, 70, 71, 73, 75 to 77 and 86.

**Part 6: Particulars of incidents of self-harm and other repetitive restricted behaviour**

1. Ms Walters engaged in repetitive acts of self-harm in the circumstances described in Part 1, paragraphs: 3, 4, 8, 10, 12, 16, 19, 20, 53, 54, 59, 69, 70, 78, 79, 80, 82, 84, and 85.
2. Ms Walters engaged in obsessive drawing of images of violence, written and verbal threats of harm to herself and/or Officers in the circumstances described in Part 1, paragraphs: 5, 6, 7, 17 to 19, 21, 27, 33, 36, 40, 42, 46, 47, 50, 52, 54, 65, 68, 72, and 83-82.

**Part 7: Particulars of loss of privileges**

The State of WA by its servants and agents, the Superintendent and Officers punished Ms Walters by:

1. Loss of program placement in the circumstances described in Part 1, paragraphs: 14, 22, 31, 32, 46 and 69.
2. Loss of canteen privileges in the circumstances described in Part 1, paragraphs: 47, 48, 69, 71 and 76.
3. Loss of television privileges in the circumstances described in Part 1, paragraphs: 23, 24, 48, 52, 57, 58, 67, 71, 72, 75, 76 and 77.
4. Loss of access to the fitness room in the circumstances described in Part 1, paragraphs: 47 and 71.
5. Loss of recreation privileges in the circumstances described in Part 1, paragraphs: 40 and 83.
6. Confiscation of, or denial of access to books, paper, writing and/or drawing implements in circumstances described in Part 1, paragraphs 5, 11, 18, 27, 40, 42, and 65.

Date: 11 July 2025  
47 May 2023

  
Lawyer for the Applicants

S. A. LOVITT

**SCHEDULE OF PARTIES**

**Alexandra Walters**

First Applicant

**Joel Vida**

Second Applicant

**State of Western Australia**

Respondent