

# Inspection Standards

For Youth Custodial Centres in Tasmania



July 2018

The Tasmanian Custodial Inspector gratefully acknowledges the kind permission of the New South Wales Inspector of Custodial Services enabling Tasmania to adopt the 'Inspection standards for juvenile justice custodial services in New South Wales' as the basis of the 'Inspection standards for Youth Custodial Centres in Tasmania'.

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**Note:** For the purposes of these inspection standards, a reference to the term 'prisoner' includes persons that are remanded and detained in custody.



## Preface

When a young person is detained in a facility established as, or declared to be, a detention centre<sup>1</sup> their wellbeing is placed in the hands of the Department of Communities Tasmania - Children and Youth Services for a defined period of time. In addition to assisting with the reduction of re-offending, education<sup>2</sup> and promoting the health<sup>3</sup> of the young people in its centres, Children and Youth Services also needs to ensure the safety and security of both staff and young people. It is essential that those responsible for looking after these young people do so in the most ethical and humane manner. The Parliamentary creation of an independent inspection body is direct recognition that such examination is essential if community confidence in our criminal justice system is to be maintained.

To this effect, the Custodial Inspector has published these inspection standards for young people in detention in Tasmania (the Standards). Drawing upon a range of international and domestic legal instruments and conventions, the Standards provide a framework against which the conduct within youth detention centre walls can be examined. The publication of inspection standards ensures the predictability, transparency and consistency of inspections.

Being the most severe form of punishment available in Australia, a custodial sentence is to be imposed only where a court is satisfied that no other form of sanction is appropriate. Given the intrinsic vulnerability of children and young people, a period of detention has the potential to impact upon the individual significantly and have far-reaching effects. If a cycle of re-offending and institutionalisation in custodial settings is to be prevented, it is imperative that youth custodial environments maintain standards that ensure the safety and wellbeing of young people

Young people who offend are fundamentally different from adults who offend in terms of their specific emotional, cognitive, and physical needs. The Standards contained in this document follow policy, legislative provisions and observed best practice in Children and Youth Services Tasmania and in other jurisdictions.

Recognition of the specific needs of young people should be manifest at all stages of the custodial experience, from the initial orientation period, to the continued provision of tailored services throughout their period of incarceration, preparation for release, and transition to the community.

Although the deprivation of liberty is inherently punitive, the overall design and delivery of Youth Custodial Centres should not impose an additional punishment over and above the detention itself. Only the minimum degree of security necessary to ensure the safety of detained persons should be incorporated into the design of the facility. Additionally, staff and management must be trained to appreciate the unique needs of young people, and exercise

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<sup>1</sup> Pursuant to YJA s.123

<sup>2</sup> Education services are provided by Department of Education Tasmania

<sup>3</sup> Health services are provided by arrangement with Correctional Health Services, a division of Tasmanian Health Service



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their roles in a manner respectful of the growth and development of detainees.

The primary objective of the youth justice system is to reduce young people's re-offending. Accordingly, the range of services and programs available should emphasise the importance of maintaining links with family and community. Where possible, detention centres should provide access to community-based activities to allow young people who offend to strengthen community connections and provide skills which will enhance reintegration.



## Abbreviations

AJJA standard	Australasian Juvenile Justice Administrators, Juvenile Justice Standards, (2009).
YJA section	<i>Youth Justice Act 1997</i> (Tas)
DGJJFANZ guideline/ paragraph	Department of Human Services Victoria, <i>Design Guidelines Juvenile Justice Facilities in Australia and New Zealand</i> (May 1996)
UKHEALTH	UK Youth Justice Board Healthcare Standards for Children and Young People in Secure Settings
RCIADIC recommendation	Royal Commission Into Aboriginal Deaths In Custody, Regional Report of Inquiry into Underlying Issues in Western Australia (1990)
UNBEIJ rule	United Nations, Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”), (29 November 1985).
UNJPDRL	United Nations, Rules for the Protection of Juveniles Deprived of their Liberty (14 December 1990)
UNCRC article (point)	United Nations, Convention on the Rights of the Child, (2 September 1990)
ACCG Charter	Australian Children’s Commissioners and Guardians, A model charter of rights for children and young people detained in youth justice facilities
ACCGPS	Australian Children’s Commissioners and Guardians, Statement on conditions and treatment in youth justice detention (November 2017)
Separation and segregation	The term ‘isolation’ is defined at s.133 of the <i>Youth Justice Act 1997</i> (Tas). ‘Isolation’ is the term generally used by Ashley Youth Detention Centre and Children and Youth Services for instances of separation and segregation of young people.







# 1 Governance and procedural fairness

*This chapter seeks to ensure that all processes and services provided by youth detention centres are fair and acknowledge the rights and responsibilities of all involved.*

## 1.1 Young people can only be held in detention under an appropriate authority and should be released at the earliest appropriate opportunity in accordance with legislation.

- 1.1.1 The admission process includes checking all arrivals have an appropriate authority for detention and that the correct person is in detention.
- 1.1.2 Any detention documentation required for court is provided in a timely manner.
- 1.1.3 Involvement from Children and Youth Services Tasmania is sought at the earliest opportunity for all young people without existing care arrangements in the community to ensure arrangements are made, prior to the young person's release, for appropriate and safe accommodation and support.

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### Supporting References

UNBEIJ rr. 4.1, 28.1, 28.2  
UNCRC arts. 3(1), 3(2), 37(b), 40(4)  
UNRPJDL rr. 17, 20  
YJA ss. 109(1) and (2), 126



**1.2 Young people should understand their rights, obligations and what to expect during their time in custody.**

- 1.2.1 Young people are informed of their rights and responsibilities verbally and in writing in a way that they understand.
- 1.2.2 Young people are offered necessary assistance in gaining access to legal advice and in reading/writing legal correspondence.
- 1.2.3 Young people can easily and confidentially communicate with legal representatives free of charge.
- 1.2.4 Private legal visits are supported and accommodated in suitable facilities. [Also see Standard 3.4]

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**Supporting References**

YJA ss. 4(d), 127, 128, 129(1)(b)  
ACCG Charter



- 1.3 No young person should experience disadvantage, discrimination or abuse while in custody. Application of centre policies and procedures should not result in a young person being treated less favourably because of their race, age, sexual orientation, lawful sexual activity, gender, gender identity, relationship status, pregnancy, breastfeeding, parental status, family responsibilities, disability, religion, politics, culture or social origin.**
- 1.3.1 All young people have equitable access to the full range of services available within the detention centre.
  - 1.3.2 The detention centre has an effective anti-discrimination strategy, equity and diversity policy and actively promotes respect for difference.
  - 1.3.3 The detention centre has active strategies for the protection of vulnerable and at-risk young people and to identify and manage bullying. Strategies are reviewed regularly.
  - 1.3.4 Staff are trained in the strategies relevant to 1.3.3 as well as cultural awareness, supporting diversity, preventing discrimination, and methods for diffusing cultural conflicts.
  - 1.3.5 Children and young people are given clear information about how the detention centre promotes equity and diversity, and how to obtain support regarding equity or diversity issues.
  - 1.3.6 Information and instructions are provided to young people in a way that they can understand.
  - 1.3.7 Allegations and incidents are treated consistently and investigated thoroughly. Incidents are routinely reported, patterns identified, and strategies are put in place to address new and emerging trends.
  - 1.3.8 Interventions and responses to allegations address both victim and perpetrator.

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**Supporting References**

UNCRC arts. 2, 30  
UNRPJDL r. 38  
ACCG Charter



- 1.4 The distinct needs of young people with disabilities, with a high level of vulnerability, and those with mental health issues should be assessed and they should have equitable access to services, activities and amenities, including specific assistance relating to their needs.**
- 1.4.1 There are appropriate assessments conducted to identify the needs of young people with disabilities, including young people presenting with potentially undiagnosed conditions. This could involve expertise on-site or appropriate referrals to specialist facilities for assessment and setting up a management plan.
  - 1.4.2 All staff receive basic disability awareness training. Staff working closely with young people with disabilities also receive ongoing training in managing specific disabilities.
  - 1.4.3 Staff are alert to and quickly address any bullying, verbal or physical abuse or other negative actions towards highly vulnerable or immature young people and young people with disabilities.
  - 1.4.4 Highly vulnerable or immature young people, those with newly-diagnosed mental health issues and those with an existing diagnosis have a management plan specifying special needs to be addressed. This plan should include all areas of centre life and all staff involved in the young person's management should be aware of the plan. Young people with disabilities should be referred to relevant services to ensure they receive the appropriate assistance, assistive technology and other services.
  - 1.4.5 Young people with disabilities are managed according to their individual needs. This may involve additional services, equipment, time and other resources to ensure they have equitable access to the services, activities and amenities needed to progress through detention and out of detention at the earliest suitable time.
  - 1.4.6 Young people with physical disabilities are able to access all areas of the detention centre in order to engage fully with centre activities. Young people with non-physical disabilities also should have appropriate assistance to ensure they can fully engage with centre activities in meaningful ways.



- 1.4.7 There are working relationships and agreements in place with relevant government and non-government agencies to enable multi-agency management and release planning for young people with disabilities.

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**Supporting Documentation**

UNCRC art 23  
UNBEIJ r 26.2  
UNRPJDL r 51  
DGJJFANZ 5.203 – 5.213  
ACCG Charter

**1.5 Information regarding individuals must be kept private and confidential, with monitored and documented processes in place for appropriate information sharing between staff and agencies directly involved with the young person's care and management.**

- 1.5.1 Information is managed and stored with respect for confidentiality and security.
- 1.5.2 Protocols and procedures are in place to facilitate appropriate information sharing between agencies directly involved in managing individual young people.
- 1.5.3 Procedures are in place to ensure the protection of young people from exposure to the media (especially during court transports and external activities).
- 1.5.4 Appropriate checks are made on visitors or telephone callers to reasonably ensure they are genuine and appropriate to talk to or visit young people, or be given any information about specific young people.
- 1.5.5 Documents gained whilst in detention intended for use in the wider community do not indicate the young person was in detention (for example, school certificates, work references, identification, medical referrals), unless directly relevant or required. [Also see Standards 2.3.2 and 7.4.4]

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**Supporting Documentation**

UNBEIJ rr. 8.1, 8.2  
UNCRC art. 16  
UNRPJDL rr. 19, 40, 87  
YJA s. 22



**1.6 There should be robust and accountable recording and reporting systems for major aspects of the detention centre's activities.**

- 1.6.1 Young person records are current, confidential and accessible to relevant staff.
- 1.6.2 Operational procedures follow from clear policy, derived from legislation where appropriate, and are regularly reviewed. All staff have easy access to policy and procedures.
- 1.6.3 Decisions are effectively communicated to relevant staff.
- 1.6.4 Investigations of issues, incidents and allegations are undertaken expediently.
- 1.6.5 There is regular internal and external risk-based auditing of all areas of centre operations.
- 1.6.6 Adequate human resource management and administrative systems support the effective functioning of the detention centre and staff.
- 1.6.7 Each detention centre should have a quality assurance system whereby it is able to monitor, measure and improve its own performance.
- 1.6.8 Each detention centre should have agreed external reporting arrangements which are followed consistently.

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**Supporting Documentation**

UNRPJDL rr. 21, 23  
UNBEIJ r. 30.0



**1.7 The detention centre has an effective and confidential complaints mechanism in place that promotes the protection from repercussions of those who use it.**

- 1.7.1 Information about complaints is reinforced through notices and posters displayed throughout the detention centre in a range of formats.
- 1.7.2 Staff make efforts to resolve complaints promptly without requiring young people to go through formal procedures unnecessarily.
- 1.7.3 Young people can access and submit complaint forms easily, in confidence and without fear of punishment or recrimination.
- 1.7.4 All complaints, whether formal or informal, are dealt with fairly and promptly, taking into account individual circumstances.
- 1.7.5 Young people receive responses to their complaints that address the issues raised in a timely manner.
- 1.7.6 Young people feel, and are, able to ask for help in completing their complaint.
- 1.7.7 Young people receive help to pursue complaints and grievances beyond the detention centre with external bodies, if they need to.
- 1.7.8 An effective monitoring system is in place to analyse complaints, to identify patterns and make any appropriate changes.
- 1.7.9 Staff are able to make comments, suggestions or complaints in a formalised manner, either within the detention centre or to external bodies. [Also see Standard 3.4.8]

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**Supporting References**

UNCRC art. 40(2)(b)  
UNRPJDL rr. 24-25, 75-78  
ACCG Charter



**1.8 All young people should be able to satisfy the needs of their religious, spiritual, and cultural life.**

- 1.8.1 All young people have easy and private access to representatives of their faith.
- 1.8.2 Young people know the timing of religious services; these times are appropriate to different religions.
- 1.8.3 Centre activities are arranged so that young people are able to attend religious services.
- 1.8.4 Worship areas are equipped with facilities and resources for all faiths.
- 1.8.5 Religious representatives demonstrate and promote understanding, acceptance of and respect for different religions.
- 1.8.6 Young people are able to attend faith classes and groups in addition to worship and private discussions.
- 1.8.7 Young people are able to obtain, keep and use artefacts that have religious or cultural significance, provided they do not pose a risk to safety or security.
- 1.8.8 Young people are able to celebrate all major religious and cultural festivals and are encouraged to participate in their planning and organisation. These are actively promoted to all young people.
- 1.8.9 Monitoring of the different religions in the detention centre population is comprehensive, accurate and is reviewed regularly to shape service provision.
- 1.8.10 Procedures are in place to allow young people to express their cultural identity, for example, through access to food requirements or cultural advisers.
- 1.8.11 Young people should be encouraged to learn about their own cultural heritage, other cultures and the origins of cultural activities during structured activities – both internally run and from visiting external groups and experts.
- 1.8.12 Aboriginal spirituality should be encouraged and strengthened through cultural programs, visits with Elders and other representatives of Aboriginal communities and through observance of customs, rites of passage and tribal traditions.

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**Supporting References**

AJJA s. 3.11  
UNRPJDL r. 48  
UNCRC arts. 14, 30  
ACCG Charter



## 2 Informed advice

*This chapter ensures that professional, timely, and evidence-based advice is provided to courts, statutory authorities and other stakeholders.*

### 2.1 Current information about agency policy and operations of the detention centre should be readily available to staff, visitors and any other interested parties as appropriate.

- 2.1.1 Centre rules, policies and procedures are readily available to all staff (including external and visiting staff) of the detention centre in accessible locations and formats.
- 2.1.2 Staff specific policies, for example, the code of conduct and whistle blowing, are readily available to staff.
- 2.1.3 There is adequate information available in the foyer, visits area, and on relevant websites regarding visits policy, visiting hours, how to book visits, make queries or lodge complaints. Staff should be available to answer queries in person before, during and after visits and at other times via telephone or written contact.
- 2.1.4 There are effective complaint systems for visitors, staff and any others having contact with the detention centre. Complaints are actioned promptly, with progress and outcomes recorded for future reference.
- 2.1.5 Confidential telephone help lines are available to all young people. These are private, unrecorded, available free of charge and well-advertised through the detention centre.

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#### Supporting References

UNRPJDL r. 8



**2.2 Staff comply with legislative reporting requirements.**

- 2.2.1 Any harm or suspected harm to a young person while in custody is reported by the employee immediately on becoming aware of the harm or on their reasonable suspicion of harm to the young person. [Refer also Standard 10.3]
- 2.2.2 Staff are trained to recognise and respond to behaviours indicating emotional, psychological, or physical harm.
- 2.2.3 Policies and procedures are in place in relation to reporting obligations and processes (for example, maintaining such things as use of force and isolation registers). Additionally, mechanisms are in place to capture data relating to those obligations and processes.

**2.3 Systems are in place for communicating effectively and appropriately with staff and service providers.**

- 2.3.1 All support services work in a coordinated manner.
- 2.3.2 There are clear protocols for information sharing, service agreements and confidentiality provisions to support open and timely communication between different sections and staff regarding detainee management, activities and interventions.



## 3 Service Delivery

*This chapter supports the provision of services that support compliance, contribute to reducing offending, increase community safety, and support positive behaviour.*

### 3.1 The treatment of young people and the conditions in which they are held must meet contemporary community standards of decency and humanity.

- 3.1.1 Young people in detention centres have the right to be safe and free from abuse.
- 3.1.2 Detention conditions take into account the individual needs of young people – their status, developmental stage, special requirements, physical and mental health issues to ensure their protection from harmful influences and risk factors.
- 3.1.3 Operating procedures reflect the requirement to maintain human dignity and ensure that no young person suffers unnecessarily while in custody.
- 3.1.4 Staff model appropriate ways of behaving and interacting with each other and young people, and challenge inappropriate behaviour.
- 3.1.5 Young people are not routinely locked down for extended periods – if they are, there are compensatory measures and increased staff interaction is provided.
- 3.1.6 Young people are involved in cleaning, laundering and maintaining their clothing and living environment with appropriate staff supervision.

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#### Supporting Documentation

UNCRC arts. 27(1), 37

UNRPJDL rr. 12, 31, 33, 34, 36, 66, 87



**3.2 All custodial arrangements for young people must reflect a youth-focused philosophy and be operated independently of adult prisons.**

- 3.2.1 There is a clearly articulated and understood operating philosophy in the detention centre. This philosophy accords with legislative requirements relating to youth detention.
- 3.2.2 The detention centre has a clear focus on developmental needs, links to family support, through-care from and to the community as well as the specific needs of individual young people.
- 3.2.3 Youth detention services and facilities are located separately from adult custodial facilities.
- 3.2.4 Procedures try to avoid taking a 'blanket approach' and cater to the individual needs of young people.

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**Supporting Documentation**

UNRPJDL rr. 30, 31, 32, 85  
UNCRC arts. 3, 20, 27(1), 27(2)



**3.3 Within two hours of admission to a detention centre, each young person should undergo a rigorous assessment to ensure that their risks and needs are identified and they are placed appropriately in the detention centre.**

- 3.3.1 Admission discussions take place in a clean, secure, non-threatening and confidential environment.
- 3.3.2 Young people are always asked if it is their first time in custody and treated accordingly.
- 3.3.3 All staff deal with sensitive information in an appropriate manner and ensure that the needs of the young person are communicated to all relevant parties.
- 3.3.4 Upon admission, at risk young people are identified and strategies developed to ensure their safety.
- 3.3.5 Young people are examined by a medical professional within two hours of admission to identify any conditions that require attention.
- 3.3.6 All assessment instruments are appropriate to determine the needs and risks of young people entering detention.
- 3.3.7 Until they are assessed, all young people are treated as being high risk and are subject to closer and more frequent checking than standard.
- 3.3.8 Young people are held in reception for as short a time as possible and are not left for long periods with nothing to do.
- 3.3.9 Prior to being locked down on their first night, and regardless of the time, young people are given the opportunity to shower and have a hot meal.
- 3.3.10 All new arrivals are offered the chance to speak to a member of the chaplaincy or peer support program on their first night or the following morning.
- 3.3.11 Young people are given a pack containing essential basic toiletry items.
- 3.3.12 Staff spend time with young people on their first morning to assess how they are coping.

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**Supporting Documentation**

UKHEALTH cl. 1.1



**3.4 Induction begins within 24 hours of the young person's arrival at the detention centre and upon its completion all young people understand the detention centre's routines and how to access available services and support.**

- 3.4.1 All young people receive a structured and comprehensive induction which leaves them with a clear understanding of the detention centre and how to access any information or service they need to deal with problems.
- 3.4.2 Staff should reinforce the information given in reception and be easily approachable for questions to be asked on a continuing basis.
- 3.4.3 An individual interview takes place during the induction program to assess how the young person is feeling about being in custody.
- 3.4.4 Young people are informed about the detention centre's procedures to protect them from bullying, peer pressure and abuse.
- 3.4.5 Young people are informed that their private information will be treated confidentially.
- 3.4.6 There is a peer support program to support young people and supervision provided for the peer supporter.
- 3.4.7 The system for earning for canteen purchases is explained clearly.
- 3.4.8 Young people should be made aware of who they can speak to if they have concerns about their care and custody in detention, including the Ombudsman, Health Complaints Commissioner and Commissioner for Children and Young People. [Also see Standard 1.7]

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**Supporting Documentation**

UNRPJDL rr. 24, 25, 75, 76, 77, 78

YJA s.128

Commissioner for Children and Young People Act 2016 (Tas) s.10



- 3.5 Each young person must have in place a detailed case management plan executed by an appropriately trained caseworker within two weeks of their admission to the detention centre.**
- 3.5.1 Each young person has an individual youth worker allocated to them who they can go to on a daily basis for advice or help.
  - 3.5.2 All young people and appropriate family members should be actively involved in the young person's individual case management.
  - 3.5.3 A through-care approach to case management should be coordinated across the whole detention centre as well as between the detention centre and the community.
  - 3.5.4 The case management plan must be based on the young person's needs and should follow an appropriate and realistic timeline.
  - 3.5.5 While the majority of young people will be of school age and so require education, there needs to be sufficient flexibility to ensure other needs are addressed as well, for example, therapeutic programs, family contact, and legal advice.
  - 3.5.6 Case management is also provided for young people who return to custody multiple times for short stays and enables previously started activities to be continued, where appropriate.
  - 3.5.7 The young person's caseworker should ensure they review the case management plan no less than once per month, and more frequently for more complex cases.

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**Supporting Documentation**

UNCRC art. 39



**3.6 Arrangements for the young person's accommodation and access to relevant education, health, work, and social services must be finalised before the young person is released from the detention centre.**

- 3.6.1 Where appropriate, release planning should commence when the young person enters custody, based upon the needs and risks identified through assessment.
- 3.6.2 There should be a step-down process leading up to a young person's release, including external activities, day release, or similar options and connection with external community agencies.
- 3.6.3 Preferably all young people should have some community experiences, external to the detention centre, prior to release.
- 3.6.4 All young people should have a discharge interview and plan to ensure they are aware of any relevant requirements they may have following release, together with appropriate services and contacts in the community.
- 3.6.5 Young people should leave detention with their immediate needs met, including having education arrangements, accommodation, transitional support structures and contacts in place.
- 3.6.6 Preparation for young people with serious and enduring mental health problems should ensure that they continue to be managed appropriately on release.
- 3.6.7 Suitable clothes and bags are available on release to young people who do not have them.

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**Supporting Documentation**

UNBEIJ rr. 24.1, 29.1  
UNRPJDL rr. 59, 79, 80  
ACCG Charter





### 3.7 All young people are engaged fully in a program of education, learning and skill development to meet their individual needs.

- 3.7.1 Program development and delivery is based on research and evaluation outcomes.
- 3.7.2 A detailed education plan should be developed in conjunction with the young person as part of their case management, following a thorough assessment of their needs and abilities.
- 3.7.3 Learning plans should contain clear goals and be used to record and review the young person's progress.
- 3.7.4 Young people are permitted and encouraged to continue their schooling whilst in detention.
- 3.7.5 Young people can also access vocational programs that will develop their potential for when they are released.
- 3.7.6 Education and training programs are equal to the standard available in the community to enable continuity and recognition of prior learning.
- 3.7.7 The range of educational and training programs can accommodate the disparate needs of the young people in the detention centre.
- 3.7.8 Sentence status does not impinge on access to education and training.
- 3.7.9 A range of teaching methods should be available and should not be limited to the classroom environment.
- 3.7.10 High quality learning support is available for those who need it to make progress. Those who do not progress are assessed further and supported accordingly.
- 3.7.11 Up to date technology and mass media should be available.
- 3.7.12 Exclusion from education is used only as a last resort and where a young person is excluded, appropriate learning activities are provided.
- 3.7.13 Young people who refuse to attend education activities are monitored closely. Case management plans addresses such difficulties and works toward them undertaking relevant education as soon as possible.

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#### Supporting References

UNBEIJ r. 26.6  
 UNCRC arts. 13(1), 13(2), 17, 28(1), 29(1)  
 UNRPJDL rr. 38, 39, 41, 42, 43, 44, 45, 46, 62  
 ACCG Charter



**3.8 A range of evidence-based treatment programs to address the identified risks and needs of young people in detention should be made available.**

- 3.8.1 Programs offered to young people in custody should have the aim of improving the skills of the young person and reducing their likelihood of re-offending. In addition to addressing their criminogenic needs, programs and education should aim to better equip them for life when they are released.
- 3.8.2 Drug and alcohol awareness programs are available for at risk young people.
- 3.8.3 Drug and alcohol dependent young people have a suitable program drawn up based on a thorough assessment.
- 3.8.4 Psychosocial interventions are integrated with clinical treatment.
- 3.8.5 In addition to treatment programs, targeted interventions may include personal development and life skills programs, or personalised programs such as counselling or 'buddy' programs.
- 3.8.6 Interventions and programs are regularly reviewed and where practicable, externally evaluated for effectiveness.
- 3.8.7 Details of progress and achievements during all activities undertaken in custody are kept and made available in a timely manner, particularly for presentence reports, parole hearings and to support post release arrangements.

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**Supporting References**

UNCRC art. 39  
UNRPJDL r. 54  
ACCG Charter



### 3.9 Young people in detention should only be transported when absolutely necessary and must never be transported in unsafe or inhumane conditions.\*

- 3.9.1 Alternatives to transport should be used whenever possible, for example, the use of video links for court appearances and the provision of in-house medical and dental services.
- 3.9.2 Prior to travel, all young people should be assessed to ascertain the potential negative impact of such travel and ways to minimise this impact.
- 3.9.3 Any special needs identified must be met to minimise the impact of travel, including for young people with disabilities, who are injured or who are pregnant.
- 3.9.4 Young people are given meals/drinks before, and adequate comfort breaks during, transfer which are suitable for the length of the journey (as a guide, every 2 to 2.5 hours).
- 3.9.5 Young people are escorted in vehicles that are safe, secure, clean and comfortable, with adequate storage for property and with suitable emergency supplies and hygiene packs for young women.
- 3.9.6 There should be a capacity to broadcast essential information to vehicle passengers.
- 3.9.7 Vehicles must be able to be tracked in real time.
- 3.9.8 A cool store for staff and passenger food and drinks must be provided.
- 3.9.9 Where other facilities are used for overnight stays they must provide an adequate level of accommodation and services.
- 3.9.10 High security escorts, while ensuring security and safety, must also have regard to the welfare and dignity of young people.
- 3.9.11 Methods of restraint are only used if they are justified by a risk assessment. These are to be documented and reported.

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#### Supporting References

UNCRC arts. 37(a), 37(c)  
UNRPJDL r. 26

\*It is not suggested that transport is to be minimised for reintegration and rehabilitative purposes.



- 3.10 The unsentenced status of remanded young people should be respected in the way they are treated while in detention. Remandees must have no less access to services, activities and amenities as sentenced young people, and be able to access additional services required in line with their remand status.**
- 3.10.1 Wherever possible young people on remand are housed in domestic style, normalised accommodation to maintain their status as innocent until proven guilty.
  - 3.10.2 Unless it would cause disadvantage or distress, remanded young people are kept separated from sentenced young people.
  - 3.10.3 Remandees are encouraged to access programs that may be beneficial for them.
  - 3.10.4 Remandees have unlimited access to legal advisers and are kept aware of all relevant information regarding their court case.
  - 3.10.5 Remanded young people are able to access assistance with accommodation and support for re-entry into the community in the same way as sentenced young people and at a level appropriate to their needs.
  - 3.10.6 Efforts are made to maintain functional connections to the community for remandees, including additional visits and phone calls and continuation of study activities where possible.
  - 3.10.7 Remandees' case management system is the same as that of sentenced young people.

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**Supporting References**

UNBEIJ r. 7.1  
UNCRC art. 40(2)  
UNRPJDL rr. 17, 18

### 3.11 Young people have access to a library which meets Australian standards and are encouraged to use it frequently.<sup>4</sup>

- 3.11.1 The library stocks a range of books for a range of reading abilities.
- 3.11.2 The library is used for both leisure reading as well as supporting young people's educational needs.
- 3.11.3 Young people not in their normal location, for example, in separation or health care, are also provided for.
- 3.11.4 Young people are encouraged to develop their research skills, including supervised use of the internet.

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#### Supporting References

UNCRC art. 17  
UNRPJDL r. 41

### 3.12 The detention centre should have a structured daily routine conducive to the rehabilitation and positive development of young people.

- 3.12.1 Activities in the detention centre should provide a regular routine with regular work, training and study activities during the week and a more relaxed routine on weekends.
- 3.12.2 Work, study, relaxation, eating, and sleeping should take place in different settings.
- 3.12.3 Various activities are available during 'free time' to reduce boredom.
- 3.12.4 Security procedures do not unnecessarily disrupt the routine of activities.
- 3.12.5 The routine of activities is flexible enough to accommodate family visits, appointments, and special events.

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#### Supporting References

AJJA s. 10.4  
UNRPJDL r. 12  
ACCG Charter

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<sup>4</sup> See 'Living Learning Libraries: Standards and guidelines for NSW public libraries', 5th ed. Library Council of NSW.



## 4 Family and community

*The standards in this chapter seek to reduce offending by working with families and the support and cultural networks of young people who are involved in the youth justice system.*

### **4.1 The treatment of young people and the conditions in which they are held must meet contemporary community standards of decency and humanity.**

- 4.1.1 Contact with family and friends where safe to do so is treated as a basic entitlement and is promoted as essential to the young person's psychological wellbeing and to their successful reintegration into the community.
- 4.1.2 Young people are entitled to make and receive various forms of communication including mail, telephone calls and detention centre visits.
- 4.1.3 Telephones are sufficient in number and location to allow for equitable access and privacy.
- 4.1.4 The visits system is flexible and visitor-friendly, and allows for relaxed communication.
- 4.1.5 Security measures are discreet and sensitive to privacy.
- 4.1.6 Visiting areas include options for outdoor visits and child play areas.
- 4.1.7 Family and or friends of a young person are only refused access to visit a young person for a valid reason and as a last resort, and any denial of access is explained clearly to the visitor and young person.
- 4.1.8 Visits are not withheld as a sanction as part of any behaviour management regime.
- 4.1.9 The detention centre regularly reviews the number and frequency of visits per young person to ensure all young people are receiving meaningful contact with family or friends. The detention centre takes proactive steps to address lack of contact as appropriate.
- 4.1.10 Significant family members (or a significant other nominated by the young person) are informed and involved in the young person's management and case planning wherever possible.
- 4.1.11 Consular involvement is sought for any foreign nationals and they receive assistance to maintain contact with family through the provision of overseas phone calls or the use of video link. Arrangements should be flexible enough to accommodate international time zones.

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**Supporting References**

RCIADIC rr. 170, 171  
UNCRC arts. 5, 9, 18(1), 18(2)  
UNRPJDL rr. 22, 56, 59, 60, 61, 67  
ACCG Charter

**4.2 Young people’s connections to the community should be strengthened by participation in interventions and activities involving relevant government and non-government agencies, community organisations and elders.**

- 4.2.1 Involvement with community organisations is regular and ongoing.
- 4.2.2 Protocols and agreements to support service delivery or visiting services are in place.
- 4.2.3 The detention centre conducts outreach activities, such as participation in local committees or representation at local events.
- 4.2.4 Whenever possible, Aboriginal young people participate in cultural activities and celebrations with other Aboriginal people.
- 4.2.5 Community events and promotions are incorporated in to the detention centre’s routine and activities. For example NAIDOC week and Harmony Day.
- 4.2.6 Centre management regularly reviews services provided by agencies to accommodate the changing needs of young people.

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**Supporting References**

UNBEIJ rr. 1.3, 25.1, 28.2  
UNRPJDL rr. 8, 81  
ACCG Charter



### 4.3 Young people should be held as close as possible to their home region.

- 4.3.1 Video link communication is made available to families of young people in detention who live out of region.
- 4.3.2 Centre management recognise the financial or geographical hardships for some families to visit the detention centre and proactive measures are taken to increase visitor numbers for young people.
- 4.3.3 Appropriate assessments use the best interest of the individual to determine placements away from the young person's home region.

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#### Supporting References

RCIADIC rr. 168, 169  
UNRPJDL rr. 59, 60

### 4.4 The importance of peer interaction and social contact to healthy development should be recognised during custody.

- 4.4.1 Peer-based activities (including involvement from community and sporting groups) should be encouraged.
- 4.4.2 Peer associations within the detention centre should be identified and managed effectively, including in decisions regarding unit and bedroom placement.
- 4.4.3 Programs targeting peer-based offending should be available.
- 4.4.4 There should be consideration of appropriately controlled forms of electronic communication to and from family and friends.
- 4.4.5 Young people should have regular access to information, entertainment, and multi-media appropriate to their age and developmental level.

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#### Supporting References

UNCRC art. 15  
UNRPJDL rr. 59, 62



**4.5 Young people should have the opportunity to voluntarily engage in community service activities while in custody.**

- 4.5.1 Community service activities must always be appropriate to the development and maturity of the young person and must incorporate adequate supervision and protection safeguards.
- 4.5.2 The full extent of the benefits to society derived from these activities should be explained to the young person.
- 4.5.3 Preferably, community service should be focused on activities that benefit the young person's local community or have a personal relevance.

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**Supporting References**

YJA s.4(i)

**4.6 Special considerations should be made for young people who are parents or who have parental responsibilities.**

- 4.6.1 Young people with their own children should be enabled to have a positive relationship with their children such as through flexible visiting arrangements, home leave where appropriate, and suitable child-friendly visit facilities.
- 4.6.2 Young parents should be helped to address any issues in their primary relationship if relevant through programs or counselling.
- 4.6.3 Specific services should be available for pregnant young women and new mothers in addition to youth health services – this may include appropriate food and nutrition, maternal health services, and flexible visiting arrangements.
- 4.6.4 Developmentally appropriate relationship and sexual health programs, and programs on parenting skills and health should be available to all young people regardless of their parental status.
- 4.6.5 Young people are helped to fulfil any parental responsibilities. Young people undergoing separation and child protection procedures are well supported.

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**Supporting References**

UNCRC arts. 18, 24(2)  
YJA s. 145



## 5 Partnerships

*This standard outlines some of the ways in which detention centres can partner with government and community organisations to improve integrated services to young people.*

### **5.1 The detention centre operates in partnership with both government and community organisations to ensure that programs and activities offered are effective and based on evidence and good practice.**

- 5.1.1 The provision of education, training and skills is developed and well-coordinated with external organisations and leads to demonstrable benefits for young people.
- 5.1.2 The detention centre seeks partnerships with research bodies or businesses in the community to enhance sustainability.
- 5.1.3 The detention centre seeks partnerships with organisations to enhance research and evaluation of its practices.

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#### **Supporting References**

AJJA ss. 5.1, 5.2

UNBEIJ rr. 30.1, 30.2, 30.3

## 6 Infrastructure

*This chapter details the facilities and resources that are required to deliver effective and efficient youth justice services.*

### 6.1 Detention centres are not oppressive environments and are designed to be used flexibly to allow young people to feel safe and comfortable.

- 6.1.1 Detention facilities are relatively small-scale and purpose-built for housing young people.
- 6.1.2 Detention centres are not overly institutional or imposing.
- 6.1.3 There is good access to natural light and fresh air in all buildings, and accessible and safe outdoor areas.
- 6.1.4 The design and layout of buildings enable the accommodation of fluctuating numbers of young people, different living spaces to suit higher supervision needs or to suit shared living quarters (for example, buddy bedrooms), and separate housing for remandees.
- 6.1.5 There are sufficient multi-purpose and single-purpose activity rooms and spaces to meet the need for education, programs, visits, interviews, recreation and leisure activities.
- 6.1.6 Recognising the proportion of Aboriginal young people in custody and that the detention centre is built on traditional Aboriginal land, there is visual acknowledgement of youth and Aboriginality in the design, decoration or fittings of the detention centre.
- 6.1.7 Where young people are segregated or confined, the place of confinement is of the same standard as the young person's normal accommodation in the centre.

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#### Supporting References

AJJA ss. 9.1, 9.2  
UNCRC arts. 3(3), 20, 27(1), 37  
UNRPJDL rr. 30, 31, 32



**6.2 The infrastructure of the detention centre is well maintained and supports its operating philosophy and security requirements.**

- 6.2.1 Master planning allows for future expansion, as well as for temporary fluctuations in numbers.
- 6.2.2 Fixtures and fittings are robust, but not industrial, in order to handle constant use and substantial wear and tear.
- 6.2.3 There are regular cleaning, maintenance and replacement schedules and effective processes for identification and remediation of faults, breakdowns and unserviceability.
- 6.2.4 Security is maintained at the lowest level required, in a discreet and unobtrusive manner. The design of the detention centre provides clear lines-of-sight and surveillance and recording systems without being overly restrictive or oppressive.

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**Supporting References**

AJJA ss. 9.1, 9.2  
UNCRC art. 3(3)  
UNRPJDL r. 31  
UNRPJDL r. 32



### 6.3 Effective emergency management, Workplace Health and Safety and other systems must be in place to ensure safety.

- 6.3.1 The detention centre is a safe working environment for all staff (including visiting or external staff).
- 6.3.2 An incident response capability must be in place that is commensurate with assessed risk.
- 6.3.3 Systems and equipment must be secured safely, tested regularly and maintained or upgraded to ensure serviceability and effectiveness. This may include large-scale systems such as bedroom call system, locks and keys, radios, cameras, ventilation/heating systems, as well as small-scale items such as unit-based first aid kits, fire extinguishers and restraint equipment.
- 6.3.4 Emergency management plans must be up-to-date, regularly reviewed, with all staff appropriately trained. Regular drills involving young people as well as staff are conducted.
- 6.3.5 Physical and procedural security assists with the management, monitoring and responding to incidents.
- 6.3.6 Staff are trained in workplace health and safety and specific training for the use of emergency equipment is provided.
- 6.3.7 The use of any emergency response equipment is accurately recorded in a register.
- 6.3.8 Hygiene and sanitation must meet the requirements of all relevant legislation.
- 6.3.9 Emergency responses to incidents are documented, recorded and reported in accordance with agreed protocols.

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#### Supporting References

AJJA ss. 8.2, 8.3  
UKHEALTH cl. 3.3, 11.1, 11.2  
UNRPJDL r. 32



- 6.4 The detention centre should adopt and promote principles of sustainability, to be reflected in daily operations.**
- 6.4.1 A sustainability plan is regularly monitored and includes targets to reduce use of utilities, reduce waste and increase self-sufficiency.
  - 6.4.2 Building design and outfitting of the detention centre reflects sustainability principles, for example by incorporating solar-passive design, solar heating and cooling systems, rain-water tanks or grey water systems.
  - 6.4.3 Young people are encouraged to become involved in sustainability projects within the detention centre or in the community.



## 7 Workforce

*It is essential to ensure that detention centres implement workforce practices that support staff to deliver effective and efficient youth justice services.*

### **7.1 Recruitment, supervision and retention strategies should be in place to ensure there is sufficient and appropriate staff with experience to meet the needs of the detention centre and the population of young people at all times.**

- 7.1.1 The recruitment process should ensure suitable individuals are selected (through appropriate screening and assessments, including but not limited to security and 'Working With Children Checks') and trained prior to commencement of duties.
- 7.1.2 New staff should have a variety of supports and supervision by suitably selected experienced and trained managers, supervisors, and peers. They should undergo formal, supervised probation.
- 7.1.3 Issues identified during probation must be addressed with opportunities given for improvement; probation should only be signed off when probationers meet all requirements for permanency and are deemed suitable for ongoing work in the detention centre.
- 7.1.4 Retention strategies should be in place.
- 7.1.5 Regular performance appraisal should also be undertaken for all staff. There are procedures for identifying unsuitable staff and methods for resolving issues or removing/redeploying unsuitable staff.
- 7.1.6 The staffing model should be regularly reviewed and modified to ensure it meets the demands of centre operations and any changes in legislation, policy or procedures.
- 7.1.7 Use of leave and overtime should be monitored as part of the regular review of staff morale.
- 7.1.8 Staffing models should not be copied from adult prisons without rigorous review and modification to suit the needs of young people. For example, more custodial and/or program staff will be needed to maintain a higher staff to young person ratio, and shift structures need to support staff/young person interaction.
- 7.1.9 The staffing model should include professionals and specialists in addition to custodial, administrative and support staff, preferably with experience working with children, adolescents and young adults.



7.1.10 Appropriate screening should be conducted of staff from external agencies delivering services within the detention centre (or during external activities for young people).

7.1.11 Staff are provided with appropriate supervision and management.

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**Supporting References**

AJJA ss. 8.1, 8.2, 8.3, 8.4, 8.5  
UNCRC art. 3(3)  
UNRPJDL rr. 81, 82, 83, 86

**7.2 The staffing mix should include male and female staff from diverse cultural backgrounds.**

7.2.1 The staffing model of the detention centre should be subject to regular reviews and modification to ensure it continues to be suitably diverse.

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**Supporting References**

AJJA ss. 8.8, 8.9  
RCIADIC r. 177  
UNBEIJ 22.2





### 7.3 All staff must be appropriately trained and receive ongoing development, and reaccreditation where necessary.

- 7.3.1 All staff must receive regular training to maintain and upgrade their skills (and qualifications where relevant) and be able to access professional development activities.
- 7.3.2 The regular performance appraisal process should include updating staff needs and professional interests.
- 7.3.3 All staff should undertake training concerning human rights, Aboriginal issues and cultural awareness, child and adolescent development (including gender-specific information), emergency management, drug and alcohol awareness, disability awareness and other relevant areas.
- 7.3.4 All staff are trained and aware of their responsibilities toward young people in detention.
- 7.3.5 The detention centre should have a formal training plan to coordinate the training of staff. Records must be kept of all staff training.
- 7.3.6 Custodial staff and staff with direct detainee contact/supervision receive training in 'soft skills' (such as communication and de-escalation) as well as use of force and other security-focused procedural training.

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#### Supporting References

AJJA ss. 8.1, 8.7  
RCIADIC rr. 122, 155, 210, 237, 238  
UNRPJDL rr. 85, 87



**7.4 Staff should value and develop positive relationships with young people while maintaining appropriate boundaries.**

- 7.4.1 Staff and young people are fair and courteous in their daily interactions.
- 7.4.2 Staff are professional in their conduct at all times.
- 7.4.3 Staff behave in a humane and consistent way, care for young people as individuals and respond to their different needs.
- 7.4.4 Staff can easily access information relating to a young person's needs which is comprehensive and current.
- 7.4.5 Staff take the time to build relationships with young people and are knowledgeable about their strengths and weaknesses.
- 7.4.6 Staff address young people by their preferred name.
- 7.4.7 Young people should be able to easily identify staff by their name.
- 7.4.8 Staff maintain regular contact with young people to check on their wellbeing and remain approachable, giving their time freely and showing genuine interest in young people by genuinely listening to them.
- 7.4.9 Staff maintain accurate and detailed chronological records of their contact and interaction with young people.
- 7.4.10 Staff behaviour that is considered disrespectful, hurtful or provocative is considered a serious breach of conduct by centre management.

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**Supporting References**

AJJA ss. 8.1, 8.2  
UNRPJDL r. 12  
ACCG Charter

## 8 Security

*This chapter underscores the importance of ensuring that the environments in which young people are lawfully detained are safe, secure, and developmentally appropriate.*

### 8.1 There is a clear policy on the role of security in meeting the detention centre's operating philosophy and stated objectives.

- 8.1.1 The detention centre's security policy is up to date and readily available to staff.
- 8.1.2 The security policy reflects an appropriate balance between physical, procedural and dynamic security.
- 8.1.3 There are no apparent risks or inconsistencies in the physical or procedural security practices of the detention centre.
- 8.1.4 The detention centre is adequately staffed at all times.
- 8.1.5 The security policy is proportionate to the needs of the detention centre and does not unnecessarily impinge on the rights of young people.
- 8.1.6 A drug supply and reduction strategy is in place which is regularly evaluated for its effectiveness and is integrated with the security policy.
- 8.1.7 Regular risk assessments are conducted of all areas of the detention centre.
- 8.1.8 The criteria and process for the security ratings applied to young people are clear and consistently applied.

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#### Supporting References

UNCRC arts. 3(3), 19(1)  
UNRPJDL rr. 28, 32  
YJA s. 124



### 8.2 Safety and good order should be maintained at all times, through effective dynamic and procedural security with minimum restrictions necessary to enable humane and respectful relationships between young people and staff and visitors.

- 8.2.1 The core of detention centre security should rest on the encouragement of positive rapport between staff and young people.
- 8.2.2 Staff interact with young people well and there are enough staff to supervise young people and specific areas and activities.
- 8.2.3 Other elements of dynamic security should ensure that young people are occupied through constructive programs and activities.
- 8.2.4 Intelligence processes are in place that are effective in assessing, reporting on and sharing potential security risks.
- 8.2.5 Effective intelligence and security measures are in place to minimise the trafficking of prohibited substances.
- 8.2.6 Surveillance equipment throughout the detention centre is regularly checked and maintained and this process is documented.
- 8.2.7 Procedures are in place for staff to ensure that any equipment accessed through programs or classes that is a restricted article, such as scrap metal and screws, are removed when not in use and young people are closely monitored during these classes.
- 8.2.8 Articles that may be considered a potential security threat are recorded in a log book and accounted for at the end of each shift.
- 8.2.9 All bedrooms are fitted with serviceable call buttons for direct access to staff at all times. These are regularly checked and maintained and this is documented.
- 8.2.10 Mechanical restraints should not be used for routine requirements of young people within a detention centre.
- 8.2.11 Physical security and fire assessments are regularly undertaken and documented.

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#### Supporting References

AJJA s. 9.3  
UNCRC art. 3(3)

**8.3 Force, including any form of restraints, must only be used as a last resort and for the shortest time required. Its use must be safely and humanely applied, properly prescribed and monitored, and reported.**

- 8.3.1 The use of force, including the use of any form of restraints, on a young person should only be used when it is necessary to prevent an imminent and serious threat of self-harm or injury to others, and only when all other means of control have been exhausted.
- 8.3.2 The use of force, including the use of any form of restraints, should not cause humiliation or degradation and should be used for the shortest possible time.
- 8.3.3 The carrying of weapons by staff is prohibited in the detention centre.
- 8.3.4 Centre policies and practices are consistent with legislation.
- 8.3.5 Force is never used as a sanction or to obtain compliance with staff instructions.
- 8.3.6 Staff are trained in de-escalation techniques and are encouraged to use these methods instead of using force. Staff should also be trained in the safe use of force and appropriate use of restraints.
- 8.3.7 Only approved restraints are kept at the detention centre.
- 8.3.8 The use of force register is up to date and contains comprehensive and accurate details of all incidents that involve use of force.
- 8.3.9 All use of force incidents are investigated and reported appropriately.
- 8.3.10 Where the use of force is unavoidable, trained staff only use approved techniques for the shortest possible time.
- 8.3.11 As soon as possible after a use of force incident, the young person involved sees a healthcare professional.
- 8.3.12 Following a use of force incident, the young person is offered the opportunity to discuss it with a staff member who was not involved.
- 8.3.13 Parents/carers are notified of incidents of restraint or force where appropriate.
- 8.3.14 Cameras are used to record planned interventions including the use of force.

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**Supporting References**

AJJA ss. 9.3, 9.4  
UNCRC arts. 19(1), 37(a)  
UNRPJDL r.63- 65  
ACCGPS Nos. 7 and 8



### 8.4 Searches should be undertaken to reduce risks to safety and security from contraband, weapons, alcohol and other drugs.

- 8.4.1 Searches of a young person should be conducted safely and only when reasonable and necessary and must be proportionate to the circumstances.
- 8.4.2 The search register is up to date and contains comprehensive and accurate details of all searches.
- 8.4.3 Searches of rooms are conducted when there is reasonable suspicion that contraband is present; any search of personal possessions is conducted with respect and the room is always left tidy.
- 8.4.4 Required outcomes from security information reports resulting in targeted searches are routinely documented.
- 8.4.5 Search policies are regularly reviewed to assess their effectiveness and any scope for improvement.
- 8.4.6 Additional measures such as use of overalls or increased supervision of visits is promoted as an alternative to searches.
- 8.4.7 Emerging technologies are constantly being reviewed as an alternative to personal searches.
- 8.4.8 Effective search procedures and recording are in place to check the entry and exit of all vehicles, contractors' tools and any other items that pose a potential security risk.
- 8.4.9 Search procedures for visitors are clearly displayed and explained and are conducted in the least obtrusive way possible.
- 8.4.10 Clear information on prohibited and restricted items is displayed to visitors.

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#### Supporting References

AJJA ss 1.1, 1.2, 1.3, 9.1  
YJA ss. 131, 135(3)  
ACCGPS No. 9

## 8.5 Young people are subject to searching measures that are appropriately assessed and proportionate to risk.

- 8.5.1 Unclothed searches are only used as a last resort and are based on intelligence. Prior to this other means of searching such as pat searches, metal detectors and increased surveillance are used.
- 8.5.2 Staff are appropriately trained to conduct unclothed searches in a discrete and sensitive manner and are the same sex as the young person. Where the young person identifies as transgender, the young person will nominate the gender of the staff conducting the search.
- 8.5.3 The search is conducted as quickly as possible, the young person is allowed to remain partly clothed, and permitted to dress as soon as it is complete.
- 8.5.4 A register is kept of all searches, the reasons for them, who conducted the search and the outcomes.
- 8.5.5 The detention centre must have in place standard operating procedures for refusal to comply with an unclothed search or pat search.
- 8.5.6 Unclothed searching is not routinely conducted on entry and exit to a detention centre where a young person has been transported in a secure vehicle.
- 8.5.7 Cavity searches are never to be conducted.

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### Supporting References

AJJA s. 9.3  
UNRPJDL r. 64  
YJA s.131



**8.6 Behaviour management systems must define fair and consistently applied rules for behaviour, where responses to misbehaviour are escalated as appropriate.**

- 8.6.1 Staff have been trained in and understand the detention centre's behaviour management strategy.
- 8.6.2 Rules are applied fairly and consistently without discrimination.
- 8.6.3 Staff encourage young people to engage in all their activities.
- 8.6.4 There is an emphasis on motivating young people to achieve during their time in custody.
- 8.6.5 All sanctions are accurately recorded in a register with complete details of the incident.
- 8.6.6 Staff are trained in lawful disciplinary procedures and are aware of disciplinary measures that are prohibited.
- 8.6.7 Young people are never sanctioned twice for the same offence.
- 8.6.8 Behaviour is not managed with a one size fits all approach, but the underlying needs of an individual are identified and addressed in an age and developmentally appropriate way.
- 8.6.9 Staff balance tolerance and authority and take into account normal adolescent behaviour.
- 8.6.10 Young people are only sanctioned in accordance with legislation and the sanctions are never cruel or degrading.
- 8.6.11 Data from all disciplinary procedures is monitored on a regular basis to identify trends and patterns.
- 8.6.12 Collective sanctions are prohibited.
- 8.6.13 Young people never undertake disciplinary roles in the detention centre.

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**Supporting References**

AJJA ss. 3.9, 9.3  
UNRPJDL rr. 66, 67, 68, 69, 70, 71  
YJA s. 132(b)-(f)





## 8.7 Young people should understand the standards of behaviour and the rules and routines of the detention centre.

- 8.7.1 Young people are informed of the behaviour management policy and the consequences of misbehaviour upon their admittance to the detention centre, in a way they can understand.
- 8.7.2 The rules are on clear display throughout the detention centre.
- 8.7.3 Young people are always informed of what they have done wrong and are given an opportunity to explain their behaviour.
- 8.7.4 The investigation process is managed in a fair and timely manner and properly recorded.
- 8.7.5 Young people are given time to prepare when an investigation process is initiated.
- 8.7.6 Findings and sanctions following an investigation are fully explained to the young person and are recorded in detail.

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### Supporting References

AJJA s. 3.7  
YJA s.127  
ACCG Charter



**8.8 Behaviour management schemes should incorporate incentives to promote effort and good behaviour and use fair sanctions for poor behaviour.**

- 8.8.1 There is sufficient difference between the incentive levels to encourage responsible behaviour and discourage poor behaviour.
- 8.8.2 Good behaviour is rewarded and acknowledged.
- 8.8.3 Young people are kept up to date with their progress on the behaviour management scheme and have the opportunity to comment.
- 8.8.4 Young people who are likely to be downgraded on the behaviour management scheme are warned in advance.
- 8.8.5 Young people can appeal against a decision.
- 8.8.6 The status of a young person can only change following a review.
- 8.8.7 Young people retain comparative status on transfer from another detention centre.
- 8.8.8 The regime for those on the lowest level of the behaviour management scheme is not overly punitive and provides the opportunity for them to demonstrate improvement in their behaviour.

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**Supporting References**

AJJA s. 8  
UNCRC art. 37(a)



**8.9 Where it is necessary for a young person to be placed into separation, segregation or isolation for their own or others safety or for the good order of the detention centre, it will be for the minimum time necessary.**

- 8.9.1 Young people are separated or segregated only in response to an unacceptable risk to themselves or others and only when all other means of control have been exhausted.
- 8.9.2 Separation, segregation and isolation should never be used as a sanction or to obtain compliance with staff instructions.
- 8.9.3 An accurate separation and segregation register recording details of the separation and the young person's routine while in separation is maintained.
- 8.9.4 Staff closely supervise those in separation or segregation and they are not left for long periods of time with nothing to occupy them.
- 8.9.5 Except for when a young person is separated due to presenting as a serious risk of suicide or self-harm, and subject to risk assessment, the conditions of separation or segregation provide no less amenity than normal accommodation.

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**Supporting References**

UNRPJDL rr. 66, 67  
YJA s 133  
ACCGPS No. 10



**8.10 Young people, staff and visitors understand that bullying and intimidating behaviour are not acceptable and are aware of the consequences of such behaviour.**

- 8.10.1 The detention centre has in place an anti-bullying strategy for both staff and young people.
- 8.10.2 On admission to the detention centre young people are informed of the anti-bullying policy and the consequences of bullying behaviour.
- 8.10.3 The anti-bullying policy is well-publicised to staff and visitors.
- 8.10.4 There is an up to date register of reported bullying and investigation outcomes.
- 8.10.5 Age-appropriate programs target all types of bullying behaviour including physical and psychological.
- 8.10.6 Staff are appropriately trained in identifying bullying behaviour and how to apply the centre's policy.
- 8.10.7 Young people are aware and confident of being able to make a complaint or allegation about bullying and they are offered support and counselling throughout the investigation process.
- 8.10.8 Those who have been identified as engaging in bullying behaviour have individual plans to address their behaviour.

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**Supporting References**

UNBEIJ r. 26.2  
UNCRC art. 2  
UNRPJDL rr. 87(a), 87(d)



## 9 Health and wellbeing

*Standards in this chapter provide guidance to youth justice services about ways that optimise the health and wellbeing of young people.*

### 9.1 Young people in custody should have their health needs addressed by appropriate health and ancillary services.

- 9.1.1 The detention centre has child and adolescent focused health services available to meet the needs of the population that is of a standard at least equal to that available in the community.
- 9.1.2 This may involve a mix of on-site, visiting and external services but must include nursing, medical, dental, mental health, drug and alcohol, and sexual health services.
- 9.1.3 Health services are tailored to meet the needs of individuals as well as specific groups which have identified needs.
- 9.1.4 When appropriate health services are not available, young people are to be transferred to local health district emergency departments for evaluation and assessment.
- 9.1.5 Record keeping systems enable health trends and needs within the population to be monitored.

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#### Supporting References

UNCRC arts. 6(2), 24(2), 31(1)  
UNRPJDL r. 49  
ACCG Charter



**9.2 Young people in custody with actual or suspected mental health issues should have access to age and culturally appropriate mental health services in a timely manner.**

- 9.2.1 There are suitably-trained mental health professionals onsite such as a mental health nurse, visiting specialist GP, psychologist, or psychiatrist to conduct mental health assessments and monitor progress.
- 9.2.2 Responsive arrangements exist with suitable services to refer young people with mental health problems.
- 9.2.3 Services are also sought to meet the needs of non-English-speaking-background young people and other different cultural groups (interpreters, gender-specific specialists, refugee/migrant services etc.) – whether on-site, contracted or sought on a case-by-case basis according to individual need.
- 9.2.4 Many young people may have experienced trauma (whether recent or in their past), so specific services should be available to deal with this, such as grief counselling or sexual assault counselling services.
- 9.2.5 There are strong links to services in the community for support and treatment during detention and upon release, including family services and family groups.

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**Supporting References**

UNCRC arts 25; 39  
UNRPJDL rr 49; 53  
RCIADIC 151; 152; 266  
ACCG Charter



**9.3 Young people at risk of self-harm or suicide are promptly identified and a support plan is created.**

- 9.3.1 Young people at risk of self-harm or suicide are identified as early as possible; staff remain vigilant to changes in behaviour and attitudes of young people throughout their time in detention.
- 9.3.2 Young people identified as at risk of self-harm and or suicide are referred to Correctional Health Services staff immediately for early intervention management. If the situation arises after hours, the on-call Correctional Health Services Nurse is contacted for advice.
- 9.3.3 A detailed care and support plan for the young person is devised and details the individual staff members responsible for supporting the young person.
- 9.3.4 Young people are encouraged to contribute to developing their care plan and identify their own support needs.
- 9.3.5 Families are also involved in the development and review of care plans where this is appropriate.
- 9.3.6 Arrangements are in place for following up after a care and support plan has been closed; this includes a follow-up assessment of the young person.
- 9.3.7 Young people at high risk of suicide or self-harm are subject to closer and more frequent observation, the details of which are documented.
- 9.3.8 All incidents of self-harm or attempted self-harm and attempted suicide are investigated and have an incident report prepared and forwarded to the appropriate agencies and officers.
- 9.3.9 All detention centres must have an observation room where young people at high risk can be placed and monitored; this facility should not cause further psychological or physical harm to the young person.
- 9.3.10 All young people have access to confidential telephone help lines.
- 9.3.11 Where a young person is considered to be an extreme suicide risk, they are not forced to wear non-rip clothing and instead are placed under constant surveillance.
- 9.3.12 All staff members are trained in suicide awareness and first response to a self-harm or suicide incident; this training is updated regularly.
- 9.3.13 Debriefs are held following any significant incident to discuss the operational procedures and outcomes and identify any areas for improvement.
- 9.3.14 In addition to an operational debrief following an incident, staff have access to counselling services.



- 9.3.15 All bedrooms have a serviceable alarm or intercom system which gives direct communication to youth workers.
- 9.3.16 There is a documented system in place which ensures that recommendations from incident investigations are followed through to implementation.

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### Supporting References

AJJA s. 7.4  
UNCRC art. 39 UNRPJDL rr. 28, 87(d)

## 9.4 An initial medical and psychological assessment of each young person must be conducted within 48 hours of their admittance to the detention centre.

- 9.4.1 Correctional Health Services staff are to complete an initial health assessment within 48 hours of arrival in custody.
- 9.4.2 The need for referrals to appropriate health services such as medical, drug and alcohol or mental health are made during the initial assessment.
- 9.4.3 The initial health care assessment identifies any special needs of the young person and is shared with their caseworker.
- 9.4.4 Where possible, young people can be examined by a doctor of the same gender.
- 9.4.5 Every young person has access to remedial and preventative medical care and pharmaceutical products and special diets as indicated on their medical record.
- 9.4.6 Medical care and medicine is only administered when necessary and with the consent of the young person or their carer/guardian. In the absence of a guardian, the Centre Manager, as delegated by the Secretary, may authorise the treatment in cases where it would be detrimental to delay it.

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### Supporting References

UNRPJDL rr. 50, 55



**9.5 Young people are aware of the health services available and how to access them.**

- 9.5.1 Information on available services is given to young people during their medical assessment in a way they can understand.
- 9.5.2 Information about the health services available is updated as necessary and all young people are informed of any changes.
- 9.5.3 In all dealings with medical staff, care must be taken to ensure that young people understand the processes that involve them.
- 9.5.4 Young people know how to comment or complain about their health care and treatment and are not discriminated against if they do so.
- 9.5.5 Responses to any such comments or complaints are timely, easy to understand and so far as possible resolve the young person's concerns.

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**Supporting References**

ACCG Charter



**9.6 Healthy lifestyles should be supported through the provision of extensive health promotion and education, nutritious food and drink, and encouragement of exercise and personal hygiene.**

- 9.6.1 Information and education regarding healthy living and the importance of diet and exercise is provided and supported across the detention centre, both within the accommodation units and through recreational and more structured education sessions.
- 9.6.2 Health promotions cover a range of issues linked to lifestyle: alcohol, smoking, drug education, hygiene, sleep, nutrition, fitness, sex education, positive relationships and family and domestic violence issues.
- 9.6.3 Such programs are to be delivered to an individual or an appropriate mix of young people.
- 9.6.4 Food should be of sufficient quality, quantity and variety to meet the nutritional needs of young people.
- 9.6.5 Food is hygienically stored and prepared in accordance with Food Standards Australia New Zealand guidelines.
- 9.6.6 Menus should be planned to ensure that high quality, nutritional and varied meals are provided.
- 9.6.7 There should be continuous access to clean drinking water.
- 9.6.8 Young people requiring special diets such as vegetarian, religious, cultural and special diets, should be accommodated.
- 9.6.9 All staff and young people involved in food preparation or food serving have undertaken food safety training.
- 9.6.10 All young people undertake basic food safety and hygiene awareness training.
- 9.6.11 Personal hygiene and housekeeping is monitored at unit level.

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**Supporting References**

UNRPJDL rr. 37, 47  
ACCG Charter

**9.7 The detention centre uses specialised drug abuse prevention and rehabilitation programs administered by qualified professionals.**

- 9.7.1 These programs are adapted to the participants' profiles, risks and needs to ensure that they promote the best chance of rehabilitation.
- 9.7.2 Various programs are available and target different areas and levels of substance abuse.

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**Supporting References**

UNCRC art. 33  
UNRPJDL r.54

**9.8 Young people should have a minimum ten hours out of bedroom each day.**

- 9.8.1 These out of bedroom hours are used to promote attendance at education and programs as well as recreation activities.
- 9.8.2 Hours out of bedroom should only be reduced in exceptional circumstances and deemed necessary by the Centre Manager.

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**Supporting References**

AJJA s. 4.5  
ACCG Charter



**9.9 Young people should have daily opportunities for physical and recreational activity as well as a regular structured sport and recreation program.**

- 9.9.1 Sport and recreational activities should be available on a daily basis, whether informally during leisure time or through a structured recreation program and all young people have the opportunity to belong to a sporting team or recreational group.
- 9.9.2 Physical education and fitness provision caters for a range of abilities and is effective at improving the fitness of young people.
- 9.9.3 Units should have activities and equipment for use during leisure time, and the detention centre should have indoor and outdoor sport facilities.
- 9.9.4 Young people are instructed on the proper use of equipment by appropriately qualified staff and the equipment is appropriately supervised so that young people feel safe when using it.
- 9.9.5 Information on young person participation in sport and recreation activities should be included in case planning meetings.
- 9.9.6 Appropriate and well-maintained equipment, clothing and footwear is used in all recreational activities.
- 9.9.7 Young people with physical or other disabilities or injuries which prevent them from active participation in sport should be encouraged to be involved in other ways or they should be offered an appropriate alternative.
- 9.9.8 External teams and experts are sought to attend the detention centre on occasions for sporting events, clinics and other activities. Where possible, suitable young people are able to engage in sport or recreation outside the detention centre in the lead-up to release.

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**Supporting References**

AJJA s. 4.5  
UNCRC arts. 23(3), 29(1)(a), 31  
UNRPJDL rr. 18(c), 47  
ACCG Charter

**9.10 All young people must be provided with clean clothing and bedding appropriate to the climate, as well as necessary toiletries and sanitary products.**

- 9.10.1 Young people have access to laundry facilities at least weekly to wash and iron their clothing.
- 9.10.2 Young people are provided with enough clean underwear and socks to be able to change them daily.
- 9.10.3 Young people are issued with enough warm, weatherproof clothing and shoes to go out in all weather conditions.
- 9.10.4 Issued clothes are a good fit and in good condition.
- 9.10.5 Razors and nail clippers should be allowed with adequate supervision and taking into account individual risk factors.

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**Supporting References**

UNRPJDL rr. 31, 33, 34, 36

**9.11 Meal and other daily routines must be conducted at times consistent with community standards.**

- 9.11.1 Young people should be provided with three meals per day at reasonable intervals.
- 9.11.2 Meals are served at times consistent with those generally observed in the community.
- 9.11.3 Meals are eaten communally.
- 9.11.4 Advice from dieticians or nutritionists is regularly sought to update the menu.
- 9.11.5 Young people in transit or at court do not miss out on their main meal.
- 9.11.6 Pregnant young women and nursing mothers receive appropriate extra food supplies.
- 9.11.7 Young people are given the opportunity to cater for themselves where appropriate.

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**Supporting References**

UNRPJDL r. 37



**9.12 Young people's property is held securely in storage and recorded accurately.**

- 9.12.1 Personal effects or property that is confiscated on admission is kept in safe custody.
- 9.12.2 A standard list details the possessions that young people are allowed to keep; this list is adequate to meet the needs of young people.
- 9.12.3 All property is accurately recorded and marked.
- 9.12.4 Young people are adequately compensated for any goods or clothing that is lost while in storage.
- 9.12.5 Young people are able to access their stored property on application and on release.

**9.13 Young people can purchase a suitable range of goods at reasonable prices to meet their needs and can do so safely.**

- 9.13.1 Young people have access to a selected range of products at prices comparable to those in the community.
- 9.13.2 The list of available goods is on display in every unit and in a format that is easy to read and understand.
- 9.13.3 Young people are allowed to buy items within 24 hours of arriving at the detention centre and will receive the items the following day.
- 9.13.4 Young people arriving with no private money are given an advance of up to one week's pay which they can repay once they start earning.
- 9.13.5 Orders can be placed at least once a week.
- 9.13.6 All young people are able to access accurate records of their finances and can do so without charge.
- 9.13.7 The purchase process has visible and active supervision by staff. The system is effectively managed to ensure young people are safe from bullying.
- 9.13.8 A range of approved hobby materials are available.
- 9.13.9 Healthy food items are available and actively promoted in support of a healthy lifestyle.



