

Children and Young People (Places of Detention) Standing Order 2005 (No 1)

Disallowable instrument DI2005–167

made under the

Children and Young People Act 1999, Chapter 14, Standards and Standing Orders – Section 403 (Standing Order-Making Power) and Section 418 (Standing Orders May Operate Retrospectively).

1 Name of instrument

This instrument is the *Children and Young People (Places of Detention) Standing Order 2005 (No 1)*.

2 Commencement

This instrument is taken to have commenced on 10 May 2000.

3. Standing orders

I make the following attached standing orders:

1. Orders, Instructions and Duties;
2. Reception, Classification and Handover of Young Persons;
3. Young Person at Risk of Self Harm and/or Suicide;
4. Aboriginal and Torres Strait Islander Young Persons;
5. Property;
6. Behaviour Management Strategies;
7. Young Person Complaints, Rights and Responsibilities;
8. Video Surveillance/Recording;
9. Visits and Visitors;
10. Health and Medical;
11. First Aid and Communicable Disease and Infection Control;
12. Hospital Watch;

13. Notifiable Incidents and Reports;
14. Use of Force;
15. Searches;
16. Drug Reporting;
17. Assaults;
18. Escapes and Attempted Escapes;
19. Death in Custody;
20. Interviewing of Young Persons;
21. Emergency Situations;
22. Escorts;
23. Vehicle Checks and Maintenance; and
24. Liaison with Other Agencies; and
25. Leave Guidelines
26. Access and Physical Security.

Note: *The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.*

See Notifiable Instrument NI2005- 270

Simon Corbell MLA
Acting Minister for Children, Youth and Family Support

27 July 2005

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Orders, Instructions and Duties

INTRODUCTION

Quamby Youth Detention Centre Standing Orders set out the **minimum permanent standard** to be met by all youth worker staff in the daily carriage of their duties. These Standing Orders provide a set of specific directions to enable all officers to implement the provisions of the *Children and Young People Act 1999*, the Youth Justice Services Policy and Procedures Manual 1999 and Recommendations of Australasian Juvenile Justice Administrators Standards for Juvenile Custodial Facilities 1999, with regard to the management of all young persons held in custody.

As with all other areas of the ACT Public Service, staff members employed by ACT Youth Justice Services (Corrective Services) have certain statutory obligations binding on their employment. These obligations place a duty on all staff to conduct themselves in a manner that will enhance public confidence in the efficiency and integrity of the Service and apply to all employees of the Service including staff employed on a temporary or casual basis. The majority of provisions and guidelines governing and describing the terms and conditions of your employment are contained in numerous Acts and Management Standards, including:

- The Public Sector Management Act 1994 (PSMA);
- The Public Sector Management Standards (PSMS);
- The Privacy Act 1988;
- The Public Interest Disclosure Act 1994 (Whistle-blowing Provisions);
- The Freedom of Information Act 1989;
- The Sex Discrimination Act 1984;
- The Racial Discrimination Act 1975;
- The Occupational Health & Safety Act 1989 (ACT);
- The Human Rights and Equal Opportunity Act 1986 (Cwth);
- The Crimes (Offences Against the Government) Act 1989 (ACT);
- The Children and Young People Act 1999 (ACT);
- The Remand Centres Act & Regulations 1976 (ACT); and
- Relevant Industrial Awards that apply to all staff employed by the Service.

In addition to the above legislative provisions, staff are obliged to ensure they carry out their duties in a manner consistent with the relevant Policies, Standing Orders, Operational Procedures and current Manager's Instructions.

A duty of care obligation is imposed on Quamby Youth Detention Centre staff upon the receiving of all Young persons into the custody of the Quamby Youth Detention Centre.

The essence of the duty of care obligations imposed on Officers is that there is a duty to properly supervise Young persons in their custody, having regard to Chapter 2, Part 1 of the *Children and Young People Act 1999*.

This Standing Order is to be read in conjunction with ACT Youth Services Quamby Youth Detention Centre Policy & Procedures Manual (s1.8 through 1.19, s4 and s5.).

INTERPRETATION

Unless the contrary intention appears-

The term "young person" has the same meaning as the term "child" within the meaning of section 66 of the *Children and Young People Act 1999* and refers to any person who has not attained the age of 18 years who has been charged with an offence and is to appear before, or who has appeared before, the ACT Children's Court, ACT Magistrates Court or ACT Supreme Court.

Operational Procedures Manuals and Manager's Instructions complement these Standing Orders and are subordinate to them.

1.1 Effect on Previous Standing Orders

1.1.1 These Standing Orders shall take effect from 12 June 2000 and shall supersede any previously issued Quamby Youth Detention Centre Standing Orders.

1.1.2 Obligation to Comply

1.1.3 The obligation on all Youth Justice Services officers to comply with the provisions of these Orders is enshrined in the relevant provisions of the provisions of the *Public Sector Management Act 1994* [s9].

1.1.4 Responsibilities of Youth Workers

1.1.5 All public employees (including youth workers), are obliged under the terms and conditions of their employment to familiarise themselves with the contents of these Standing Orders and other relevant legislation, directions and Instructions issued by persons having the authority to issue such directions and Instructions.

1.1.6 Sanctions

1.1.7 A youth worker who, without reasonable excuse, fails to comply with these Standing Orders, Manager's Instructions or reasonable directions issued by a person having authority to do so, commits a breach of these Orders, the Management Standards and the provisions of the *Public Sector Management Act 1994* (the Act).

1.1.8 Officers should be aware that a breach of these Orders, Operational Procedures, Manager's Instructions or any reasonable direction may result in an officer having failed to fulfil his or her duty as an officer and may be dealt with under the discipline provisions of Part IX of the Act.
In addition, officers may be liable to criminal sanctions where they apply to a breach of these Orders, the Act or any other law of the Territory.

1.1.9 Citing Standing Orders

1.1.10 These Standing Orders may be cited either orally or in writing as:

- Quamby Youth Detention Centre Standing Orders;
- Quamby Standing Orders; or
- Standing Orders.

1.1.11 Access to Standing Orders

1.1.12 The contents of these Orders shall be made available to young persons, visitors, and members of the public.

- 1.1.13** The provisions of sub-clause **1.1.12 do not apply** to any matters cited of these Orders, directly related to security matters affecting the operation of the Quamby Youth Detention Centre or management of young persons.
- 1.1.14 Operational Instructions**
- 1.1.15** In order to supplement these Orders, there exists a requirement to issue from time to time, additional instructions relating to the day-to-day operations of the Quamby Youth Detention Centre which are not permanent in nature but are required to address a specific issue or issues, at that particular time.
- 1.1.16** These instructions shall be called Manager's Instructions and shall be issued on the authority of the Manager Quamby.
- 1.1.17** Manager's Instructions may, in the absence of the Manager, be issued by the Operations Manager.
- 1.1.18** All Manager's Instructions shall be serially numbered and cited in the following manner..."**Manager's Instruction 1/99, 53/99**" etc, and shall be issued in sufficient quantities to ensure maximum dissemination of all information.
- 1.2 Duties of Youth Workers**
- 1.2.1** A youth worker shall, in performing his or her duties, take all reasonable steps:
- to be aware of, to comply with, to prevent and report, breaches of the provisions of the *Children's Services Act 1986*, the Regulations, Standing Orders or any other lawful and reasonable instruction or procedures applicable to the performance of their duties;
 - to prevent the escape of young persons in custody;
 - to supervise, guard and ensure the safety of young persons in custody;
 - to report any breach of discipline by a young person in custody;
 - to prevent an unauthorised person from communicating with, or remaining in the vicinity of a young person in custody;
 - to report any illness of or injury to, a young person in custody; and
 - to comply with any lawful and reasonable directions given by the Manager or other person having authority to give the direction.
- 1.2.2** A youth worker shall obey such directions as are given by the Manager and shall perform such duties as prescribed.
- 1.2.3** A youth worker shall perform such other duties as the exigencies of the service require.
- 1.2.4 Obligations of Youth Workers (General)**
- 1.2.5** As an employee of the ACT Public Service your primary duty is to carry out your work in an impartial, objective and efficient manner. Your employment also places the onus on you to ensure you are conversant with your obligations as an employee with regard to your work performance and conduct in the workplace.
- 1.2.6** You should consider all matters on their merits and without regard to outside influences or personal interest. This duty is shared by all staff employed in the public sector, and is enshrined in the *Public Sector Management Act* Section 9 which states:

General obligations of public employees

"9. A public employee shall, in performing his or her duties:

- (a) exercise reasonable care and skill;**
- (b) act impartially;**
- (c) act with probity;**
- (d) treat members of the public and other employees with courtesy and sensitivity to their rights, duties and aspirations;**
- (e) in dealing with members of the public, make all reasonable efforts to assist them to understand their entitlements under the laws of the territory and to understand any requirements which they are obliged to satisfy under those laws;**
- (f) not harass a member of the public or another public employee, whether sexually or otherwise;**
- (g) not unlawfully coerce a member of the public or another public employee;**
- (h) comply with this Act, the management standards and all other laws of the territory;**
- (i) comply with any lawful and reasonable direction given by a person having authority to give the direction;**
- (j) if the employee has an interest, pecuniary or otherwise, that could conflict, or appear to conflict, with the proper performance of his or her duties-**
 - (i) disclose the interest to his or her supervisor; and**
 - (ii) take all reasonable action to avoid the conflict; as soon as possible after the relevant facts come to the employee's notice;**
- (k) not to take, or to seek to take, improper advantage of his or her position in order to obtain a benefit for the employee or any other person;**
- (l) not take, or seek to take, improper advantage, for the benefit of the employee or any other person, of any information acquired, or any document to which the employee has access, as a consequence of his or her employment;**
- (m) not disclose, without lawful authority-**
 - (i) any information acquired by him or her as a consequence of his or her employment; or**
 - (ii) any information acquired by him or her from any document to which he or she has access as a consequence of his or her employment;**
- (n) not make a comment which he or she is not authorised to make where the comment may be expected to be taken to be an official comment;**
- (o) not make improper use of the property of the Territory;**
- (p) avoid waste and extravagance in the use of the property of the Territory;
and**

(q) **report to an appropriate authority-**

- (i) **any corrupt or fraudulent conduct in the public sector that comes to his or her attention; or**
- (ii) **any possible maladministration in the public sector that he or she has reason to suspect."**

1.2.7 SUPERVISORS' AND MANAGERS' RESPONSIBILITIES

1.2.8 Interpretation

In this Order and any subsequent Orders unless the contrary intention appears- the terms "**Manager**", "**Operations Manager**", "**Program Manager**", "**Unit Manager**", "**Team Leader**", or "**senior staff member on duty**" refer to the staff member to whom subordinate staff are line accountable, and are interchangeable.

This applies to the Operations Manager, Program Manager, Unit Managers and Team Leaders or persons acting in these capacities.

1.2.9 The Management Standards define the term 'manager' as:

"Any officer who has been delegated or authorised or allocated with the responsibility for:

- *managing the output of resources within their control (for example, people, equipment, information, knowledge, finance, funds and budgets); or*
- *co-ordination of these outputs to achieve the nominated outcomes of the agency; or*
- *both these activities.*

Managers are found in all employment areas and include nurses, solicitors, librarians, engineers, teachers, gardeners, carpenters, mechanics and clerks. They may be known as supervisors, directors, leading hands, general managers, managers, principals, senior executive officers and Chief Executives. These people form the management team of the Service."

1.2.10 The Manager shall exercise responsibility for rostering all staff under his control in accordance with current guidelines and in maintaining a staff roster, the Manager and Operations Manager shall ensure they comply with agreed industrial practices.

1.2.11 The Operations Manager, Unit Manager and Team Leaders shall exercise responsibility for ensuring that all staff members are aware of, and meet, accepted standards of behaviour and conduct in the work area in particular with regard to the use of coercion as an aid to young persons in custody management.

1.2.12 All staff should be aware of the issue of coercion which is addressed in the Public Sector Management Standards (PSMS) Standard 4 Chapter 8, and discusses the issue of coercive powers.

1.2.13 The implications of this Standard are particularly relevant for Corrective Services Youth Justice staff in that the use of coercive powers is confined to strictly defined circumstances and limitations are placed on its duration and severity.

1.2.14 Staff are warned that exceeding the limitations on coercion is just as much unlawful coercion, as coercion totally unrelated to an officer's duties. In addition, any unlawful or unreasonable use of force is a criminal offence.

- 1.2.15** Where there is a breach or failure to uphold these standards, supervisors are responsible for taking the first steps in corrective action. This may vary from discussing the matter with the staff member, or bringing the matter to the attention of a more senior manager where counselling alone may not be sufficient.
- 1.2.16** Supervisory staff at Quamby Youth Detention Centre shall also exercise responsibility for:
- providing effective leadership and clear direction in relation to the management of staff, financial and other resources to meet the Service's objectives;
 - provision of on the job training (OJT) and career development;
 - ensuring completion and accuracy of attendance records;
 - submitting all leave forms for absence;
 - submitting temporary transfer/higher duties forms;
 - arranging prior approval for staff members to work overtime, and subsequent authorisation of claims for payment,
 - provision of feedback to staff on work performance;
 - reporting to management any matters that may affect the integrity of the Service, eg. misconduct, unauthorised absence from work, misuse of public funds or departmental vehicle;
 - understanding and implementing the Service's Equal Employment Opportunity policies;
 - understanding and implementing the Service's Occupational Health and Safety Agreement and related policy.

1.2.17 The Chain of Command

1.2.18 The Operations Manager, or person acting in that capacity is responsible and accountable directly to the Manager Quamby or person acting in that capacity.

1.2.19 The Program Manager, or person acting in that capacity is responsible and accountable directly to the Manager Quamby or person acting in that capacity.

1.2.20 Unit Managers' Responsibilities

1.2.21 Unit Managers shall exercise responsibility for ensuring all staff under their supervision are conversant with the contents of all Manager's Instructions promulgated by the Manager Quamby.

1.2.22 Unit Managers shall exercise responsibility for obtaining the signatures of all staff under their supervision on the relevant pro-forma to indicate they have read and understand the contents of all relevant Manager's Instructions.

1.3 Staff Positions:

1.3.1 Manager

- manages the day to day operations of the Quamby Youth Detention Centre. Reports directly to the Director Youth Justice Services;
- ensures the safe care and custody of young persons while in custody;
- ensures staff compliance with operational procedures and standing orders; and
- other duties as listed Policy and Procedures manual 1.9 - Manager

1.3.2 Operations Manager

- provides operational support to the Manager Quamby;
- ensures safe care and custody of young persons while in custody;
- ensures staff compliance with operational procedures and standing orders; and

- other duties as listed Policy and Procedures manual 1.11 - Operations Manager.

1.3.3 Program Manager

- Responsible for all program staff;
- Quality control of case management;
- Responsibility for health staff.

1.3.4 Unit Manager

- provides operational support to the Operations Manager;
- assumes operational running for the shift;
- allocates staff posts at commencement of each shift;
- ensures staff are aware of the requirements of the shift (hand over procedures); and
- other duties as listed Policy and Procedures manual 1.12 – Unit Manager.

1.3.5 Team Leader

- provides operational support to the Operations Manager and Unit Manager;
- supervises Youth Workers in the performance of their daily duties;
- supervises young persons in the custody of Quamby Youth Detention Centre; and
- other duties as listed Policy and Procedures manual 1.13 – Team Leader.

1.3.6 Youth Worker

- provides operational support to the Team Leader;
- supervises young persons in their daily routine;
- maintains security of the Quamby Youth Detention Centre;
- maintains the safe care and custody of young persons in custody;
- provide motivational support to young persons in custody; and
- other duties as listed Policy and Procedures manual 1.14 – Youth Worker

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Reception and Classification and Handover of Young Persons

Introduction

A duty of care obligation is imposed on Quamby Youth Detention Centre staff upon receiving all young persons into the custody of the Quamby Youth Detention Centre.

The essence of the duty of care obligations imposed on Officers is that there is a duty to provide a safe environment for young persons in their custody, having regard to Chapter 2, Part 1 of the *Children and Young People Act 1999* which emphasises the need to **'procure for the child such care, protection, control or guidance as will best lead to proper development of the personality of the child and to the child's becoming a responsible and useful member of the community'**.

This Standing Order addresses the steps to be taken with the reception of young persons into custody, and of additional steps required upon the reception of young persons with special risks or needs.

This Standing Order is to be read in conjunction with ACT Youth Services Quamby Youth Detention Centre Policy & Procedures Manual (s2.1.6 through 2.7.3) and complies with the *Children and Young People Act 1999*. This Standing Order is written within the spirit of the Australasian Juvenile Justice Administrators Standards for Juvenile Custodial Facilities (March 1999).

Interpretation

Unless the contrary intention appears-

The term "young person" has the same meaning as the term "child" within the meaning of s 66 of the *Children and Young People Act 1999*. Part IV, s24 also allows for young people who have attained the age of 18 years to be dealt with as a child within the meaning of the Act (s64).

2.1 Procedure

2.1.1 All young persons shall be placed in the intake accommodation building for assessment based on the following criteria (taking into account s2.1.6 – 2.1.8 Policy & Procedures Manual).

Gender;
Age;
At risk of self-harm or suicide;
Cultural background;
Remandees or Commitals;
Offending History;
Security Risk;
Other special needs.

2.1.2 The Team Leader or Unit Manager shall ensure all documentation relating to the young person is correct on reception and that all relevant documentation accompanies that young person on all movements from Quamby Youth Detention Centre.

2.1.3 For all young persons, the Unit Manager or his or her delegate shall:

- a. create a personal dossier for each young person received into custody;
- b. arrange for the young person to be seen by the Quamby Medical Officer as soon as possible after induction;
- c. arrange for a "Risk Assessment" to be undertaken (if not completed by Medical Officer);
- d. ensure that all property accompanying the young person is listed on the property sheet as per Quamby **Standing Order 5 – Property.**
- e. ensure that all efforts are made to prevent harassment of the young person, and by a young person towards other residents or staff;
- f. compile a brief report containing each young person details with time/date of reception, any identified concerns and that shall be forwarded to the Manager Quamby;
- g. ensure that copies of all written observations and relevant documentation accompany the young person to any other institution if the young person is remanded, committed or transferred into custody outside of Quamby;
- h. secure the young person's personal dossier in Quamby records if the young person is released from custody.

2.1.4 Where a young person falls within the guidelines of more than one category (for example, PAR, Protection) then each of those guidelines shall be implemented.

2.2 Young Persons at Risk of Self-Harm or Suicide

2.2.1 The Unit Manager shall ensure that where a young person falls into a category of "At Risk of self-harm or suicide " the appropriate procedures are to be implemented as per Quamby **Standing Order 3 - Young Persons at Risk.**

2.3 Young Persons

2.3.1 The Unit Manager shall ensure that where a young person is received into custody the appropriate procedures are to be implemented as per this Standing Order.

2.4 Female Young Persons

2.4.1 The Unit Manager shall ensure that:

- a. all endeavours are made to prevent harassment of the young person by other young persons; and
- b. where possible, female staff should be assigned to deal with female young persons.

2.5 Security Risk Young Persons

2.5.1 The Unit Manager shall ensure that:

- a. all staff are made aware of the young person's history;
- b. all precautions are to be taken when dealing with this to ensure the safety of others and to prevent escape; and
- c. the young person is segregated when necessary from all other young persons.

2.6 Young Persons Deemed to have an Injury, Illness or Medical Condition.

2.6.1 The Manager Quamby may refuse to receive any young person who is suffering from any major noticeable injury, illness or medical condition presenting immediate threat to

that person until prior written clearance from a qualified medical practitioner has been obtained.

2.6.2 On receiving a young person with a major noticeable illness, injury or medical condition the Unit Manager shall:

- a. ensure that all staff are made aware of the young persons condition;
- b. implement appropriate observation procedures;
- c. prepare a brief incident report containing the young person's details and time/date of determination of illness/injury/medical condition and clearance authority from a registered medical practitioner. This report shall be completed by the Unit Manager and forwarded to the Manager Quamby.

2.6.3 Where it becomes evident that a young person has an illness, injury or medical condition after being received into the custody of Quamby the following procedures shall be implemented:

- a. appropriate assistance is to be sought (this may be Quamby Medical Officer, Ambulance, C.A.T Team or transport to hospital or medical facility);
- b. observation procedures to be commenced and maintained until assessment has been undertaken and a determination for observations to be ceased;
- c. manager to be informed.

2.6.4 If the young person is placed on observations, all observations shall be recorded on the appropriate observation form. All observations shall be written clearly and shall be signed and dated by the officer responsible for making such observations.

2.6.5 If injury occurs while in Quamby care or custody, first aid is to be administered until Medical Officer or Ambulance services arrive (where necessary).

2.6.6 Where injury has occurred due to an assault then the procedures as outlined in Quamby **Standing Order 17 – Assaults**, shall be implemented.

2.7 Young Persons Deemed to have a Mental Health Condition

2.7.1 On receiving a young person deemed to have a Mental Health Condition, the Unit Manager shall :

- a. ensure that all Staff are made aware of the young person's condition;
- b. if the young person is displaying any unusual behaviour then the young person is to be placed on observations while being held in custody, with all observations recorded on the appropriate observation form. All observations shall be written clearly and shall be signed and dated by the officer responsible for making such observations;
- c. if the condition of the young person is such that they may cause "Self-harm" the provisions of **Quamby Standing Order 3 - Young Persons At Risk of Self-harm or Suicide**, shall be implemented;
- d. Quamby's Mental Health Officer is to be contacted to assess the young person;
- e. where required, the use of the CAT. Team will be utilised.

2.8 Reception of Young Persons From a Non-English Speaking Background

2.8.1 Where a young person from a Non-English Speaking Background (NESB) is received by Quamby, the possible difficulties of language barriers must be considered. Staff must be aware that directions may be misinterpreted or misunderstood.

2.8.2 If it is apparent that the communication problem cannot be resolved then the use of a translator may be required. The contact agency is "Translating and Interpreting Service" (TIS).

2.9 Reception of ATSI Young Persons

2.9.1 If a young person has identified as being of ATSI background/descent, the Unit Manager is to inform the following individuals/organisations of that young person's details:

- a. Aboriginal Legal Aid Service;
- b. Aboriginal Medical Service.

2.9.2 The Unit Manager shall ensure that where a young person falls into a category of "ATSI" the appropriate procedures are to be implemented as per Quamby **Standing Order 4 - Aboriginal and Torres Strait Islander Young Persons.**

2.10 Young Persons Property

2.10.1 The management of all young person's property shall be carried out in accordance with the provisions of Quamby **Standing Order 5 - Property.**

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Young Persons at Risk of Self-Harm or Suicide

The provisions of this Standing Order detail the procedures to be followed in the event of a young person being deemed as a Person at Risk (PAR), and in the event of threatened or actual self harm, and attempted suicide.

This Standing Order is to be read in conjunction with ACT Youth Services Quamby Youth Detention Centre Policy and Procedures Manual (s3.5.8 Suicide Risk and Special Observations).

3.1 Definitions

Unless the contrary intention appears, the terms-

- 3.1.1 'At Risk', 'Person At Risk', 'PAR', and/or 'Person At High Risk' are all terms which refer to young persons at risk of harming or killing themselves. Unless specified, references to 'Persons At Risk' includes references to 'Persons At High Risk'.
- 3.1.2 'Manager Quamby', 'Operations Manager', and 'Unit Manager' refer to positions held by officers employed within the Quamby Youth Detention Centre or any person acting in either of those capacities. The Unit Manager/Operations Manager for the purposes of this Standing Order is the most senior of those officers on duty at the time. If the Operations Manager is on duty, he/she may also be referred to in these Standing Orders as the Unit Manager, however the Unit Manager need not be the Operations Manager.

3.2 Policy

- 3.2.1 Quamby Youth Detention Centre (Quamby) owes a legally binding duty of care to all individuals in its custody.
- 3.2.2 ACT Youth Justice Services has an obligation to ensure that young persons are secured in accommodation appropriate to their needs, and that the health and safety of all young persons is considered in all operations of the Quamby Youth Detention Centre.
- 3.2.3 The reception or identification of any person detained in custody and who is deemed to be at risk is a 'Notifiable Incident' in accordance with the provisions of Quamby Standing Order 13 – Notifiable Incidents and Reports.
- 3.2.4 All incidents involving attempted suicide or self-harm are deemed Notifiable Incidents in accordance with the provisions of Standing Order 13 – Notifiable Incidents and Reports.
- 3.2.5 Persons identified as PAR are to be considered a serious and imminent threat to their own life and health.
- 3.2.6 Any person received into the custody of the Quamby Youth Detention Centre who is identified as a PAR on assessment at induction, or any time during the period of

custody, is to be managed in accordance with this Standing Order and any other relevant Standing Orders.

3.2.7 The Quamby Youth Detention Centre has an obligation to ensure that young persons in custody are secured in accommodation appropriate to their needs, and that the health and safety of all detained young persons is considered in all operations.

3.2.8 The reception or identification of any person remanded, committed, ordered or otherwise detained into custody and deemed to be at risk is a 'Notifiable Incident' in accordance with the provisions of Quamby **Standing Order 13 – Notifiable Incidents and Reports.**

3.3 Procedures

3.3.1 Risk status

3.3.2 The following young persons shall be considered 'Persons At Risk':

- a. Young persons who have been assessed by ACT Youth Justice Services, ACT Corrective Services, the Court, Australian Federal Police (AFP) or another agency as being at risk of self-harm or suicide, and subsequently classified as PAR; and
- b. Young persons who have not yet been assessed by any of the above organisations for risk of self-harm or suicide.

3.3.3 Young persons assessed as being at risk shall be placed in one of the following categories, with an appropriate observation regime:

- a. Person At Extreme Risk (PAR): constant observation; or
- b. Person At High Risk (PAR): 5 minute observation intervals; or
- c. Person At Risk (PAR): 15 minute observation intervals (minimum).

3.3.4 Any young person not initially identified as a PAR who is later found to have attempted suicide or self-harm will be classed as a Person at Risk, and shall be managed in accordance with the provisions of this Standing Order.

3.3.5 In the event of a PAR being held in the custody of the Quamby Youth Detention Centre, the Unit Manager is to be notified immediately.

3.3.6 The Unit manager shall exercise responsibility for notifying:

- a. Manager Quamby and to provide him/her with a written report detailing the time and date of determination of PAR status, the reasons for that determination, and by which organisation the assessment was made. (at **Appendix I** to this Standing Order).
- b. Relevant personnel and authorities (at **Appendix II** to this Standing Order).

3.3.7 If the young person is under Family Services and is considered to be a PAR the Family Services Branch shall be informed of the young person's risk status.

3.3.8 Where the young person is considered to be a PAR because of a suspected mental illness or intellectual disability, the Unit Manager shall contact the appropriate agencies (FSB, IDS) Office of the Community Advocate to ascertain if the young person has a member of that Office appointed as a Guardian of Last Resort.

3.3.9 In the event of an Aboriginal or Torres Strait Islander (ATSI) young person being given PAR status, the Unit Manager shall contact those agencies listed in **Quamby Standing Order 4 - Aboriginal and Torres Strait Islander Young Persons**, and shall manage the young person in accordance with the provisions of that Standing Order in addition to the provisions of this Standing Order. Please note that it is not recommended that ATSI young persons, particularly those at risk of self-harm or suicide, be placed in isolation or segregation.

3.4 Assessment and Identification of 'Persons At Risk'

3.4.1 All young persons detained in custody at the Quamby Youth Detention Centre shall:

- a. undergo an initial assessment for risk of self harm or suicide (At Risk Assessment) at time of induction.
- b. undergo a full assessment conducted by a Medical Officer as soon as practical after induction.

3.4.2 Unassessed young persons must be treated as 'Persons At High Risk' until an assessment has been completed, or until the person has been transferred out of the custody of the Quamby Youth Detention Centre.

3.4.3 The following officers may at any time place a detainee on an at risk observation regime:

- Manager Quamby;
- the Operations Manager;
- the Programs Manager;
- the Nurse or Doctor;
- the Quamby YJS Psychologist or C.A.T. Team;
- the Unit Manager;
- the Team Leader.

3.5 Transfer Notifications

3.5.1 Where a young person is transferred into the custody of another organisation or institution, the receiving organisation/institution shall be informed of the young person's risk status.

3.5.2 Receiving institutions should also be made aware of whether the person was given PAR status because they had not been assessed as being at risk of self-harm or suicide, or because they had been assessed as being at risk of self-harm or suicide.

3.5.3 If the young person is being transferred into the custody of the Belconnen Remand Centre (BRC), the Superintendent should be informed of the young person's risk status.

3.5.4 If the young person is being transferred into the custody of the Court Transport Unit (CTU), the Manager should be informed of the young person's risk status.

3.5.5 In the event of the young person being transferred into the custody of an institution within any other state or territory, the Unit Manager will inform the Deputy Governor or Security Manager of the receiving institution of the young persons status.

3.6 Management Regime

3.6.1 All young persons detained shall have personal files created as soon as they are received into the custody of the Quamby Youth Detention Centre.

3.6.2 Any young person with PAR status will have it noted on the file attached to their dossier.

- 3.6.3** The Unit Manager shall maintain a central self-harm/suicide file containing copies of all forms and reports.
- 3.6.4** On initial reception a young person is to be placed on a minimum of five (5) minute observations while being held in any cell.
- 3.6.5** In addition to observations, a duty of care exists to ensure all persons identified as PAR are adequately supervised by all means available, including video surveillance. The procedures relating to video surveillance are detailed in Quamby **Standing Order 8 - Video Surveillance/Recording.**
- 3.6.6** The Quamby Youth Detention Centre will develop a Case Plan for each young person assessed as being at risk. These plans are to be endorsed by the Programs Manager and reviewed weekly.
- Young persons assessed as being at risk of self harm or suicide will be seen each working day by the Mental Health Officer or nurse and reviewed weekly unless otherwise determined by the treating professionals and recorded in the young persons personal dossier.
- 3.6.7** A copy of all observations and relevant documentation shall accompany the young person to the receiving institution when the young person is transferred from the Quamby Youth Detention Centre.
- 3.6.8** If a young person with PAR status is released into the community from the Quamby Youth Detention Centre, all documents relating to that individual will be maintained by the Quamby Youth Detention Centre.
- 3.6.9** All observations shall be written clearly and shall be signed and dated by the officer.
- 3.6.10** Young Persons assessed as being **Persons At Extreme Risk** or **Persons At High Risk** are to be issued with:
- a. tear and fire proof bedding (with prior approval from Operations Manager);
 - b. plastic cutlery, which is distributed at mealtime, accounted for and removed after the young person has finished eating;
 - c. clothing with no belts, drawstrings or laces; and
 - d. no other items unless approved by the Manager Quamby.
- 3.6.11** The Unit Manager shall authorise the strip-searching of young persons classed as PAR or High-risk when and where appropriate, to ensure no items which may be used for self-harm are secreted or hidden on a young person's person or within the young person's unit.
- 3.6.12** Records of all strip searches are to be kept in the young person's at risk folder, within his/her dossier, and in the relevant Duty Logs.
- 3.6.13** Observations shall be conducted on young persons in such a way that officers must specifically observe the actions of the young person.
- 3.6.14** Any Youth Worker or Programs staff who observes a young person behaving in an unusual manner, or appearing completely inactive, unconscious, or under the influence of drugs or other substances, must immediately notify the Unit Manager.
- 3.6.15** When observations are made on young persons who are sleeping, officers should observe the young person for a long enough period to ensure that the young person is not ill, injured or dead.

3.7 Young Persons Who Threaten Self-Harm or Suicide

- 3.7.1** Any Youth Worker or Programs staff who becomes aware of a threat to self-harm by a young person, shall immediately notify the Unit manager.
- 3.7.2** All threats of self-harm shall be recorded and placed in the individual's 'Person At Risk' file. If the person was not classified as a PAR until the threat of self-harm, a 'Person at Risk' file will be created for that individual and the young person will be managed in accordance with the provisions of this Standing Order.
- 3.7.3** The Unit Manager is to arrange for the young person threatening self-harm to be assessed by the YJS Psychologist. In the absence of the YJS Psychologist the Unit Manager is to arrange for the young person threatening self harm to be assessed by the ACT Mental Health CAT (Crisis Assessment and Treatment) Team. The Unit Manager will place the young person on constant observation until he/she has been assessed and an alternative observation regime has been recommended by the YJS Psychologist or CAT Team and agreed to by the Unit Manager.

3.8 Threat of Self-Harm or Suicide related to Escorts

- 3.8.1** If the threat of self-harm or suicide is related to an escort, the young person is to be assessed by the Mental Health Worker or YJS Psychologist or CAT Team who will make a recommendation concerning the transfer of that young person.
- 3.8.2** Where the Mental Health Worker or YJS Psychologist or CAT Team recommends that the young person remain on the escort and the Unit Manager agrees with this recommendation, the young person will be placed on the escort at the scheduled time of departure. The following notifications shall be made:
- a. the escorting officers must be notified of the young persons threat to self-harm; and
 - b. the Manager or the Unit Manager of the receiving agency must be notified of the young persons threat.
- 3.8.3** Where the Mental Health Worker or YJS Psychologist or CAT Team makes a recommendation that the young person remain on the escort but the Unit Manager still has reservations about proceeding with the escort, that young person is to be removed from the escort. The Unit Manager must immediately provide verbal notification to the Operations Manger Quamby, and submit a written report to the Manager Quamby, outlining the reasons for the action taken.
- 3.8.4** Where the Mental Health Worker or YJS Psychologist or CAT Team makes a recommendation that the young person not be placed on the escort, that young person must be removed from the escort and the Operations Manager or Manager Quamby is to be verbally notified immediately by the Unit Manager. A written report detailing the reasons for the action taken must be provided to the Manager Quamby by the Unit Manager.
- 3.8.5** Any young person removed from an escort due to a threat of self-harm or suicide must be assessed regularly until such time as the Mental Health Worker or YJS Psychologist or CAT Team and Unit Manager agree that the young person is no longer at risk of self-harm or suicide.

3.9 Attempted Suicide/Actual Self-Harm

- 3.9.1** In the event that an actual suicide attempt or self-harm incident has occurred, the First Responding Officer shall immediately:
- a. provide First Aid treatment; and

b. notify the Unit Manager.

3.9.2 Observation is essential. Any young person who has attempted to commit suicide will be placed on constant observations for 24 hours following the incident, or until the young person has been assessed by the Quamby YJS Psychologist, the CAT Team, or has been transferred to hospital for treatment.

3.10 Unit Managers Responsibilities

3.10.1 On being informed of an attempted suicide or self-harm, the Unit Manager shall exercise responsibility for:

- a. contacting the Quamby Youth Detention Centre Medical Officer;
- b. contacting the relevant Ambulance Service;
- c. preventing further suicide or self-harm attempts by carrying out all of the following:
 - (i) removing dangerous articles from the young person; and
 - (ii) if the attempted suicide occurs in the Quamby Youth Detention Centre - placing the young person in a safe area, or place the young person in a unit with another young person who is preferably not a PAR and who shares a similar cultural background such as Aboriginality, or place the young person in a unit with an officer who has established a rapport with the young person (provided this does not interfere with other operational requirements);
- d. notifying the Operations Manager by phone and ensuring that a complete report of the incident is forwarded to the Manager Quamby prior to ceasing duty;
- e. notifying the Manager by phone and ensure that a complete report of the incident is forwarded to the Manager prior to ceasing duty;
- f. notifying the institution to which the young person is being transferred (Hospital or other medical facility).

3.10.2 If the attempted suicide occurs in the Quamby Youth Detention Centre and the young person remains conscious and admits to self-harm, the Quamby Youth Detention Centre will continue to operate according to normal practice.

3.10.3 If the attempted suicide occurs during an escort, the escort must immediately proceed to the nearest medical facility for the young person to receive medical attention. All other young persons must be secured away from the young person who has attempted suicide.

3.10.4 If the young person is unconscious and in a shared unit or vehicle, all other young persons in the unit or vehicle are to be secured and separated from all other persons until self-harm has been established. If the bodily harm is determined to have been inflicted on the young person by another person, procedures outlined in Quamby **Standing Order 17 - Assaults**, must be implemented.

3.10.5 Observation is essential. Any young person who has attempted to commit suicide shall, until assessed and their PAR status determined or their release or transfer, be placed on constant observations.

- 3.10.6** Where the young person has a self-inflicted injury which requires medical attention or intervention, the Unit Manager shall obtain the following reports and forward them together with a covering report to the Operations Manager, as a matter of urgency:
- Incident Reports from the discovering/attending officer(s);
 - Witness Reports;
 - Quamby YJS Psychologist or CAT Team report;
 - Medical Report.
- 3.10.7** The Unit Manager shall also contact the relevant agency responsible for Critical Incident Stress Management (CISM) and arrange trauma debriefing for the discovering officer(s) and other staff involved in the incident, as required.
- 3.10.8** The Operations Manager or person acting in that capacity shall ensure that a review of the incident is held as soon as possible after the incident (but not necessarily on the same shift). This review will review the adequacy of existing procedures, and ensure compliance with Recommendation 124 of the Royal Commission into Aboriginal Deaths in Custody.
- 3.10.9** The Senior Duty Officer shall ensure all Incident Reports from the officers involved are completed before the officers complete their shift.
- 3.10.10** If the young person is transported to hospital, standard operational procedures for Hospital Escorts are to be implemented. These are contained in Quamby **Standing Order 22 - Escorts**.
- 3.10.11** If the young person is kept in hospital the Unit Manager shall implement standard Hospital watch procedures described in Quamby **Standing Order 22 - Escorts**.
- 3.10.12** The Unit Manager shall ensure all Incident Reports from officers involved with the young person accompany the young person on any escort from the Quamby Youth Detention Centre.
- 3.11 Actual Suicide**
- 3.11.1** If a young person dies in custody of the Quamby Youth Detention Centre, Unit Manager shall exercise responsibility for implementing the provisions of Quamby **Standing Order 19 - Death in Custody**, immediately.
- 3.12 Review Of At Risk Status**
- 3.12.1** Each week the Manager or his/her delegate shall hold a case management meeting to review all young persons currently on observations, and to reassess the need for those individuals to remain on observations or to amend observation regimes.
- 3.12.2** The participants at the case management meeting must include:
- the Operations Manager or delegate;
 - the Programs Manager;
 - the Quamby YJS Psychologist;
 - the Welfare Officer; and
 - the Medical Officer.
- Mental Health professionals with expertise relevant to a particular individual to be discussed at the meeting may also be asked to attend.
- 3.12.3** The minutes of this meeting are recorded, and copies sent to all participants for their comments or verification. The minutes are then placed in a “Young Person’s Status Review File”.

- 3.12.4** Where a young persons at risk status alters after a case management meeting, at least three members of the Committee must complete the 'Change of Suicide/Self Harm Status' form (at Appendix III to this Standing Order).
- 3.12.5** No changes are to be made to observation regimes outside the case management meeting, except to increase the frequency of observations for an individual. In these cases, the Operations Manager or delegate must make a detailed note in the "Young Person's Status Review File" before issuing instructions to amend observation intervals.

APPENDIX I to STANDING ORDER 3

NOTIFICATION OF YOUNG PERSON AT RISK

The following Young Person has been detained in custody at Quamby Youth Detention Centre.
Relevant reports are placed on the Young Persons file.

YOUNG PERSONS NAME: _____

DATE INTO CUSTODY: ____/____/____

TIME INTO CUSTODY: : hrs

REASON FOR P.A.R STATUS: _____

AT RISK DETERMINED BY: _____

DATE DUE TO APPEAR IN COURT: _____

TIME OF APPEARANCE (if known): _____

DEFENCE COUNSEL (if known): _____

COMMENTS:

Signature: _____

Name (print): _____

Position: _____

DATE: _____

**QUAMBY YOUTH DETENTION CENTRE
NOTIFICATION OF A YOUNG PERSON AT RISK**

NAME: _____

DOB: ____/____/____ DOSSIER No: _____

COURT: (Sup/Mag/Children's/Federal) COURT DATE: ____/____/____

WARRANT No: _____ BAIL : Yes / No

REASONS FOR IDENTIFICATION AS PERSON AT RISK.

AT RISK OF SUICIDE: Yes / No **Comments:** _____

AT RISK OF SELF-HARM: Yes / No **Comments:** _____

NOTIFICATION OF RELEVANT PERSONNEL

MARK THE APPROPRIATE BOX [X] WHEN NOTIFICATION COMPLETED

QUAMBY MEDICAL OFFICER: []

QUAMBY NUSRE: []

QUAMBY YJS PSYCHOLOGIST: []

QUAMBY MENTAL HEALTH WORKER: []

THE ABORIGINAL MEDICAL SERVICE (if applicable): []

OPERATIONS MANAGER: []

MANAGER QUAMBY: []

DIRECTOR CORRECTIVE SERVICES: []

QUAMBY PROGRAM MANAGER: []

ATSI LIAISON OFFICER (if applicable): []

ABORIGINAL LEGAL AID (if applicable): []

REPORTING OFFICER'S COMMENTS (IF ANY)

Reporting Officer's Signature: _____ Date: / /

Duty Officer in Charge Comments & Recommendations (if any):

Name: _____ Signature: _____

Date: / /

Manager / Operations Manager / Programs Manager Comments:

Signature: _____ Date: / /

APPENDIX III TO STANDING ORDER 3

CHANGE OF SUICIDE/SELF HARM RISK STATUS

Young Person Name:.....

Date of Birth:.....

(To be completed by three members of the Review Panel - Ops Manager or delegate, the treating medical practitioner, and the representative of Quamby YJS Psychologist)

Name:.....

Position:.....

Signature:.....Date:.....

Name:.....

Position:.....

Signature:.....Date:.....

Name:.....

Position:.....

Signature:.....Date:.....

Reasons for Decision

.....
.....
.....
.....
.....

Action Taken

.....
.....
.....



QUAMBY YOUTH DETENTION CENTRE

ATTEMPTED SUICIDE / SELF HARM CHECKLIST

1. Name of Young Person: _____
DOB: ____/____/____ Gender: Male / Female
Ethnicity: _____
2. Warrant details: _____
3. Name of discovering/first responding officer(s):

4. Medical attention provided at: _____ hrs []
5. Preventive action taken at: _____ hrs []
6. ACT Ambulance informed at: _____ hrs (if required) []
7. Australian Federal Police informed at: _____ hrs []
(if foul play is suspected)
8. Operations Manager Quamby informed at: _____ hrs []
9. Manager Quamby informed at: _____ hrs []
10. Director ACT Corrective Services informed at: _____ hrs []
11. Minister of Justice and Community Safety Office informed at: _____ hrs []
12. Quamby's Medical Officer informed at: _____ hrs []
13. Quamby's Psychiatric Unit informed at: _____ hrs []
14. Quamby's Mental Health Worker informed at: _____ hrs []
15. Quamby's Welfare Officer informed at: _____ hrs []
16. Aboriginal Legal Service informed at: _____ hrs (if applicable) []
17. Aboriginal Community member informed at: _____ hrs (if applicable) []

18. ACT Corrections Aboriginal Liaison Officer informed at: _____ hrs (if applicable) []
19. Young Persons solicitor informed at: _____ hrs (if known) []
20. Young Persons next-of-kin notified (unless the Young Person requests otherwise): []
21. Children's Court Registrar informed at: _____ hrs on ____/____/____ []
22. Reports attached:
- Operations Manager's covering report; []
 - Synopsis of incident; []
 - Anything unusual in Facility routine; []
 - Any other information; []
 - Discovering/First Responding Officer; []
 - Medical Report; []
 - Psychologist's Report; []
 - Welfare Officers Report; []
 - Aboriginal Welfare Officers Report (if applicable); []
23. CISM arranged for staff; []
24. CISM arranged for other Young Persons with Salvation Army; []

Name: _____ Rank: _____

Signature: _____ Date: ____/____/____

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Aboriginal and Torres Strait Islander Young Persons

This Standing Order describes the procedures that must be followed when caring for an Aboriginal or Torres Strait Islander young person who is in the custody of the Quamby Youth Detention Centre.

Interpretation

Unless the contrary intention appears-

The term "Aboriginal or Torres Strait Islander" (ATSI) is someone who has identified themselves as ATSI to either the Quamby Youth Detention Centre's receiving officer, or who has identified themselves as ATSI to the organisation or institution from which they have been transferred.

4.1 Policy

- 4.1.1 Officers have certain obligations that must be fulfilled when dealing with Aboriginal or Torres Strait Islander (ATSI) young persons in their custody.
- 4.1.2 These obligations are a direct result of the implementation of recommendations of the Royal Commission into Aboriginal Deaths in Custody.
- 4.1.3 These recommendations have been adopted as policy in ACT Corrective Services and all officers are bound by these procedures when dealing with an ATSI young person.

4.2 Procedures

4.2.1 Identification

- 4.2.2 Officers must never assume the nationality and/or cultural background of any young person in the custody of the Quamby Youth Detention Centre (Quamby) based on appearance, or other physical factors.
- 4.2.3 Organisations transferring young persons into the custody of the Quamby Youth Detention Centre may provide information on the nationality and/or cultural background of the young person. If this information is supplied by the transferring organisation, the details should be recorded on the young person's dossier.
- 4.2.4 If the person is received into custody by the Quamby Youth Detention Centre and the nationality and/or cultural background has not been provided by the transferring authority, it is appropriate to ask the young person's nationality and/or cultural background. This must then be recorded in the young person's dossier.
- 4.2.5 This information is to be used to ensure that the young person can obtain appropriate help and support.
- 4.2.6 Young persons who identify themselves as ATSI are to be treated in accordance with the provisions of this Standing Order, and any other relevant Standing Order.

4.3 Classification

- 4.3.1** All officers should inform themselves of the classification of each young person in their custody.
- 4.3.2** In the event of an ATSI young person being received into the custody of the Quamby Youth Detention Centre who has been classified by ACT Youth Justice Services, ACT Corrective Services, or other agency as being at risk of self-harm or suicide, then the procedures contained in **Standing Order 3 – Young Persons At Risk of Self Harm**, should be followed.
- 4.3.3** ATSI young persons, regardless of classification should not be segregated or isolated unless deemed necessary by the Unit Manager. This is particularly important for ATSI young persons who have been identified as Prisoners At Risk (PAR).
- 4.3.4** All other aspects of the management of ATSI young persons are to be carried out in accordance with all other relevant Standing Orders.
- 4.3.5** ATSI young persons received by the Quamby Youth Detention Centre from the Police will have had their status notified to relevant agencies.

4.4 Notification

- 4.4.1** If a young person has identified as ATSI and has not previously identified as per above, then the OIC is to inform the following individuals/organisations of the young persons details:
- Aboriginal Legal Aid Service;
 - Aboriginal Medical Service; and
 - Young person's solicitor (if known).
- 4.4.2** If an ATSI young person is received exhibiting behaviour which suggests that the individual is suffering from either a mental illness or an intellectual disability, the OIC shall contact the Office of the Community Advocate to ascertain if the young person has a member of that Office appointed as that person's Guardian of Last Resort.
- 4.4.3** In the event of the person being subject of an emergency Guardianship or Management Order where the Community Advocate is the Guardian or Manager of Last Resort, the OIC shall contact the Guardianship and Mental Health Tribunal.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Property

Introduction

Under the provisions of the *Children and Young People Act 1999*, a child may be required to surrender any or all property in the possession of the child, whilst the child is placed in an institution or shelter (s86).

Subject to the provisions of ACT Youth Justice Services, Quamby Youth Detention Centre Policy & Procedures Manual (5.5 – Property) the resident may request to utilise personal property.

This Standing Order sets out the obligation to all Quamby Youth Worker staff to manage in an efficient and accountable manner all property received:

- (a) when a young person is detained in custody; and
- (b) when clothing or other property is brought in for a young person during a visit or at any other time.

Restrictions on the amount of space available for storage of young person's property necessitates promulgating a Standing Order which places a ceiling on what property/clothing a young person may retain while in custody.

This Standing Order has been developed to ensure correct property management and accounting, and receipt and issue procedures are followed at all times.

5.1 Recording Of Property On Admission

5.1.1 Reception Officer's Responsibilities

5.1.2 The Reception Officer shall exercise responsibility for carrying out the following action on processing a young person into custody or where property is brought in for a young person from a member of the public:

- Ensure all property is thoroughly searched;
- Itemise and list all property on a Property Sheet;
- Enter any serial numbers of all popular or valuable items (ie. radios, mobile phones etc,) on the Property Sheet;
- Ensure the condition of any property or item of clothing is entered on the Property Sheet;
- Seek the young person's signature to witness any entries on the property sheet and sign that all entries are correct;
- Ensure the Property Sheet is placed in the relevant young person's dossier;
- Ensure the property locker number is entered in the appropriate column of the Property Sheet;
- Ensure wrong entries are ruled through once in **black ink** and initialled by both the young person and Reception Officer;

- 5.1.3** The Reception Officer shall ensure the description of all items of property is sufficient to assist in determining the value and condition of the items allegedly lost or stolen.
- 5.1.4** The Reception Officer shall also inform young persons they are not permitted an excess of property. A letter is to be sent to the young person's parent/s or guardian informing them to arrange for the removal of excess property. That failure to do so before or after discharge shall result in the property being disposed of in accordance with the provisions of **Clauses 5.1.9 and 5.1.10**
- 5.1.5** Where a young person is discharged from custody (imprisonment, transfer or discharge by the Courts), it shall remain the responsibility of the young person to arrange for the disposal/removal of his or her property.
- 5.1.6** Property not claimed by a young person or his/her next of kin or a person nominated by the young person and recorded in the young person's dossier, shall be held at the Quamby Youth Detention Centre for THREE (3) MONTHS following a young person's discharge.
- 5.1.7** Unclaimed property shall then be disposed of in accordance with the provisions of this Standing Order and the ACT *Uncollected Goods Act 1996*.
- 5.1.8** Dangerous Items
- 5.1.9** Where the OIC believes on reasonable grounds that any item of a young person's property is potentially dangerous, the Unit Manager shall ensure any such property is secured separately from a young person's property and shall not allow a young person access to that property until such time as the young person is discharged from custody.
- 5.1.10** Items of property which the Unit Manager believes on reasonable grounds to be too dangerous to be stored, shall be destroyed or disposed of on the orders of the Operations Manager in accordance with the provisions of this Standing Order.
- 5.1.11** Soiled Property
- 5.1.12** Any property received which is considered to be in a soiled or unhygienic condition shall be cleaned or disposed of on the orders of the Operations Manager.
- 5.1.13** Items of property which are found during routine searching following the admission of a young person to be soiled, unhygienic, contaminated or verminous may be destroyed on the orders of the Operations Manager in accordance with the provisions of this Standing Order.
- 5.1.14** Recording Destruction of Young Persons' Property
- 5.1.15** Where dangerous or soiled property is destroyed, the young person's Property Sheet is to be endorsed, including the date of destruction and reason for destruction. This entry is to be counter-signed by the young person.
- 5.1.16** Any item entered on a young person's property sheet and subsequently destroyed must be ruled through once in **black ink** and initialled by the Reception Officer who shall seek the young person's signature to witness the alteration to the property sheet.
- 5.1.17** Other Approved Property
- 5.1.18** In addition the following property may on conclusion of a successful search, and with the authorisation of the Operations Manager, be retained by a young person while in custody:
- One only **small** CD/cassette radio; or

- One only small CD player/Walkman radio;
- A maximum of twelve (12) audio cassettes or CDs;
- Approved reading materials in reasonable quantities;
- Educational items that are not considered a safety/security risk; and
- Any other item that has received SPECIFIC PRIOR APPROVAL from the Operations Manager.

5.1.19 Additional property which may be approved by the Operations Manager for personal use by young persons includes:

- Religious icon or item.

5.1.20 The Operations Manager may, subject to maintaining safety security and good order, issue the items listed in **sub-clauses 5.1.23** to a young person, subject to receiving an application from that young person in writing requesting the issue of the property in question.

5.1.21 Consideration may be given to permitting issue of other items of property with the strict proviso that the items in question are not large, not likely to inconvenience other young persons and satisfactory arrangements have been made by the young person for their removal **prior** to discharge, having regard to space constraints within the Quamby Youth Detention Centre.

5.1.22 A young person granted permission to have a valuable item in his or her unit will be required to sign an indemnity form before the item in question is issued. Refusal to comply with this provision will result in the property in question not being issued.

NOTE **The Manager is to ensure where a young person reports an item of property lost or stolen whilst in custody, and the item in question is alleged to be of a value disputed by ACT Corrective Services or ACT Youth Justice Services, the onus on proving the value of the item rests with the young person.**

5.1.23 The following items of property **SHALL NOT** be approved or accepted:

- Any item which the Operations Manager reasonably believes poses a safety or security risk;
- Any item of property which cannot be effectively searched and which could reasonably be used to conceal contraband;
- Large television sets;
- Hard footwear (steel toed/capped);
- Belts with large metal buckles or studs;
- Valuable jewellery and other items of a valuable or attractive nature; and
- Any item of property which is considered a health and safety risk.

5.1.24 Other Prohibited Items of Property or Clothing

5.1.25 The following items of personal property will not be approved or accepted:

Any clothing, magazine, written article, photograph, poster, pin-up, cartoon, video, audio or written material of an explicit nature that contain sexual references or displays of nudity. This also includes material that contains offensive references or images relating to violence, disabilities or racial or ethnic origin and which the Operations Manager reasonably believes is not conducive to maintaining good order and discipline within the Quamby Youth Detention Centre

5.1.26 Storage of Property

5.1.27 Property not approved for use within the Security Compound shall be stored in lockers provided.

- 5.1.28** Young person's property and valuables shall not be transferred amongst other young persons' lockers. Young person's property shall not be shared, given sold or exchanged amongst other young persons.
- 5.1.29** Dangerous items are to be prominently marked and stored in an area away from all young person accommodation and movement areas. Property sheet to indicate separate storage.
- 5.1.30** Transfer of Property
- 5.1.31** In order to maintain good order and discipline within the Quamby Youth Detention Centre, a young person shall not possess or maintain property other than that property authorised for the young person's own use.
- 5.1.32** Young persons who fail to comply with the provisions of **sub-clause 5.1.35** are in breach of these Standing Orders and may have the relevant property confiscated.
- 5.1.33** Disposal of Property
- 5.1.34** Young persons shall not dispose of any item of personal property or clothing until arrangements have been made through the Unit Manager, for the relevant item to be removed from their Property Sheet and have counter-signed the entry.
- 5.2** **Property Received On Reception Of A Young Person**
- 5.2.1** Prior to delivering a young person into the custody of the Quamby Youth Detention Centre, Court Transport Unit or Police are required to list details of property, valuables and monies on the CTU or Police Property Sheet. The property sheet is signed by the Quamby Youth Detention Centre's receiving officer. The receiving officer is responsible for checking each valuable item and all monies in the presence of the CTU or Police escort prior to signing the Police Property Sheet.
- 5.2.2** As soon as practicable, after reception at Quamby Youth Detention Centre all property is to be checked in the presence of the young person and entered onto the young person's Quamby Property Sheet.
- 5.2.3** Any discrepancy between property delivered and property listed must be noted on the CTU or Police Property Sheet by the receiving officer. The receiving officer should have the discrepancy notation witnessed, preferably by the presenting CTU escort or police officer.
- 5.2.4** Property retained in reception is to be placed in a carton or bag, then sealed and labelled in the presence of the young person.
- 5.2.5** The young person and receiving officer must sign the Property Sheet indicating their common agreement with the contents.
- 5.3** **Valuables**
- 5.3.1** Valuables are to be listed on the young persons Quamby Property Sheet. The security seal number for the Valuables Property Bag must also be recorded on the Property Sheet.
- 5.3.2** An accurate description of each valuable must be recorded in the valuables section of the Property Sheet, for example if there are bank or credit cards they must each be recorded individually by name, brand name, serial number, colour and any other distinguishing feature. The number of the seal securing the young person's valuables must also be recorded in the valuables section of the Property Sheet. Unless absolutely sure that an item is gold or silver, an officer should only refer to it as **"yellow metal"** or **"white metal"** or a **(colour) cut stone**, rather than a "diamond".

- 5.3.3** Where it is necessary to open valuables bags to inspect the contents, the young person must be present. A new seal must be used to seal the Valuables Property Bag and the new seal number must be recorded on the Property Sheet. The young person's signature, verifying that the contents are correct as per the Property Sheet, must be obtained.
- 5.3.4** Any discrepancies must be documented immediately and submitted to the Manager Quamby. The Manager is to initiate an investigation where applicable and record the outcome.
- 5.3.5** Where discrepancies still exist after an investigation has been completed the Director Youth Justice Services will be notified in writing of the circumstance.
- 5.4 Storage Of Property**
- 5.4.1** Security and Storage of Property
- 5.4.2** To ensure security of a young persons' property when it is held in storage, the following procedures apply in relation to Quamby Youth Detention Centre security.
- 5.4.3** Every young person upon his/her reception into the Quamby Youth Detention Centre shall surrender all property in his/her possession. The property of a young person not sent away shall be retained by the Quamby Youth Detention Centre and returned to the young person on his/her release.
- 5.4.4** In view of the limited storage space available and the work load associated with receipt and recording, the following procedures apply:
- a. no unauthorised, perishable, prohibited or unhygienic articles will be stored;
 - b. reception staff are responsible for ensuring property which is not permitted to be stored is not accepted.
- 5.4.5** Receipt of Property
- 5.4.6** A young person shall not receive property from visits unless prior approval of the Unit Manager or Operations Manager has been sought.
- 5.4.7** An approved application listing the acceptable property must accompany the property and be endorsed by the Reception Room/Property Store Officer to ensure the receipt of property will not be in excess of the young person's requirements. Where the property is excess to requirements it may be exchanged.
- 5.4.8** All property received at the Quamby Youth Detention Centre is to be processed as follows:
- a. a receipt is to be issued to the visitor in the case of property delivered;
 - b. property is to be handed to the receiving officer. The receiving officer is to sign for receipt of the property and retain a copy of the receipt in the Reception Room;
 - c. all documents relating to the receipt of property are to be cross referenced, eg. Receipt number shown on the young person's Property Sheet; and
 - d. the property is to be listed on the young person's Property Sheet.

5.5 Escorts

5.5.1 Property Transferred on a Routine Escort

5.5.2 Action to be taken by Reception Room Officer:

- a. the reception Room Officer, or officer responsible for young persons' valuables, is to enter the full details of the young person's valuables on the Property Sheet. A description of each item is to be listed. All valuables are to be secured in approved sealed valuables bag;
- b. record seal numbers in the valuables section of the Property Sheet; and
- c. if it is necessary to open the bag and attach a new seal, the new seal number, the reason for breaking the seal, the date and the name of the officer breaking the seal must be recorded on the Property Sheet;
- d. ensure the current seal number and the valuable items attached to that seal are identified on the Property Sheet;
- e. valuable items should be placed in the bag to enable easy identification without breaking the seal and opening the bag;
- f. all other property accompanying the young person to be itemised on the property sheet including full description of each item.

5.5.3 When preparing young persons for an escort, the Reception Room Officer should ensure that the seal is secure and corresponds with the seal number recorded on the young person's Property Sheet.

5.5.4 If the seal is unbroken and the bag secure, the Escorting Officer records the seal number and is not required to open the bag. Signing for receipt of the correctly secured valuables bag does not incur responsibility for the enclosed individual items.

5.5.5 Action to be taken by Escorting Officers

5.5.6 When collecting a young person's valuables from the Reception Room, the escorting officer is responsible for the following:

- a. conduct a visual inspection of the items contained in the bag against the Property Sheet provided;
- b. verify that the bag containing the valuables has the seal intact and that the seal number corresponds with the number recorded on the Property Sheet;
- c. should the seal number not correspond with the records or the seal is not intact, the escorting officer must bring this to the attention of the relevant officer; and
- d. the escorting officer is not required to open the bag. Signing for receipt of the correctly secured valuables bag, does not incur responsibility for the enclosed individual items;
- e. check each non-valuable item of property against the property sheet and account for such.

5.5.7 Action to be taken when a seal is tampered with or a seal number does not correspond with a young person's Property Sheet.

5.5.8 When the Reception Officer delivers valuables to the Escort Officer prior to an escort, the Escort Officer should ensure the seal of the valuables bag is intact.

5.5.9 Where a seal is tampered with or the number does not correspond with the number recorded on the property sheet, the escorting officer shall:

- a. witness the Reception Room Officer breaking the seal of the valuables bag. Should the valuable property correspond with the Property Sheet, the bag shall be resealed and the new number recorded on the Property Sheet;
- b. where the valuables property does not correspond with the Property Sheet, the escorting officer shall record the name of the Reception Room Officer, the

details of the discrepancy and any other relevant information required for an investigation or compensation claim;

- c. the Reception Room Officer shall submit a report to the Operations Manager detailing those items listed on the Property Sheet which were not received and the names of the escorting officers. The Reception Room Officer is also to advise the young person that there is a discrepancy in their property and refer them to the Operations Manager. The Operations Manager will be responsible for investigating the discrepancy; and
- d. the Reception Officer shall submit a report on the discrepancy to the Operations Manager. Should the discrepancy still exist following the investigation, the Director Youth Justice Services is to be notified in writing of the circumstances.

5.5.10 Discrepancies

5.5.11 The Operations Manager is responsible for investigating discrepancies that have occurred during an escort.

5.5.12 At times other than when receiving a young person, should the Reception Room Officer notice that the seal of a valuables bag has been tampered with or the seal number does not correspond with the Property Sheet, the Reception Room Officer shall:

- a. break the seal and open the bag to check each valuable against the Property Sheet.
Should the valuables correspond with the sheet, the Officer shall secure a new numbered seal on the bag, record that the seal was broken and record the new number;
- b. where valuables do not correspond with those listed on the Property Sheet, the Reception Room Officer is to record on the sheet any discrepancy. The Officer is to submit a report to the Operations Manager detailing the discrepancy and any attempt made to locate the missing valuables; and
- c. where there exists a discrepancy the Operations Manager shall then refer the report to the Manager Quamby who will conduct an investigation and record the results.

5.5.13 Connecting Escorts

5.5.14 Where young persons are transferred to distant Correctional Centres and two separate escorting units are used, the following procedures apply:

- a. the officer-in-charge (OIC) who takes over the escort is to endorse the valuables list to indicate "**Valuable property bag checked and found secure**" and sign his/her name and rank. The initial OIC of the escort is to witness the endorsement and signature by annotating "**witnessed**" and signing his/her name and rank; and
- b. both officers are to check that the endorsement and signatures are legible on the copies. In the event that a discrepancy is found, all copies of the valuables list are to be appropriately endorsed. The initial Officer-in-Charge of the escort is to report the matter to the Operations Manager upon his/her return. The Operations Manager shall then order an immediate investigation into the discrepancy.

5.6 **Unauthorised Property**

5.6.1 Unauthorised property is defined as:

Any item which is dangerous and/or illegal and is not issued in any circumstances, eg., weapons, drugs or syringes.

- a. exceptions to syringes shall only apply in circumstances where a young person is authorised in writing by an appropriately qualified and registered medical practitioner to self-administer insulin by way of injection;
 - b. Young persons who have authorised access to syringes as outlined in 5.6.1(a) above shall use them only under conditions where they are strictly supervised by Quamby staff.
- 5.6.2 With the exception cited in 5.6.1(b) above, all unauthorised items shall be seized, retained in a secure location. If the unauthorised property is a prohibited weapon as outlined in the *Prohibited Weapons Act (ACT) 1996* and/or the *Firearms Act (ACT) 1996*, the Australian Federal Police are to be notified. The procedures covering the recording and disposal of prohibited drugs and substances are contained in **Standing Order 17 - "Drug Reporting**.

5.7 Disposal of Property

5.7.1 Excess Property

- 5.7.2 In the event that property is received for a young person from a visitor and that property is in excess of the young persons requirements, the property in question must be returned immediately.

5.7.3 Property Processing - Escape/Recapture

- 5.7.4 The property of an escapee is to be secured for a period of six months in a secure storage area of the Quamby Youth Detention Centre. If the escapee has not been returned to custody after six months action may be taken to dispose of the said property in accordance with the provisions of **Clauses 5.1.10 and 5.7.14** of this Standing Order. Disposal action is to be recorded in the Unclaimed and Confiscated Property Register.

- 5.7.5 Prior to any disposal action being taken, a thorough check must be completed to ensure the escapee has not been recaptured and returned to custody. Should the re-capture have been effected, then the property belonging to that young person must be forwarded as soon as possible to the Centre in which the young person is housed.

- 5.7.6 Any claims by a young person suggesting that part, or all of their property is missing, should be made in writing by the young person and investigated by the Operations Manager.

5.7.7 Property processing where a Young Person is released

- 5.7.8 In the case of young persons released to police, the officer releasing the young person is responsible for obtaining a signed receipt from the police for all property transferred into their custody. The receipt should be retained within the Reception Store.

- 5.7.9 In the case where a young person is released by the Court, the young person is to be given the opportunity to inspect his/her property prior to signing a release for that property.

- 5.7.10 Any claim by the young person suggesting that property is missing should be made in writing by that young person and where possible investigated by the Operations Manager prior to his/her discharge.

5.7.11 Disposal of Property after a Young Person's Death

- 5.7.12 In the event of the death of a young person the established procedures in accordance with the provisions of **Standing Order 23 – Death in Custody** are to be implemented immediately.

- 5.7.13** Where the death occurs in the young person's unit any property taken from the area by police is to be itemised. This schedule of property removed from the cell is to be signed by the Police Officer/s who have removed the property and a copy of the schedule is to be provided to the Operations Manager as an acquittance for that property. Where permitted by police, all other property is to be itemised by an officer nominated by the Operations Manager, together with the Reception Room Officer or other officer as directed.
- 5.7.14** Where the death occurs in a location away from the Quamby Youth Detention Centre the property of deceased young person is to be forwarded to the Operations Manager until all investigations have been completed. Should the property remain unclaimed for a period of not less than six months from the date of the young person's death, the said property maybe disposed of in accordance with the provisions of the ACT *Unclaimed Goods Act 1996*.

5.8 Liability Of The Department For Damage To Property

- 5.8.1** Where the Department and its officers take possession of young persons' property there is clearly a duty on the Department and its officers to exercise care. The Department and its officers shall not be subject to any liability for the loss or damage of a young person's property unless it can be proved that an act causing such a loss or damage was done maliciously and without reasonable care.
- 5.8.2** Where a young person is transferred from the Quamby Youth Detention Centre to another Institution, and property which he/she has been permitted to take into his/her possession is transferred with him/her, or at some later time, there is an obligation on the Department and its officers to exercise care in relation to such property.

5.9 Unclaimed And Confiscated Property Register

- 5.9.1** Unclaimed property refers to the property of a young person who has escaped from custody or who has been discharged from Quamby Youth Detention centre or Court without his/her property and who does not make a claim for their property.
- 5.9.2** Confiscated and Unclaimed Property
- 5.9.3** A register shall be kept to record all confiscated and unclaimed property. The register shall record the following details:
- a. the date item(s) was/were confiscated, or unclaimed;
 - b. the name of the young person/s from whom the property was confiscated, or from whom a claim for the property should originate;
 - c. the description of the item(s) (including serial number, condition and colour);
 - d. the reason item(s) was/were confiscated; how disposed; and
 - e. the date the property was disposed of.
- 5.9.4** Where, following the release of a young person, property remains unclaimed, then such property shall be held by the Quamby Youth Detention Centre for a period of not less than 24 hours. Following this period, the property shall be treated as 'Miscellaneous Found Property'. This property shall be stored and disposed of in regard to the provisions of this Standing Order.
- 5.9.5** Operations Manager Responsibilities
- 5.9.6** The Operations Manager shall, within seven (7) days of a young person's discharge write to the young person or the person nominated as next-of-kin and recorded on the young person dossier. The Operations Manager shall advise the relevant person that property is still being held and request they attend the Quamby Youth Detention Centre to collect the property left behind.

- 5.9.7** The letter shall specify a maximum time limit to allow the recipient to attend the Quamby Youth Detention Centre to collect such property. The time limit set out in section 7 of the *Uncollected Goods Act 1996* is seven (7) days, and shall be the operative provision for this sub-clause.
- 5.9.8** The letter shall be accompanied by a copy of the Property Sheet.
- 5.9.9** The letter shall also advise the recipient that any property not collected within THREE (3) MONTHS of a young person's discharge shall be disposed of in accordance with the provisions of the *Uncollected Goods Act 1996* and the Quamby Youth Detention Centre shall no longer be responsible for its storage.
- 5.10. Young Person's Monies**
- 5.10.1** All cash (Australian currency) in a young person's possession on reception at Quamby Youth Detention Centre shall be counted and an official receipt issued for the amount.
- 5.10.2** The money shall be deposited in a young person Trust Fund in accordance with current Finance Regulations. Foreign currency is to be itemised and listed on the young person's Property Sheet and shall be secured with the young person's valuables.
- 5.10.3** Cheques made out to a young person may, subject to normal bank clearances, be deposited in the Trust Account and cleared for use by the young person while detained in custody
- 5.10.4** Other cheques not required are to be listed on the young person's Property Sheet and shall be secured with the young person's valuables.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Behaviour Management Strategies

INTRODUCTION

Quamby Youth Detention Centre houses young persons charged with various offences requiring different levels and categories of supervision in accordance with the security and safe custody obligations while providing a mandatory duty of care. Some young persons will, from time to time, require separation from other young persons due to circumstances of their being in custody or behaviour. This Order addresses the procedures to be implemented in the event a young person/s requires separation (segregation) from other young persons, in particular:

- Medical Separation;
- Behavioural Management;
- Protection (Protective Custody);
- Special Supervision;
- Supervision of young persons of ATSI descent; and
- Loss of privileges.

6.1 Policy

6.1.1 Nothing in this Standing Order or any other Order shall prevent the Manager Quamby from exercising his or her discretion in accordance with the provisions of the *Children and Young People Act 1999* in relation to amending, reviewing or revoking any disciplinary sanctions involving loss of privileges imposed by any Operations Manager or Youth Worker on any young person.

6.1.2 The duty of care and human rights obligations inherent in young person management attain particular significance when taking a decision to restrict a young person or withdraw his or her entitlements in order to maintain good order, discipline, safety and security.

6.1.3 The same considerations apply equally to the management of young persons who are separated due to medical reasons or are placed in protective custody.

The safe custody and well being of young persons placed on Separation shall be the paramount consideration.

(i) Any breach of discipline by a young person may result in special supervision as a means of management, having regard to all the facts at the time the breach occurs including:

- the young person's previous conduct;
- the nature and seriousness of the breach; and
- the circumstances under which the breach was committed.

(ii) Any actions initiated under the provisions of this Standing Order are deemed reportable (Category 2) incidents and shall be reported in accordance with the provisions of **Standing Order 13 – Notifiable Incidents and Reports**.

- (iii) Unit Managers shall implement the provisions of **Quamby Youth Detention Centre Policy and Procedures Manual 1.4 – Rights and Responsibilities, 3 – Case Management Guidelines, 4 – Daily Program / Behaviour Management and 6.7 – Special Needs Unit** in conjunction with this Order.

6.2 Case Management

- 6.2.1** On receipt of a young person into the Quamby Youth Detention Centre a Case Management Plan will be devised for that young person.
- 6.2.2** The Case Management Plan will outline strategies to be implemented to meet the needs of that young person.
- 6.2.3** The Case Management Plan for the young person will commence within one (1) week of reception into the Quamby Youth Detention Centre.
- 6.2.4** The Case Management Plan will be devised by the Unit Manager in consultation with:
- Program Manager;
 - Operations Manager;
 - teaching staff;
 - Youth Workers;
 - program staff;
 - family members (where appropriate);
 - external agencies; and
 - the young person.
- 6.2.5** Each case plan will be monitored and progress of the young person discussed at a weekly general staff meeting.
- 6.2.6** All case plans will be reviewed in full on a monthly basis in consultation with:
- Program Manager;
 - the Operations Manager;
 - Juvenile Justice Psychologist;
 - Unit Manager; and
 - Teacher.
- 6.2.7** Each case plan will comprise:
- remission / leave goals;
 - health requirements;
 - mental health requirements;
 - education, employment and vocational training;
 - recreational requirements;
 - community reintegration; and
 - means of addressing offending behaviour.

6.3 Daily Program / Behaviour Management

- 6.3.1** Each young person shall have a program schedule devised for each daily program period throughout the week.
- 6.3.2** The Program Manager shall develop the daily programs schedule and ensure the Unit Manager is notified of the schedule at least one day in advance.

- 6.3.3** The Unit Managers are to ensure the implementation of the Quamby Youth Detention Centre's programs.
- 6.3.4** The Unit Managers are to ensure continuity of the program schedule throughout changeover of teams and shifts.
- 6.4 Behaviour Management**
- 6.4.1** Youth workers are to ensure the following procedures are implemented regarding Behaviour Management:
- ensure adherence to young persons case management plans;
 - prevent disruptive behaviour from developing;
 - do not permit offensive language;
 - ensure young persons are supervised at all times; and
 - ensure compliance with Manager's Instructions regarding loss of privileges.
- 6.4.2** Where a youth worker has cause to secure a young person and has not obtained authorisation from the senior youth worker a report must be submitted as per **Standing Order 13 – Notifiable Incidents and Reports.**
- 6.4.3** The securing of a young person for "Time Out" is to be used as a last resort once alternative strategies have been exhausted. Refer to Quamby Youth Detention Centre Procedures Manual 4.9 for alternative resolution guidelines.
- 6.4.4 Procedure for securing a Young Person (Time Out)**
- 6.4.5** Prior to a young person being secured the following action must have been carried out:
- young person given a warning for the inappropriate behaviour to cease;
 - inappropriate behaviour outlined to enable young person to self modify and correct; and
 - young person fails to comply with directions to cease.
- 6.4.6** Where the young person/s fail to comply with the directions to cease any inappropriate behaviour the young person is to be directed to go to the Time Out Room.
- 6.4.7** When a young person is placed in "time out" they are to be informed that they will be restricted to the Time Out Room for five (5) minutes from the time their behaviour is self-controlled.
- 6.4.8** The young person is to be observed with minimal visual contact while on "time out".
- 6.4.9** On completion of the "time out" period the young person is to be returned to normal routine.
- 6.4.10** Where the young person/s fail to comply with the directions and force must be used refer to **Standing Order 14 – Use of Force.**
- 6.4.11** Conditions which may necessitate the use of time out are:
- refusal to participate in a scheduled program;
 - continued verbal abuse;
 - continued threats of violence;
 - physical violence to another;
 - damage to property; or
 - failure to comply with a lawful direction.

6.4.12 Each young person's behaviour during the shift shall be assessed at the completion of each shift. An entry is to be made on their behaviour management record card in compliance with the young person's case management plan.

6.5 Procedure (Medical Separation)

6.5.1 On receipt of a young person who is required to be separated due to a medical condition the following procedure shall be initiated.

6.5.2 The Quamby Youth Detention Centre's Medical Officer shall issue written instructions, which shall contain the minimum restrictions under which the young person is to be placed. The young person shall be informed of the restrictions by medical staff.

6.5.3 The young person shall be placed on fifteen (15) minute observations and shall, where possible, be allowed access to all common areas.

6.6 Visits Status and Meal Routine for Medical Separation.

6.6.1 The young person is **not permitted** to have contact visits with any person unless otherwise authorised by the Medical Officer.

6.6.2 The young person is to be placed on **Non Contact** visits status unless otherwise authorised by the Medical Officer.

6.6.3 The young person is to have **no contact** with other young persons unless otherwise authorised by the Medical Officer.

6.6.4 Any authorisation as to change of visits status by the Medical Officer shall be in writing.

6.6.5 The young person shall be fed at different intervals to the scheduled meal times in accordance with medical instructions.

6.7 Special Supervision (Disciplinary)

6.7.1 A young person who, without reasonable excuse, consistently refuses to conform to the standards of behaviour required for the maintenance of good order, discipline, safety and security of staff and other young persons within the Quamby Youth Detention Centre, commits a breach of these Standing Orders and can be placed on Special Supervision.

6.7.2 The special supervision (segregation) provisions of this Standing Order shall be implemented where in the opinion of the Unit Manager and/or the Operations Manager, the actions or conduct of a young person are such that they constitute an act contrary to the provisions of these Standing Orders concerning the good order, discipline and security of the Quamby Youth Detention Centre.

6.7.3 The imposition of special supervision sanctions is not punitive but is intended to enhance management of young persons who act in a manner contrary to the provisions of the Children and Young People Act 1999, the Standing Orders, the Quamby Youth Detention Centre Policy and Procedures Manual, and relevant Manager's Instructions relating to security, good order and discipline. The use of special supervision may be included as management tool to maintain good order and discipline.

6.8 Unit Manager's Responsibilities – Special Supervision

6.8.1 Where special supervision is imposed on any young person the Unit Manager shall exercise responsibility for notifying the following key personnel:

- a. the Operations Manager, who shall in turn notify the Manager;
- b. Director, Youth Justice Services;
- c. the Psychiatric Officer; and
- d. Medical Officer.

6.9 Notification of Other Relevant Personnel

6.9.1 The Unit Manager shall notify the following personnel where the situation warrants notification:

6.9.2 **In the event of the special separation on disciplinary grounds of an Aboriginal or Torres Strait Islander** - the Aboriginal Legal Service.

6.9.3 **In the event of the special separation on disciplinary grounds of a young person who is the subject of an emergency Guardianship or Management Order where the Community Advocate is the Guardian or Manager of Last Resort** - the Office of the Community Advocate and the Guardianship and Mental Health Tribunal.

6.10 Review of Decision

6.10.1 The placing of a young person on special supervision is an action requiring regular review.

6.10.2 Unit Managers may place young persons on special supervision for a period up to but not exceeding **three (3) days** from the date of the breach of discipline.

6.10.3 Unit Managers shall be responsible for ensuring the Operations Manager reviews all such decisions not more than **eight (8) hours** after the action has been taken.

6.10.4 The Manager may exercise his or her discretion in extending the period of special supervision for periods up to but not exceeding **seven (7) days**.

6.10.5 The Manager may implement **6.10.4** only with regard to the young persons Case Management Plan.

6.10.6 Where a young person's behaviour is such that an extension of special supervision beyond **seven (7) days** is necessary, the endorsement of the Director, ACT Corrective Services must be sought. The Manager shall review the action taken, at intervals **not exceeding seven (7) days** or when a change in circumstances or behaviour occurs.

6.10.7 The Operations Manager or Unit Manager shall cause any young person placed on special supervision to be issued with a written statement of reasons for the action taken, setting out:

- the circumstances of the breach;
- the action taken;
- the duration of the separation ; and
- the review period.

6.10.8 The Operations Manager shall countersign all such statements prior to the young person receiving them.

6.10.9 Where a young person's circumstances change or there is an improvement in behaviour, the Operations Manager may, subject to operational requirements, order that a programme of phased reductions in restrictions be implemented, subject to continued good behaviour for further reduction.

- 6.10.10** Any program of phased reduction in restrictions shall take the form of a Case Management Plan and shall be implemented by the Operations Manager in conjunction with the relevant Shift Supervisors and Team Leaders.
- 6.10.11** The provisions of **sub-clauses 6.11.3 and 6.11.4** shall apply equally to any young person subject to Special Supervision.
- 6.11** **Management and Observation of ATSI Young persons**
- 6.11.1** The management and observation of ATSI young persons shall be carried out in accordance with relevant provisions of **Standing Order 3 – Young Persons At Risk of Self Harm and Standing Order 4 – ATSI Young Persons.**
- 6.12** **Loss of Privileges**
- 6.12.1** Where a young person is confined under the provisions of this clause the following loss of privileges shall automatically apply:
- a. be entitled to a maximum of two (2) hours of exercise outside his or her unit each day;
 - b. the young person shall be restricted to legal and welfare telephone calls and visits only;
 - c. the young person shall not be permitted to have a television, personal radio or cassette player in his or her possession;
 - d. the young person's canteen purchases shall be restricted to writing materials only. No other purchases shall be permitted;
 - e. other personal property of the young person shall be limited to small quantities of reading and educational material;
 - f. the young person may be subject to other conditions as determined by the Operations Manager.
- 6.12.2** The Operations Manager may at his or her discretion, or in conjunction with reports from youth workers, vary or set aside any or all of the conditions or restrictions imposed on a young person either during the period of confinement or after the confinement period ceases.
- 6.12.3** The Operations Manager shall cause the young person to be issued with a statement of reasons setting out in writing, the details of the separation, loss of privileges and any conditions that may be imposed.
- 6.12.4** The Operations Manager shall arrange for copies of the reasons for decision to be placed in the young person's dossier.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Young Person Complaints, Rights and Responsibilities

Introduction

The provisions of this Order address the entitlements of young persons while detained in custody, and the liability of young persons to legal action should they breach the provisions of relevant legislation. This Standing Order is to be read in conjunction with Quamby Youth Detention Centre Policy and Procedures Manual **4.15 – Complaints By Residents.**

RIGHTS and RESPONSIBILITIES

7.1 Entitlements

7.1.1 Unless the Operations Manager considers it necessary for the security, discipline or the maintenance of good order and discipline within the Quamby Youth Detention Centre, a young person shall be entitled to the following:

- a. to send and receive mail;
- b. the reasonable use of a telephone;
- c. to receive visitors during normal visiting hours;
- d. to have access to a legal adviser;
- e. subject to Case Management Plan, to participate in recreational activities at the Quamby Youth Detention Centre; and
- f. to obtain reading materials from outside the Quamby Youth Detention Centre.

7.2 Withdrawal of Privileges

7.2.1 Where the Operations Manager believes on reasonable grounds that it is necessary for the maintaining of security, discipline or order in the Quamby Youth Detention centre or for the health of a young person, the Operations Manager may cause a young person to be confined to his or her sleeping quarters, or deprived of one (1) or more of his or her entitlements, or both.

7.2.2 A reference to young person's entitlements is a reference to one or more of the entitlements specified in **sub-clause 7.1.1.**

7.3 Offences by Young Persons

7.3.1 A young person shall not:

- a. disobey a lawful order given by the Manager, Operations Manager, Unit Manager, Team Leader, a Youth Worker or a medical officer;
- b. commit any act contrary to the provision of the Standing Orders concerning the good order, discipline and security of a Quamby Youth Detention Centre;
- c. escape or attempt to escape;
- d. make, conceal, or have in his possession without authority a tool, weapon, knife, key or other implement or thing intended to be used, and capable of being used, to effect the escape of a young person or intended to be used for an unlawful purpose

- e. have in his or her possession any unauthorised article or any article that is the property of another young person;
- f. use any obscene, indecent, offensive or racist language to any person;
- g. behave in an obscene, indecent, offensive, racist or disorderly manner;
- h. unlawfully lay hold of or strike any person;
- i. misappropriate food of any kind; and
- j. commit any breach of these Standing Orders or any law in force in the Australian Capital Territory.

7.3.2 Implement or other thing includes a syringe.

7.3.3 The commission of any of the above offences constitutes a breach of **sub-clause 7.3.1** and may result in the matter being reported to the Australian Federal Police for further action having regard to:

- the nature and seriousness of the offence; and
- the circumstances in which the offence was committed.

7.3.4 The Unit/Operations Manager may, where a young person has committed misconduct, exercise his/her discretion and cause the young person to be deprived of one or more of his or her entitlements.

7.4 Legal Assistance

7.4.1 A young person shall have access to a legal practitioner of his or her choice.

7.4.2 A young person shall as soon as practicable, after reception processes have been completed, be supplied with an Application for Legal Aid, and shall as required, be given assistance to complete the application.

7.4.3 Applications for Legal Aid may be witnessed by any of the following:

- any person listed on the application form who may be authorised to witness the applicant's signature including a solicitor, Justice of the Peace or Commissioner for Declarations; or
- any public servant who has been **continuously and permanently** employed in the Public Service for a **minimum period of five (5) years**.

7.4.4 Youth Workers permanently appointed as officers of the ACT Public Service who meet the continuous permanent employment criteria may witness Applications for Legal Aid.

7.5 Searches

7.5.1 In order to maintain safety security and good order within the Quamby Youth Detention centre young persons may be subject to searches at any time. The searches may take any one of the following formats:

- Body (pat-down) searches;
- Strip searches; and
- Unit and area searches.

All body and strip searches shall be carried out by officers in compliance with Quamby **Standing Order 15 – Searches**.

7.6 Young person Complaints

- 7.6.1** A young person may seek redress for any matter which he or she may be aggrieved which relates to his or her treatment whilst in custody at Quamby Youth Detention Centre.
- 7.6.2** A young person may make a complaint to the Manager, Operations Manager, Community Advocate or the Official Visitor. Any complaint made to a staff member is to be documented by the staff member and submitted to the shift supervisor for investigation.
- 7.6.3** A young person may, if still dissatisfied make a complaint to the office of the ACT Ombudsman.
- 7.6.4** A young person shall not be permitted to telephone the Minister or the Director ACT Corrective Services.
- 7.6.5** A young person may contact the police if he or she has reason to believe there has been a breach of the law.
- 7.6.6** Where a young person has difficulty in communicating with the police, the young person may request the assistance of the Operations Manager.
- 7.6.7** Complaints received on behalf of a young person from any other source are to be acted on and investigated.

7.7 Telephone Calls

- 7.7.1** A young person shall have the reasonable use of a telephone.
- 7.7.2** The number of telephone calls (other than legal or welfare) to which a young person is entitled to make shall be at the discretion of the Operations Manager, having regard to the young person's Case Management Plan, and the number of young persons in custody.
- 7.7.3** A young person shall not be permitted to make or receive telephone calls to or from interstate correctional facilities without prior approval from the Operations Manager and the OIC of the interstate facility.

7.8 Young Person Mail

- 7.8.1** A young person may receive unlimited mail.
- 7.8.2** All mail received shall be opened in the presence of the young person and shall be searched.
- 7.8.3** All mail sent by a young person shall be sealed in the presence of a youth worker.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Video Surveillance / Recording

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Visits and Visitors

Policy

This Standing Order addresses Visits and Visitors to of the Quamby Youth Detention Centre and is to be read in conjunction with ACT Youth Justice Services Quamby Youth Detention Centre Policy & Procedures Manual ([s5.6](#)) and [Standing Order 6 - Behaviour Management Strategies](#). This Standing Order is written with consideration to Australasian Juvenile Justice Administrators Standards for Juvenile Custodial Facilities (1999) s5 – Family and Community.

Introduction

A basic entitlement of young persons held in custody is that of receiving visitors. Visits to young persons by family, friends, police, legal advisers and welfare visitors are conditional on compliance with the security requirements which apply to all visitors.

This Standing Order details the processes for managing visits to Quamby Youth Detention Centre and action to be taken where visitors refuse or fail to comply with security requirements.

9.1 Visits (Young Person Entitlements)

- 9.1.1 A young person has an entitlement to receive visitors while they are in custody.
- 9.1.2 A young person may refuse any visit.
- 9.1.3 Where a young person refuses a visit, the Youth Worker shall exercise responsibility for ensuring the visitor is informed of the refusal.
- 9.1.4 The Youth Worker shall ensure any refusals are recorded in writing and signed by the young person.
- 9.1.5 The Operations Manager may, where he or she reasonably believes it is appropriate do so, refuse a visit on the grounds that such a visit may be inconsistent with maintaining security, safety or good order and discipline within the Quamby Youth Detention Centre.
- 9.1.6 A visitor who takes any item into a visit shall submit any such item for a search.
- 9.1.7 A visitor who, without reasonable excuse, refuses a reasonable direction given by a Youth Worker to submit his or her property for a search, shall have the visit refused or shall be placed in a supervised visit with the young person concerned.

9.2 Legal Visits

- 9.2.1 A young person may receive a visit from a legal adviser outside of normal visiting hours with prior appointment.
- 9.2.2 Legal visits should wherever possible, be prearranged to minimise delays.

9.2.3 A legal practitioner shall, as a condition of entry, submit his or her property to a search in accordance with the safety and security procedures governing all visits to Quamby Youth Detention Centre. Searching of all items of property including briefcases etc, brought into the Centre and taken into a visit is mandatory.

9.2.4 A legal practitioner who, without reasonable excuse, refuses to submit his or her property to a search, shall have the visit refused or shall be placed in a non-contact visit with the young person in question.

9.2.5 Legal professional privilege is not a defence to a refusal, as a consequence of a reasonable direction by a Youth Worker, to submit any property to a search.

9.3 Welfare Visits

9.3.1 The provisions of **Clause 9.2** apply equally to welfare visits to young persons.

9.4 Police Visits

9.4.1 Where a member of the police force wishes to visit a young person, the young person will have his or her legal adviser, parent/s, legal guardian or a Youth Worker present.

9.4.2 A police visit is not classified as a professional visit and should be governed by the procedures and timings applicable to all non-professional visits to young persons.

9.4.3 Members of the Police Force seeking to visit a young person should be requested to surrender their firearm to the Duty Officer in Charge who will be responsible for securing the weapon in the Control Room.

9.4.4. Where a member of the Police Force refuses to surrender his/her firearm, access to the young person should be denied and the shift supervisor should immediately bring the matter to the notice of the Operations Manager.

9.5 Visiting Hours

9.5.1 A young person may receive visitors during the standard visiting hours which are:

Monday to Friday	4.30 pm to 8.00 pm
Saturday & Sunday	9.00 am to 4.30 pm

9.5.2 The Operations Manager or the Manager Quamby may agree to visits outside these times where they consider it in the young person's best interests.

9.5.3 Visits to all young persons shall be of thirty (30) minutes to one (1) hour's duration. Exceptions shall only be approved by the Operations Manager.

9.5.4 Visiting hours may be changed by notice in writing and issued by the Operations Manager.

9.6 Visits Categories

9.6.1 A young person may have visits in one of the two following categories:

1. **Supervised contact.** All supervised contact visits shall take place in a communal visiting area under the direct supervision of a Youth Worker.
2. The Operations Manager may exercise a discretion to permit a young person, subject to satisfactory behaviour, to be granted a supervised contact visit.
3. **Contact unsupervised.** All unsupervised contact visits shall take place under the casual supervision of a Youth Worker.

4. The Operations Manager may exercise a discretion to permit a young person, subject to satisfactory behaviour, to be granted a unsupervised contact visit.
5. **Professional visits.** A young person may be granted a professional visit in a non-supervised contact environment subject to the visitor complying with the provisions of the provisions of **clause 9.2**. Professional visits apply to members of the legal profession or welfare visitors.
6. The Operations Manager may exercise the discretion, if he or she considers it reasonable for maintaining the safety, security, good order and discipline of the Quamby Youth detention Centre, to allocate a Youth Worker to supervise any such visits, or upon the request of the professional visitor.

9.7 Young Person Dress

9.7.1 A young person shall not wear his or her own clothing on any supervised contact visit.

9.7.2 A young person shall wear issue Quamby Youth Detention Centre clothing for the duration of all visits.

9.7.3 A young person shall not be permitted to take the following items into a visit:

- watches;
- jewellery;
- keys; or
- cigarettes.

9.8 Consumption of Food and Drink During Visits

9.8.1 A young person may take only those items of food and drink which have been checked by Quamby Youth Detention Centre Staff into a visit and may consume those items during the visit.

9.8.2 A young person shall not be permitted to take any items of food or drink from the visits facility into the Residential area at the conclusion of a visit until such food or drink has been checked by Quamby Youth Detention Centre Staff.

9.9 Visits And Visitors

9.9.1 Visitors (Visit Procedures)

9.9.2 Any person wishing to visit a young person shall complete a visit request form and shall produce satisfactory proof of identity upon request by a Youth Worker.

9.9.3 Visitors will then wait in the waiting area until the visit is approved and the visitor is escorted to the visiting area.

9.9.4 A visitor shall not be permitted to take the following items into the visits area:

- cigarettes;
- handbags;
- keys;
- sunglasses;
- prams and bassinets;
- any other kind of bags; or
- any other item not approved by the Operations Manager.

9.9.4 Visitors shall secure all personal items in the lockers provided for the duration of their visits.

9.10 Gifts for Young Persons

- 9.10.1** A visitor shall not be permitted to take any gift into a visits area. All gifts shall be passed through the reception desk for searching and registering by Youth Workers.
- 9.10.2** The Operations Manager shall, where he or she reasonably considers it necessary for the maintenance of safety, security, good order and discipline, exercise the discretion not to issue a gift to a young person and shall ensure any such gift is secured where the young person cannot gain access.

9.11 Refusal of Visits

- 9.11.1** The Operations Manager may, where he or she considers it necessary to safeguard the health of a young person or the security and good order of the Quamby Youth Detention Centre:
- (i) refuse to allow a person to visit the young person; or
 - (ii) require a visitor to leave the Quamby Youth Detention Centre.
- 9.11.2** Where the Operations Manager exercises his/her powers to refuse a visit in accordance with the provisions of this **Standing Order 9.11.1**, he or she shall report the matter to the Manager Quamby, who may direct the Operations Manager to allow the visit.
- 9.11.3** No appeal lies in respect of any visit (other than a legal visit), that is terminated or refused at a time other than those times specified in these Standing Orders.

9.12 Grounds for Refusal of Entry

- 9.12.1** Where the Operations Manager believes on reasonable grounds that a visitor:
- a. Is or appears to be, under the influence of intoxicating liquor or drugs;
 - b. Is dressed in skimpy, provocative or inappropriate attire;
 - c. Refuses to comply with any reasonable directions given by a Youth Worker;
 - d. Is deemed an unsuitable visitor; or
 - e. For any other reason in these Standing Orders;

may refuse or terminate a visit on the grounds that termination or refusal of a visit is reasonably necessary to safeguard the health of a young person or the security and good order of the Quamby Youth Detention Centre.

9.12.2 Removal by Force

- 9.12.3** Where a person whose visit has been refused or terminated under **sub-clause 9.11.1** refuses to leave the Quamby Youth Detention Centre the Australian Federal Police are to be called to attend to have that person removed.
- 9.12.4** Staff are warned that where force has been found to have been used, criminal and/or disciplinary sanctions may be applied.

9.13 The Territory's Position

- 9.13.1** The ACT *Crimes (Offences against the Government) Act 1989* (the Act), provides for the imposition of criminal sanctions (including imprisonment) against persons who resist or obstruct officers of the territory or who are found without reasonable excuse on Territory premises.
- 9.13.2** Resisting or obstructing Quamby Youth Workers in the execution of their Duty

The Provisions of s18 of the Act provide:

“19. A person who

- (a) wilfully obstructs or resists an officer of the territory while engaged in the discharge or attempted discharge of the duties of his or her office under a law of the territory;*
- (b) wilfully obstructs or resists a person while engaged in the discharge of a duty imposed on him or her by a law of the territory; or*
- (c) by violence, threats or intimidation of any kind interferes with, hinders or obstructs a person performing the service or function for or on behalf of the Territory in the performance of that service or function;*

is guilty of an offence punishable, on conviction, by imprisonment for a period not exceeding 2 years.”

Youth Workers are for the purposes of their employment officers of the Territory [s3].

9.13.3 Unlawfully on Territory Premises

The Act further provides sanctions for persons found without excuse on Territory premises or who refuse to leave Territory premises thus:

- “19 (1) A person who, without reasonable excuse, trespasses on government premises is guilty of an offence punishable, on conviction, by a fine not exceeding \$100 or imprisonment for a period not exceeding 1 month or both.*
- (2) A person who-*
- (a) engages in unreasonable obstruction in relation to the passage of persons or vehicles into, out of, or on government premises, or otherwise in relation to the use of government premises;*
 - (b) being in or on government premises, behaves in an offensive or disorderly manner; or*
 - (c) being in or on government premises, refuses or neglects, without reasonable excuse, to leave those premises on being directed to do so by a police officer or by a person authorised in writing by a Minister of the territory authority occupying the premises to give directions for the purposes of this section;*

is guilty of an offence punishable, on conviction, by a fine not exceeding \$560 or imprisonment for a period not exceeding 3 months, or both.”

9.13.4 Other than police, the provisions of s19(2)(c) in **sub-clause 9.13.3** above are the operative provisions where a person refuses to leave the Quamby Youth Detention Centre and apply to the Director Youth Justice Services in his/her role as the Administrator of the *Children and Young People Act 1999*, the Manager, or any Youth Worker, having regard to their statutory obligations to maintain safety, security, good order and discipline.

9.13.5 The use of reasonable force to remove a person from the Quamby Youth Detention Centre is a Notifiable (Cat 1) Incident as specified in **Standing Order 13 – Notifiable Incidents and Reports**.

- 9.13.6** Police are to be called for all instances where a person is required to be removed using force from the Quamby Youth Detention Centre.
- 9.13.7** Staff are not to engage in the physical removal of persons from the Quamby Youth Detention Centre unless there is an immediate threat to the safety of staff, residents or other members of the public.
- 9.14 Conduct During Visits**
- 9.14.1** A young person and visitor shall, during a supervised contact visit:
- a. Comply with all reasonable directions given by a Youth Worker;
 - b. Keep their hands in full view of the officer supervising the visit;
 - c. Not fondle or handle each other;
 - d. Not engage in full body contact other than a brief restrained kiss and cuddle on arrival and prior to departure;
 - e. Not undertake or allow any children in their care to undertake, any activity which infringes upon other persons' enjoyment of their visit.
- 9.14.2** A young person or visitor who, without reasonable excuse, fails or refuses to comply with the provisions of **sub-clause 9.14.1**, commits a breach of these Standing Orders and shall have their visit terminated.
- 9.14.3** The Operations Manager may exercise his discretion in imposing a bar to an offending visitor to the Quamby Youth Detention Centre for a specified period of time.
- 9.14.4** A visit shall be terminated where a visitor wishes to leave the visits area for any reason.
- 9.14.5** Visitors are responsible for the care and behaviour of any children brought into the Quamby Youth Detention Centre's visits area and should limit the length of the visit to reduce the stress of confinement on any children accompanying them.
- 9.15 Restricted Visitors**
- 9.15.1** A visitor aged under eighteen (18) years shall not be permitted to visit a young person unless accompanied by a parent or guardian.
- 9.15.2** The Operations Manager may, where an unaccompanied underage visitor produces satisfactory identification and written authority from a parent or guardian for the visit to proceed, authorise a visit between the visitor and the young person in question.
- 9.15.3** Written authorisations for underage visits shall be retained in the Main Control Room.
- 9.16 Former Clients of Youth Justice Services**
- 9.16.1** The Operations Manager may, subject to the previous behaviour, drug and criminal history of a former client of Youth Justice Services, authorise a supervised contact visit between a former client and a young person.
- 9.16.2** Where a supervised contact visit is not authorised by the Operations Manager, the former client shall be placed in a non-contact visit facility.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Health and Medical

Policy

This Standing order addresses Health and Medical procedures for young persons while in the custody of the Quamby Youth Detention Centre and is to be read in conjunction with ACT Youth Justice Services Quamby Youth Detention Centre Policy & Procedures Manual (s2.11, 2.12, 3.5, 5.9 and 5.11. This Standing Order is written with consideration to Australasian Juvenile Justice Administrators Standards for Juvenile Custodial Facilities (1999) s6 - Health.

Interpretation:

Medical Officer means registered General Practitioner or registered Nurse.

10.1 Medical Examination on Reception

10.1.1 ACT Youth Justice Services Quamby Youth Detention Centre Policy & Procedures Manual states:

“all residents are required to undergo a medical examination upon arrival at the Centre... on the next scheduled visit by the centre doctor” [s2.2.1.0].

10.1.2 All young persons admitted to the Quamby Youth Detention Centre will be examined by a medical professional within the first twenty-four (24) hours. This examination is mandatory and a young person does not have the discretion to decline to submit.

10.1.3 The medical examination is conducted in privacy. The Medical Officer records his/her findings on the Medical Record Sheet. This medical record shall be retained in the Medical Officer's room.

10.1.4 Any prescription for medication shall be raised by the Medical Officer and collection from the nominated pharmacy arranged. **[section 2.11 Procedures Manual]**

10.1.5 A young person shall, other than on admission to the Quamby Youth Detention Centre, be examined by a medical officer in the following circumstances:

- when considered necessary by the Quamby Youth Detention Centre's Medical Professional or other appropriately qualified registered medical practitioner; and
- when requested by the young person.

10.1.7 Appropriate treatment will be provided as deemed necessary by a medical practitioner.

10.2 Medication

10.2.1 A young person shall not receive medication unless that medication has been authorised by the Quamby Youth Detention Centre's Medical Officer.

- 10.2.2** A young person in possession of medication at the time of admission shall not be issued that medication. The medication in question shall be passed to the Medical Officer at the time of examination.
- 10.2.3** Where the Medical Officer does not approve the continued use of a young person's personal medication (10.2.2) while in the custody of Quamby Youth detention centre, the medication in question shall be securely packaged, listed on the young person's property sheet and stored in the young person's property as a dangerous item.
- 10.2.4** The Medical Officer shall issue a prescription for any medication deemed necessary for the treatment of the young person's condition.
- 10.2.5** Prescribed medication shall be obtained from the nominated pharmacy within twenty-four (24) hours and will be secured in the control room and issued as prescribed.

10.3 Issuing Medication to Young Persons

- 10.3.1** A young person shall receive medication in the dosage prescribed and at the times prescribed by the Medical Officer.
- 10.3.2** Medication shall be prepared for issue by a pharmacist.
- 10.3.3** Medication shall be placed in an approved container (Webster Pack or similar) with the young person's name and time of medication issue clearly marked.
- 10.3.4** Medication shall be prepared to cover, during weekdays, a twenty-four (24) hour period.
- 10.3.5** Medication for weekends and public holidays shall be prepared in sufficient quantity to cover the period in question.
- 10.3.6** The Unit manager or delegate shall be responsible for issuing medication to young persons and shall exercise responsibility for:
- a. ensuring that all medication is issued at the correct time;
 - b. recording the time and date of medication issued on the Young Person's Medication Issue Record;
 - c. initialling each medication issue entry on each Medication Issue Record;
 - d. ensuring that the medication issued is actually and completely consumed; and
 - e. recording any refusal and reasons for refusal of medications on the Medication Issue Card.
- 10.3.7** A refusal by a young person to take his or her medication is a Notifiable Incident to be reported to the Operations Manger (not a cat 1 incident).

10.4 Methadone Issue

- 10.4.1** The Medical Officer in accordance with current ACT Health Department guidelines shall strictly control the issue of controlled medication such as Methadone.
- 10.4.2** All controlled medication shall be kept in a locked refrigerator at all times.

10.5 Private Medical Treatment

- 10.5.1** A young person may receive treatment from their own private registered medical practitioner or dentist subject to the following:

- Any such treatment shall be at the young person's expense.
- Approval is granted by the Quamby Youth Detention Centre's Medical Officer; and
- The Quamby Youth Detention Centre's Medical Officer shall approve any treatment regime.

10.6 Dental Treatment

10.6.1 Where a young person requires urgent dental treatment, the Quamby Youth Detention Centre's Medical Officer shall arrange for treatment to be provided at public expense by the ACT Health Department's Dental Unit.

10.7 Requests for Medical Treatment

10.7.1 Where a young person requests routine medical treatment, he or she may request to see the Medical Officer.

10.7.2 The Medical Officer will see the young person on his/her next scheduled visit and ascertain whether the matter can be dealt with at that level or whether further referral is required.

10.7.3 Young persons who request urgent medical treatment may submit a request at any time.

10.7.4 In the event of urgent medical requests or concerns by staff the Medical Officer will be contacted to attend the young person.

10.7.5 In the event of a medical emergency occurring, staff shall arrange for the appropriate medical attention.

10.7.6 A young person who is ill or purports to be ill and cannot rise from bed to complete the morning routine, shall be classed as "**sick in unit**" and shall remain in their room until such time as he or she is examined by medical staff. Observation procedures are to be commenced on a young person reporting as sick.

10.8 Personal Cleanliness

10.8.1 A young person shall maintain a high standard of personal cleanliness at all times.

10.8.2 A young person shall shower at least once a day.

10.8.3 A young person's living accommodation, bedding, clothing and any other articles issued for personal use shall be kept clean and in good order.

10.8.4 Beds shall be made in compliance to the morning routine.

10.8.5 Common areas shall be cleaned daily as directed and kept tidy at all times.

10.8.6 Staff allocated Unit and common area posts shall exercise responsibility for ensuring their areas of responsibility are cleaned and for ensuring their relevant areas remain in a clean state for the duration of their shift.

10.9 Refusal to comply

10.9.1 A young person who, without reasonable excuse, refuses to comply with the provisions of **Clause 10.8**, commits a breach of these Standing Orders with regard to the good order and discipline of the Quamby Youth Detention Centre.

10.10 Mental Health Services

- 10.10.1** Young persons at the Quamby Youth Detention Centre shall have access to Mental Health resources for treatment of their mental health problems.
- 10.10.2** The Medical Officer during their initial induction to the Quamby Youth Detention Centre will assess the young persons mental state.
- 10.10.3** The Youth Justice Psychologist will assess the status of young persons while in the custody of the Quamby Youth Detention Centre and provide ongoing assessment and treatment programs as a component of each young person's case plan.
- 10.10.4** Young persons shall have access to emergency mental health resources outside of normal business hours. This service can be provided by the Youth Justice Psychologist, Medical Officer or CAT Team.
- 10.10.5** In the event that a young person attempts to self-harm or commit suicide, **Standing Order 3 – Young Persons At Risk of Self-Harm or Suicide** is to be implemented immediately.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

First Aid, Communicable Disease and Infection Control

A duty of care obligation is imposed on Quamby Youth Detention Centre staff upon the receiving of all young persons into the custody of the Quamby Youth Detention Centre.

The essence of the duty of care obligations imposed on Officers is a duty to properly supervise young persons in their custody, having regard to Ch 2, Pt 1, s10 of the *Children and Young People Act 1999*.

This Standing Order addresses the steps to be taken with providing that duty of care in regards to the administration of first aid, management of communicable disease and infection control within the Quamby Youth Detention Centre.

This Standing Order is to be read in conjunction with ACT Youth Services Quamby Youth Detention Centre Policy & Procedures Manual (s6.15, 6.16 & 6.17).

11.1 First Aid

- 11.1.1 Duty of care necessitates that the Quamby Youth Detention Centre will provide resources to address the requirements of providing first aid in an emergency situation.
- 11.1.2 Youth Worker staff at the Quamby Youth Detention Centre will be trained in first aid to a recognised minimum level of Senior First Aid (Red Cross) or equivalent.
- 11.1.3 Quamby Youth Detention Centre will ensure all youth worker staff are requalified as required.
- 11.1.4 Quamby Youth Detention Centre will ensure the adequate provision of first aid equipment and supplies for each location within the Centre.
- 11.1.5 First aid kits will meet the minimum standard as set by the ACT Government at level B.
- 11.1.6 Staff will ensure that all escorts from the Quamby Youth Detention Centre have a first aid kit.
- 11.1.7 Quamby Youth Detention Centre will carry out regular audits on the contents of all first aid kits and restock as necessary.

11.2 Communicable Diseases

- 11.2.1 Quamby Youth Detention Centre has a duty of care to staff and the young persons detained in custody to protect from, and limit the spread of, infection from disease.
- 11.2.2 Young persons who have contracted or are at risk of contracting a communicable disease shall receive appropriate care and medical attention.
- 11.2.3 Quamby Youth Detention Centre will take direction from a recognised medical officer for the treatment and containment of any communicable disease.

- 11.2.4** Quamby Youth Detention Centre will provide education, training and information to staff and young persons in custody as an aid to preventing the spread of communicable disease.
- 11.2.5** Education and training in communicable disease prevention and treatment methods will be regularly conducted and updated.
- 11.2.6** Quamby Youth Detention Centre will provide support for young persons who have contracted, or are suspected of having contracted a communicable disease.
- 11.2.7** On discharge from custody a young person with a communicable disease will be offered a referral to specialist community services.
- 11.2.8** Quamby Youth Detention Centre Staff are bound by the *Public Service Act (1922)* (as Amended 1984) and the *Commonwealth Privacy Act (1988)* in relation to the disclosure of information.
- 11.2.9** Quamby Youth Detention Centre will not perform routine testing or screening of young persons for communicable disease.
- 11.2.10** Testing and/or screening will only be undertaken where:
- (i) a young person has specific clinical indications of infection;
 - (ii) with the young persons informed consent; and
 - (iii) with pre and post test counselling provided.
- 11.2.11** Where the young person is unable to give informed consent, testing may be undertaken with the consent of the young person's parent/s or legal guardian.
- 11.2.12** Where the young person has a serious health problem and is considered too young, unable or unwilling to give informed consent the manager has the authority to approve medical treatment on behalf of that young person.
- 11.3 Infectious Disease Control**
- 11.3.1** Quamby Youth Detention Centre has a duty of care to staff and the young persons detained in custody to protect them from, and limit the spread of, infection from disease.
- 11.3.2** Young persons who have contracted or are at risk of contracting an infectious disease shall receive appropriate care and medical attention.
- 11.3.3** Quamby Youth Detention Centre will take direction from a recognised medical officer for the treatment and containment of any infectious disease. This includes the segregation or isolation of young person/s if necessary (**Standing Order 6.5 – Medical Separation**).
- 11.3.4** Where the young person has a serious health problem and is considered to young, unable or unwilling to give informed consent the manager has the authority to approve medical treatment on behalf of that young person.
- 11.4 Infection Control Guidelines**
- 11.4.1** Staff and young persons in custody are to observe basic hygiene procedures to control the spread of infectious disease.
- 11.4.2** Staff of Quamby Youth Detention Centre will receive training in basic hygiene and handling procedures.
- 11.4.3** Staff of Quamby Youth Detention Centre will educate young persons in custody on basic hygiene and living skills.

- 11.4.4 Staff will ensure work areas are maintained in a clean and safe state.
- 11.4.5 Staff are to ensure young persons do not share personal items such as toothbrush, comb, razor, asthma dispensers, etc.
- 11.4.6 Staff are to ensure where communal items such as cooking utensils, cutlery and crockery are used, those items are adequately cleansed prior to each issue.

11.5 Blood and Body Fluid Precautions.

- 11.5.1 All blood, body fluids and/or byproducts are to be treated as potentially infectious. Precautions must be implemented when dealing with any blood, body fluid and/or byproduct in compliance with Quamby Youth Detention Centre Policy and Procedures Manual (s6.17).
- 11.5.2 Body fluids and byproducts include, but are not limited to, blood, semen, vaginal secretions, urine, faeces, pus, breast milk, saliva, sweat and vomit.
- 11.5.3 Protective gloves and/or measures must be used in all cases where there is the possibility of contact with body fluids.
- 11.5.4 Staff are to be aware of the potential of body products being evidence in a crime and preservation of the fluid being required as evidence has been eliminated.
- 11.5.5 Body fluid spills are to be treated and removed as soon as possible once the potential of crime has been negated.
- 11.5.6 Use of absorbent agents (Safe-sorb or similar) and disinfecting of the area is to be carried out on blood and body fluid spills.
- 11.5.7 Contaminated absorbent agent, disposable gloves, condoms, etc. are to be disposed of by sealing into a contaminated waste bag and collected for incineration.
- 11.5.8 Sanitary napkins and tampons are to be disposed of in approved sanitary bins or by burning.

11.6 Disposal of Syringes and Other Sharps.

- 11.6.1 Syringes and other sharps are to be disposed of in approved "Sharps" containers and collected for incineration.
- 11.6.2 Where a sharps container is unavailable syringes are to be placed in a plastic container (milk carton or similar) and collected for disposal by incineration.
- 11.6.3 Uncapped syringes are not to be recapped prior to disposal in a "Sharps" container.
- 11.6.4 Staff are to exercise care when disposing of syringes or other sharps. All syringes or sharps are to be picked up using tongs when ever possible.
- 11.6.5 Any needle stick injury or puncture is to be immediately treated and reported to the Operations Manager or Unit Manager.
- 11.6.6 Needle stick injury is a notifiable incident under **Standing Order 13 – Notifiable Incidents and Reports.**

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Hospital Watch

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Notifiable Incidents and Reports

Definition

13.1 A notifiable incident is one which:

1. significantly affects the operations or routine of the Quamby Youth Detention Centre;
2. disrupts or threatens to disrupt the good order and discipline of the Quamby Youth Detention Centre;
3. harms or threatens to harm the personal safety of any individual within the Quamby Youth Detention Centre, or a member of the public;
4. has the potential to embarrass ACT Corrective Services or to attract media attention; or
5. involves drugs or violence.

13.1.1 Below (see sub- clause 13.1.2) is a list of incidents which must be reported to the Operations Manager. This list is not exhaustive, and for other events not listed here, consideration should be given to the characteristics of a notifiable incident described above.

13.1.2 Incidents may include any of the following:

1. Death in custody (including suicide);
2. Escape and attempted escape;
3. Attempted suicide (including self harm);
4. Hostage situation
5. Fire;
6. Communications system breakdowns;
7. Serious Chemical Spills;
8. LPG leaks;
9. Explosions due to equipment malfunction;
10. Serious sewerage malfunction;
11. Health problems - including contagious diseases, outbreaks of scabies, nits, rodents or other plagues;
12. Young person placed in hospital without direct supervision of a Youth Worker;
13. Death of a staff member through causes not related to employment;
14. Industrial disputes;
15. Stop work meetings;
16. Inability to comply with normal routine.
17. Fire, deliberately lit;
18. Young person disturbances: in the Quamby Youth Detention Centre or escort;
19. Discovery of weapons, tools of escape, drugs;
20. Theft of departmental property;
21. Interference with security installations;
22. Assault (including sexual assault);
23. Needlestick injury – staff member or young person;
24. Use of force on a young person;
25. Loss of keys;
26. Motor vehicle accident involving a departmental vehicle;

27. Loss of departmental material or equipment;
28. Serious misconduct by a staff member including reporting for duty under the influence of alcohol or drugs;
29. Police called to the Quamby Youth Detention Centres;
30. Discharge of firearm;
31. Major discovery of contraband - syringes, knives, etc; and
32. Any discovery of drugs is a notifiable incident.

13.2 Procedures

13.2.1 All notifiable incidents must be reported in the first instance to the Unit Manager, who will ensure that all appropriate personnel are informed of the incident.

13.2.2 The Unit Manager is to undertake the following actions re reporting notifiable incidents:

- a. immediately advise the Operations Manager, by telephone, of the facts surrounding the incident; and
- b. be aware that the information provided will be used to formulate action in regards to the problem. It is essential that this information is timely, totally accurate and provides all pertinent details relating to the incident.

13.2.3 Accordingly, the information to be provided in the first instance should include the following:

- a. names of staff members involved (including witnesses);
- b. names of young persons involved (including witnesses);
- c. sentence and/or offence details;
- d. date of commencement of sentence;
- e. ethnicity;
- f. circumstances surrounding the incident - including time, location, witnesses, injuries sustained (if any), background information, reasons for the incident etc;
- g. whether or not medical attention was required and subsequently provided;
- h. whether or not Local Police have been informed - indicating the officer's name, rank and station;
- i. whether or not the local Emergency Unit (Ambulance Service) has been informed;
- j. whether or not the local Fire Brigade has been informed;
- k. anything unusual in the Quamby Youth Detention Centres routine, such as staff shortages, industrial action etc;
- l. local remedial action;
- m. whether or not trauma debrief is required;
- n. if appropriate, whether next of kin have been informed; and
- o. any other information which may be of assistance, including the name of the first responding officer.

13.2.4 In the event that a young person is hospitalised as a result of a serious incident, the Director of Youth Justice Services is to be informed.

13.2.5 Reports required include:

- a. Synopsis of situation by Unit Manager;
- b. Youth Worker reports;
- c. Medical reports; and / or
- d. Other supporting documents as considered necessary.

13.2.6 The procedures outlined in any other Standing Order relating to these incidents must also be followed in the event of any of these incidents occurring.

Operations Manager's Comments:

Signature: _____ **Date:** _____



QUAMBY YOUTH DETENTION CENTRE

ASSAULT / FIGHT REPORT

Reported by:

Name: _____ Position: _____

At: _____ hrs Date: ____ / ____ / ____

Reported to: _____ Position: _____

DETAILS – VICTIM:

Surname: _____

First Name(s): _____

DOB(Young Person): ____ / ____ / ____ Ethnicity: _____

Dossier No: _____

Risk Status : PAR / ATSI / Medical / Mental Health / Protection

Warrant details:

DETAILS – ASSAILANT:

Surname: _____

First Name(s): _____

DOB(Young Person): ____ / ____ / ____ Ethnicity: _____

Dossier No: _____

Risk Status : PAR / ATSI / Medical / Mental Health / Protection

Warrant details: _____

CIRCUMSTANCES SURROUNDING ASSAULT/FIGHT

Time: _____ hrs. Location: _____

Description of incident including names of Youth Worker(s) and/or young person(s) involved, weapons used (if any), injuries sustained etc:

Young Person(s) Segregated: YES / NO

Any Other Action:

Name: _____ Rank: _____

Signature: _____ Date: ____/____/____

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Use of Force

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Searches

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Drug Reporting

Introduction

1. Drugs of dependence not prescribed for the use of a young person are prohibited. Possession of prohibited drugs or of any implements for administering or smoking any prohibited drugs is illegal.
2. Drugs and substances of this nature found on young persons must be reported to the police for information and investigation.
3. The recording and disposal of suspected prohibited drugs must be undertaken strictly in accordance with the procedures detailed in the following section.

16.1 Recording and Disposal of Drugs and/or Drug Implements

To ensure the continuity of evidence and exhibits, all Youth Workers are to implement the following procedures:-

16.2 Exhibit Book

An official Exhibit Book is to be kept and maintained in the Quamby Youth Detention Centre for the purpose of registering any drugs/implements located on young persons or in the areas supervised by the Centre.

16.3 Discovering Worker Responsibilities

16.3.1 The discovering Worker(s) will record the names of:

- (i) Young person/s who occupied the room in which the suspected drugs/implements were discovered;
- (ii) Young person/s in the immediate areas, if the suspected drugs/implements were discovered in a place other than in a room; or
- (iii) The young person/s from whom the suspected drugs/implements were confiscated.

16.3.2 The discovering Worker will place the drug(s)/implement(s) into individual exhibit bags. The exhibit bag will contain a description of the items, name of young person/s involved, time and date the items were discovered/confiscated, area/location where items were discovered/confiscated, names of discovering/confiscating officer(s) and witnesses.

16.3.3 The discovering Worker will lodge the exhibit(s) with the Operations Manager of the Quamby Youth Detention Centre or, in his/her absence, the Senior Staff Member.

16.3.4 The discovering Worker will provide the Operations Manager, Quamby Youth Detention Centre with a written statement concerning the discovery/confiscation of the

drugs/implements.

16.4 Responsibility of the Operations Manager or Unit Manager Quamby Youth Detention Centre

- 16.4.1** The Operations Manager or Unit Manager will enter the details of all exhibits in the Exhibit Book and then secure the exhibits in a safe.
- 16.4.2** The Operations Manager or Unit Manager will contact the local police to initiate necessary action and, where the police require the exhibits, ensure that the police provide an acquittance (ie record the description of the suspected drugs and implements for the police officer's signature in the space provided in the Exhibit Book) for any exhibits removed from Quamby.
- 16.4.3** If the police decide not to proceed with charging the young person, ensure that the Worker collecting the exhibit(s) provides an acquittance for any exhibit(s) removed from the Centre and specifies the reason for removing the exhibit(s). (This action is not necessary when disposing of implements only).

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Assaults

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Escapes and Attempted Escapes

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Death in Custody

The provisions of this Standing Order detail the procedures to be followed in the event of a Death in Custody of a young person.

This Standing Order is to be read in conjunction with ACT Youth Services Quamby Youth Detention Centre Policy & Procedures Manual (**s6.18 – Death in Custody**)

19.1 Policy

Any death in custody is a notifiable incident and must be reported to the Coroner's Office through the Australian Federal Police.

Where there is a death in custody and the deceased is under the control of ACT Youth Justice Services, Officers will strictly adhere to the procedures outlined in this Standing Order and the ACT Youth Justice Services Procedures Manual.

19.2 Procedures

19.2.1 Suspected death

Carry out the procedures outlined in **Standing Order 3 - Young Persons At Risk of Self-harm or Suicide**, particularly in relation to the section on Attempted Suicide/Actual Self-harm, until it has been established by medical personnel that the young person is dead, or otherwise. Youth Workers will strictly adhere to the provisions of this Standing Order and the procedures set out in the ACT Youth Justice Services Procedures Manual (s6.18 – Deaths in Custody).

19.3 Actual death

19.3.1 The Youth Worker first encountering the situation (the 'first responding officer') shall immediately inform the Unit Manager.

19.3.2 The following procedures shall be implemented by the Unit Manager:

- (a) the area of the death scene is to be sealed off and is to be treated as a crime scene;
- (b) a Youth Worker is to be tasked by the Unit Manager to remain on guard at the scene. That Worker is to be relieved every 30 minutes until Police attend the scene.

19.3.3 If the young person was in a shared unit, all other young persons in the unit are to be searched and secured in another unit, separated from other young persons within the unit area, until foul play has been ruled out. All items removed from young persons are to be treated as possible evidence. Nothing in the unit must be touched until approval has been given by the Manager Quamby or the Unit Manager to do so.

19.3.4 All other young persons are to remain secured until the investigating police have left the scene and the body is removed.

19.3.5 Where it is obvious that the other young persons have no involvement in the incident, normal Quamby Youth Detention Centre operations should proceed where possible.

19.4 Death in Custody during escort

19.4.1 Where a young person dies during an escort, the escorting Youth Worker (or the most senior Worker where there is more than one escort) is to notify the Unit Manager immediately. The escort party must cease their travel and remain with the deceased until the police arrive and commence their investigations. The location is to be treated as a crime scene.

19.4.2 If the young person was in a shared vehicle, follow the procedures outlined in **sub-clauses 19.3.3 and 19.3.4.**

19.4.3 On being notified of a death in custody by the escort, the Unit Manager will commence action in accordance with the provisions of **sections 19.3.1 and 19.3.2** of this Standing Order and shall record all relevant information in the duty log in accordance with the provisions of **clause 19.10.**

19.4.4 Where the death occurs whilst in transit interstate and the nearest secure compound is not immediately available the procedure for vehicle accident/breakdown must be carried out in relation to the removal of other young persons from the escort vehicle. This is outlined in **Standing Order 23 – Vehicle Checks and Maintenance.**

19.4.5 Once statements have been made, documents handed over to the police and the body removed from the scene, the Youth Workers involved are to report back to the Quamby Youth Detention Centre location and submit incident reports to the Unit Manager who will forward them to the Operations Manager for referral to the Manager Quamby. The Manager Quamby shall submit a report to the Director ACT Corrective Services within 12 hours of the incident.

19.4.6 Where the death occurs during an interstate escort and there are other young persons in the vehicle, the local police must be notified. Because the vehicle would be classified as a crime scene, the young persons would be escorted to the local police station lockup until alternative arrangements are made.

19.5 Non Quamby Youth Worker staff present at discovery of death

Non Quamby Youth Worker personnel (e.g. tradespeople, court personnel), are to be escorted to an area located away from the scene of the death and are to be accompanied by a Quamby Youth Worker at all times until dismissed by investigating Police. They should be requested not to discuss the incident until questioned by the police (so as not to contaminate possible evidence).

19.6 Documentation

19.6.1 All original documentation relating to the deceased shall be made available to the investigating police. This shall include all observation sheets and the 'Prisoner at Risk' folder (if the deceased was classified as a Prisoner at Risk), Dossier (where applicable), and details of any next of kin. Copies of all documentation should be made and retained by Quamby Youth Detention Centre.

19.6.2 The date/time of transfer of all documentation is to be recorded by the Unit Manager in the duty log and also the name and designation of the person receiving this documentation. The Unit Manager shall obtain the signature of the receiving officer in the duty log under the relevant entry.

19.6.3 The Unit Manager shall ensure that a signature is obtained in the Body Receipt Book on transferring custody of the deceased to the appropriate authority. The receipt number is to be recorded in the duty log along with the time, name and designation of the person receiving the body. The Unit Manager shall obtain the signature of the receiving officer in the duty log under the relevant entry.

19.6.4 Once all reports have been completed, and the body removed, normal discharge procedures are to be completed.

19.7 Notification of Relevant Personnel.

The Unit Manager shall exercise responsibility for notifying the following personnel:

- a. the relevant Ambulance Service;
- b. the relevant Police Service;
- c. the Coroner's Office;
- d. the Director of ACT Corrective Services;
- e. the Operations Manager;
- f. the Director of ACT Youth Justice Services;
- f. the deceased's solicitor (if known); and
- g. the Clerk of the ACT Magistrates Court.

19.8 Notification of other relevant Personnel.

The OIC shall also notify the following personnel where appropriate:

- a. the young person's next-of-kin (unless the young person requested otherwise, on the appropriate form, prior to his or her death).
- b. if the young person was an Aboriginal or Torres Strait Islander, the Aboriginal Legal Aid Service and the person's next-of-kin (unless the young person instructed otherwise, on the appropriate form, before his or her death).
- c. if the young person was the subject of an emergency Guardianship or Management Order where the Community Advocate is the Guardian or Manager of Last Resort, the office of the Community Advocate and the Guardianship and Mental Health Tribunal.

19.9 Movement of all personnel

The movement of personnel to and from the death scene is to be strictly limited to those personnel directly involved in the investigation. All Youth Workers or other Quamby personnel not involved in the actual discovery of the body or in subsequent efforts to revive the young person are to be removed from the scene.

19.10 Recording of Notification and Movements of Personnel

The Unit shall exercise responsibility for recording the following information in the duty log:

- a. the deceased person's name;
- b. the location of the death;
- c. the date/time the death was first notified and by whom;
- d. the names and designations of all personnel/organisations notified and the time of notification;
- e. the movement into and out of the death scene of all personnel, including Quamby Youth Workers; and
- f. the date/time of the removal of the deceased.

19.11 Staff obligations

All officers on duty at the time of the death in custody are to remain on duty until all investigations are completed.

In addition to supplying statements to investigating police, all personnel involved including the Unit Manager, shall submit an incident report to the Operations Manager in accordance with the provisions of **Standing Order 13 – Notifiable Incidents and Reports**. The Unit Manager shall exercise responsibility for collating all reports and forwarding them to the Operations Manager as soon as practicable.

19.12 Staff relief

19.12.1 Where the need arises, the Unit Manager is to arrange for replacement staff to be called in for duty to relieve staff who are involved in assisting the Police with their investigations.

19.12.2 The Unit Manager may delegate responsibility for maintaining the operation of the Quamby Youth Detention Centre to a Team Leader, but shall not delegate the responsibility for maintaining a log of movements and incidents directly connected with the death.

19.13 Debriefing

19.13.1 The Unit Manager is to arrange for Critical Incident Stress Management (CISM) debriefing to take place before all staff on duty are stood down from duty on completion of the shift and removal of the body. Other staff who may be affected by the incident are to be encouraged to attend.

19.13.2 For staff on duty at the time of the incident, CISM is mandatory. They are deemed to be on duty for the duration of this CISM.

19.13.3 Young persons are to have the facilities made available to them for a CISM debriefing.

19.14 Media Inquiries.

19.14.1 All media inquiries are to be referred to the Manager Policy, ACT Corrective Services for referral to the Minister's Office.

QUAMBY YOUTH DETENTION CENTRE

DEATH IN CUSTODY

CHECK LIST

1. Name of Young Person: _____
DOB: ____/____/____ Dossier No: _____
Time found: _____ hrs.
2. Warrant details: _____
3. Name(s) of first responding officer(s) (include title/designation)
 - i _____
 - ii _____
 - iii _____
4. ACT Ambulance service informed at: _____ hrs []
5. Australian Federal Police informed at: _____ hrs. []
6. Preservation of scene: (check [X] each as completed).
 - Area contained; []
 - All movements in or out of the Centre stopped; []
 - Suspect(s) secured and strictly supervised; []
 - Witnesses isolated and observed; []
 - Time log commenced at: _____ hrs; []
 - Personnel in vicinity at time of discovery detained. []
7. Manager informed at: _____ hrs. []
8. The Director of Youth Justice Services informed at: _____ hrs. []
9. Operations Manager informed at: _____ hrs. []
10. Director ACT Corrective Services informed at: _____ hrs. []
11. Minister for Justice & Community Safety Office informed at: _____ hrs. []
12. The Coroner's Officer informed at: _____ hrs. []
13. The Custodial Facility's Medical Officer informed at: _____ hrs. []
14. The deceased's solicitor (if known) informed at: _____ hrs. []
15. The Children's Court Registrar informed at: _____ hrs. []
16. Arrangements made to notify next of kin: _____ []
17. Aboriginal Legal Aid Service (if applicable) at: _____ hrs. []

18. Aboriginal community member informed (if applicable) at: _____hrs. []
19. Aboriginal Legal Service informed (if applicable) at: _____hrs. []
20. Winnunga Nimmityjah Medical Service (if applicable) at: _____hrs. []
21. CISM debrief arranged for staff on duty at time of death. []
22. Reports required :
- First responding officer(s) []
 - Detainee statements []
 - Medical report []
 - Psychologist report []
 - Young Person's Case File []
 - Other supporting documents []
23. Operations Manager (or officer in charge) covering report : []
- Synopsis of Situation []
 - Anything unusual in Correctional Facility routine []
 - Remedial action []
 - Any other information []
24. Group debrief arranged for staff by Operations Manager; []
25. Young Person's CISM arranged through the Salvation Army (If required). []

Name: _____ Title/Designation: _____

Signature: _____

Date: ____/____/____

NOTIFICATION OF DEATH IN CUSTODY

REPORTED BY:

Name: _____

Title/Designation: _____

At: _____ hrs on: ____/____/____

REPORTED TO:

Name: _____

Title/Designation: _____

YOUNG PERSONS DETAILS:

Surname: _____ D.O.B: ____/____/____

First Name(s): _____

Dossier number: _____ Ethnicity: _____

Reception Date: ____/____/____ Gender: Male / Female

Date of next Court Appearance or Discharge: ____/____/____

In Custody from (Court): _____

Offences: _____

Management Status: PAR/Protection/segregation/normal discipline (Circle one)

Next of kin: _____ Informed: _____

CIRCUMSTANCE:

Location of Death: _____

Circumstances (an indication of the cause of death is required):

REPORTING:

Police Informed: Yes/No

Name, Rank and Station: _____

Date: ____/____/____ Time: _____ hrs

Coroner's Office informed: YES/NO To whom: _____

Signed: _____ (Unit Manager)

Print Name: _____

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Interviewing of Young Persons

20.1 Interviews Of Young Persons By Police

20.1.1 Legal Representation

20.1.2 It is the legal right of a young person to request that his/her legal representative be present when being interviewed by Police. Where a member of the police force wishes to interview a young person, the young person will have his or her legal adviser, parent/s, legal guardian or a youth worker, present. A Youth Worker will be present during all interviews other than were so requested by the police. Where the young person is Aboriginal or Torres Strait Islander there is an entitlement to have an "Interview Friend" present. Quamby Youth Detention Centre Policy and Procedures Manual **Section 7.3.0 - Police Interviews**, will be implemented.

20.1.3 The Unit Manager is to allow a young person to telephone a legal representative, parent/s or legal guardian, if that young person is to be interviewed by a member of the Police Service. However, it will not be necessary in most cases for young persons to have legal advice in order to inform a member of the Police Service whether they will answer questions.

20.1.4 If a young person decides to answer questions they will only do so with legal advice, parent/s, legal guardian or Youth Worker present. It is inappropriate for any interview to commence until a representative can be present. A young person has the right to answer questions, should he/she desire, without seeking legal advice but is to have a representative present.

20.1.5 Acknowledgment of Access to Legal Representation by Young Persons

20.1.6 To ensure that there is evidence in each case of a young person's rights being protected, the Unit Manager will have young persons, who refuse or decline to request legal representation, sign an acknowledgment that they have had the opportunity to have access to legal representation. Note that no interview will proceed without compliance to **20.1.2 of this Standing Order** being enforced.

20.1.7 Interviews Conducted Outside Quamby

20.1.8 Youth Workers must ensure that the police provide a 'body receipt' whenever a young person is removed from Quamby Youth Detention Centre for interview at another location.

20.1.9 A Youth Worker may accompany a young person to an interview at a police station or other location outside Quamby Youth Detention Centre where this is requested by the police, or where the young person has requested the Youth Worker to be present and the police have agreed. In either case the Youth Worker must notify his or her Unit Manager and gain the Unit Manager's approval, before accompanying the young person.

20.1.10 Surrender of Police Weapons

20.1.11 Members of the Police Force seeking to interview or visit a young person within Quamby Youth Detention Centre should be requested to surrender their firearm to the Unit Manager in charge of the Control Room, who will be responsible for securing the weapon. Where a member of the Police Force refuses to surrender his/her firearm, access to the young person should be denied and the Unit Manager should immediately bring the matter to the notice of the Operations Manager.

20.2 **Interviews of Young Persons by Legal Representatives**

20.2.1 Where the legal professional is not the representative of the young person the interview is to be conducted in accordance with the conditions of **20.1 of this Standing Order**.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Emergency Situations

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Escorts

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Vehicle Checks and Maintenance

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Liaison with Other Agencies

Introduction

The provisions of this Order address the requirements of Quamby Youth Detention Centre staff when they have cause to liaise with agencies outside of the ACT Corrective Services.

Staff are to be aware of the requirements of the *Children and Young People Act 1999* (ss. 404 and 405), *Privacy Act 1988(Cwth)*, the *Public Sector Management Act 1994*, Section 9 (p), and ACTPS Best Practice Notes 1.1 Code of Ethics (14 – Unauthorised Disclosure of Official Information) in dealing with outside agencies. Specific attention is to be noted relating to confidentiality and the transfer of information.

Unauthorised disclosure of information is a breach of the Code of Ethics under paragraph 9(p) of the Act and potentially of section 10 the *Crimes (Offences Against the Government) Act 1989*.

24 Australian Federal Police

24.1 Quamby Youth Detention Centre staff will on occasion have the need to liaise with members of the Australian Federal Police.

24.1.2 Quamby Youth Detention Centre staff will conduct themselves in a courteous and professional manner when dealing with members of the Australian federal Police.

24.1.3 Where information is required for Police to proceed with an investigation involving the Quamby Youth Detention Centre resulting from an incident where the Australian Federal Police were called by the Centre, staff will comply with police requests and all relevant information will be handed over to the investigating Police Officer.

24.1.4 All other information is confidential and as such if required may be subpoenaed by Police.

24.1.5 Information relevant to a young person being transferred to or from police custody is required to be provided at the time of transfer. This information will include:

- (i) young person's personal details (name, DOB, sex, etc.);
- (ii) young persons at risk status;
- (iii) medical or psychological condition;
- (iv) Aboriginality or ethnicity;
- (v) security risk status; and
- (vi) potential or predisposition to violence.

24.1.6 The information transferred in accordance with 24.1.5 shall be in the form of a "Transfer File" or "Prisoner information File".

24.2 ACT Children's Court

24.2.1 Quamby Youth Detention Centre staff will on occasion have the need to liaise with officers of the ACT Children's Court.

24.2.2 Quamby Youth Detention centre staff will conduct themselves in a courteous and professional manner when dealing with officers of the ACT Children’s Court.

24.2.3 Information requested by the officers of the ACT Children’s Court relating to a particular young person should be referred to the ACT Youth Justice Services Court Liaison Officer.

24.3 ACT Corrective Services Court Transport Unit

24.3.1 Quamby Youth Detention Centre staff will have the need to liaise with officers of the ACT Corrective Services Court Transport Unit (CTU).

24.3.2 Quamby Youth Detention centre staff will conduct themselves in a courteous and professional manner when dealing with officers of the CTU.

24.3.3 Information relevant to a young person being transferred to or from CTU custody is required to be provided at the time of transfer. This information will include:

- (i) young person’s personal details (name, DOB, sex, etc.);
- (ii) young persons at risk status;
- (iii) medical or psychological condition
- (iv) Aboriginality or ethnicity;
- (v) security risk status; and
- (vi) potential or predisposition to violence.

24.3.4 The information transferred contained in 24.3.3 shall be in the form of a “Transfer File” or “Prisoner Information File”.

24.4 Other ACT Courts and Tribunals (Supreme Court, Family Court, Mental Health Tribunal, etc)

24.4.1 Quamby Youth Detention Centre staff will on occasion have the need to liaise with officers of the ACT Supreme Court, Family Court, Mental Health Tribunal and similar bodies.

24.4.2 Quamby Youth Detention Centre staff will conduct themselves in a courteous and professional manner when dealing with officers of these Courts.

24.4.3 Information requested by the officers of these Courts relating to a particular young person should be referred to the ACT Youth Justice Services Court Liaison Officer.

24.5 Other State or Territory Government Agencies (Police, Youth Justice Services, Corrective Services).

24.5.1 Quamby Youth Detention Centre staff will on occasion have the need to liaise with officers of other State or Territory Government Agencies (Police, Youth Justice Services, Corrective Services).

24.5.2 Quamby Youth Detention Centre staff will conduct themselves in a courteous and professional manner when dealing with officers of other State or Territory Government Agencies.

24.5.3 Information requested by the officers of these agencies relating to a particular young person should be referred to the Operations Manager Quamby.

24.6 Community Based Agencies.

- 24.6.1** Quamby Youth Detention Centre staff may be required to liaise with representatives of a number of community based agencies that provide support services to the Quamby Youth Detention Centre.
- 24.6.2** Quamby Youth Detention Centre staff will conduct themselves in a courteous and professional manner when dealing with the representatives of these agencies.
- 24.6.3** The Operations Manager will ensure that the representative of any agency fully understands the security requirements of the Quamby Youth Detention Centre.
- 24.6.4** Staff are to ensure that any representative of any agency adheres to, and complies with the security requirements of the Quamby Youth Detention Centre.
- 24.6.5** Staff are to support and participate in any program conducted by any facilitator provided by an outside agency.

24.7 Work Experience Organisations.

- 24.7.1** Quamby Youth Detention Centre staff may be required to liaise with representatives of a number of work experience organisations.
- 24.7.2** Quamby Youth Detention Centre staff will conduct themselves in a courteous and professional manner when dealing with the representatives of these organisations.
- 24.7.3** The Quamby Youth Detention Centre shift supervisor must ensure the work experience provider fully understands the terms and conditions of the placement of the young person in the work experience scheme.

Children and Young People (Places of Detention)

Standing Order - Quamby Youth Detention Centre

Leave Guidelines

Introduction

The provisions of this Order address the requirements of granting a young person a leave of absence from the Quamby Youth Detention Centre.

Leave provisions are granted under the authority of section 128 *Children and Young People Act 1999*.

This Standing Order is to be read in conjunction with Quamby Youth Detention Centre Policy and Procedures Manual **section 3.10 – Leave Guidelines** and **section 7.6 – Work Experience Organisations**.

25 Delegation to Grant Leave

25.1 All leave of absence must be authorised by the Manager Quamby.

25.2 Types of Leave

25.2.1 Leave may be granted to a young person for one or more of the following purposes:

- Education and training;
- Employment;
- Compassionate reasons;
- Health;
- Recreation;
- Participation in a community project; or
- Participation in an attendance centre program.

25.3 Conditions for Leave

25.3.1 Authorisation for leave must be signed by the Manager Quamby.

25.3.2 The leave authority must specify the conditions under which the leave is granted.

25.3.3 The leave authority must contain the following:

- Date leave starts;
- Time leave starts;
- Date leave finishes;
- Time leave finishes;
- Conditions of leave granted; and
- Signature of the Manager, Quamby Youth Detention Centre.

25.3.4 The leave authority must be carried by the young person at all times while on leave.

25.3.5 Leave authority for employment, vocational and/or educational purposes will only be issued on a daily basis.

25.3.6 Leave authority for compassionate or family leave may be for extended periods at the discretion of the Manager, Quamby Youth Detention Centre.

25.3.7 Young persons granted leave of absence are deemed to be in lawful custody for the duration of the leave.

25.3.8 A young person while on leave who breaches the leave conditions is deemed to have escaped lawful custody and as such shall be liable for apprehension.

25.4 Breach Conditions of Leave

25.4.1 Where a young person fails to comply with the conditions of their leave that young person will be deemed to have breached their leave conditions. A young person who fails, or is unwilling to comply with the leave conditions will have the leave authority cancelled and police notified.

25.4.2 A young person who fails to return to the Quamby Youth Detention Centre on expiration of the authorised leave is deemed to have escaped lawful custody and police will be notified. See **Standing Order 18 – Escapes and Attempted Escapes**.

25.4.3 A young person who re-offends while on a leave of absence will have their leave authority cancelled and the police will be notified.

25.4.4 Any breach of conditions of leave which result in cancellation of the leave authority due to the young person being at large will constitute an escape from lawful custody. The police will be notified and the provisions of **Standing Order 18 – Escapes and Attempted Escapes** will be implemented.

25.5 Non-recommendation of Leave

25.5.1 Leave may be denied or delayed depending on the assessment of the young person. Leave assessment will be considered in line with the recommendations of Quamby Youth Detention Centre Policy and Procedures Manual **section 3.10.6 – Leave Assessment**.

25.5.2 Factors which may preclude a young person from a leave of absence include:

- Seriousness of the offence;
- Risk while on leave;
- Conditions relating to contact with victims of their crime;
- Risk to public safety;
- Risk of re-offending;
- Risk of self harm;
- Non compliance with conditions of custody;
- History of escape;
- Level of supervision while on leave.

25.5.3 Where leave is not recommended due to the young person's non-compliance with the terms of their custody, then a program should be included in the young person's case management plan to improve performance with a view to making leave possible in the future.

25.6 Right to Appeal

25.6.1 Where a young person has had a leave of absence denied or revoked that young person, their parent/s or legal guardian has the right to appeal the decision to the Court or Chief Executive of the Department of Justice and Community Safety.

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Access and Physical Security

Note: The provisions of this attachment have been certified by the Minister for Children, Youth and Family Support as relating to the safety of people in a place of detention, and that their publication would be contrary to the public interest.

See Notifiable Instrument NI2005-270.