

Australian Capital Territory

Children and Young People (Admission and Classification) Policy and Procedures 2018 (No.1)

Notifiable instrument NI2018-431

made under the

***Children and Young People Act 2008*, section 143 youth detention policy
and operating procedures**

1 Name of instrument

This instrument is the *Children and Young People (Admission and Classification) Policy and Procedures 2018 (No.1)*.

2 Commencement

This instrument is to commence the day after notification.

3 Repeal

NI2015-367 is revoked.

4 Policies and operating procedures

Under section 143 of the *Children and Young People Act 2008*, I make the attached Admission and Classification Policy and Procedures to facilitate the effective and efficient management of detention services for young people.

Bernadette Mitcherson
Director-General
Community Services Directorate
7 August 2018

Admission and Classification Policy and Procedures

1. Introduction and Purpose

Admission occurs when a young person is received at, and inducted into, a detention place in accordance with a Court Order, Warrant or other legal authority for their detention. A duty of care obligation is imposed on youth workers upon receiving a young person into custody at a detention place.

Young people are particularly vulnerable when they first arrive at a detention place for admission. Many young people are already vulnerable having experienced high levels of early trauma and adversity. These early experiences may mean that young people being admitted to a detention place have difficulties in interpersonal functioning and understanding and control of emotional states and impulses.

As a key transition period and because of the vulnerability of young people, admission is a time of high risk. Young people are particularly at risk of self-harm and suicide. Admission is also a time of high risk for safety and security at a detention place, with the potential for prohibited things to be brought into a detention place or for an escape to occur.

The objective of this policy and procedure is to establish rapport with the young person, minimise the young person's anxiety or distress and provide relevant information to the young person to assist their transition into custody. Information gathered at admission and induction will determine each young person's needs and risks. A young person's immediate needs and risks must be addressed as soon as possible following their admission. Assessments undertaken following admission form the basis of decision-making in relation to the most appropriate placement for the young person and their classification level, observations and any special management needs.

2. Legal Authority and Obligations

- 2.1 The *Children and Young People Act 2008* (the Act) is the primary source of authority for the operations of a detention place. Part 6.4 and sections 185, 189, 190 and 191 of the Act are particularly relevant to this policy and procedures. The provisions of the Act must be complied with at all times by staff exercising functions at a detention place.
- 2.2 The policies and procedures provide specific directions to implement the provisions of the Act and other relevant legislation, including the *Human Rights Act 2004*.
- 2.3 Human rights that are protected by the *Human Rights Act 2004* and that are relevant to this policy and procedure are:

Section 19 Humane treatment when deprived of liberty

- (1) Anyone deprived of liberty must be treated with humanity and with respect for the inherent dignity of the human person.
- (2) An accused person must be segregated from convicted people, except in exceptional circumstances.

- (3) An accused person must be treated in a way that is appropriate for a person who has not been convicted.

Section 20 Children in the criminal process

- (1) An accused child must be segregated from accused adults.
(2) An accused child must be treated in a way that is appropriate for a person of the child's age who has not been convicted.
(3) A child must be brought to trial as quickly as possible.
(4) A convicted child must be treated in a way that is appropriate for a person of the child's age who has been convicted.

Section 27 Rights of minorities

- (1) Anyone who belongs to an ethnic, religious or linguistic minority must not be denied the right, with other members of the minority, to enjoy his or her culture, to declare and practise his or her religion, or to use his or her language.

2.5 The following international human rights standards apply in the ACT and are relevant to this policy and procedures:

- United Nations Convention on the Rights of the Child
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice
- United Nations Rules for the Protection of Juveniles Deprived of their Liberty Rule 20, 22, 24, 25, 28, 35, 50
- Standard Minimum Rules for the Treatment of Prisoners
- Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
- United Nations Declaration on the Rights of Indigenous People.

3. Authorisations and Delegations

- 3.1 The Manager must ensure a Register of Young Detainees is maintained and details of each young person admitted to a detention place are entered in the register.
- 3.2 The Manager has responsibility and authority for decision-making in relation to determining a young person's placement, classification, level of observations, and any special management requirements.
- 3.3 The Manager may approve interim changes to a young person's placement, classification, level of observations, and special management requirements.
- 3.4 Staff (including police officers and escort officers) are mandated reporters under section 356 of the *Children and Young People Act 2008*. Staff must make a report to Child and Youth Protection Services if they reasonably believe that a young person who is under 18 years has experienced or is experiencing sexual abuse or non-accidental physical injury by any person.

4. Definitions

Aboriginal person is defined in the dictionary of the *Children and Young People Act 2008* as a person who is a descendant of the Indigenous inhabitants of Australia; who regards himself or herself as an Aboriginal or if the person is a child, is regarded as an Aboriginal by a parent or family member; and is accepted as an Aboriginal by an Aboriginal community.

Accredited person is defined in section 137 of the *Children and Young People Act 2008* and means the young person's Child and Youth Protection Services worker if the Director-General has parental responsibility for the young person, a representative approved by the Manager of an entity providing a service or program to the young person, a lawyer representing the young person, an Official Visitor, a Commissioner exercising functions under the *Human Rights Commission Act 2005*, the Public Advocate and the Ombudsman.

Admission means the reception of a young person into a detention place in accordance with a Court Order, Warrant or other legal authority for their detention.

All staff refers to youth workers, authorised persons, other Directorate staff providing services at or visiting a detention place in a work-related capacity and staff of ACT Government agencies providing services to young people in a detention place.

Authorised person is a person who has been delegated a power under the *Children and Young People Act 2008* or another Territory law and is exercising a function under the criminal matters chapters of the *Children and Young People Act 2008*. The positions that have delegations as authorised persons are: Executive Director, Senior Director (A), Director, Child and Youth Protection Services Operations (B), Director, Bimberi (B), Deputy Senior Manager (C), Operations Manager (D), Programs and Services Manager (D), Unit Managers (E), Team Leaders (F), Youth Workers (G), Family Engagement Officer (F), Sports and Recreation Officer (F).

Child means a person who is under 12 years of age (as defined under section 11 of the *Children and Young People Act*).

Child and Youth Protection Service refers to the branch in the Community Services Directorate that is responsible for the Child Protection and Youth Justice functions of the *Children and Young People Act 2008* and related legislation.

Classification Officer is the authorised person who undertakes the initial classification assessment of the young detainee when they are first admitted to Bimberi. The initial assessment identifies risks and supports the Manager to determine classification, placement, observations and any Special Management Directions.

Conjoining rooms/ spaces refers to areas that allow young people in these places to have direct access to each other without youth worker assistance. An example is two rooms (or cabins) with a door between them that can be opened by staff between the two rooms.

Detention place means a declared detention place.

Direction means an instruction that may be given by a youth worker under section 146 of the *Children and Young People Act 2008* to a young person about anything related to the criminal matters chapters. A young person must comply with any direction given to the young person by the Director-General or delegate under section 184 of the *Children and Young People Act 2008*. Non-compliance by a young person with a direction is a behaviour breach and may be dealt with through the Behaviour Management Policy and Procedures or Discipline Policy and Procedures.

Director, Child and Youth Protection Services Operations refers to the responsible senior executive in the Community Services Directorate.

Director, Bimberi refers to the Director of a detention place and the responsible senior executive in the Community Services Directorate.

Director-General means the Director-General of the Community Services Directorate with administrative responsibility for the *Children and Young People Act 2008*, unless otherwise specified in this policy and procedure.

Duty of care refers to the obligation by youth workers to take reasonable care to avoid injury or loss to a person whom it could be reasonably foreseen might be injured by an act or omission.

Family member is defined in section 13 of the *Children and Young People Act 2008* and means the child's or young person's parent, grandparent or step-parent; or son, daughter, stepson or stepdaughter; or sibling; or uncle or aunt; or nephew, niece or cousin. For an Aboriginal or Torres Strait Islander child or young person, a family member includes a person who has responsibility for the child or young person in accordance with the traditions and customs of the child's or young person's Aboriginal or Torres Strait Islander community.

Health professional is defined in the dictionary of the *Children and Young People Act 2008* and means a health professional registered under the *Health Professionals Act 2004* or someone who is a health professional registered under a corresponding law of a local jurisdiction within the meaning of that Act. A health professional may be a non-treating health professional who is authorised to exercise non-treating functions or a treating health professional who is authorised to exercise treating or therapeutic functions.

Induction officer is the youth worker responsible for undertaking the induction procedures for a young person.

Informed consent is an indication of consent by a person who has been given enough information to form a 'reasonable understanding' of the situation for which consent is being sought, including all reasonably possible consequences arising from the giving or withholding of consent. A youth worker seeking to determine whether a person has or can form a 'reasonable understanding' must consider the age, the assessed level of maturity and intellectual ability and mental health of the person. Where a youth worker assesses that a young person does not have a 'reasonable understanding' in relation to a matter about which informed consent is sought, the youth worker must seek consent from a parent or person with parental responsibility for the young person.

Intersex means a person who, because of a genetic condition, was born with reproductive organs or sex chromosomes that are not exclusively male or female.

Manager refers to the Director of a detention place during normal business hours, or in the event this person is unavailable, the Deputy Senior Manager, or in the event this person is unavailable, the Operations Manager, or in the event this person is unavailable, a Unit Manager. Outside normal business hours, this refers to the On-call Manager.

Mandated reporter under the *Children and Young People Act 2008* includes staff at a detention place. The Act requires a staff member to report a reasonable belief that a young person who is under 18 years has experienced or is experiencing non-accidental physical injury or sexual abuse.

Nominated person is a person nominated by a young person aged 18-21 years at the time of admission to whom the Director-General can give notifications under the *Children and Young People Act 2008*. The details of the nominated person must be entered in the Register of Young Detainees.

Non-treating doctor is defined at section 246 of the *Children and Young People Act 2008* to mean a doctor who is authorised, orally or in writing, by the Director-General to exercise a non-treating health function under section 98 of the Act. Non-treating health functions are conducting and assisting at body searches, identification of transgender young people and alcohol and drug testing.

Non-treating health professional is defined at section 98 of the *Children and Young People Act 2008* to mean a health professional who is authorised, orally or in writing, by the Director-General to exercise a non-treating health function. Non-treating health functions are conducting and assisting at body searches, identification of transgender young people and alcohol and drug testing.

Non-treating nurse is defined at section 246 of the *Children and Young People Act 2008* to mean a nurse who is authorised, orally or in writing, by the Director-General to exercise a non-treating health function under section 98 of the Act. Non-treating health functions are conducting and assisting at body

searches, identification of transgender young people and alcohol and drug testing.

Observations occur to ensure the safety and engagement of a young person at a detention place.

Parental responsibility is defined at section 15 of the *Children and Young People Act 2008* and means all the duties, powers, responsibilities and authority parents have by law in relation to their children, including daily care and long-term care responsibility for the child or young person. Each parent of a child or young person aged under 18 years has parental responsibility for the child or young person. A person may have or share parental responsibility for a child or young person under a court order under the *Children and Young People Act 2008* or another law or in the circumstances outlined at sections 17 and 18 of the Act.

Placement means the location of a young person in a residential unit at a detention place, and in a room/cabin within a residential unit, where the young person will reside.

Police refers to ACT Policing.

Register of Young Detainees means the register that must be kept by the Director-General under section 185 of the *Children and Young People Act 2008*. The details of every young person who is admitted to a detention place must be recorded on the register at induction. The register comprises of the young person's individual Bimberi Client residential file and information stored electronically on the Youth Justice Information System (YJIS).

Segregation Direction is a specific instruction given by the Manager for the management of a young person in a way that separates the young person from some or all other young people due to safety and security reasons (e.g. health reasons or for the young person's protection). There are four types of directions that may be made by the Manager to authorise the segregation of a young person within a detention place (1) Safe Room Segregation Direction, (2) Safety and Security Segregation Direction, (3) Protective Custody Segregation Direction, (4) Health Segregation Direction.

Significant person for a child or young person is defined in section 14 of the *Children and Young People Act 2008* and means a person (other than a family member) who the child or young person, a family member of the child or young person or the Manager considers is significant in the child or young person's life.

Special Management Direction is a specific instruction given by the Manager relating to the need to implement or maintain special conditions for the management of a young person.

Staff refers to youth workers and other authorised persons.

Treating doctor is a doctor appointed under section 97 of the *Children and Young People Act 2008* for a detention place by the Director-General responsible for the administration of the *Health Act 1993*. The treating doctor's functions are to provide health services to young people and to protect the health of young people, including preventing the spread of disease at a detention place.

Torres Strait Islander person is defined in the dictionary of the *Children and Young People Act 2008* as a person who is a descendant of the Indigenous inhabitants of the Torres Strait Islands; who regards himself or herself as a Torres Strait Islander or if the person is a child, is regarded as a Torres Strait Islander by a parent or family member; and is accepted as a Torres Strait Islander by a Torres Strait Islander community.

Transgender person means a person who identifies as a member of a different sex by living, or seeking to live, as a member of that sex; or has identified as a member of a different sex by living as a member of that sex whether or not that person is a recognised transgender person.

Unclassified means that a young person has not had an initial classification assessment and is considered high risk to their own safety and security and others in the centre.

Young person is defined at section 12 of the *Children and Young People Act 2008* and means a person who is aged 12 years and older, but under 21 years, who is required to be held in the Director-General's custody. A young person who is 21 years or older cannot be detained at a detention place. Young person means the same thing as young detainee, and young person aged 18-21 years means the same things adult young detainee, in the *Children and Young People Act 2008*.

Youth worker is defined at section 96 of the *Children and Young People Act 2008* and means an authorised person to whom the Director-General has delegated functions of a youth worker under the criminal matters chapters. The positions that have delegation as a youth worker for the policies and procedures are: Director, Bimberi (B), Deputy Senior Manager (C), Operations Manager (D), Programs and Services Manager (D), Unit Managers (E), Team Leaders (F), Youth Workers (G), Family Engagement Officer (F), Sports and Recreation Officer (F). Youth worker means the same as youth detention officer in the *Children and Young People Act 2008*.

5. Principles

Legislative Principles

5.1 The Act sets out the principles that must be considered by all decision-makers making decisions under this policy and procedures.

Section 8 Best interests of children and young people paramount consideration

- (1) In making a decision under this Act in relation to a particular young person, the decision-maker must regard the best interests of the young person as the paramount consideration.
- (2) In making a decision under this Act otherwise than in relation to a particular young person, the decision-maker must consider the best interests of children and young people.

Section 9 Principles apply to the Act

- (1) In making a decision under this Act in relation to a young person, a decision-maker must have regard to the following principles where relevant, except when it is, or would be, contrary to the best interests of a young person:
 - (a) the child or young person's sense of racial, ethnic, religious, individual or cultural identity should be preserved and enhanced
 - (b) the child or young person's education, training or lawful employment should be encouraged and continued without unnecessary interruption
 - (c) the child or young person's age, maturity, developmental capacity, sex, background and other relevant characteristics should be considered
 - (d) delay in decision-making processes under the Act should be avoided because delay is likely to prejudice the child or young person's wellbeing.
- (2) A decision-maker exercising a function under this Act must, where practicable and appropriate, have qualifications, experience or skills suitable to apply the principles in subsection (1) in making decisions under the Act in relation to children and young people.

Section 10 Aboriginal and Torres Strait Islander principle

- (1) In making a decision under this Act in relation to an Aboriginal or Torres Strait Islander child or young person, in addition to the matters in section 8 and section 9, the decision-maker must take into account the following:
 - (a) the need for the child or young person to maintain a connection with the lifestyle, culture and traditions of the child or young person's Aboriginal or Torres Strait Islander community
 - (b) submissions about the child or young person made by or on behalf of any Aboriginal or Torres Strait Islander people or organisations identified by the Director-General as providing ongoing support services to the child or young person or their family
 - (c) Aboriginal and Torres Strait Islander traditions and cultural values (including kinship rules) as identified by reference to the child or young person's family and kinship relationships and the community with which the child or young person has the strongest affiliation.

Section 94 Youth justice principles

- (1) For the criminal matters chapters, in deciding what is in the best interests of a child or young person, a decision-maker must consider each of the following matters that is relevant:
 - (a) if a child or young person does something that is contrary to law, he or she should be encouraged to accept responsibility for the behaviour and be held accountable

- (b) a child or young person should be dealt with in a way that acknowledges his or her needs and that will provide the opportunity to develop in socially responsible ways
- (c) a child or young person should be consulted about, and be given the opportunity to take part in making, decisions that affect the child or young person, to the maximum extent possible taking into consideration their age, maturity and developmental capacity
- (d) if practicable and appropriate, decisions about an Aboriginal and Torres Strait Islander child or young person should be made in a way that involves their community
- (e) if a child or young person is charged with an offence, he or she should have prompt access to legal assistance, and any legal proceeding relating to the offence should begin as soon as possible
- (f) a child or young person may only be detained in custody for an offence (whether on arrest, on remand or under sentence) as a last resort and for the minimum time necessary
- (g) children and young people should be dealt with in the criminal law system in a way consistent with their age, maturity and developmental capacity and have at least the same rights and protection before the law as would adults in similar circumstances
- (h) on and after conviction, it is a high priority to give a child or young person the opportunity to re-enter the community
- (i) it is a high priority that intervention with children or young people must promote their rehabilitation, and must be balanced with the rights of any victim of the child or young person's offence and the interests of the community.
- (2) The decision-maker may also consider any other relevant matter.
- (3) The youth justice principles are intended to be interpreted consistently with relevant human rights instruments and jurisprudence (e.g. the *Convention on the Rights of the Child*).
- (4) A reference in subsection (1) to a young person includes a reference to a person who is at least 18 years old but is being dealt with in relation to an offence committed, or alleged to have been committed, when he or she was under 18 years old.

Operational Principles

- 5.2 The following considerations inform this policy and procedures:
- (a) young people are particularly vulnerable when they first arrive at a detention place
 - (b) admission procedures will be undertaken in compliance with all legislative requirements and with sensitivity to the needs of the young person
 - (c) decisions about placement and classification will be undertaken in compliance with human rights law requiring separation of different groups of young people where this is consistent with the provision of the type of care best suited to the particular needs of the young person.

6. Policy and Procedure

Before Admitting a Young Person

- 6.1 Upon entry of the police or Court Transport Unit vehicle to a detention place, a youth worker must observe the young person to determine whether they require urgent health care and check the documentation for the admission of the young person.
- 6.2 Any young person believed to require health care that is unlikely to be available at a detention place within an appropriate timeframe must not be admitted to a detention place and the escorting officer must be advised to take the young person to an appropriate health service. An example of such a health care need is a suspected broken arm or serious facial injury.
- 6.3 If a young person transported to a detention place is not able to be transported in accordance with 6.2, an ambulance is to be called immediately, and first-aid administered.
- 6.4 If the incidents outlined in 6.2 or 6.3 occur, the Manager is to be notified. The Manager must ensure reasonable attempts are made to inform a person with parental responsibility. These are reportable incidents and the Records and Reporting Policy and Procedures must be applied.
- 6.5 A young person must not be admitted to a detention place without relevant legal authority. The appropriate documentation of such legal authority will include one of the following:
 - (a) Bench Charge Sheet, which provides the authority to detain a child or young person (or young person aged 18 to 21 years) at a detention place pending his/her appearance before the Court at the earliest opportunity
 - (b) First Instance Warrant, which is the authority granted by the Court to detain a child or young person (or young person aged 18 to 21 years) at a detention place pending the finalising of charges before his/her appearance before the Court
 - (c) Remand Warrant, which is issued by the Court and directs the Manager of a detention place to accept a child or young person (or young person aged 18-21 years) into custody at a detention place until their next appearance before the Court
 - (d) Institutional Order or Order for Imprisonment, which is issued by the Court and commits a child or young person (or young person aged 18-21 years) to a detention place for the period specified on the Order
 - (e) Transfer Order, which accepts the transfer of a young person to a detention place in the ACT from an interstate youth detention centre for the duration of their Order or as a temporary admission prior to transit to another youth detention centre in a different State or Territory
 - (f) other relevant documentation authorising the lawful detention of a child or young person (or young person aged 18-21 years) at a detention place.
- 6.6 No young person is to be held at a detention place for a period longer than that specified on the authorising documentation outlined above.
- 6.7 Prior to admission to a detention place, a youth worker must ensure that all accompanying documentation authorising a young person to be detained at a detention place is correctly worded and signed by a

person authorised to sign the legal authority such as a police officer or judicial officer. Copies of the documents are to be placed on the relevant files.

Admission and Induction

- 6.8 On receiving a young person at a detention place, youth workers will:
- (a) welcome the young person, provide information to the young person about what will happen for their admission and ensure any immediate issues are identified and if appropriate, addressed, while maintaining security and safety (refer to 'Welcoming Young Person and Addressing Immediate Issues')
 - (b) provide to the young person initial information about the detention place (including the young person's rights and obligations) and the young person's legal circumstances (refer to 'Induction Interview - Provision of Information to Young Person')
 - (c) obtain information about the young person (refer to 'Induction Interview - Obtaining Information about the Young Person')
 - (d) ensure the young person hands over their personal property, showers and changes into detention place clothing (refer to 'Personal Property and Clothing')
 - (e) notify a person with parental responsibility or nominated person about the young person's admission to a detention place and if relevant, details of future Court appearance/s (refer to 'Notification of a person with parental responsibility or nominated person')
 - (f) allow a young person to make a telephone call (refer to 'Telephone Call at Admission')
 - (g) arrange an initial health assessment for the young person (refer to 'Initial Health Assessment')
 - (h) record relevant information in the Register of Young Detainees (refer to 'Recording Information in the Register of Young Detainees')
 - (i) if required, undertake a search of the young person (refer to the Search and Seizure Policy and Procedures). Decision-making for a strip search of a young person on admission and induction to a detention place must be based on the criteria of a reasonable belief that a strip search is necessary, having regard to the young person's age, maturity and known history. A strip search may be authorised if the decision-maker reasonably believes it is necessary for the health and/or the safety and/or security of the young person, or other people at the detention place.
- 6.9 The order in which a youth worker should undertake the above procedures may vary, depending on a number of factors. These factors may include:
- (a) the number of young people who need to be inducted
 - (b) the presentation (including assessed level of anxiety or distress or risks) of the young person
 - (c) any information already known about the young person (e.g. if the young person has previously been in the detention place, information about their background and general behaviour)
 - (d) the age and assessed maturity of the young person.
- 6.10 It is important that a youth worker takes all relevant factors into account in sequencing procedures.

- 6.11 Youth workers must also consider how best to balance the requirements of the induction process for new young people with any other operational requirements. This consideration is particularly important if a young person is received outside normal business hours.
- 6.12 In deciding how to sequence induction procedures, youth workers must also consider the time implications of requirements specified in the Search and Seizure Policy and Procedures, regarding seeking a person with parental responsibility or a support person to be present at a strip search of a young person. Meeting this requirement may cause some delay to commencing a search of a young person, and consideration needs to be given to endeavouring to contact a person with parental responsibility or another support person soon after the arrival of a young person, if a decision is made to search the young person, to allow sufficient time for the person with parental responsibility or support person to arrive at the detention place. Youth workers must comply with the procedures in the Search and Seizure Policy and Procedures regarding this and all other matters in relation to searching and be aware that there is a clear interaction between that policy and procedure and these admission procedures.
- 6.13 Youth workers must manage all young people during and following induction in accordance with the section 'Placement, Classification, Observation and Special Management Directions'.

Welcoming Young People and Addressing Immediate Issues

- 6.14 After completing the requirements of 6.1 to 6.7, a youth worker must move a new young person into a secure area at a detention place.
- 6.15 A youth worker must communicate with the young person and inform the young person of their name and role and of the reason the young person is at a detention place. The youth worker must seek to establish rapport with the young person and be mindful that the experience of custody may be distressing for the young person.
- 6.16 A youth worker must observe the young person and seek to elicit from them, whether there are any issues that are causing them particular distress or difficulty. If there are any issues, a youth worker must inform the young person of how these issues may be addressed, or, if it is possible and appropriate to address the issue immediately, a youth worker may do so.
- 6.17 A youth worker must advise the young person of what will happen for their admission and the support services available at the detention place and the means by which these can be accessed. This advice must include that Child and Youth Protection Services will coordinate support services for the young person while they are at a detention place and that Child and Youth Protection Services will be advised and make contact with the young person on the same or next business day as the day the young person is admitted to the detention place.
- 6.18 At all times once a young person has been received and prior to the young person being classified, a youth worker must undertake observations of the young person at a maximum of five minute intervals. If a youth worker considers it necessary, they must observe the young person more frequently (refer to 'Placement, Classification, Observation and Special Management Requirements' and

'Management of Health Needs' in the Health and Wellbeing Policy and Procedures).

Induction Interview and Provision of Information to Young People

- 6.19 Provision of information to and gathering information from a young person after admission should occur during the induction interview. This interview should be conducted in an area that allows for privacy and confidentiality.
- 6.20 Should any special needs be identified in the induction interview that require an immediate response, a youth worker must arrange for these needs to be met (including interpreter services, medical aids etc.) and, if necessary, notify the Manager.
- 6.21 All youth workers must communicate with the young person in a manner that the young person will understand (considering the young person's age and maturity and any other relevant factor).
- 6.22 Youth workers must also be mindful of the confusion a young person who does not understand English may feel, and the difficulties that language barriers present, including misunderstanding directions and feelings of distress.
- 6.23 During the induction interview, a youth worker must provide the following information to a young person:
- (a) their rights (including to seek a review of a decision or to make a complaint)
 - (b) their obligations (including the requirement for young people to comply with reasonable directions)
 - (c) publicly available policies and procedures at the detention place including the process for seeking information and making complaints
 - (d) the young person's legal circumstances
 - (e) the young person's case management arrangements
 - (f) the role of official visitors and the ACT Public Advocate
 - (g) the areas of the detention place that are prohibited areas
 - (h) the intended use of any personal information about the young person.
- 6.24 If it is not possible or appropriate to provide this information to the young person during the induction interview, the information must be provided to the young person as soon as practicable thereafter.
- 6.25 A youth worker must seek the young person's informed consent to the sharing of their personal information, where appropriate, and advise the young person about the circumstances in which personal information may be shared without the young person's consent.
- 6.26 Induction is often a stressful time for young people and often occurs late in the evening or at night, when a young person may be tired. Youth workers need to be mindful that it may be most appropriate to give simple information about the above at this time, and follow up the next day with more detailed information.
- 6.27 A record must be made as part of the induction interview of the information provided to the young person, and any follow-up that is required. If follow-up is required in terms of provision of information to a young person, a youth worker who conducts an induction interview must ensure this fact is clearly communicated to youth workers on the next shift. If youth workers on the following shift are advised that further information needs to be communicated to a newly inducted young

person, they must provide such information and make a record that this has occurred. This information must be included on a young person's personal records.

Induction Interview and Obtaining Information about the Young Person

- 6.28 The youth worker conducting the induction interview must gather and record the following information:
- (a) demographic information including full name, assumed name, age, date of birth and sex (special procedures apply in relation to the induction of a transgender or intersex young person, refer to 'Induction of transgender and intersex young people')
 - (b) the names and contact details of persons with parental responsibility for a young person aged under 18 years
 - (c) the name and contact details of a nominated person for a young person aged 18-21 years who can receive notifications of significant events for the young person at a detention place
 - (d) the young person's cultural background, including whether the young person identifies as Aboriginal or Torres Strait Islander
 - (e) the young person's religion
 - (f) legal information including the authority for detention, period of authorised detention and details of any sentence including any combination sentence
 - (g) any other special needs or issues, including health history
 - (h) health information, including whether the young person is taking or is prescribed medication. If a young person informs a youth worker that they are prescribed or take medication, the youth worker must require the attendance of a nurse or doctor as soon as possible
 - (i) risks or alerts advised by police, the Court Transport Unit or others
 - (j) statutory history (e.g. previous and current contact with Child and Youth Protection Services).
- 6.29 The Manager may direct that a photograph or forensic material such as fingerprints be taken of or from the young person for identification purposes. Details of a photograph or forensic material taken of or from a young person must be entered in the Register of Young Detainees. A photograph or forensic material taken of or from a young person for identification purposes must be destroyed if the young person is found not guilty of an offence to which the detention relates or a proceeding for an offence to which the detention relates is dismissed or discontinued.
- 6.30 Youth workers must never assume the nationality and/or cultural background of a young person based on their appearance. A young person should be asked to confirm their nationality during the induction interview. If a young person states they are a foreign national, where possible and in the best interests of the young person, a person with parental responsibility for the young person should be asked to confirm the young person's nationality. A young person who is a foreign national may ask a youth worker to inform their diplomatic or consular representatives of their detention and the young person must be informed of this entitlement. A youth worker must inform a diplomatic or consular representative for the young person if requested by the young person or a person with parental responsibility or if the youth worker

considers it to be in the best interests of the young person to do so, considering their age, legal circumstances and any other relevant information.

Induction of transgender and intersex young people

- 6.31 A transgender or intersex young person must be asked what sex they choose to be identified with.
- 6.32 If the young person does not nominate a sex, the Manager may make a decision based on the young person's presentation.
- 6.33 Before making a decision regarding the sex the young person is to be identified with, the Manager must obtain a report by a non-treating doctor or other non-treating health professional about the young person's sexual identity.
- 6.34 The Manager may also obtain a report as described in 6.33 for a transgender or intersex young person who has chosen their sexual identity if it is believed on reasonable grounds that:
 - (a) it is in the best interests of the young person
 - (b) is necessary to make a decision in relation to the young person's placement or case management.
- 6.35 The Manager must give written notice of a decision regarding the sex the young person is to be identified with to the young person and ensure that the sex chosen by the young person or the Manager is recorded in the Register of Young Detainees.
- 6.36 In exercising functions under the policies and procedures, the sex of the young person is that entered in the Register of Young Detainees.

Induction of Aboriginal and Torres Strait Islander young people

- 6.37 Youth workers must ensure that each young person receives a service that is sensitive to and respectful of his or her culture, linguistic background, and values (including the importance of preserving significant networks and/or relationships). Youth workers must be aware of, and work within, the Aboriginal and Torres Strait Islander Policy and Procedures to assist the young person to be inducted into the detention place.
- 6.38 If an Aboriginal and/or Torres Strait Islander young person gives informed consent, youth workers must actively seek to work in partnership with the Aboriginal and Torres Strait Islander community in the delivery of services and supports to Indigenous young people.
- 6.39 Principles for making decisions about the placement of Aboriginal and Torres Strait Islander young people are outlined at 6.76.
- 6.40 While all youth workers have a responsibility to maintain positive relationships with Aboriginal and/or Torres Strait Islander young people and family, Child and Youth Protection Services will provide advice on program and case planning.
- 6.41 If a young person identifies as being Aboriginal and/or Torres Strait Islander during the initial health assessment and gives informed consent, a youth worker must advise the young person that they will contact Child and Youth Protection Services and advise that a young person is at a detention place. Child and Youth Protection Services will contact the young person during business hours of the day of admission or the following normal working day.

Personal Property and Clothing

- 6.42 A youth worker must arrange for a newly received young person to shower and change into detention place clothing. All young people must hand over their personal property, including all clothing and jewellery, to a youth worker for inspection on admission.
- 6.43 The Manager may allow a young person's property to be brought into the detention place, where to do so is considered unlikely to jeopardise the safety of the young person, another person or the safety and security of the detention place.
- 6.44 All property must be searched. Any item that is a prohibited thing or that jeopardises the safety and security of the young person or other people at the detention place may be seized and forfeited in accordance with the Search and Seizure Policy and Procedures. If a thing that is seized belongs to a young person and is not forfeited, then it must be placed in the young person's property container and returned to them on their discharge.
- 6.45 A youth worker must arrange for property that is in the possession of the young person to be received and stored in accordance with the Property Policy and Procedures. A youth worker must advise a young person of the procedures for storage of property.
- 6.46 All young people will be issued with a set of clothing and personal hygiene items upon admission. A youth worker must, where possible, arrange for a young person's personal clothing to be washed and dried. This must be completed in time to allow a young person to wear their own clothing to Court, where necessary.
- 6.47 If a young person possesses medication at the time of admission and induction, the youth worker must ensure that the medication is provided to the doctor or nurse undertaking the initial health assessment who will determine what should be done with the medication (refer to Health and Wellbeing Policy and Procedures for the authority to issue and handle medication).

Notification of a Person with Parental Responsibility or Nominated Person

- 6.48 As soon as practicable after a young person's admission, a youth worker must contact a person with parental responsibility or the nominated person to notify them of the young person's admission to a detention place and if relevant, details of future Court appearance/s.
- 6.49 If a newly received young person is in the care of the Director-General, the youth worker must contact Child and Youth Protection Services.
- 6.50 The youth worker must inform the above person of the date and time of a young person's next Court appearance and ask them if they will be attending. The youth worker must also seek to confirm the current contact details for all people with parental responsibility for a young person.
- 6.51 The youth worker will answer any questions asked by a person with parental responsibility or nominated person and inform them of visiting times and telephone contact arrangements.
- 6.52 If the person with parental responsibility or nominated person does not understand English, a youth worker must use interpreter services or other relevant support people to ensure the information is provided in a language that the person understands.

Telephone call at Admission

- 6.53 A young person may make a telephone call at the time of admission to an accredited person (including a lawyer), a person with parental responsibility, a nominated person, a family member or a significant person, however, a telephone call to one of these people may be denied if the circumstances at 6.54 apply.
- 6.54 The Manager may make a direction that the young person is not to make a telephone call to a particular person, or not to make a telephone call at the time of admission, if the Manager reasonably suspects:
- (a) the call may undermine safety and security of a young person or other people at a detention place
 - (b) the call may re-victimise a victim
 - (c) the call may undermine a process for the investigation of a complaint or a review of a decision
 - (d) the call has the purpose of causing harm or distress to a community member (including a victim)
 - (e) it is necessary and reasonable to safeguard the best interests of the young person, such as protecting the young person from emotional harm likely to be caused by contact with the person due to the nature of their relationship.
- 6.55 If a direction is made under 6.54, the young person must be given the opportunity to nominate another person outlined at 6.53 to call.
- 6.56 If a direction is made under 6.54, the young person must be given the opportunity to make a telephone call as soon as practicable thereafter.
- 6.57 All phone calls made by young people are to be recorded.

Initial Assessment

- 6.58 The Manager must ensure that each young person, as soon as practicable as and not later than 24 hours after admission to a detention place, has an initial health assessment involving:
- (a) a physical health assessment by a treating doctor or nurse and
 - (b) an assessment of the young person's risk of self harm and/or suicide and mental health status by a treating doctor, nurse or a health professional with expertise in the treatment of self harm, suicide and mental health issues
 - (c) an assessment of the young person's safety or security or risks. A treating doctor must review an assessment made by a nurse or health professional of the young person's risk of self harm and/or suicide and mental health status.
- 6.59 A treating doctor who makes an assessment or reviews an assessment under 6.58 must provide a report of the assessment to the Manager.
- 6.60 The Manager must ensure that any immediate physical or mental health needs and risks identified by the assessments at 6.58 or 6.59 and any immediate safety or security needs and risks, are addressed as soon as practicable.
- 6.61 The Manager must ensure that any physical or mental health needs and risks or safety and security needs and risks which are identified as ongoing are addressed in the young person's case management plan, where appropriate.

- 6.62 The Manager may direct a youth worker to undertake a strip search of the young person if the Manager reasonably believes the search is necessary for an initial health assessment. A youth worker must comply with the Search and Seizure Policy and Procedures regarding detailed procedures for undertaking a search.

Recording Information in the Register of Young Detainees

- 6.63 The Manager must ensure that information gathered in the induction interview is entered in the Register of Young Detainees.

Child and Youth Protection Services

- 6.63 A youth worker must advise the young person that staff from Child and Youth Protection Services will coordinate support services for them while they are at a detention place.
- 6.64 Staff from Child and Youth Protection Services must make contact with the young person on the same or next business day following the young person's admission to the detention place.
- 6.65 Child and Youth Protection Services staff must arrange for a case management plan to be prepared for, and in consultation with, a sentenced young person as soon as practicable after their admission.
- 6.66 Child and Youth Protection Services staff may arrange for a case management plan for, and in consultation with, a young person on remand (refer to Treatment of Convicted and Non-Convicted Young People Policy and Procedures).
- 6.67 Child and Youth Protection Services provided to all young people will be in accordance with the Child and Youth Protection Services Single Case Management Policy and Procedures.

Placement, Classification, Observation and Special Management Directions

- 6.68 Placement, classification and observation decisions and Special Management Directions are used by the Manager to manage the wellbeing, safety and security of the young person, other young people and other people at a detention place.
- 6.69 The Manager is to determine placement, classification, observations and any Special Management Directions for a young person. This ensures the young person is supported and managed in a way that meets their individual needs and ensures their physical, emotional and mental health and wellbeing.
- 6.70 The placement, observations and Special Management Directions to which a young person is subject must be proportionate to the assessed level of risk and the least restrictive necessary to ensure safe and secure detention of the young person.

Procedures after admission

- 6.71 Following a young person's admission, each young person must be placed in a room with a camera and be subject to 5 minute observations.
- 6.72 If a youth worker identifies a need for a Special Management Direction (e.g. use of non rippable linen and/or clothing), the youth worker must contact the Manager to seek authorisation for any of the following Special Management Directions:

- (a) non-rippable linen and blanket
 - (b) non-rippable clothing
 - (c) a Segregation Direction in accordance with the Segregation Policy and Procedures
 - (d) higher level observations (i.e. constant or staggered)
 - (e) any other Special Management Directions (such as restrictions on contact or the use of restraints).
- 6.73 As soon as practicable following the young person's admission, the Manager must arrange for the Classification Officer to undertake the initial classification assessment for the young person.
- 6.74 The young person will have a status of unclassified until the Classification Officer has completed the initial classification.
- 6.75 Unclassified status is regarded as the high risk classification.

Placement

- 6.76 In determining the placement of a young person at a detention place, the Manager must ensure that:
- (a) young people on remand are separated from sentenced young people
 - (b) male young people are separated from female young people
 - (c) young people who are aged under 18 years are separated from young people aged 18-21 years.
- 6.77 A decision may be made by the Manager not to comply with the requirement at 6.74 if the Manager reasonably believes that the placement is in the best interests of the young person and all affected young people, after balancing the following considerations:
- (a) the best interests, needs and special requirements of the young person because of the young person's age, sex, emotional or psychological state, physical health, cultural background, vulnerability, relationships with other young people or any other relevant matter
 - (b) if a young person will be isolated because of their proposed placement with a unit at a place of detention, whether the isolation is in the best interests of the young person
 - (c) the desirability of the care provided to a young person being suited to the particular needs of the young person to protect the young person's physical and emotional wellbeing
 - (d) that it is in the best interests of young people to be separated from co-offenders
 - (e) the best interests of all affected young people
 - (f) the safety and security of a detention place
 - (g) the health and safety needs of all young people at a detention place
 - (h) requests from Child and Youth Protection Services, a Court or Tribunal, ACT Policing, the Director of Public Prosecutions or other justice agencies, to separate young people.
- 6.78 In determining the placement of an Aboriginal and/ or Torres Strait Islander young person, the Manager must consider placing the young person in a conjoining room with another Aboriginal and/ or Torres Strait Islander young person or in a conjoining room with that of another young person they know if the assessment of the young person indicates the young person is at high risk of self-harm or is otherwise highly vulnerable in an alternative placement. In deciding to

place an Aboriginal and/ or Torres Strait Islander young person in a conjoining room, the Manager must ensure:

- (a) each young person has consented to the placement
- (b) a comprehensive assessment of each young person has occurred, including an assessment of any risk posed by each young person to the other young person.

Classification assessment and Classification review

Initial classification assessment

- 6.79 As soon as practicable after a young person's admission, the Classification Officer or the Manager must undertake an initial classification assessment to assist in determining the placement, classification, observations and any special management directions for the young person.
- 6.80 In undertaking a classification assessment, all relevant information must be obtained from internal and external sources to inform the assessment. This includes information known about:
- (a) severity of current charge or offence
 - (b) severity of prior criminal convictions in the past five years
 - (c) history of escape or attempts to escape from a youth justice facilities, escorts, transport or police
 - (d) history of violence in detention
 - (e) prior youth offence convictions
 - (f) substance use history in the past two years
 - (g) mental health status
 - (h) stability factors at the time of arrest
 - (i) any other risks and alerts
 - (j) any other relevant information.
- 6.81 The information must be collected from the following internal and external sources:
- (a) Child and Youth Protection Services
 - (b) Health (Nursing or Medical)
 - (c) Forensic Mental Health (FMHS)
 - (d) Reports from operational staff
 - (e) any other relevant person/service/agency (e.g. parent, ACT Children's Court).
- 6.82 The classification assessment report must make a recommendation in relation to the young person's classification risk level and any special management directions. The report must be provided to the Manager for endorsement.
- 6.83 After receiving the classification assessment report, the Manager must consider any other identified risks or alerts as part of the classification for the young person, when making a decision in relation to the young person's placement, level of observations and special management directions in accordance with this policy and procedure.
- 6.84 The report must set a date for a review of the young person's classification
- 6.85 The Manager must arrange for a young person to be given a classification as soon as practicable after a young person's admission to a detention place. In determining the young person's classification, the Manager must consider:

- (a) the young person's risk alerts (if any), as outlined at Table 1 Risk Alerts
- (b) The classification assessment outcomes
- (c) Any other relevant information.

Table 1 Risk alerts

A	At risk	Young person is at risk of harm to self or at risk of harm from other young people (which may or may not require a Segregation Direction)
H	Health	Young person has health issues requiring special attention in custody, including illness, infectious conditions, mental health issues or disability
S	Safety and Security	Young person presents a risk to the safety of others or security of a detention place
E	Escape	Young person has previously escaped, attempted to escape or conspired to escape lawful custody, from a detention place or elsewhere

6.86 The Manager will determine a young person's classification by status, level of risk (very low, low, medium, high) and risk alert (if any) in accordance with Table 2 Classification levels. Examples of classification levels include:

- (a) a young person who has just entered Bimberi and has not had an initial classification assessment is Unclassified and considered a high risk. The young person is identified as U/R (remand) or U/S (sentenced) and the relevant alert or risk code for example U/RA(at risk) H(Health)
- (b) a young person on remand with a history of a prior escape from custody may be classified as R/3/E
- (c) a sentenced young person nearing completion of their sentence who has a record of positive behaviour and progress in custody may be classified as S/1
- (d) a young person on remand charged with an offence involving serious personal violence and displaying aggressive behaviour in custody may be classified as R/2/S.

Table 2 Classification levels

Status	Risk	Risk Alerts
Unclassified (U)	4 (High)	A, H, S, E
Remand (R)	1 (Very Low)	A, H, S, E
Remand (R)	2 (Low)	A, H, S, E
Remand (R)	3 (Medium)	A, H, S, E
Remand (R)	4 (High)	A, H, S, E
Sentence (S)	1 (Very Low)	A, H, S, E
Sentence (S)	2 (Low)	A, H, S, E
Sentence (S)	3 (Medium)	A, H, S, E
Sentence (S)	4 (High)	A, H, S, E

Classification

6.87 The Classification Officer tables the completed Classification assessment at the next scheduled Client Services Meeting and

confirms the identified alerts and risks. The initial assessment and initial Classification are effective once that are endorsed by the Manager but the process is formally completed at the Client Services Meeting.

- 6.88 The Classification Officer must:
- a) inform the young person about their Classification level
 - b) explain the assessment process
 - c) inform the young person of ways to improve their classification
 - d) place a copy of the classification on the young person's file.

Interim changes to classification

- 6.89 The Unit Manager may recommend a change to a young person's placement, observations or Special Management Directions due to a change in the young person's stability or status. The Manager may change the placement and observations of a young person at any time without it affecting the young person's classification level.
- 6.90 The Unit Manager must submit a Status Update form with the relevant recommendation. The Manager or delegate is responsible for endorsing any changes to placement and observations of a young person.
- 6.91 If a youth worker believes that a change in a young person's level of observation, placement or Special Management Direction is necessary because the young person has increased needs or risks that require an increase in the frequency of observation and/or placement in a room with a camera, the youth worker must increase the frequency of observations of the young person immediately or make another necessary change and contact the Manager as soon as practicable thereafter to seek authorisation for the change.
- 6.92 If a youth worker considers there is reason to change a young person's level of observation, placement or Special Management Directions, the youth worker must seek authorisation from the Manager unless 6.89 applies.
- 6.93 On receipt of information from a youth worker requesting consideration of a change to a young person's observation, placement and/or special management directions, the Manager must consider requesting a re-assessment and may approve interim arrangements.

Classification Review

- 6.94 A Classification Review occurs either as a scheduled review or triggered by an event or incident for both sentenced young people and young people on remand.
- 6.95 A scheduled Classification Review is conducted within a time frame set out in the classifications policies and procedures. The Classification Review is conducted by the Classification Officer and considers the following:
- a) severity of current charge or offence
 - b) severity of prior criminal convictions in the past five years
 - c) history of escape or attempts to escape from a Youth Detention facility, escorts, transport or Police
 - d) history of violence in a detention facility
 - e) number of disciplinary matter since last classification

- f) most severe disciplinary matter since last classification
 - g) progress in vocational/educational programs
 - h) progress and participation in addressing offending behaviour.-
- 6.96 The Classification Officer provides the review report to the Manager for endorsement. The classification review is then tabled at the next scheduled Client Services meeting including any changes to placement, observations or Management Directions.
- 6.97 The Classification Officer must:
- a) inform the young person about their Classification level
 - b) explain the assessment process
 - c) inform the young person of ways to improve their classification
 - d) Place a copy of the classification on the young person's file.
- 6.98 A classification may also occur following an event. Events that may trigger a classification include:
- a) intelligence information
 - b) being sentenced at Court
 - c) leave submission
 - d) actual or threatened assault
 - e) actual or attempted escape
 - f) positive drug reading following drug testing
 - g) found in possession of a weapon
 - h) serious mental health concern
 - i) significant change in charges
- 6.99 When a review of classification occurs the behaviour during the scheduled period is taken into consideration for both a scheduled classification and an event triggered classification.
- 6.100 The Manager may change a young person classification at anytime.

Observations

- 6.101 All young people at a detention place will be subject to a level of observation appropriate to their assessed level of risk, special needs or vulnerability and their psychological, emotional and physical health.
- 6.102 Observations are the physical sighting and recording of a young person who has been secured within a room (i.e. cabin, safe room, holding room) within the detention place. The frequency of observation assigned to each individual must be complied with at all times.
- 6.103 'Observations' means:
- (a) direct visual contact by a youth worker of a young person and does not mean observation through a camera image unless directed otherwise by the Manager
 - (b) the active engagement by the youth worker with the young person where appropriate (e.g. activity based communications, for the purpose of normalisation, distraction and enhancing their understanding of the young person).
- 6.104 Youth workers undertaking observations must ensure they carry out direct visual observation and a written account contemporaneously where possible.
- 6.105 Normally observation intervals at a detention place are 5 minute, 15 minute and 30 minute intervals, depending on the assessed risk and

placement of the young person. Thirty minute intervals are the minimum level of observation within the detention place.

- 6.106 On occasions, due to assessed level of risk, special needs or vulnerability, it may be determined that a special observation level be employed to ensure the safety of a young person at high or imminent risk. The alternative observations assigned may include:
- (a) constant observation occurs where it has been assessed that there is an imminent risk (of self harm or suicide) and a youth worker is required to maintain continuous visual contact with the young person and complete a running written record of observations. This will usually involve a youth worker standing/sitting at the open door of a young person's room. In addition, a camera will run continuously and take a record of a room in cases where a young person is under continuous observation
 - (b) staggered observation is an observation regime where observations are made at various intervals between the assigned observation level. The actual intervals between observations fluctuate to prevent the interval between observations being predicted. An example of a staggered observation for a young person on 15 minutes observations is: 5 min, 15 min, 10 min, 15 min between consecutive observations. Staggered observations are usually used when a young person's safety, or the safety and security of a detention place is considered enhanced by preventing a young person from being able to predict the interval between consecutive observations (e.g. when a young person considered at risk of self harm/suicide or escape)
 - (c) split observation is an observation regime where different observation intervals are used when a young person appears to be awake (the shorter interval) and when a young person appears to be asleep (when longer interval observations are used). Split observations are usually used to assist with the transition of a young person between different standard observation intervals, but when there is still some assessed risk preventing an immediate change of observation. Examples of split observation intervals are 5 minutes to 15 minutes (5/15 minute) and 15 minutes to 30 minutes (15/30 minute).

Special Management Directions

- 6.107 To ensure the safety and security of a young person, other young people or other people at the detention place, the Manager may assign a Special Management Direction for a young person.
- 6.108 Special Management Directions may relate to special observations, movement (i.e. restrictions), placement, interactions, restrictions or special provisions for visits or phone calls for a young person, at a detention place or while the young person is subject to a local or interstate leave permit, a transfer direction or under escort.

Segregation Directions

- 6.109 Segregation Directions may only be used for these purposes where the criteria for making the direction are met (refer to Segregation Policy and Procedures).

- 6.110 Following the making of a Segregation Direction, decisions about the placement and management of the young person will also be based on consideration of the relevant factors identified in 6.80.

Communication of decisions

- 6.111 The Manager must ensure youth workers are aware of the assigned placement, classification, observations, and Special Management Directions for each young person.
- 6.112 Youth workers must comply with placement, classification, observation, and Special Management Directions for each young person.
- 6.113 After each shift Unit Managers or Team Leaders must ensure that youth workers have complied with observation, placement and special management directions. This includes ensuring that youth workers have carried out observations, checked the observation book and signed off that observations have been done, and relevant records have been accurately completed.
- 6.114 The Manager must provide details of all young people's placement, classification, observation, and Special Management Directions to the Director.

Provision of Information, Review of Decisions and Complaints

- 6.115 Staff must ensure young people, people with parental responsibility, nominated persons, family and visitors are provided with information about matters that affect them in a timely manner and in a manner that is likely to be understood.
- 6.116 A young person, person with parental responsibility, nominated person, family and visitors are able to request a review of a decision or make a complaint about something that happens at a detention place to a youth worker, Director, Bimberi, the ACT Public Advocate, the Official Visitor, the Children, Youth and Families Complaint Unit or the Supreme Court under the *Administrative Decisions (Judicial Review) Act 1989*.
- 6.117 Staff must ensure that the Complaints Management Policy and Procedures are followed.
- 6.118 The Director, Bimberi must ensure that copies of the following are available to young people, people with parental responsibility, nominated persons, family and visitors:
- (a) the *Children and Young People Act 2008*
 - (b) publicly available policies and procedures.

Records and Reporting

- 6.119 Any actions taken under this policy and procedures must be recorded according to the requirements set out in the Records and Reporting Policy and Procedures.
- 6.120 All staff are mandated reporters under the *Children and Young People Act 2008*. A report must be made to Child and Youth Protection Services if staff reasonably believe that a young person who is aged under 18 years has experienced or is experiencing sexual abuse or non-accidental physical injury by any person.

7. Forms and Templates

Incident report form
Induction interview form
Register of Young Detainees

8. Related Policies and Procedures

Policies and Procedures under the *Children and Young People Act 2008*
Aboriginal and Torres Strait Islander Young People Policy and Procedures
Complaints Management Policy and Procedures
Health and Wellbeing Policy and Procedures
Property Policy and Procedures
Records and Reporting Policy and Procedures
Search and Seizure Policy and Procedures
Segregation Policy and Procedures
Treatment of Convicted and Non-Convicted Young People Policies and Procedures

Policies and Procedures in Child and Youth Protection Services
Single Case Management Policy and Procedures

9. Further References

NA

10. Review

10.1 This policy and procedure will be reviewed at least once every two years.