

Australian Capital Territory

Senior Practitioner Regulation 2023

Subordinate Law SL2023-41

The Australian Capital Territory Executive makes the following regulation under the [Senior Practitioner Act 2018](https://www.legislation.act.gov.au/a/2018-27/).

Dated 15 December 2023.

Andrew Barr

Chief Minister

Rachel Stephen-Smith

Minister



Australian Capital Territory

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[Senior Practitioner Act 2018](https://www.legislation.act.gov.au/a/2018-27/%22%20%5Co%20%22A2018-27)

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1 Name of regulation

This regulation is the *Senior Practitioner Regulation 2023*.

2 Commencement

This regulation commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](https://www.legislation.act.gov.au/a/2001-14/), s 75 (1)).

3 Prohibited restrictive practices not to be used—Act, s 10 (b) (ii) (A)

 (1) The kinds of restrictive practices that may be used do not include prohibited restrictive practices.

 (2) In this section:

***prohibited restrictive practice*** means—

 (a) a physical restraint mentioned in schedule 1, part 1.1; or

 (b) a restrictive practice mentioned in schedule 1, part 1.2 (a ***punitive approach***).

Schedule 1 Prohibited restrictive practices

(see s 3 (2))

Part 1.1 Physical restraints

| column 1item | column 2description of restraint | column 3short description |
| --- | --- | --- |
| 1 | subdue a person by forcing them into a face-down position | prone restraint |
| 2 | subdue a person by forcing them into a face-up position | supine restraint |
| 3 | subdue a person by holding down their limbs or any part of their body | pin down |
| 4 | subdue a person by wrapping arms around their upper or lower body | basket hold |
| 5 | subdue a person by forcing them to free-fall to the floor or fall to the floor with support | takedown technique |
| 6 | physically restrain a person for the purpose of, or that has the effect of, restraining or inhibiting a person’s respiratory or digestive functioning |  |
| 7 | physically restrain a person for the purpose of, or that has the effect of, pushing the person’s head forward onto their chest |  |
| 8 | physically restrain a person for the purpose of, or that has the effect of, compelling a person’s compliance through the infliction of pain, hyperextension of joints, or by applying pressure to the chest or joints |  |

Part 1.2 Punitive approaches

| column 1item | column 2description of approach | column 3short description |
| --- | --- | --- |
| 1 | use a practice that a person experiences as noxious or unpleasant and potentially painful, for example, give the person an unwanted cold bath, put chilli powder on their food or squirt liquid in their face | aversive practice |
| 2 | require a person to respond disproportionately to an event, beyond that which may be necessary to restore a situation to its original condition, for example, make a person clean the whole dining room floor for spilling a drink | overcorrection |
| 3 | withhold supports or basic needs, for example, deny a person access to toilet paper or period products, withhold food or drink or deprive them of sleep | denial of key needs |
| 4 | degrade or vilify a person |  |
| 5 | limit or deny access to a person’s culture, for example, limit opportunity to participate with a person’s community or access artworks or reading material important for developing or maintaining their cultural heritage |  |
| 6 | punish a person by requiring them to give up a positive item or activity because of their behaviour | response cost |
| 7 | engage in verbal or gestural conduct of a coercive nature to compel someone to do something they do not want to do |  |
| 8 | use a spithood |  |
| 9 | use a restraint chair |  |

Endnotes

1 Notification

 Notified under the Legislation Act on 21 December 2023.

2 Republications of amended laws

 For the latest republication of amended laws, see www.legislation.act.gov.au.

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