

# Youth detention centre

## OPERATIONAL POLICY

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**Title:** YD-1-16 Youth detention – Restorative practice

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### Policy statement:

The department will promote the safety, wellbeing and rehabilitation of young people in youth detention through an effective behaviour development framework. Restorative practice is a critical part of this framework and ensures a therapeutic, relational approach to managing conflict and challenging behaviour.

Restorative practices will help young people to take responsibility and be held accountable for their actions, by promoting the restoration of relationships and encouraging positive choices.

To this end, restorative practices are a way of working with young people that ensures the cultural needs of young people are respected and contributes to incident prevention and reduced use of force, separation and restraints.

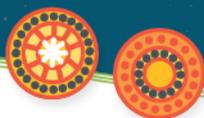
The department is also committed to the use of restorative practices as part of a young person's reintegration, which can act as a powerful and positive influence in their rehabilitation.

### Principles:

#### 1. General principles

Restorative practices in youth detention centres will:

- 1.1 promote the safety and wellbeing of young people, staff and stakeholders
- 1.2 be culturally appropriate and conducted in a culturally safe manner, with the inclusion of culturally appropriate staff and/or support people as required
- 1.3 be voluntary
- 1.4 be easy to understand and explained clearly to young people, taking into consideration:
  - cultural background
  - age
  - gender
  - personal circumstances
  - trauma history
  - developmental level
  - mental health capacity
- 1.5 provide a safe and respectful space for participants to tell their story and contribute to healing in ways that are meaningful and encourage positive future actions to promote safety, confidence and optimism
- 1.6 uphold young people's fundamental rights and entitlements, which must not be revoked for disciplinary or consequence purposes
- 1.7 empower young people to be actively involved in resolving conflict and making amends to restore the relationship



- 1.8 provide an effective means to formally and informally resolve conflict and grievances in a timely and meaningful way
- 1.9 include and engage family, guardians, elders, kinship carers, respected persons and community members where possible
- 1.10 be a proactive means of strengthening protective factors and promoting prosocial behaviour
- 1.11 include a broad range of responses that are culturally appropriate, safe and commensurate to the complexity and level of risk for each circumstance
- 1.12 Table 1 below outlines universal and targeted restorative practices and determines their use based on case complexity.

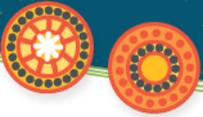
**Table 1 – Range of Restorative practices**

Response type	Details
<b>Universal techniques</b>	
<ul style="list-style-type: none"> <li>• All youth detention professional and operational staff are required to use these techniques as a way of working with young people.</li> </ul>	<ul style="list-style-type: none"> <li>• Restorative language and enquiry – common language and skillsets used by all staff to work with to assist in building prosocial communication skills.</li> <li>• Corridor conversations – immediately deal with issues as they arise to prevent escalation of conflict and/or challenging behaviour</li> <li>• Coaching and feedback – using restorative enquiry questions to build individual capabilities of young people to better understand and manage conflicts</li> <li>• Mentoring – exploring and harnessing a young person’s identity and role within the family and community</li> <li>• Circles – group discussion to promote and maintain relationships and build self-awareness, communication and interpersonal skills</li> <li>• Cultural capability – cultural awareness, cultural competency and cultural safety</li> <li>• Relational programs – promote prosocial behaviours such as active listening, empathy and anger management which inform restorative practice</li> </ul>
<b>Targeted techniques</b>	
<ul style="list-style-type: none"> <li>• To resolve medium/high risk or complexity concerns</li> <li>• Convened by a trained facilitator or as assigned by the restorative practice coordinator</li> </ul>	<ul style="list-style-type: none"> <li>• Restorative meetings – convened in response to serious incidents or acute conflict between young people</li> <li>• Restorative integration and/or reintegration meetings – convened to support integration and/or reintegration of a young person following harm or a breakdown or relationships (i.e. within a young person’s peer group, accommodation unit, family or wider community).</li> </ul>

## **2. Appropriate use of restorative practices in youth detention**

2.1 Restorative practices can be considered in a broad range of preventative and restorative circumstances. This includes but is not limited to:

- as a preventative or early intervention measure when staff identify potential for escalation of conflict between individuals
- as a development activity to promote prosocial conflict resolution skills
- following a behavioural issue



- following a Level 2 incident that has not been referred to the Queensland Police Service (QPS)<sup>1</sup>
- for a young person on the not to mix list
- at the request of a young person, staff member or other service<sup>2</sup>
- as part of the usual integrated case management for young person's reintegration and transition plan.

## 2.2 For Level 1 incidents<sup>3</sup> and any other incidents referred to the QPS:

- restorative practices may be appropriate depending on the circumstance
- the restorative practice coordinator should assess these incidents in consultation with:
  - caseworkers
  - cultural unit staff i.e. cultural liaison officers
  - legal representatives
  - youth detention management
  - other stakeholders as relevant
- if restorative practices are assessed as appropriate for rehabilitation, healing and safe for Aboriginal and Torres Strait Islander people to participate in; a recommendation must be made to the executive director or deputy director for approval (or advice otherwise).

## 3. Referrals and assessment

3.1 Based on the criteria outlined in sections 2 and 3 above, youth detention staff should liaise with the relevant section supervisor (for simple/non-complex matters), caseworker and shift supervisor or unit manager (for complex/ongoing matters) to discuss and either:

- address the issue proactively
- refer a young person to the restorative practice coordinator.

3.2 If unsure, youth detention staff can proactively seek advice from the restorative practice coordinator about the most appropriate referral pathway in the circumstances.

3.3 Youth detention management can also refer issues to the restorative practice coordinator as part of the incident review process.

3.4 The restorative practice coordinator will also proactively monitor incidents and centre based concerns, such as behaviour development plans, special interest young people and the not to mix list; in liaison with intelligence staff; to identify young people who may be suitable to participate in a restorative practice process.

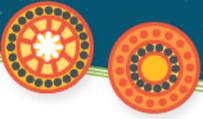
3.5 The restorative practice coordinator will then triage and prioritise referrals in consultation with relevant stakeholders including, but not limited to:

- young people who demonstrated the misbehaviour/conflict
- those harmed by the misbehaviour/conflict
- senior intelligence officer
- caseworker
- section supervisors
- team leaders casework and behaviour support
- cultural unit staff
- unit manager

<sup>1</sup> Approval from the executive director or deputy director must be sought for Level 2 incidents classified as Indecent Acts. Refer to Chapter 1, Youth Detention Centre Operations Manual for more information.

<sup>2</sup> Including other services and relevant providers at youth detention centres, including the Department of Education and Queensland Health.

<sup>3</sup> Excluding level 1 incidents classified as Alleged Sexual Assault



- child safety liaison officer.
- 3.6 The restorative practice coordinator may attend the operational and casework multidisciplinary meetings to seek advice regarding the triage of referrals.
- 3.7 Key considerations that will guide prioritisation include, but are not limited to:
- upcoming court date or release
  - cultural considerations
  - level of risk associated with the conflict
  - capacity of individuals to engage meaningfully in a restorative process
  - level of urgency for the conflict to be resolved
  - number (and complexity) of individuals involved
  - impacts on young people and staff.
- 3.8 If a matter can be more appropriately managed by youth detention operational staff by using a universal response<sup>4</sup>, the restorative practice coordinator will liaise with the relevant section supervisor and/or shift supervisor to provide assistance and support. The restorative practice coordinator should monitor the outcome of the process and continue to support or escalate the matter as required.
- 3.9 If the matter is transferred back to the relevant section supervisor to manage, the restorative practice coordinator must record a reason on the source of the referral (i.e. the behaviour, intelligence or incident report). If a referral has been received by the restorative practice coordinator by any other means, an appropriate report should be generated.

#### **4. Targeted restorative practices convened by a trained facilitator**

##### **4.1 The trained facilitator will:**

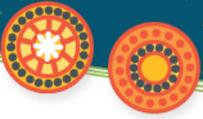
- talk to all parties to determine their willingness to participate
- if all parties are willing, get the necessary consents and hold pre-meetings
- ensure a safe and private venue is available for the process
- liaise with Elders (in consultation with the Cultural Unit) or other appropriate support people to attend the process
- facilitate the negotiation of an achievable and restorative outcome between participants
- endorse the restorative action agreement
- report on process and outcome to the restorative practice coordinator.

##### **4.2 The restorative practice coordinator will:**

- provide advice and assistance with circle sessions and coaching
- support appraised facilitators to convene targeted restorative practices
- assess level 1 incidents in consultation with other stakeholders to determine the appropriateness of a restorative practice process, and if deemed appropriate, make a recommendation to the deputy director for approval (or otherwise)
- transfer the referral to a trained facilitator to convene the process
- ensure all parties are aware of relevant youth detention centre complaints management processes
- review the endorsed restorative action agreement and:
  - upload it onto DCOIS
  - monitor its implementation
  - confirm and record that the restorative action has been completed
  - liaise with the young person's caseworker to ensure all relevant information is recorded on ICMS.

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<sup>4</sup> If not already attempted.



## Objectives:

This policy applies to young people in youth detention.

The department acknowledges restorative practices contribute to an integrated multidisciplinary approach to the management of behaviour and conflict for young people in detention. This approach complements the behaviour development framework which promotes the safety, wellbeing and rehabilitation of young people.

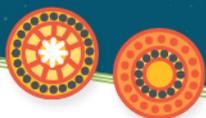
## Scope:

This policy is part of a suite of policies and procedures that apply to youth detention centres. It is to be read in conjunction with:

- Policy YD-1-2: Behaviour development
- Policy YD-1-6: Suicide and self-harm risk management
- Policy YD-1-9: Complaints management
- Policy YD-1-10: Complaints to external agencies
- Chapter 1: Care and management of young people, Youth Detention Centre Operations Manual
- Appendix 0-2: Philosophy of youth detention services
- Appendix 3-7: Practice Guide – Referring potential criminal offences to the QPS

## Roles and responsibilities:

- Executive director:
  - approve restorative practices for Level 1 incidents as appropriate
  - promote a culture that values culturally appropriate restorative practices
  - respond to key issues (individual and systemic) arising from restorative practices
  - ensure centre practice complies with this policy.
- Deputy director:
  - supervise and provide support to the restorative practice coordinator as required
  - approve restorative practices for Level 1 incidents.
- Manager, client services:
  - supervise and provide support to the restorative practice coordinator as required.
- Director, Practice:
  - provide practice support and advice to youth detention staff and youth detention management about issues relating to compliance with this policy.
- Manager, Cultural unit:
  - support the restorative practice coordinator as appropriate
  - provide cultural advice and support to young people, families and youth detention staff and management
  - ensure all processes are culturally safe and appropriate for the young person
  - participate directly or via delegate in processes as relevant.
- Restorative practice coordinator:
  - promote a culture that values culturally appropriate restorative practices as a means of establishing, managing and restoring relationships
  - manage and coordinate targeted restorative practices within a youth detention centre
  - triage, assess and prioritise all referrals



- maintain accurate records of restorative practice processes, coordinate follow-up and provide relevant information to the caseworker for upload on ICMS in a timely manner
- collect data, complete analysis and report
- provide support and mentoring to staff in implementing restorative processes
- develop restorative practice training and professional development
- negotiate the provision of training to new and existing staff at a centre-wide and trained facilitator level
- work in consultation with the behaviour support team to develop appropriate programs for skills building for young people.
- Unit manager:
  - provide support and encouragement of staff to utilise universal restorative practices
  - provide advice and support to operational staff and the restorative practice coordinator.
  - encourage staff to refer matters to the restorative practice coordinator that are not resolved in the accommodation unit
- Shift supervisor or delegate:
  - provide support and encouragement of staff to utilise universal restorative practices
  - refer matters to the restorative practice coordinator for review or consultation
  - provide advice and support to operational staff and the restorative practice coordinator
  - provide risk assessment for parties involved in the more formal processes which do not include corridor conversations or circle sessions.
- Caseworkers:
  - refer matters to the restorative practice coordinator for review or consultation
  - provide timely information that may impact a restorative practice on centre
  - support the restorative practice coordinator as appropriate
  - record details of restorative practice interventions on ICMS once received by the restorative practice coordinator
  - assist in engaging families, guardians, elders, kinship carers, respected persons and communities as appropriate
  - assist young people in completing their agreement.
  - support restorative practice (on a needs basis) on centre.
- Operational staff:
  - implement universal restorative practices including corridor conversations , circle sessions and conflict coaching
  - refer matters to the restorative practice coordinator for review or consultation

### Authority:

*Youth Justice Act 1992*

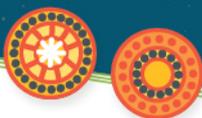
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*Youth Justice Regulation 2016*

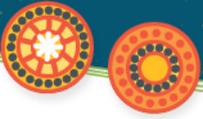
### Definitions:

For the purpose of this policy, the following definitions shall apply:

Term	Definition
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Case management	Case management responsibility refers to the overall responsibility for a young person's case. The youth detention centre caseworker and the youth justice service caseworker have separate casework responsibilities for detained young people.
Casework	The day to day supervision of young people subject to a departmental intervention.
Coaching	Informal coaching of individual young people to support development of self-awareness, perspectives and skills in managing conflict situations.
Operational staff	A youth detention staff member who has direct care responsibility for young people, e.g. a detention youth worker or section supervisor.
Restorative practices	Process of supporting effective relationship management and conflict resilience through both formal and informal means. Includes capacity building strategies, interventions for individuals, small and large groups.
Trained facilitators	Youth detention centre staff who are trained in conducting larger, more complex non-statutory or informal group work and reintegration meetings.



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1.1 Senior Executive Director (6 December 2019)

**Date of operation:** 9 November 2018

**Date to be reviewed:** 6 December 2022

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**Office:** Youth Justice Secure Services Operations and Practice

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**Links:**

[Australasian Youth Justice Administrators \(AYJA\) service standards for juvenile custodial facilities](#)

[United Nations Rules for the Protection of Young People Deprived of Their Liberty 1990](#)

[United Nations Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters](#)

[Australian Restorative Justice National Guidelines](#)

[Youth Justice policies](#)

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