# Youth detention centre

# OPERATIONAL POLICY

**Title:** YD-2-1 Youth detention – Admission of a young person

## Policy statement

Youth detention centres (YDCs) must ensure all admissions are legal, and promote the safety, wellbeing and human rights of young people.

Accordingly, YDCs will:

* admit young people in accordance with prioritisation advice during periods where demand exceeds YDC capacity
* ensure a young person’s admission to a YDC is legal and the correct documentation has been received
* ensure that it is safe for a young person to be admitted by undertaking health and risk assessments of the young person’s safety and wellbeing
* not admit a young person who is injured, ill or intoxicated and needs immediate medical treatment, unless they have been examined and received appropriate treatment from a medical practitioner and a medical certificate is provided stating the young person is fit to be admitted
* ensure a young person receives an induction that explains their rights, responsibilities and services and supports available in a YDC
* keep appropriate records of the admission, including a register of a young person’s personal property.

## Principles

### 1. Prioritisation of young people for admission

* 1. During periods when demand for beds exceeds YDC capacity, the department will operate admission prioritisation processes to ensure those most vulnerable are prioritised for admission. These processes will be led by the admission coordination unit (ACU).
	2. The ACU will provide daily[[1]](#footnote-1) advice to YDCs about prioritisation based on an assessment of young people’s risks, needs and vulnerability. Separate prioritisation lists will be prepared for each catchment and will be sorted by cohort (age and gender), as per each YDC’s accommodation model.
	3. Prioritisation advice will also consider any out-of-catchment transfers necessary to ensure young people are admitted to the first available bed and time in watchhouses is minimised. Transfers will be considered in collaboration with YDCs and regional stakeholders and will primarily consider what is in the best interest of the young person to ensure their safety and wellbeing.
	4. Once prioritisation advice is received, the responsibility passes to the YDC to oversee and conduct the admission process. YDC shift supervisors will reserve available beds and contact the relevant watchhouses to request transport of the young person.

### 2. Legality of admission

* 1. A young person must not be admitted to a YDC in the following circumstances:
* if appropriate documentation has not been received
* when a police officer or another agency directly requests an admission, or
* when the admitting officer judges by the appearance of the young person that they are injured, ill or intoxicated and needs immediate medical treatment. As part of this process, the shift supervisor, who has the delegation to reject an admission, may seek expert advice from YDC nursing staff to inform this decision.
	1. If any of the above occurs, the admitting officer must advise the escorting police officers that the young person cannot be admitted at this time.[[2]](#footnote-2)
	2. In the event of a public health emergency, admissions may also be guided by Queensland Health advice and any relevant Directions from the Chief Health Officer.

### 3. Risk assessment

* 1. Upon admission of a young person, the following risk assessments must take place:
* suicide risk assessment
* medical assessment
* risk assessment to determine what type of search may be required
* risk assessment to determine if the young person requires management as a special interest young person
* risk assessment to determine whether the young person is suitable to room share with another young person.

### 4. Induction

* 1. The induction process must be prioritised, and should wherever possible, be completed within the first 24 hours following admission. It may be delivered in several stages and different staff may complete different parts of the process.
	2. During the induction process, the young person must be advised about:
* why they have been detained
* how long they will be detained and how they can access legal services and support
* cultural and religious support available to them
* programs and activities available to them
* daily routine
* the behaviour support framework, including types of behaviour that are supported and not supported in the centre, and where consequences may apply
* their rights and responsibilities
* the Charter of Youth Justice Principles
* their avenues for lodging grievances and complaints
* the obligation of staff to report any harm young people may experience during detention.
	1. As part of this process, a young person must be given the opportunity to view the induction video and must be provided an induction booklet. Staff must read the induction booklet with the young person and ensure they understand its contents. Young people should be encouraged to ask questions or raise any concerns they may have.
	2. As part of the young person’s induction, they will also be provided with information relating to the use of surveillance technology in youth detention, including CCTV and body worn cameras. The information will outline the circumstances where visual and audio footage may be captured, who will have access to the footage, and why.

### 5. Record keeping

* 1. All admissions must be recorded in DCOIS. DCOIS specifically provides dedicated tabs and fields to record details about:
* pre-admission
* escort
* admission
* section induction (uploaded as an attachment).
	1. In limited circumstances, Youth Justice After Hours (YJAH) may commence a draft pre-admission event in DCOIS. Shift supervisors will be notified of these instances, to ensure they can action any other pre-admission tasks.

### 6. Additional considerations for transgender and intersex young people

* 1. As part of the admission process, staff must ask all young people the gender they identify with in accordance with the admission checklist.
	2. Staff must ask a young person who identifies as transgender or intersex to nominate the sex of the staff member they feel most comfortable to be searched by (male or female). This must be done prior to any clothed or partially clothed searches occurring. Refer to policy YD-4-2: Search of a young person for more information.
	3. The young person’s preference for the sex of the staff member they feel most comfortable searching them must be:
* documented in writing in a search preference consent form
* formally endorsed by the young person, and
* witnessed by a staff member.

Once completed, this form should be scanned and attached to the young person’s summary in DCOIS.

* 1. If a young person discloses their sexual orientation, gender identity or gender expression, staff should talk with the young person in an open, understanding and non-judgemental manner to determine if the young person has any concerns or needs.
	2. The above information will also inform the young person’s accommodation support plan. Refer to chapter 1, section 1.6 Management of transgender or intersex young people for more information about the accommodation support plan and other case and operational management considerations.

## Objectives

This policy is part of a suite of policies and processes developed to ensure that the admissions process meets the requirements of the *Youth Justice Act 1992*, the *Youth Justice Regulation 2016,* and the *Human Rights Act 2019*.

## Scope

This policy applies to young people who are admitted to a YDC when they have been refused bail, remanded in custody or sentenced to detention. To remove any doubt, this policy also applies to young people transferred between YDCs (i.e. a young person goes through the admission process upon arrival at their new centre).

This policy is to be read in conjunction with:

* policy YD-1-4: Room sharing
* policy YD-1-5: Provision of medical and other health services
* policy YD-1-6: Suicide and self harm risk management
* policy YD-4-2: Search of a young person
* chapter 1: Care and management of young people, Youth Detention Centre Operations Manual
* chapter 2: Admission, external movement, transfer and release, Youth Detention Centre Operations Manual.

## Roles and responsibilities

* ACU:
	+ undertake daily prioritisation assessments and provide YDCs prioritisation advice.
* Director, Statewide Intel and Secure Services Support:
	+ review and update this policy as required
* provide practice advice to support compliance with this policy.
* Executive director:
	+ ensure youth detention staff understand their obligations and responsibilities in accordance with this policy and ensure practice complies with this policy.
* Section supervisor:
	+ support young people through the induction process
	+ complete all required record keeping tasks.
* Shift supervisor:
	+ ensure all DCOIS pre-admission and admission records are complete
	+ ensure relevant watchhouses are contacted to arrange transport of young people
	+ take appropriate action and liaise with relevant stakeholders in the event a young person is unable to be admitted for legal or medical reasons
	+ ensure all required risk assessments are complete
	+ ensure a young person assessed as being at risk of suicide or self-harm is observed according to their assessed risk level
	+ ensure the young person receives an induction.
* Training team:
	+ ensure training content complies with relevant policies and procedures
	+ contribute to policy and procedure reviews as required.

## Authority

*Youth Justice Act 1992*

*Youth Justice Regulation 2016*

## Delegations

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| **Position** | **Delegation** |
| Deputy Director-GeneralAssistant chief operating officerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention CentreDirector, Statewide Intel and Secure Services Support | *Youth Justice Act 1992* Section 263 (2), (5) – May issue directions, codes, standards and guidelines for the security and management of detention centres and the safe custody and wellbeing of children in detention. Must ensure principles are complied with in relation to each child detained in a detention centre.  |
| Deputy Director-GeneralAssistant Chief Operating OfficerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention Centre Unit manager, Youth Detention CentreShift supervisor, Youth Detention Centre | *Youth Justice Regulation 2016* Section 11 (2) – Must not admit the child to the detention centre unless the child has been examined by a doctor and given any immediate medical treatment required and the doctor has given the chief executive a medical certificate stating the child is medically fit to be admitted to the detention centre. |
| Deputy Director-GeneralAssistant Chief Operating OfficerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention Centre Client Services Manager, Youth Detention CentreCultural Unit Manager, Youth Detention CentreTeam Leader, Youth Detention CentreCaseworker, Youth Detention CentreUnit Manager, Youth Detention CentreShift Supervisor, Youth Detention CentreSection Supervisor, Youth Detention CentreStructured Day Coordinator, Youth Detention CentreVisits Coordinator, Youth Detention CentreSenior Detention Youth Worker, Youth Detention CentreDetention Youth Worker, Youth Detention Centre | *Youth Justice Act 1992* Section 267 (1) – Must ensure that as soon as practicable after a child is admitted to a detention centre, the child is given a document containing specified information. |
| Deputy Director-GeneralAssistant Chief Operating OfficerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention CentreUnit Manager, Youth Detention CentreClient Services Manager, Youth Detention CentreTeam Leader, Youth Detention CentreCaseworker, Youth Detention CentreShift Supervisor, Youth Detention CentreSection Supervisor, Youth Detention CentreStructured Day Coordinator, Youth Detention CentreVisits Coordinator, Youth Detention CentreCultural Liaison Officer, Youth Detention CentreSenior Detention Youth Worker, Youth Detention CentreDetention Youth Worker, Youth Detention Centre | *Youth Justice Act 1992* Section 267 (2) – Must ensure the information in the document is orally explained to the child having regard to the child’s age and ability to understand.  |
| Deputy Director-GeneralAssistant Chief Operating OfficerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention Centre Regional Executive DirectorRegional Director, Youth JusticeDirector, Youth Justice Regional OperationsDirector, Statewide Intel and Secure Services SupportManager, Child Safety After Hours Service CentreManager, Youth Justice Service CentreManager, Brisbane Court Unit, Youth JusticeSenior Practitioner, Child Safety After Hours CentreUnit manager, Youth Detention CentreManager, Court and Regional Operations PracticeSupportClient Services Manager, Youth Detention CentreCultural Unit Manager, Youth Detention CentreTeam Coordinator, Youth Justice Service CentreTeam Leader, Child Safety After Hours Service CentreTeam Leader, Youth Detention CentreTeam Leader, Youth Justice Service CentreProgram Coordinator, Youth Justice Service CentreChild safety officer, Child Safety After Hours ServiceCentreCaseworker, Youth Justice Service CentreCourt Coordinator, Youth Justice Service CentreShift supervisor, Youth Detention CentreAboriginal and Torres Strait Islander Programs SupportOfficer, Youth Detention CentreAboriginal and Torres Strait Islander Transition Officer,Youth Detention CentreProgram Coordinator, Youth Detention CentreProgram Support Officer, Youth Detention Centre | *Youth Justice Act 1992* Section 305 (2) – The chief executive on request must give information about the whereabouts of a child to the parent if the child is in the chief executive’s custody or the chief executive knows where the child is. |
| Deputy Director-GeneralAssistant Chief Operating OfficerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention Centre Unit Manager, Youth Detention Centre Shift Supervisor, Youth Detention Centre | *Youth Justice Regulation 2016* Section 12 (1), (2), (3), (4) – Must, at the time a child is admitted to a detention centre, record specified information. May include other particulars in the record the chief executive considers necessary. Must ensure the record is kept at the detention centre. May change record to ensure it is accurate. |
| Deputy Director-GeneralAssistant Chief Operating OfficerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention Centre Unit Manager, Youth Detention CentreClient Services Manager, Youth Detention CentreCultural Unit Manager, Youth Detention CentreShift Supervisor, Youth Detention CentreTeam Leader, Youth Detention CentreCaseworker, Youth Detention CentreCultural Liaison Officer, Youth Detention CentreSection Supervisor, Youth Detention CentreStructured Day Coordinator, Youth Detention CentreSenior Detention Youth Worker, Youth Detention CentreDetention Youth Worker, Youth Detention Centre | *Youth Justice Regulation 2016* Section 13 – Inform child of particular rights on admission. |
| Deputy Director-GeneralAssistant Chief Operating OfficerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention Centre Unit Manager, Youth Detention CentreShift Supervisor, Youth Detention CentreSection Supervisor, Youth Detention CentreSenior Detention Youth Worker, Youth Detention CentreDetention Youth Worker, Youth Detention Centre | *Youth Justice* *Regulation 2016* Section 14 (1) – As soon as practicable after a child’s admission to a detention centre, the chief executive must make a record in the property register particulars of the property in the child’s possession on admission, sign the record and ask the child to sign the record.  |
| Deputy Director-GeneralAssistant Chief Operating OfficerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention Centre Practice Support Manager, Youth Detention CentreUnit Manager, Youth Detention CentreShift Supervisor, Youth Detention CentreSenior Intelligence Officer, Youth Detention Centre | *Youth Justice* *Regulation 2016* Section 33 (2) – May examine the property and, after examining the property, make a decisions about keeping the property in safe custody while the child is detained, returning the property, allowing the child to keep the property, disposing of the property, transferring the property to another person or imposing restrictions of the use or possession of the property. |
| Deputy Director-GeneralAssistant Chief Operating OfficerSenior Executive Director, Youth Detention Operations and ReformExecutive Director, Youth Detention CentreDeputy Director, Youth Detention CentreAssistant Director, Youth Detention Centre Client Services Manager, Youth Detention CentreCultural Unit Manager, Youth Detention CentreTeam Leader, Youth Detention CentreUnit Manager, Youth Detention CentreShift Supervisor, Youth Detention CentreStructured Day Coordinator, Youth Detention CentreSection Supervisor, Youth Detention CentreSenior Detention Youth Worker, Youth Detention CentreDetention Youth Worker, Youth Detention Centre | *Youth Justice* *Regulation 2016* Section 15 (1), (2) – Must, as soon as practicable after a child is admitted to a detention centre, give the child written notice of types of behaviour which is likely to result in discipline. Must ensure information in notice is explained to the child having regard to the child’s age and ability to understand.  |

## Definitions

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

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| **Term** | **Definition** |
| Accommodation model | The operating model each YDC uses to accommodate young people by age, gender, development, risk and behaviour support requirements. |
| ACU | The department’s admission coordination unit. Information about the ACU is available on the intranet under Young people in police watchhouses.  |
| Catchment | The geographical area that determines the desired YDC a young person will be admitted to (i.e. from Rockhampton and north is CYDC catchment) |
| Daily routine | A schedule of activities for young people which is designed to replicate, as close as possible, the normal daily living routine of most adolescents while providing access to educational, vocational, developmental, offence focused, cultural and recreation programs. Daily routine begins at 7:00am and ends at approximately 7:30pm.  |
| Prioritisation advice | Advice prepared by the ACU to prioritise young people to be admitted to a YDC based on criteria (age, gender, risk assessments, location etc) and bed availability. |
| Special interest young person  | A security rating given to a young person who requires specific risk management to reduce risks to themselves, other young people and centre staff and property.These higher risk young people will be identified as special interest young people (SIYP).  |

## Human rights compatibility statement

Youth Justice is committed to respecting, protecting and promoting human rights. Under the [*Human Rights Act 2019*](https://www.qhrc.qld.gov.au/your-rights/human-rights-law), Youth Justice has an obligation to act and make decisions in a way that is compatible with and properly considers human rights.  When making a decision about the care and management of young people, decision-makers must comply with that obligation.

## Multicultural Queensland Charter

Youth Justice supports the [Multicultural Queensland Charter](https://www.dlgrma.qld.gov.au/multicultural-affairs/policy-and-governance/multicultural-queensland-charter), established under the *Multicultural Recognition Act 2016* (Qld).  The Charter seeks to promote Queensland as a unified, harmonious and inclusive community.

## Child safe standards

The Royal Commission into Institutionalised Responses to Child Sexual Abuse developed several national [child safe standards](https://www.childabuseroyalcommission.gov.au/making-institutions-child-safe) for institutions and organisations working with children. Youth Justice is cognisant of these standards when considering operational practice guidelines and service delivery in community and youth detention centres.

## State disability plan

Youth Justice will work with our partners to build a fairer, more inclusive Queensland where people with a disability, their families and carers are able to access the same opportunities, on the same basis as everyone else. We will take actions to progress the priorities of the [All Abilities Queensland: opportunities for all](https://www.dsdsatsip.qld.gov.au/our-work/disability-services/disability-connect-queensland/state-disability-plan-2017-2020/all-abilities-queensland-opportunities-all) state disability plan and support improved access to services for Queenslanders with disability.

## Feedback and reflective practice

Youth Justice recognise that best practice is a constantly evolving process. The Youth Justice Framework for Practice posits that our values guide us in all aspects of our work, including a departmental commitment to continuous improvement and effectiveness. All Youth Justice staff are encouraged to provide feedback about operational policies and procedures to inform routine review of our work to maintain a high standard of service delivery. Please make your views known through your management team or by emailing YDCPracticeEnquiries@cyjma.qld.gov.au.

**Version number:** 1.6

**Date of approval:** 5 April 2023

**Approved by:** 1.0 Director-General, DCSYW (2 November 2016)

* 1. Director, Practice, Program and Design (16 November 2017)
	2. YDC executive directors (3 October 2018)
	3. Deputy Director-General, DYJ (2 December 2019)
	4. YDC executive directors (13 February 2020)
	5. Director, Statewide Intel and Secure Services Support (5 September 2022)
	6. YDC executive directors (5 April 2023)

**Date of operation:** 3 October 2018

**Date to be reviewed:** Three years from the date of approval

**Office:** Statewide Intel and Secure Services Support

**Help contact:** Secure Services Support

YDCPracticeEnquiries@cyjma.qld.gov.au

## Communication strategy

[x]  publish on intranet

[x]  publish on internet

[x]  advise staff to read

[x]  supervisors discuss with direct reports

## Links

[Australasian Youth Justice Administrators (AYJA) service standards for juvenile custodial facilities](http://www.ayja.org.au/)

*[Human Rights Act 2019](https://www.legislation.qld.gov.au/view/whole/html/asmade/act-2019-005)*

[Queensland Human Rights Commission](https://www.qhrc.qld.gov.au/)

[United Nations Rules for the Protection of Young People Deprived of Their Liberty 1990](https://www2.ohchr.org/english/law/pdf/res45_113.pdf)

Young people in police watchhouses

Youth Detention Centre Operations Manual

Youth Justice delegations

Youth Justice policies

Deidre Mulkerin

Director-General

1. Monday to Friday. [↑](#footnote-ref-1)
2. If a young person arrives with a medical clearance from a process initiated by QPS, youth detention staff are still able to exercise their right to reject the admission if they are of the view that the young person is still not fit to be admitted. However, if the young person later returns with a medical clearance, the YDC is then obligated to admit them. [↑](#footnote-ref-2)