

Youth Detention Inspectorate Internal Audit & Compliance Services



Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

**Criteria for assessing the security and management of
Queensland's Youth Detention Centres and the safe
custody and wellbeing of children detained within them**

Contents

Introduction

SECTION 1:

Security and Management of Youth Detention Centres

- 1.1 Security
- 1.2 Contraband Detection Strategies
 - Unclothed Searches
 - X-Ray
 - Pat Searches
 - Other Strategies
- 1.3 Management of Youth Detention Centres
- 1.4 Admission into Custody
- 1.5 Confidential Information
- 1.6 Emergency Response Equipment
- 1.7 Pre-Court Procedures
- 1.8 Children's Court Cells
- 1.9 Staff

SECTION 2:

Safe Custody and Wellbeing of Young People in Detention

- 2.1 Inspections of Youth Detention Centres
- 2.2 Community Contact
- 2.3 Family Contact with Young People

- 2.4 Self-harm and Suicide Prevention
- 2.5 Reporting of Harm
- 2.6 Health and Medical Services
- 2.7 Bullying
- 2.8 Cultural or Religious Beliefs
- 2.9 Complaints Process
- 2.10 Legal Rights
- 2.11 Facilities and Environment
- 2.12 Relationship between Staff and Young People
- 2.13 Education and Training
- 2.14 Recreational Time
- 2.15 Behaviour Management
 - Disciplinary procedures
 - Use of Force
 - Use of Restraints
 - Separation
- 2.16 Behaviour Development
 - Individual Focus
 - Rewards Programs
 - Restoration and Reintegration

Introduction

The *Commission of Inquiry into the Abuse of Children in Queensland Institutions (the Forde Inquiry)* was established in 1998 to investigate and report on the abuse and neglect of children in Queensland Institutions. The findings of the *Forde Inquiry* revealed that incidents of abuse against children had occurred in church and state run facilities in Queensland, including youth detention centres. The report further concluded that Queensland youth detention centre operations were struggling in their role to rehabilitate young people due to their inadequate facilities and their failure to meet basic international human rights standards in relation to the treatment of children during their period of detention.¹

In response to these findings and in an effort to implement the *Forde Inquiry Recommendations* the Queensland Government amended the *Juvenile Justice Act*² in 2003 to ensure the future protection of young people in Detention. The *Act* (now the *Youth Justice Act 1992*) imposes statutory responsibility on the Chief Executive to ensure the:

- security and management of detention centres; and
- safe custody and wellbeing of children in detention centres.³

This responsibility is accompanied by the requirement of mandatory monitoring and quarterly inspections of Queensland youth detention centres. Underpinning this initiative is the government's ambition to offer a youth detention system that is more accountable and one that maximises the prospects of rehabilitation and reintegration of

¹ Queensland, *Commission of Inquiry into Abuse of Children in Queensland Institutions* (1999) Chapter 9 at 193.

² 1992 (Qld).

³ *Youth Justice Act 1992* (Qld) s.263(1).

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

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young people back into the community.⁴ The Director-General's responsibility has been delegated to the Queensland Youth Detention Inspectorate, Internal Audit and Compliance Services, Department of Communities, who are authorised to conduct open and transparent inspections on all aspects of Queensland's youth detention centres.

The primary purposes of the inspections as authorised by the approved inspection Charter and Framework are to:

- ensure the chief executive's statutory responsibilities are being met (in particular section 263 and Principles 3, 15, 19 and 20 of the *Youth Justice Act 1992* (Qld);
- alert the chief executive of any potential risks to the organisation and young people in care, and to provide advice as to how any risks may be reduced;
- monitor and report on the safety and wellbeing of young people in secure care;
- monitor and report that security and management practices comply with legislative requirements; and
- provide a regular quality assurance and advisory service to the chief executive.

The chief executive has statutory responsibility to balance the safe custody and wellbeing of young people with the need to ensure effective security and management of each detention centre. The chief executive must also ensure principles 3, 15, 19 and 20 of the youth justice principles are complied with in relation to each child detained in a detention centre. Through unrestricted on-site inspections, Inspectors will test this balance against the Inspectorate's Expectations of Youth Detention Centres (the

⁴ *Youth Justice Act 1992* (Qld) s.263(4); Explanatory Memorandum, *Juvenile Justice Amendment Bill 2002* (Qld), 19 June 2002.

Expectations) and with the goal of achieving a youth justice system that upholds the rights, safety, and maintains the physical and mental wellbeing of young people in detention.

This document sets out the expectations and minimum standards for youth detention in Queensland. This document is not intended to preclude development of higher standards but rather to establish a benchmark from which Centre procedures, policies and rules can be developed to help ensure the highest level of safe custody and well being of young people, whilst also maintaining the integrity of the security of the centre.

The Expectations are based on Queensland legislation⁵ and have been developed in accordance with recommendations of Australian commissions of inquiry such as the *Forde Inquiry* and the *Royal Commission into Aboriginal Deaths in Custody (RCIADIC)*.⁶ Australia is also a signatory to international conventions which establish human rights standards. There are also various international laws to which Australia is a signatory and which relate to the Expectations in relation to the rights and protection of children who have been deprived of their liberty.⁷

⁵ *Youth Justice Act 1992* (Qld); *Youth Justice Regulation 2003* (Qld).

⁶ Australia, *Royal Commission into Aboriginal Deaths in Custody* (1991).

⁷ *Convention on the Rights of the Child*, *UN Rules for the Protection of Juveniles Deprived of their Liberty*, *UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)*; *Standard Rules for the Treatment of Prisoners*, *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*, *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)*.

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

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Inspection standards developed by national and international inspectorates have also been considered⁸ in the preparation of this document. Inspiration was drawn in particular from the Children and Young People Expectations developed by Her Majesty's Inspectorate of Prisons in England and Wales which is acknowledged as an international authority in this field.

Due to the disproportionate rates of Indigenous young people detained in Queensland youth detention centres, special consideration has been given to the findings of the *RCIADIC* and therefore the various issues that Indigenous people have faced in the past and continue to be confronted with in contemporary society.

Whilst there are some Expectations that are not based on statutory requirements, the Inspectorate considers these Expectations to be relevant given they should assist in the mitigation of risk and potentially address relevant human rights issues that pertain to young people (who are deprived of their liberty and in the care of the State.)

The separation of a vulnerable young person from their family, friends and the community may result in detrimental effects to the young person. Therefore, in drafting the Expectations, focus has been placed on matters such as age, gender, maturity and, where appropriate, religious or cultural beliefs and practices. The Expectations have been drafted in a manner that attempts to cater for the individual needs of each young person in detention and to

⁸ HM Inspectorate of Prisons *Children and Young People Expectations*; Office of the Custodial Inspector in WA.

promote and encourage diversity, respect and equality for all young people whilst in detention.⁹

The Expectations are also intended to act as a tool for both Inspectors (during their monitoring and inspections) and the Queensland Youth Detention Centres subject to the quarterly inspections (as the criteria against which they are being assessed).

Each Expectation outlines where Inspectors may obtain and triangulate ¹⁰evidence to determine whether the detention centres are meeting the Expectations and ultimately, whether there is: legislative compliance by centres, the presence of organisational risk or issues regarding the wellbeing of young people.

Adherence of stakeholders to these Expectations is expected to provide a positive environment that caters to the individual needs of young people in detention, shifting the focus of youth detention systems from an entirely security focus to one that focuses on the rehabilitation of young people and their successful reintegration back into the community.

⁹ *Youth Justice Act 1992* (Qld) Charter of Youth Justice Principles, Schedule 1, Principle 12.

¹⁰ 'Triangulation: using two or more methods or sources of data to investigate something. It is preferable that the methods and sources have different strengths and weaknesses so that the strengths of one can help counterbalance the weaknesses of the others (the principle of critical multiplism)'. From EJ Davidson, *Evaluation Methodology Basics*, Sage, Thousand Oaks, 2005, pp. 248-249.

These Expectations are produced with the understanding that the needs of the young people and the community are constantly changing and therefore, it is essential that the Expectations evolve with the current trends of society as a whole. Ensuring the currency of the Expectations will also help to ensure the overall aim of the Expectations, which is to cater for the individual needs of young people in detention and to assist in producing positive outcomes for the community.

Risk Matrix Schedule

The Expectations are to be used in accordance with the Youth Detention Inspectorate's Risk Matrix. The Risk Matrix assists in assessing the inherent risk associated with each focus area for each detention centre. It should be noted that evidence sources are provided as a guide only and therefore the Inspectors' focus may not be limited to these. Rather, appropriate and relevant sources available should be accessed by Inspectors in order to gather data to triangulate evidence to support findings and to make recommendations.

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- 1.8 Children's Court Cells
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1.1 Security

Security of the youth detention centre is maintained through the effective operation of well-developed security measures underpinned by the concept of dynamic security. The protection of young people, staff and the broader community is upheld through a focus on positive relationships between staff and young people.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
1	There are no apparent security risks or inconsistencies in the physical or procedural security of the detention centre practices.	<i>Youth Justice Act 1992</i> (Qld)	s263(1)	-observations -interviews with staff -maintenance records -physical inspection	
2	The detention centre is adequately staffed at all times safeguarding staff, community, family visitors and assisting to ensure that the wellbeing of young people is maintained.	<i>Youth Justice Act 1992</i> (Qld) Forde Inquiry Recommendations	s263 36	-interviews with shift supervisors and operations manager/s -interviews with appropriate staff -inspect previous three months of daily staffing profiles (request from the operations manager)	
3	The elements of 'dynamic security' are implemented: -Positive relationships between staff and young people -All young people are afforded individual attention from staff when required -Young people are occupied through the provision of constructive programs and	<i>Youth Justice Act 1992</i> (Qld) Charter of Juvenile Justice Principles (Qld) Forde Inquiry Recommendations UN Rules for the Protection of Juveniles Deprived of their Liberty	ss263, 302 14, 16 12 38, 39, 41, 84	-observations -interviews with young people -interviews with staff -count the staff young person ratio	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	activities.				
4	The detention centre's approach to security is proportionate to the need of the centre and does not unnecessarily impede on the basic rights of the young people.	<i>Youth Justice Act 1992 (Qld)</i> <i>Youth Justice Regulation 2003 (Qld)</i> <i>Forde Inquiry Recommendations</i> <i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i> <i>Convention on the Rights of the Child</i> <i>UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)</i> <i>Standard Minimum Rules for the Treatment of Prisoners</i>	s.263 ss.17, 19, 20, 22, 24-9 7, 8 59, 60, 61, 63, 64, 66, 67, 70 3, 9, 37 5.1 27-34	-observations -informal interviews with staff -informal interviews with young people -review of incident reports/Intelligence -reports relating to security issues in the previous months	
5	The best possible balance between centre security and the individual wellbeing of each young person is achieved through the	<i>Youth Justice Act 1992 (Qld)</i> <i>Charter of Juvenile Justice Principles</i>	s.263 12	-observations (staff interaction with young people) -informal interviews with	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	encouragement of positive rapport between staff and young people.	<i>Forde Inquiry Recommendations</i> <i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i> <i>Standard Minimum Rules for the Treatment of Prisoners</i>	7 82 27	young people -informal interviews with staff	
6	Effective security intelligence processes are available and effective in the prevention of potential security risks.	<i>Youth Justice Act 1992 (Qld)</i>	s.263	-review incident reports relating to security breaches, identify if any intelligence reports were submitted in relation to incident or potential incidents. -interviews with operations manager, shift supervisors appropriate staff -observations	.
7	Surveillance equipment installed in the centre is regularly checked and maintained. The surveillance equipment does not preclude the importance of dynamic security practices (as referred to in Expectation 3).	<i>RCIADIC</i>	139	-inspect maintenance schedule	
8	Unclothed searches are not a standard procedure. Unclothed searches are	<i>Youth Justice Regulation 2003 (Qld)</i>	ss.24-29	-inspect unclothed search register; identify how many items of contraband	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	<p>used as a last resort and only on reasonable suspicion that the young person has contraband.</p> <p>Alternatives to unclothed searches are utilised prior such as pat searching, metal detectors, privacy screens and increased supervision of visits.</p>	<p><i>Forde Inquiry Recommendations</i></p> <p><i>Convention on the Rights of the Child</i></p> <p><i>UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)</i></p> <p><i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i></p>	<p>7</p> <p>3.1, 37 (a)&(c)</p> <p>5.1</p> <p>1</p>	<p>were located in the past six months</p> <p>-identify centres practice in relation to unclothed searches, check for compliance against legislation</p> <p>-interview with staff such as shift supervisor, Manager Monitoring and Compliance, Manager Operations</p>	
9	The carrying of weapons by staff is prohibited in the detention centre.	<p><i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i></p> <p><i>Standard Minimum Rules for the Treatment of Prisoners</i></p>	<p>65</p> <p>54(3)</p>	<p>-inspection of the centre emergency response equipment, for items designed to be used as a weapon e.g. batons</p>	
10	When there is reasonable suspicion of contraband, staff conduct searches of a young person's room and personal possessions in a sensitive to the young person. The young person's room is always left tidy on completion of a search.	<p><i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i></p>	87	<p>-interviews with young people in relation to their experience of room searches</p> <p>-interviews with staff in relation to their experience of room searches</p> <p>-observations (if possible)</p> <p>-examination of training packages (if any)</p>	

1.2 Contraband Detection Strategies

A range of strategies are utilised to detect contraband. Unclothed searches are not a standard procedure. On reasonable suspicion that a young person is in possession of contraband forms of searching such as pat searching, metal detectors or other means are utilised. Unclothed searches are conducted only as a last resort and in accordance with the prescribed legislative requirements under the *Youth Justice Act 1992* (Qld).

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
Unclothed searches					
1	Unclothed searches do not form part of a centre's routine and are only permitted in cases where a potential security risk arises based on individual risk assessments.	<i>Youth Justice Regulation 2003</i> (Qld)	s.26	-discussions with staff -discussions with young people -register checks (identify the reasons why young people are being searched) -relevant policies	
		<i>Forde Inquiry Recommendations</i>	7		
		<i>Convention on the Rights of the Child</i>	3.1, 37 (a)&(c)		
		<i>UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)</i>	5.1		
		<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	1		
2	Unclothed searches are conducted on reasonable grounds only and not as routine practice.	<i>Youth Justice Regulation 2003</i> (Qld)	s.24	-discussions with staff -discussions with young people -register checks (identify the reasons why young people are being searched)	
3	The Centre's policy on unclothed searches is	<i>Forde Inquiry Recommendations</i>	7	-discussions with staff -discussions with young	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	appropriately balanced between recognising the rights of the young person and ensuring the safety and security of the: detention centre, staff and young people.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	59, 60, 61, 63, 64, 66, 67, 70	people -register checks (identify the reasons why young people are being searched) -any relevant incident reports	
		<i>Convention on the Rights of the Child</i>	3, 9, 37		
		<i>UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)</i>	5.1		
		<i>Standard Minimum Rules for the Treatment of Prisoners</i>	27-34		
4	Prior to conducting a search of a young person, staff refer to a young person's file to determine whether the young person has previously been a victim of abuse and use this information to decide whether any other alternatives can be used instead of an unclothed search that balance the wellbeing of the young person and their safety and that of others.	<i>Convention on the Rights of the Child</i>	37, 39	-discussions with shift supervisors and duty officers -observation of the decision making process of staff (if any) -refer to any relevant policy	
		<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	1, 21(e)		
5	Staff are appropriately trained to conduct necessary unclothed searches in a	<i>Forde Inquiry Recommendations</i>	7	-identify the current training requirements for staff -identify if staff receive training	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	discrete and sensitive manner.			in reference to unclothed searches -interview appropriate staff, i.e. duty officers	
6	Young people are informed prior to a legislative unclothed search why it has been authorised.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.26(3)(a)	-identify what the process is prior to a young person being unclothed searched -identify how young people are informed that they are required to be unclothed searched -identify if it is being used – ask staff, confirm by asking young people <i>NB. Due to the sensitivity of this process do not conduct any observations on the young person.</i>	
7	Staff who conduct unclothed searches are of the same sex as the young person. The young person cannot be seen by anyone of the opposite sex during the search.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.26(2)	-check departmental policy is compliant with legislation -discussions with staff -discussions with young people -check unclothed registers	
8	Unclothed searches are conducted as quickly as possible. Young people are afforded reasonable privacy and given the opportunity to remain partly clothed during the search.	<i>Youth Justice Regulation 2003 (Qld)</i>	ss.26(3)(b); (4);(5)	-discussions with staff -discussions with young people -inspect policy and procedure to ensure they are compliant with the legislation	
9	Young people are allowed to dress as soon as the search	<i>Youth Justice Regulation 2003 (Qld)</i>	26(5)	-discussions with staff in relation to the unclothed	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	is complete.			search process -discussions with young people in relation to the unclothed search process	
10	Young people who refuse to co-operate with an unclothed search are never forced to comply. The young person is separated temporarily from others and close supervision is implemented to prevent risk of harm to the young person or others.	<i>Forde Inquiry Recommendations</i> <i>Convention on the Rights of the Child</i> <i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i> <i>Standard Minimum Rules for the Treatment of Prisoners</i>	7 3.1, 37(a)(c), 39 1, 64 54	-inspect incident reports IR1s and IR4s for previous six months (relevant DCOIS records) -inspect registers -identify any incidents where force was used ensure reasons are provided -interviews with staff -interviews with relevant young people	
11	Any articles found that are considered to be contraband are dealt with according to legislative requirements.	<i>Youth Justice Act 1992 (Qld)</i> <i>Standard Minimum Rules for the Treatment of Prisoners</i>	29 43	-inspect relevant registers for articles of contraband -inspect incident reports re contraband	
12	A register of all searches is kept up to date, accurate and contains adequate detail regarding the young person, the reason for the search, the staff conducting the search and any contraband detected during the search.	<i>Youth Justice Regulation 2003 (Qld)</i>	28	-inspect relevant registers	
13	Centre management and staff regularly review and evaluate policy and procedure to reduce	<i>Forde Inquiry Recommendations</i>	7	-discussions with relevant staff such as Manager Monitoring and Compliance, Shift Supervisors, Operations	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	unclothed searches.			Manager -interview with Centre Director	
14	Centre management promote the increased supervision of visits as an alternative to searches.	<i>Forde Inquiry Recommendations</i>	7	-observations of visits -discussions with staff	
15	Centre management recognise instances where the detrimental effects of an unclothed search on a young person outweigh the potential security risks. Alternatives to an unclothed search are utilised to minimise the potential risk such as increased supervision or separation.	<i>Charter of Juvenile Justice Principles</i> <i>Forde Inquiry Recommendations</i> <i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i> <i>Convention on the Rights of the Child</i> <i>UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)</i> <i>Standard Minimum Rules for the Treatment of Prisoners</i>	12 7 59, 60, 61, 63, 64, 66, 67, 70 3, 9, 37 5.1 27-34	-identify what strategies centre management have in place as alternative methods to identify contraband or restricted articles on a young person -discussions with staff -interviews with Centre Director	
X-Ray (property only)					
16	Emerging technologies are constantly being reviewed as an alternative to unclothed searches.	<i>Forde Inquiry Recommendations</i>	7	-interviews with Centre Director -interviews with manager operations -conduct research regarding	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
				what technologies/practices are currently available as alternatives to detect contraband	
Pat Searches					
17	Any search involving the touching of a young person is conducted by a staff member of the same sex as the young person.	<i>Youth Justice Regulation 2003 (Qld)</i> <i>Standard Minimum Rules for the Treatment of Prisoners</i>	25(2) 52	-observations -interviews with young people -interviews with staff	
18	Prior to a search being conducted a staff member informs the young person in an age appropriate manner of the reasoning for the search and asks for their cooperation.	<i>Youth Justice Regulation 2003 (Qld)</i> <i>Charter of Juvenile Justice Principles</i>	25 6	-discussions with young people -discussions with staff -discussions with young people -discussions with staff	
19	Young people are never physically forced to comply with any search. Young people who refuse to comply are separated temporarily and closely monitored until the risk has been resolved.	<i>Convention on the Rights of the Child</i> <i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i> <i>Standard Minimum Rules for the Treatment of Prisoners</i>	3.1, 37(a) &(c), 39 1, 64 54	-review of incident reports (IR3 and IR4) -discussions with Shift Supervisor/s -discussions with staff -discussions with young people -discussions with Manager Monitoring and Compliance	
Other strategies					
20	Articles that may be considered a dangerous or restricted article are recorded in a log book/register and are accounted for at the	Good practice identified to mitigate against risk.		-inspect log books -inspect office for any potentially dangerous good that is not recorded in the section log book	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	beginning and end of every shift.				
21	<p>Procedures are in place for staff to ensure that any equipment accessed through centre programs or classes that would be considered a restricted article such as scrap metal, screws, pencils etc are removed when not in use.</p> <p>When these articles are in use young people are closely supervised. The articles are accounted for prior to the commencement of the activity and prior to leaving the activity.</p>	Good practice identified to mitigate against risk.		-observations -discussions with relevant staff	
22	If restricted articles cannot be accounted for, young people are pat or wand searched. Unclothed searches are used as a last resort and only on reasonable suspicion.	<p><i>Forde Inquiry Recommendations</i></p> <p><i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i></p> <p><i>Convention on the Rights of the Child</i></p> <p><i>UN Standard Minimum Rules for the Administration of Juvenile Justice (The</i></p>	<p>7</p> <p>59, 60, 61, 63, 64, 66, 67, 70</p> <p>3, 9, 37</p> <p>5.1</p>	-interviews with staff -inspect registers	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
		<i>Beijing Rules)</i> <i>Standard Minimum Rules for the Treatment of Prisoners</i>	27-34		
23	Young people displaying behaviour that indicates a risk of self harm or harm to others are denied access to restricted articles or are closely monitored when using them. All restricted articles are accounted for after use.	Good practice identified to mitigate against risk.		-check relevant information on young person's information board located in each section office	
24	Systems of surveillance of young people in detention emphasise human interaction rather than monitoring through the use of technology. Where surveillance equipment is installed, it is used as a monitoring aid and not as a substitute for human interaction between staff and young people.	<i>RCIADIC</i>	139(a)	-observations	
25	Where possible, cells are designed to maximise direct visual surveillance.	<i>RCIADIC</i>	139(a)	-observations	

1.3 Management of Detention Centres

The key objective of the management of the centre is focused on the appropriate balance between the security and management of the centre and the safe custody and physical and emotional well being of the young people in detention. The centre's day to day operations and policies afford procedural fairness to young people and acknowledge the rights and responsibilities of staff, visitors and young people within the centre. Comprehensive registers are kept up to date and provide sufficient detail relating to the day to day operation of the centre.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
1	Detention centre management maintains as their key objective, the effective security and management of the detention centre and the safe custody and physical and mental wellbeing of young people in detention.	<i>Youth Justice Act 1992</i> (Qld) <i>Charter of Juvenile Justice Principles</i>	263 2	-observations of security systems -maintenance of security systems -staff training	
2	Detention Centre management focus on counteracting the potential detrimental effects that detention may have on young people and foster the positive reintegration of young people into the community.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	3	-inspect reintegration plans -relevant staff training -reintegration opportunities provided to appropriate young	
3	Detention centre management undertake the responsibility of ensuring that the centre facilities, services and day to day operation and procedures of the centre conform to the standards established by the legislation.	<i>Youth Justice Act 1992</i> (Qld)	263	-inspect systems developed at each centre to monitoring against statutory compliance -interviews with Manager Monitoring and Compliance -interview Centre Director	
4	The centre procedures and policies reflect the intent of the legislation and other authorities that Australia is committed to. NB. The RCIADIC	Good practice identified to mitigate against risk.		-examine policies	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	recommendations for adult prisoners are extended to juveniles through recommendation 167.				
5	Detention conditions take account the individual needs of young people into account - their status and special requirements according to their age, personality, sex and type of offence as well as their physical and mental health and which ensure their protection from harmful influences and risk situations.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	28 1.6	-inspect systems and practices are in place -inspect the Special Interest Young Person Register (SIYP) and any other systems or practices that are relevant this expectation	
6	Centre management has developed and implemented rules, standards and guidelines relating to all aspects of the centre and are made readily available and known to all employees.	<i>Youth Justice Act 1992 (Qld)</i>	263, 267	-inspect that there are relevant centre rules available to all staff -conduct interviews with staff to identify if they can readily access the rules and if the rules are relevant	
7	Procedures are put in place and brought to the attention of all centre staff and are understood by all staff. Staff are also aware that the procedures will be enforced.	<i>RCIADIC</i>	123	-observations -interviews with staff and centre management	
8	Each Centre has workable rules and procedures in place to ensure staff can enter a young person's room, without compromising the safety of the staff member or young person.	<i>RCIADIC</i>		-observations -interviews with staff	
9	When developing and	<i>Charter of Juvenile Justice</i>	12, 14	-inspect the centre rules to	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	implementing procedures, rules and programs, the centre management has regard to the individual nature and needs of each child in custody. Centre management try to avoid a 'blanket approach' where reasonably practicable.	<i>Principles</i> <i>UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)</i>	26.2	ensure that they meet the requirements of the Expectation -ensure centre rules are consistent with departmental policy and comply with the relevant legislation	
10	Centre management recognises the significant over representation of Indigenous young people in detention and steps are being taken to best cater for the varying needs of Indigenous young people such as cultural and spiritual needs and the need to maintain their connections with their respective communities.	<i>RCIADIC</i>	62	-identify what cultural programs are available for Indigenous young people -interview Indigenous young people, particularly young Indigenous females -interview Indigenous staff (practically Indigenous Programs Officer) -inspect whether identified positions are filled with Indigenous staff, if not, identify when they were last advertised	
11	Centre management monitors statistics and other information relating to the detainment of Indigenous and non-Indigenous young people in detention at any given time.	<i>RCIADIC</i>	41	-inspect relevant statistics	
12	The employment of Indigenous staff is recognised as an important factor in the rehabilitation of Indigenous young people. Positive steps are being taken to recruit and train Indigenous staff.	<i>RCIADIC</i>	100	-identify what identified positions exist within the centre -inspect if identified positions are filled with Indigenous staff, if not, identify when they were	

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 21

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
				last advertised -interview members of the Indigenous support group	
13	Centre management is fully aware of the centre's obligations under legislation. Centre management and necessary staff regularly review obligations with current centre practices to ensure compliance.	<i>Youth Justice Act 1992</i> (Qld) <i>Youth Justice Regulation 2003</i> (Qld)		-interview Manager Monitoring and Compliance -inspect any system in place which monitor legislative compliance	
14	Any breaches of rules or procedure by staff, young people or visitors are promptly identified and resolved by centre management.	Good practice identified to mitigate against risk.		-inspect that there are systems are in place to identify and report any legislative breaches	
15	Centre management ensures that young people are provided with the type of care best suited to the particular needs of the each young person ensuring the protection of their physical, mental and moral integrity and well-being.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty.</i>	28	-inspect any systems in place which monitor the well being of young people -inspect practices and process for young people who are on a Behaviour Management Plan	
16	Centre management encourage communication between different categories of staff (Multi Disciplinary Team approach) engaged in the care of the young people promoting conditions favourable to the effective performance of staff in their dealings with young people and their outcomes that are achieved.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	84	-inspect that a Multi Disciplinary Team approach is undertaken by all members of the team to ensure the safety and well being of young people is paramount -interview a random selection of: - Caseworkers - Psychologist - Clinical Nurse	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
				- Youth Workers - Team Leader	
17	Complete and accurate records are kept up to date including: legal records, medical records, records of disciplinary proceedings and all other documents containing information relating to the form, content and details of treatment of young people are kept in a confidential file and are accessible only to authorised persons.	<i>Youth Justice Act 1992</i> (Qld) <i>UN Rule for the Protection of Juveniles Deprived of their Liberty</i> <i>Standard Minimum Rules for the Treatment of Prisoners</i>	ss.283-301 19, 21 7	-inspect a random sample of young peoples' case files -inspect a random sample of young peoples' ICMS files	
18	Centre management ensures all registers including search registers are accurate, up to date and contain adequate detail.	<i>Youth Justice Regulation 2003</i> (Qld) <i>Forde Inquiry Recommendations</i>	s.28 7	-inspect unclothed search registers -inspect separation registers -interview shift supervisors for verification -interview Manager, Monitoring and Compliance for verification	
19	Parents or guardians of a young person in detention are provided with detailed information relating to their child's admission and are kept informed the young person's progress and/or any incidents/issues that arise during their period of detention.	<i>UN Rule for the Protection of Juveniles Deprived of their Liberty</i>	22	-interview the team leader/Caseworker -discussions with parents/care providers who are at the centre during the inspection week (visits area) -possible survey	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
20	<p>Young people are not detained with adult prisoners unless exceptional circumstances exist.</p> <p>In circumstances where a young person is detained in the youth detention centre with a person over the age of 18, a comprehensive risk assessment is conducted to identify any risks to all involved and that these are managed.</p>	<p><i>Charter of Juvenile Justice Principles</i></p> <p><i>Convention on the Rights of the Child</i></p> <p><i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i></p> <p><i>ICCPR</i></p> <p><i>Standard Minimum Rules for the Treatment of Prisoners</i></p>	<p>6</p> <p>37(c)</p> <p>29</p> <p>10(2)(b)</p> <p>8(d)</p>	<p>-observations</p> <p>-view any supporting documentation/records</p>	
21	<p>Where possible, young people on remand are separated from those young people who have been sentenced.</p> <p>Where this separation is unavoidable, centres take all reasonable steps to ensure the safety and well being of the young people by prohibiting room sharing between young people on remand and sentenced young people. If the composition of the young people allows, then young people on remand and sentenced young people are kept in separate wings/sections of the centre.</p>	<p><i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i></p> <p><i>Standard Minimum Rules for the Treatment of Prisoners</i></p>	<p>17</p> <p>8(b)</p>	<p>-observations</p>	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
22	With the exception of educational programs, male and female young people are detained entirely separate from each other.	<i>Standard Minimum Rules for the Treatment of Prisoners</i>	8(a)	-inspect accommodation units including the APA (aka Oak Unit).	
23	The transferring of a young person from one facility to another carried out in conditions that are not detrimental to the physical or mental wellbeing of the young person.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	26	-observations -interviews with staff -interviews with young people	

1.4 Admission into Custody

Reasonable efforts are made to make young people feel safe on admission to the detention centre. Individual needs of young people are identified and procedures are adapted to meet these needs. Young people are adequately informed of centre rules, routines, as well as their individual rights and responsibilities.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
1	The centre offers a safe, clean and non-threatening reception environment minimising anxiety or concerns of the young person.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	31	-inspect admissions area (ensure it is clean and suitable) -inspect admissions process - interviews with staff who conduct admissions (operations staff) -confirm adherence to policy and procedure	
2	On admission of every young person a screening form is completed and a risk assessment is made by a person who is trained	<i>RCIADIC</i>	125-6	-observations -interviews with staff -interviews with young people	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	and designated as the person responsible for the completion of such forms and the assessment of young people.				
3	The assessment of a young person and other procedures relating to the completion of the screening form on admission are completed with care and thoroughness.	<i>RCIADIC</i>	125-6	-interviews with staff -interviews with young people	
4	Reception staff receive all information and documentation relevant to the young person on arrival. Staff utilise the information to complete initial reception assessments including a preliminary assessment of the young person's physical and mental state of health. All staff deal with sensitive information in an appropriate manner and ensure that the needs of the young person are communicated to all relevant parties.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	21, 23	-interview staff who conduct admissions i.e. operations staff and Shift Supervisors -inspect what information is collected during the admissions process -inspect how sensitive information is disseminated to all relevant work areas within the centre	
5	Young people are never placed in a cell or holding cell unsupervised without first being properly assessed (including the inspection of the cell and a search of the young person prior to being placed in the cell).	<i>RCIADIC</i>	137(b)&(d).	-inspect the admissions process -interview Shift Supervisors and operation staff -inspect for any procedural gaps	
6	Young people are held in safe custody in cells for the minimum possible period of time. Cells are	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	32	-conduct inspections of holding cells admission area -discuss with relevant staff	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	designed to be age appropriate and are not detrimental to the young person's physical or mental wellbeing.			such as operations staff, shift supervisors, Indigenous staff	
7	Young people are treated with respect and dignity at all times and are treated courteously by staff.	<i>Charter of Juvenile Justice Principles</i>	3	-observations of staff interactions with young people	
8	On admission of a young person, staff recognise that their initial interactions with the young person may assist in alleviating the young person's feelings of anxiousness or worry and should act in a manner that avoids the exacerbation of these feelings.	Good practice identified to mitigate against risk.		-observations of staff interactions with young people	
9	Upon their admission, vulnerable or 'at risk' young people are identified and strategies are employed to ensure their safe custody. The immediate needs of a young person are met based on their individual circumstances.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	21, 27	-inspect admission process for young people -identify which young people have been identified as a suicide risk and what processes occurred once the young person was admitted to detention.	
10	During the first 2 hours of detention, a young person is under high supervision. Where a young person is identified as 'high risk' that young person is subject to closer, more frequent checking than the standard.	<i>RCIADIC</i>	137(b) &(d)	-observations -interviews with staff -interview with Unit Manager -interview with Shift Supervisor	
11	In performing the above checks, the following apply:	<i>RCIADIC</i>	137(c)	-inspect policies -interview staff	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	-where the young person is awake, the check involves a conversation with the young person; -where the young person is sleeping, the staff member must check that the young person is breathing comfortably, is in a safe posture and otherwise appears not to be at risk.				
12	A detailed register is kept current and up to date regarding the checks undertaken by staff, including observations, how the checks were performed, any complaints made by the young person, medical attention offered, and any other matter relating to the young person's well being.	<i>RCIADIC</i>	138	-inspect log books -observation forms	
13	The checking/supervision procedure must be performed and the register kept updated for the first 24 hours of the detention of the young person.	<i>RCIADIC</i>	137	-inspect register -inspect observation sheets of a random sample of young people	
14	As soon as possible after admission, young people are examined by a medical professional to identify whether the young person has any physical or mental conditions that require attention.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i> <i>RCIADIC</i>	50 156	-inspect registers to ensure young people are examined by medical professional once admitted to detention. -interviews staff and young people	
15	Gender and cultural diversity of staff is appropriate to receiving of the young person at the centre and	<i>UN Standard Minimum Rules for the Administration of Juvenile Justice (The</i>	22.2, 53(2)& (3)	-interview staff to ensure that only same sex staff conduct sensitive procedures, such as	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	to undertake necessary procedures in a reassuring way.	<i>Beijing Rules)</i>		unclothed searches.	
16	On admission, the young person is provided with information relating to the Centre rules and procedures and is assisted in gaining an understanding of their rights and responsibilities relating to their period of detention.	<i>Youth Justice Regulation 2003 (Qld)</i> <i>Charter of Juvenile Justice Principles</i> <i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	ss.14 & 16 6 24, 25	-check young person's case file for receipt of induction booklet -interview young people who have recently been admitted the centre -interview a selection of staff from an admission section	
17	Staff ensure that information provided to young people on admission is understood by explaining it in a way that is appropriate to the age and background of the young person.	<i>Youth Justice Act 1992 (Qld)</i> <i>Youth Justice Regulation 2003 (Qld)</i> <i>Charter of Juvenile Justice Principles</i> <i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	s.267 14, 16 6 24, 25	-interview staff who conduct admissions for young people -interview caseworkers -interview recently admitted young people	
18	On admission young people are searched sensitively in proportion with potential security risks. Unclothed searches do not form part of routine procedures on admission, however, may be authorised on (legislative)	<i>Youth Justice Regulation 2003 (Qld)</i>	ss.24-29	-inspect unclothed search register, identify the reasons why young people were unclothed searched -interview staff and request them to explain how an unclothed search is	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
	reasonable grounds, including presenting a significant risk to the safety of the young person or others.			conducted.	
19	A comprehensive record covering all required information is made on admission of the young person. Copies are made and procedures are in place to ensure that the information is readily available to staff when required.	<i>Youth Justice Regulation 2003 (Qld)</i> <i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	s.13 21, 23	-inspect young peoples' case files held in the unit -check random sample of young people	
20	Personal effects or property that is confiscated on admission of a young person is kept in safe custody, recorded in the register and returned to young people on release.	<i>Youth Justice Regulation 2003 (Qld)</i> <i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	15 35	-interviews with recently admitted young people -inspect young people property list (should be held in young persons file in the operations area)	
21	Young people are held in reception for as short a period of time as possible and do not spend long periods of time with nothing to occupy them.	Good practice identified to mitigate against risk.		-interviews with young people -interviews with staff -review of centre practices -observations (if appropriate)	
22	Staff are proactive in engaging with young people and building good rapport, resulting in healthy relationships between staff and young people.	Good practice identified to mitigate against risk.		-observations of staff interactions with young people -review number of complaints raised by young people	
23	Prior to being locked down on their first night and regardless of the time, young people are given the opportunity to shower and are offered drinks and hot food.	Good practice identified to mitigate against risk.		-interview young people who have recently been admitted -interview section staff in relevant units (BYDC Bunya, Grevillea, Acacia)	

1.5 Confidential Information

Personal information acquired by centre management and staff during the admission process and the period of detention is to be kept strictly confidential to protect the privacy of the young persons in a vulnerable stage in their lives.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT AND REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
1	Centre management and staff maintain the confidentiality of all information relating to the young person and only disclose the information for authorised purposes.	<i>Youth Justice Act 1992</i> (Qld) <i>Youth Justice Regulation 2003</i> (Qld) UN Rules for the Protection of Juveniles Deprived of their Liberty UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)	ss.288-297A s. 43 19 21.1	-inspect policies -inspect training records if staff are trained in confidentiality protocols	

2	Young people are given privacy in relation to their personal information.	Charter of Juvenile Justice Principles	20(e)	-discussions with young people -discussions with staff -discussions with Caseworkers	
3	All staff respect the right of each young person to privacy, and, in particular, safeguard all confidential matters concerning young people or their families learned as a result of their employment at the centre.	UN Rules for the Protection of Juveniles Deprived of their Liberty	87(f)	-interview young people -interview staff -interview caseworkers	
4	If a young person wishes to consult with a health professional their reason for doing so does not need to be disclosed to other staff members under any circumstances. The young person's right to confidentiality is respected. This right of confidentiality is made clear to young people on admission to the centre.	UN Rules for the Protection of Juveniles Deprived of their Liberty	87(f)	-interview with young people -inspect policy and procedure	

1.6 Emergency Response Equipment

Centre management ensures the provision of the highest possible standard of emergency response equipment maintaining the safety of staff, young people and visitors to the centre.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT AND REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
1	The detention centre has clear and consistent procedures for the authorisation and deployment of emergency response equipment.	UN Rules for the Protection of Juveniles Deprived of their Liberty	32	-inspect policies and procedures	
2	The detention centre has resuscitation equipment of the safest and most effective type readily available in the event of an emergency. Resuscitation equipment is available in each section.	RCIADIC	159	-inspect resuscitation equipment	
3	At all times at least one staff member on duty in each section has been trained in the use of the resuscitation equipment.	RCIADIC	159	-inspect training roster -interview staff -interview Shift Supervisors	
4	Emergency response equipment is operational and appropriately stored and ready for use if an emergency occurs.	Good practice identified to mitigate against risk.		-inspect that cyclic testing and maintenance schedules are in place -inspect that response equipment is stored securely	
5	Staff are appropriately trained in the use of all emergency response equipment.	Good practice identified to mitigate against risk.		-inspect training records for staff trained in emergency response equipment -interviews with staff -interview training officer	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT AND REF.		POTENTIAL EVIDENCE SOURCE	FINDINGS
6	The detention centre has an effective alarm system in case of fire or other emergency requiring evacuation of the facility. Formal emergency and evacuation procedures are drilled to ensure the safety of young people, staff and visitors to the centre.	UN Rules for the Protection of Juveniles Deprived of their Liberty	32	-inspect each centre's emergency fire procedures -interview with Shift Supervisors -interviews with staff -inspect registers for any contingency training and/or fire drills	
7	The use of any emergency response equipment is accurately recorded in a register, is kept up to date and the usage is monitored for appropriate use and also to ensure that equipment is replaced/updated where necessary.	Good practice identified to mitigate against risk.		-inspect emergency response register -interview appropriate managers in relation to the use of emergency response equipment	
8	Rescue knives are readily available to staff if required. Blunt-edged Spyderco knives are the preferred rescue knife as they reduce the potential risk of harm to staff and others in a situation where a young person obtains the knife.	Good practice identified to mitigate against risk.		-inspect the condition of rescue knives (N.B. immediately report any obvious damage to the Centre Director verbally and also by email) -interviews with staff	

1.7 Pre-Court Procedures

Young people are sufficiently prepared for court and are placed in the best possible position both physically and emotionally for their upcoming court appearance.

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
1	Young people are sufficiently prepared before court appearances.	Standard Rules for the Treatment of Prisoners	20	-interview staff -interview young people	
2	Unclothed searches are not routinely conducted on exit and entry to the detention centre. Unclothed searches are only conducted on young people on reasonable suspicion.	<i>Youth Justice Regulation 2003</i> (Qld) Forde Inquiry Recommendations Convention on the Rights of the Child UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) UN Rules for the Protection of Juveniles Deprived of their Liberty	24-9 7 3.1, 37 (a)(c) 5.1 1	-interview staff -inspect registers -discussions with young people	
3	Young people are provided with clean, appropriate clothing for a court appearance.	Standard Minimum Rules for the Treatment of Prisoners	17(3)	-interview staff -interview young people	
4	Prior to a young person departing the centre for a court appearance, staff ensure that the young person has been offered a meal.	Good practice identified to mitigate against risk.		-interview staff -interview random sample of young people	

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 35

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
5	Prior to going to court young people are given a reasonable opportunity to telephone parents/family members for support.	Good practice identified to mitigate against risk.		-interview staff -interview young people	
6	Young people are informed in an age appropriate way of the court process prior to going to court. Any concerns that a young person has about their upcoming court appearance are addressed to ensure the young person is in the best possible state of mind for their appearance.	Charter of Juvenile Justice Principles	6	-interview a sample of young people -interview caseworkers	
7	If staff have any particular concerns relating to a young person, QPS is informed of this concern prior to the young person leaving the centre.	UN Rules for the Protection of Juveniles Deprived of their Liberty	26	-interview staff -inspect transfer documents	
8	In situations where two or more young people are to be transported in the same vehicle a comprehensive risk assessment is carried out to ensure the safety of the young people when travelling.	UN Rules for the Protection of Juveniles Deprived of their Liberty	26	-discuss with staff	

1.8 Children's Court Cells

The children's court cells are appropriately staffed and monitored to ensure the security of the court and the safety of the young person, staff and court officers. The facilities are age appropriate and young people are kept as comfortable and calm as possible.

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
1	That court cells are staffed with appropriately trained staff. Including an appropriate balance of male and female staff and also (where possible) Indigenous staff.	Forde Inquiry Recommendations	36	-inspect rosters -interview court cells supervisor	
		RCIADIC	178, 237		
		Standard Minimum Rules for the Treatment of Prisoners	46(1) 47(1)		
		Convention on the Rights of the Child	3, 19		
		UN Rules for the Protection of Juveniles Deprived of their Liberty	82		
2	Unclothed searches at the court cells are only conducted on young person on reasonable suspicion.	<i>Youth Justice Regulation 2003</i> (Qld)	24-9	-interviews with staff -inspect unclothed search register	
		Forde Inquiry Recommendations	7		
		Convention on the Rights of the Child	3.1, 37 (a)(c)		
		UN Standard Minimum	5.1		

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 37

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
		Rules for the Administration of Juvenile Justice (The Beijing Rules) UN Rules for the Protection of Juveniles Deprived of their Liberty	1		
3	All unclothed searches are recorded appropriately in the unclothed search register.	<i>Youth Justice Regulation 2003</i> (Qld)	28	-inspect unclothed searches register	
4	Appropriate safety equipment is stored at the court cells e.g. sufficient number of handcuffs, radios, fire extinguishers, first aid kits etc.	Good practice identified to mitigate against risk.		-inspect safety equipment, is it in working order and where necessary is maintained.	
5	Emergency contingencies are conducted with staff at the court cells.	Good practice identified to mitigate against risk.		-inspect yearly contingency register is being maintained	
6	Young people are provided with a meal when held in a holding cell.	Good practice identified to mitigate against risk.		-observations -interviews with court cell staff -interview with young people in cells (if any) -interview young people at BYDC who have been recently held in court cells	
7	There are no obvious security weaknesses with in the courts cells area or court cells practices.	Good practice identified to mitigate against risk.		-identify any obvious hanging points -poor security practices -faulty equipment	

1.9 Staff

The high standard of staff employed by the detention centre is maintained through a robust recruitment process and regular performance reviews. Staff are carefully chosen and therefore possess the appropriate personal qualities and educational background to work with challenging young people in an equally challenging environment. Staff are adequately trained ensuring the necessary professional competence of all staff dealing with young people. Throughout their careers staff are given the opportunity to develop and expand their skills. Relationships between staff and young people are positive and assist in the rehabilitation and reintegration process of young people.

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
1	The suitability of staff to work with young people is ensured through a robust recruitment process including: -Criminal history checks -Behavioural based interviews -Comprehensive reference checks	Forde Inquiry Recommendations	36	-interview recruiting officer -interview trainers	
		Standard Minimum Rules for the Treatment of Prisoners	46(1) 47(1)		
		Convention on the Rights of the Child	3, 19		
		UN Rules for the Protection of Juveniles Deprived of their Liberty	82		
2	Prior to the commencement of their duties, all new staff complete the centre's comprehensive induction program.	Forde Inquiry Recommendations	36	-all youth workers complete and pass an induction course prior to working with young people in care. -interview staff training officer. - non-operational staff such as caseworkers and psychologists are provided with suitable induction prior to working with young	
		Standard Minimum Rules for the Treatment of Prisoners	47(2)		

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 39

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
				people in secure care.	
3	Where possible, staff are appointed on a full-time permanent and salaries are adequate to attract and retain suitable people.	Standard Minimum Rules for the Treatment of Prisoners	46(3)	-interview Human Resources Manager -ratio of casuals to permanent staff	
4	Centre management make clear to all employees roles, functions, conduct expectations and responsibilities before commencement of a position.	<i>Youth Justice Act 1992 (Qld)</i>	s.263(b)	-new and vacant positions are advertised according to the Queensland Public Service Commission's requirements. -interview Human Resource Manager -inspect the number of vacant staff positions and identify how long positions have been vacant for.	
5	All staff are provided with adequate training and development programs including leadership training for staff in supervisor roles.	Forde Inquiry Recommendations UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) Standard Minimum Rules for the Treatment of Prisoners Convention on the Rights of the Child	36 22.1 47(3) 19	-inspect training records -interview staff acting in supervisory/ management roles -interview training officer	

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
6	Appropriate screening procedures are implemented in the recruitment of staff to ensure that potential staff do not hold racist views.	RCIADIC	177	-interview with Human Resources Manager	
7	As a pre-requisite for employment as a youth worker or a case worker, potential employees hold a current senior first aid qualification. Refresher first aid courses are provided to all staff who routinely have the care of young people in detention.	RCIADIC	160	-interview with Human Resources Manager	
8	During their employment, staff undertake compulsory training based on contemporary expectations of the law and of society. This ensures that staff remain sensitive to changes in the wider community from which the young people come from and to which they will return.	Good practice identified to mitigate against risk.		-interview training officer -inspect training material -interview staff in relation to their understanding	
9	Management recognise that working in an enclosed and isolated environment can, over time, cause staff to become unintentionally narrow and inflexible in their thinking and practices. To prevent this, staff are trained and managed in a way which guards against this insularity.	Good practice identified to mitigate against risk.	8.1	-interview line managers -interview a sample of staff	
10	Centre management implement a	Forde Inquiry	36	-discussions with youth	

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
	performance management system. Staff have clear role descriptions and key performance indicators. Reviews are conducted on a regular basis and feedback given. Supervisors monitor the review process.	Recommendations		workers and section supervisors -discussions with unit managers -observations	
11	Staff identified through the review process who are not meeting their key performance indicators are offered training and development programs or removed from their current position through the appropriate policies and procedures.	Forde Inquiry Recommendations	36	-interview Human Resource Manager -interview Unit Managers	
12	The director of the detention centre should be adequately qualified for his task by character, administrative ability, suitable training and experience.	Forde Inquiry Recommendations Standard Minimum Rules for the Treatment of Prisoners	36 50(1)	-variety of sources including interviews with relevant staff, recruitment processes.	
13	An appropriate number of specialists are on staff or available including doctors, nurses, psychiatrists, psychologists, and teachers.	Forde Inquiry Recommendations Standard Minimum Rules for the Treatment of Prisoners Convention on the Rights of the Child UN Rules for the Protection of Juveniles Deprived of their Liberty	36 49, 52(1) 3 27, 81	-inspect staffing profile including fee for service personal i.e. doctors, dentists etc	

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
14	Staff perform their duties with an underlying concept that the deprivation of the young person's liberty is the punishment, and it is the staff's role to care for the young person whilst detained and assist them in the positive rehabilitation and future reintegration of the young person.	UN Rules for the Protection of Juveniles Deprived of their Liberty Standard Minimum Rules for the Treatment of Prisoners	84 57; 61	-inspect departmental philosophy -inspect training material -inspect frequency of training for staff -interview a variety of staff including youth workers, kitchen staff, administrative staff, and managers.	
15	Staff treat young people with dignity and respect and conduct themselves and perform their duties as positive role models for young people.	Forde Inquiry Recommendations Standard Minimum Rules for the Treatment of Prisoners	36 48	-observations -interviews with young people -interviews with staff	
16	Staff recognise that young people are individuals and have different needs. These needs are appropriately dealt with by staff.	Good practice identified to mitigate against risk.		-discussions with young people -observations -discussions with staff -inspect a random sample of young people single case plan and Behavioural Management Plans	
17	Staff supervise and deal with young people in a consistent and positive manner.	Good practice identified to mitigate against risk.		-discussions with young people -observations -discussions with staff	
18	At all times members of staff conduct themselves and perform their duties as to influence young people for good by their example and to command their respect.	Standard Minimum Rules for the Treatment of Prisoners	48	-discussions with young people -observations	

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
19	Staff actively engage with young people, creating a healthy environment, however, remain authority figures at all times.	Good practice identified to mitigate against risk.		-observations -review of complaints -discussions with staff -discussions with young people	
20	Staff undertake their roles in a way which complements the roles of other staff in an aim to generate a productive environment which fosters the rehabilitation of young people.	UN Rules for the Protection of Juveniles Deprived of their Liberty	84	-observations -discussions with staff -discussions with young people	
21	Centre management encourages the retention of staff especially case workers and psychologists in order to promote stability for young people during their period of detention.	Good practice identified to mitigate against risk.		-interviews with manager HR -interviews with caseworkers -interviews with Team Leader -interview with Deputy Director (the team leader's line manager) -identify professional development opportunities for caseworkers	
22	All operative staff at the centre undertake compulsory cultural awareness training in an aim to gain a better understanding of Indigenous young people in the Centre's care.	RCIADIC	62	-interview with training officer -interview random selection of staff	
23	Where possible centre management make efforts to recruit Indigenous people at varying levels within the centre.	RCIADIC	178, 237	-inspect each centre's staffing profile	

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCE	FINDINGS
24	Staff are adequately trained in dealing with a death in custody according to legislative requirements.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.40	-inspect training material	

SECTION 2:

Safe Custody and Wellbeing of Children in Detention

- 2.1 Youth Detention Centre Inspections
- 2.2 Community Contact
- 2.3 Family Contact with Young People
- 2.4 Self-harm and Suicide Prevention
- 2.5 Reporting of Harm
- 2.6 Health of Young People and Medical Services
- 2.7 Bullying
- 2.8 Cultural and Religious Beliefs
- 2.9 Complaints Process
- 2.10 Legal Rights
- 2.11 Centre Facilities and Environment
- 2.12 Relationship between Staff and Young People
- 2.13 Education and Training
- 2.14 Recreational Time
- 2.15 Behaviour Management
 - Rules
 - Disciplinary Procedures
 - Use of Force
 - Use of Restraints
 - Separation
- 2.16 Behaviour Development
 - Individual Focus
 - Rewards Programs
 - Restoration and Reintegration

2.1 Youth Detention Centre Inspections

Youth Detention Centre Inspectors examine and critique actual practices and outcomes of the Centre according to an approved inspection framework. Centre management and staff promote openness and to appropriate internal and external agencies in an aim to create transparency and confidence in the detention centre, its procedures and the commitment to the safe custody and wellbeing of the young people in detention.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	Quarterly inspections are conducted to ensure security and management of the detention centre and the safe custody and wellbeing of children detained in the centre.	<i>Youth Justice Act 1992 (Qld)</i>	s.263	-self audit and report on at end of year inspection report	
		<i>Forde Inquiry Recommendations</i>	17		
		<i>UN Rule for the Protection of Juveniles Deprived of their Liberty</i>	14, 72, 74		
		<i>Standard Minimum Rules of the Treatment of Prisoners</i>	55		
		<i>Convention on the Rights of the Child</i>	25		
		<i>UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)</i>	30.3		
2	Prior to quarterly inspections Inspectors prepare notices and display them around the centre to inform both staff and young people of: -Inspectors names; -How to contact or locate the inspectors; and	Good practice identified to assist in the Inspection framework process. Inspection Charter.		-self audit	

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 47

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	-Areas to be inspected during the inspection.				
3	The centre has a code of conduct informing staff of their duty to raise legitimate concerns about the conduct of fellow colleagues in relation to the treatment of young people (a whistle-blowing policy).	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	87(b);(c)	-inspect training schedule/frequency -inspect how many staff have been trained -interview staff	
4	Prior to quarterly Inspections centre management inform all staff of the purpose of the inspection and how they may assist in the process.	Good practice identified to assist in the Inspection process.		-observations (posters are displayed - Inspectorate must issue these to the Centre Director prior to inspection). -discuss with staff -discussion with management re strategies that have been implemented to promote awareness of the inspection program.	
5	The Inspectorate seeks advice from external parties on specialised areas such as health matters.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	73	-self audit, provide evidence in reports	
6	Centre management engage with the Inspection team and provide necessary documents within a reasonable time.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	72	-report on response provided by centre management on each inspection	
7	Inspectors have unrestricted access to all staff, young people	<i>Standard Minimum Rules for the Treatment of Prisoners</i>	36(2)	-request access to young peoples' files	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	and records in relation to the operational management of the centre and well being and safe custody of young people in detention.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	72	-report on access to electronic records such as Centre's H:// drive -Integrated Client Management System	
8	Young people have an opportunity to talk in confidence with any inspecting officer.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	73	-interview Community Visitor -interview young people -report on inspectors' experience	
9	On completion of an inspection a comprehensive report consisting of recommendations is made available addressing identified issues including an evaluation of the detention centre's compliance with current rules and legislation.	<i>UN Rules for the Protection of Juveniles Deprived of their Liberty</i>	74	-inspection reports are submitted to the Director – General at the end of each inspection	

2.2 Community Contact

A young person's time in detention should not emphasise their exclusion from the community, but their continuing part in it. Therefore reasonable efforts are made to engage community agencies to assist in the task of social rehabilitation of the young people.

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	Active steps are taken to foster open contact between young people and the local community.	Charter of Juvenile Justice Principles UN Rules for the Protection of Juveniles Deprived of their Liberty	19 8, 59	-what activities are available for young people to have contact with their community -discuss with unit manager -discuss with case workers -discuss with young people -look at reintegration opportunities	
2	The centre works in partnership with a number of external agencies who visit the centre and provide services that promote the individual needs and overall wellbeing of young people in detention. Services provided include at least sexual health programs, drug and alcohol counselling and where appropriate Indigenous counselling services. The services are regularly reviewed by centre management to accommodate the changing needs of the centre's residents.	Forde Inquiry Recommendations UN Rules for the Protection of Juveniles Deprived of their Liberty	9 54,84	-inspect what programs are provided by external agencies for young people in detention -inspect the number of agencies which conduct child advocacy roles and document the service they each provide. -inspect what other government and non-government agencies provide services to young people within detention centres.	
3	Centre management are continuously working towards increasing the range of quality services and programs provided	Charter of Juvenile Justice Principles Forde Inquiry	19 9	-discuss with members of the management team	

CRITERIA		AUTHORITY AND REFERENCE		POTENTIAL EVIDENCE SOURCES	FINDINGS
	for young people in detention by external community based agencies.	Recommendations			
4	An Indigenous Programs Support officer is employed at the Centre to assist in the community involvement in detention.	Forde Inquiry Recommendations	9	-interview Indigenous support officer -interview programs officer	
5	Approved community representatives/visitors have all necessary access to the detention centre and to young people.	Standard Minimum Rules for the Treatment of Prisoners	81(2)	-interview Community Visitor	
6	All visitors to the detention centre are accurately recorded in a visitor's register before admission to the centre.	<i>Youth Justice Regulation 2003 (Qld)</i>	42	-inspect visitors register -observations	
7	Young people have a right to receive visits from a qualified representative of any religion of his or her choice.	UN Rules for the Protection of Juveniles Deprived of their Liberty	48	-interview young people -interview Centre Director	
8	Consideration is given to each young person's future after his/her release and therefore the young person is encouraged to maintain or establish such relations with persons or agencies outside of the detention centre with an aim to promoting his/her own social rehabilitation.	Standard Minimum Rules for the Treatment of Prisoners	80	-inspect case plans -discuss with caseworkers	

2.3 Family Contact with Young People

Young people are encouraged to maintain contact with family and friends during their time in custody. This contact is seen as an integral part of the rehabilitation process. Young people have regular access to various forms of correspondence including mail, telephones and Centre visits. Contact with family members and friends is never restricted or denied to young people for disciplinary purposes.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	Contact with family and friends is treated as a basic entitlement of young people in detention and is promoted as essential to the young person's psychological wellbeing and to their successful reintegration into the community.	<i>Youth Justice Regulation 2003 (Qld)</i>	30	-interview young people -inspect visiting times -interview visits coordinator	
		Forde Inquiry Recommendations	8	-interview young people, parents/ care providers	
		UN Rules for the Protection of Juveniles Deprived of their Liberty	59, 60		
		Standard Minimum Rules for the Treatment of Prisoners	37		
2	That young indigenous people who are out of country are provided with opportunities for family contact.	RCIADIC	169	-interview young people -interview appropriate staff -interview caseworkers	
3	It is acknowledged that the families and community groups of young people,	RCIADIC	235	-interview caseworkers -inspect sample of case	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	especially Indigenous young people, are the primary sources of advice regarding the best interests and welfare of the young people.			plans	
4	Special attention is paid to the maintenance and improvement of relations between young people and their families and/or communities as are desirable in the best interests of both.	Standard Minimum Rules for the Treatment of Prisoners	79	-interview relevant staff -interview young people -interview caseworkers	
5	Centre management and staff take all reasonable steps to both encourage and facilitate the visits by family and friends of young people in detention.	RCIADIC	146	-inspect visiting times -interview Visits Coordinator -discuss with parents and care providers of young people -discuss with young people	
6	Family and/or friends of a young person are only refused access to the detention centre to visit a young person for a valid reason and as a last resort.	<i>Youth Justice Act 1992 (Qld)</i>	272(3)	-interview young people -interview Centre Director -interview parents/care providers -interview Visits Coordinator -review any complaints in the previous 12 months	
7	Any decision based on the criteria to deny a visitor	<i>Youth Justice Act 1992 (Qld)</i>	272(3)	-interview young people	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	access to the centre is explained clearly to both the visitor and the young person. The denial of access is regularly reviewed and other alternatives such as closed visits and closely supervised visits are considered.			-interview Centre Director -interview parents/care providers -interview visits coordinator -review any complaints in the previous 12 months -inspect how many visits had been refused in the previous 12 months	
8	Young people are never denied contact with family or friends as a form of discipline.	<i>Youth Justice Act 1992 (Qld)</i> <i>Youth Justice Regulation 2003 (Qld)</i> UN Rules for the Protection of Juveniles Deprived of their Liberty	s.272(3) s.30 67	-interview young people -interview Centre Director -interview parents/care providers -interview visits coordinator -review any complaints in the previous 12 months -inspect how many visits had been refused in the previous 12 months	
9	Visiting hours are flexible to accommodate the needs of working parents or friends or those with young children or other responsibilities.	Forde Inquiry Recommendations	8	-interview visits coordinator -review any complaints in the previous 12 months	
10	The name and address of each visitor to the centre is recorded in a visitors book before the visitor is admitted	<i>Youth Justice Regulation 2003 (Qld)</i>	s.42	-inspect visitors register	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	to the centre.				
11	The Centre ensures that the facilities are as family friendly and as comfortable as possible.	Forde Inquiry Recommendations RCIADIC	8 170	-inspect visits centre -interview parents/care providers	
12	The intervention of youth workers in the conduct of visits is minimal and appropriately balanced with the need to provide adequate security arrangements.	RCIADIC	170	-observations -interviews with young people -interviews with young peoples parents and care providers	
13	Video conferencing is made available to those families who live in remote areas or cannot make it to the centre for an unavoidable reason.	Forde Inquiry Recommendations	8	-interview young people -interview Visits Coordinator	
14	The centre regularly reviews the number and frequency of visits per young person to ensure all young people are receiving meaningful contact with family or friends during their period of detention. Where staff identify an insufficient number of visits a proactive approach is taken to correct this such as arranging for suitable members of the young	Forde Inquiry Recommendations UN Rules for the Protection of Juveniles Deprived of their Liberty	8 60	-interview Visits Coordinator -interview caseworkers	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	person's respective community to visit.				
15	Young people have access to a telephone to make and receive telephone calls to and from approved family and/or friends at all reasonable times. A telephone roster is in place which is fair and allows all young people equal and sufficient time to this right.	<i>Youth Justice Regulation 2003 (Qld)</i> Forde Inquiry Recommendations UN Rules for the Protection of Juveniles Deprived of their Liberty	s.30 8 61	-inspect each accommodation unit -interview young people -interview staff	
16	Young people have a right to privacy during their telephone conversations unless exceptional circumstances exist.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.30(2)	-observations -interviews with young people	
17	Young people have a right to correspond with family or friends by sending and/or receiving letters and other mail.	<i>Youth Justice Regulation 2003 (Qld)</i> UN Rules for the Protection of Juveniles Deprived of their Liberty	s.31 61	-interviews with young people	
18	All visitors to the detention centre are accurately recorded in a visitor's register before admission to the Centre.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.42	-inspect visitors register	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
19	Centre management recognise the hardship some families face in relation to visiting the centre due to distance or financial circumstances. Proactive measures are taken to increase visitor numbers for young people, in particular those young people identified as having little or no visits.	Forde Inquiry Recommendations RCIADIC	8 146	-discussions with young people -discussions with parents and care providers -discussions with Visits Coordinator -discussions with sample of caseworkers	

2.4 Self-harm and Suicide Prevention

Young people at risk of self-harm or suicide are promptly identified and a support plan is created, implemented and monitored. Supervising staff that are appropriately trained are notified of vulnerable young people and encourage the young person to engage in re-directive activities, counselling and programs. Emergency equipment and support is provided and readily available to staff. Staff are trained in the use of such equipment.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	Youth detention staff receive appropriate training at both recruit and in-service levels to enable the identification of young people in distress or to recognise behaviour displayed by a young person which may indicate risk of self harm.	RCIADIC	133	-interview staff -interview training officer -inspect training packages	
2	Where a young person has been identified as, or is suspected to be, at person at risk then the young person is subject to supervision which is closer and more frequent than the standard.	RCIADIC	137(d)	-interview staff -inspect policies and procedures	
3	Centre staff and management in charge of juvenile centres recognise that they owe a legal duty of care to persons in their custody.	RCIADIC	122(a)	-interviews with random sample of staff -inspect training material -interview Centre Director	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
4	In relation to the duty of care, centre staff are made aware of their responsibilities and trained appropriately to meet them both on recruitment and during their service.	RCIADIC	122(c)	-interview sample of staff -interview training officers -inspect training documentation	
5	Where staff members are placed wholly or substantially in charge of high risk/supervision sections (such as the APA or equivalent behavioural development unit), the staff member must have received specified and more intensive training than would be appropriate for other sections.	RCIADIC	133(d)	-interview staff in APA (Oak Unit) -interview relevant unit supervisor -interview staff training officer	
6	All incidents of self-harm or attempted self-harm and appropriately investigated and an incident report is prepared containing sufficient detail.	<i>Youth Justice Act 1992 (Qld)</i>	s.268	-inspect incident reports, ensure incidents have been recorded and reported according to policy requirements.	
7	Young people considered to be a suicide risk are not denied participation in their daily activities, routines or programs unless staff reasonably suspect that the young person is a serious	Good practice identified to mitigate against risk.		-compare suicide risk register against daily program sheet	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	risk to themselves or others. Young people are placed under intensive supervision to monitor and assist them to manage distress. Staff seek advice from a mental health professional.				
8	All cells are equipped with an alarm or intercom system which gives direct communication to youth workers.	RCIADIC	140	-inspect all rooms and cells, including court cells	
9	The detention centre has a facility for young people who temporarily lose self control or where staff reasonably suspect that the young person may present a risk of harm to themselves or others. The purpose of this facility is not to punish the young person, it is used to diffuse and de-escalate the situation. The facility does not cause further physical or psychological harm to the young person.	Good practice identified to mitigate against risk.		-inspect holding rooms -inspect behaviour plans for each young person	
10	Young people who are considered a serious suicide risk are never physically forced to wear non rip clothing. Young people who	Good practice identified to mitigate against risk.		-inspect incident reports -interview random sample of staff	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	refuse to undress and change are placed under continuous monitoring and assessed by a mental health professional to develop appropriate and sensitive management strategies.				
11	Staff members are trained in first response in relation to a self harm or suicide incident. The training is updated on a regular basis.	Good practice identified to mitigate against risk.		-interview random sample of staff -interview training officer -inspect training register	
12	The first priority for staff members who find a young person, apparently not breathing, is to attempt resuscitation and to seek immediate medical assistance.	RCIADIC	158	-majority of staff have training in first aid and advanced resuscitation	
13	Extensive counselling services are provided to young people and staff in the event that a suicide or (suicide attempt) of another young person in custody occurs.	Good practice identified to mitigate against risk.		-review procedures and contingencies	
14	Debriefs are held following incidents such as deaths, medical emergencies or actual or attempted suicides so that the operation procedures for the actions of	RCIADIC	124	-review actions taken by centre after any major incidents -interview staff -interview members of	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	those involved and the application of instructions to specific situations can be discussed and assessed with a view to reducing risks in the future.			management team	
15	Staff in charge of an outgoing shift draw to the attention of staff in charge of the incoming shift any information relating to the well being of any young person and, in particular, any medical attention required by any young person. A written check list is devised setting out matters to be addressed, both in writing and orally, at the time of any handover.	RCIADIC	132	-section registers -young persons observation sheets	

2.5 Reporting of Harm

Staff that become aware or reasonably suspect that a child has suffered any kind of harm while in detention centre immediately report it. The centre has in place strict policy and procedure to assist in the reporting process. Harm to a young person is defined as any detrimental effect of a significant nature on the young person's physical, psychological or emotional wellbeing.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	Any harm or suspected harm of a young person whilst in custody is reported by the employee immediately on becoming aware of the harm or on their reasonable suspicion of harm to the young person.	<i>Youth Justice Act 1992 (Qld)</i>	268 UN Rules for the Protection of Juveniles Deprived of their Liberty	-interview staff -inspect incident reports over the last 12 months, ensure that incidents of harm are reported appropriately. -interview caseworkers	
2	Youth workers and case workers are provided with training or coaching to recognise and therefore report behaviours indicating emotional and/or psychological harm.	Forde Inquiry Recommendations		-interview staff -interview caseworkers	
3	Staff are trained to reduce any potential incidents of harm including emotional and/or psychological harm.	UN Rules for the Protection of Juveniles Deprived of their Liberty	85	-interview staff -interview caseworkers -inspect staff training records -inspect staff training	
4	On admission to the detention centre, young	Charter of Juvenile Justice	6	-interview young people	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	people are informed about the centre's procedures to protect them from all kinds of harm whilst in detention.	Principles		-interview staff -inspect induction information	
5	Reports of harm contain all required information, and are kept confidential and are only disclosed in authorised circumstances.	<i>Youth Justice Regulation 2003 (Qld)</i> UN Rules for the Protection of Juveniles Deprived of their Liberty	s.35 87(e)	-inspect reporting of harm process	
6	Reports are kept confidential to protect the young person and also any persons incriminated by the report. Particulars of the report are only disclosed where authorised and reasonable to the conduct of the investigation.	Good practice identified to mitigate against risk.	1.7	-inspect reporting of harm process	
7	Young people have access to a range of trusted adults outside the detention centre e.g. family members, legal representatives, social workers or members from the young person's community.	Good practice identified to mitigate against risk.		-interview young people -interview staff	
8	All reports of harm or suspected harm are	<i>Youth Justice Act 1992 (Qld)</i>	s.268	-inspect harm process (from reporting to finalisation)	

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 64

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	investigated thoroughly and with high priority. All available resources are utilised to ensure an expeditious and comprehensive investigation.			-inspect timeframes	
9	Reports of harm or suspected harm or any breaches of principles 3, 15, 19 or 20 of the Charter of Juvenile Justice Principles that are reported to the to the chief executive are also reported regularly to the Commissioner for Children and Young People and Child.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.37	-inspect reporting process	
10	Staff are trained in child protection procedures and in particular the handling of any disclosure/s made by a young person in relation to harm.	UN Rules for the Protection of Juveniles Deprived of their Liberty	87	-interview staff -interview caseworkers	
11	Young people who have been the victim of any form of abuse have a range of therapeutic, counselling and advice services available to them either through the detention centre or via external agencies.	Good practice identified mitigate against risk.		-inspect young person case plans -interviews with caseworkers	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
12	An employee's failure to report harm or suspected harm of a young person whilst in custody without an authorised excuse is dealt with appropriately by Centre Management and referred to the appropriate authorities.	<i>Youth Justice Act 1992 (Qld)</i>	s.268	-inspect reporting process for gaps and weaknesses -inspect centre management's response to incidents of harm	

2.6 Health of Young People and Medical Services

All young people in custody receive health and medical treatment when needed. Healthcare and medical services are provided that cater for the individual needs of the young people in custody. The standard of health care is equivalent to that which young people could expect to receive in the community.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	The detention centre provides and maintains health and medical services to young people that is of an equivalent standard to that available to the general public.	<i>Youth Justice Regulation 2003 (Qld)</i> Charter of Juvenile Justice Principles UN Rules for the Protection of Juveniles Deprived of their Liberty Convention on the Rights of the Child RCIADIC	s.33 20(f) 49 24 150	-inspect health services centre -interview young people -interview health staff -interview health unit manager	
2	Health services provided within the centre is adequately resourced and staffed by appropriately qualified and competent personnel.	UN Rules for the Protection of Juveniles Deprived of their Liberty RCIADIC	81 150	-interview nurses -interview Nurse Unit Manager	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
3	As soon as practicable after admission of a young person, Qld Health makes a reasonable effort to obtain a comprehensive medical history for the young person.	RCIADIC	157	-inspect young person files -interview nurses	
4	The detention centre offers appropriate health facilities and equipment. Young people are provided with immediate access to qualified healthcare professionals trained in preventative health care and the handling of medical emergencies.	UN Rules for the Protection of Juveniles Deprived of their Liberty	49, 51	-inspect health services centre -interview young people -interview health staff -interview health unit manager	
5	Services provided to young people in detention include but are not limited to: medical; dental; mental health; and drug and alcohol services. Where it is not possible to provide these services within the centre, the services must be made available to young people through access to community facilities and	Charter of Juvenile Justice Principles RCIADIC Standard Minimum Rules for the Treatment of Prisoners	20(f) 150 22	-inspect medical services available at each centre -interview health unit manager	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	services.				
6	Health services are appropriate to the individual and varying needs of Indigenous young people.	RCIADIC	150	-interview health unit manager	
7	Young people have access to relevant health services at all times.	RCIADIC	150	-inspect against times medical staff are rostered on	
8	As soon as possible after admission young people are assessed and a psychological and medical report is prepared and forwarded to the director to determine whether any special measures need to be put into place to ensure the safe custody and well being of the young person whilst in detention. These reports are also forwarded on to caseworkers to assist in the development of behaviour development and rehabilitation.	UN Rules for the Protection of Juveniles Deprived of their Liberty Standard Minimum Rules for the Treatment of Prisoners	27, 50 24	-inspect admission process -interview young people -interview health staff -interview health unit manager	
9	Every young person has access to adequate remedial and preventative medical care including dental, ophthalmological and mental health care, as well as pharmaceutical products and	UN Rules for the Protection of Juveniles Deprived of their Liberty	49	-inspect health services centre -interview young people -interview health services staff -interview health unit manager	

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 69

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	special diets as indicated on the young person's medical record.				
10	In situations not requiring emergency response a young person is able to request examination by a medical practitioner of the same sex.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.33	-inspect policy -interview health services staff -interview young people	
11	Young people requiring medical treatment or who are demonstrating symptoms of physical or mental difficulties have immediate access to appropriate services.	<i>Youth Justice Regulation 2003 (Qld)</i> UN Rules for the Protection of Juveniles Deprived of their Liberty Standard Minimum Rules for the Treatment of Prisoners	s.33 51, 52 22	-inspect health service -interview health staff -interview health unit manager	
12	Medicine and/or medical treatment is only administered where necessary and with the consent of the young person's parent or guardian. Where staff are unable to ascertain the whereabouts of the young person's parents or guardian the chief executive may authorise treatment where it would be	<i>Youth Justice Act 1992 (Qld)</i> UN Rules for the Protection of Juveniles Deprived of their Liberty	s.271 55	-interview health staff -interview health service manager -identify how parents or care providers are provided with information to provide informed consent.	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	detrimental to the young person to delay the treatment.				
13	Young people identified by medical staff to be suffering or likely to suffer psychological harm by continued detention, separation, hunger strike or any other condition of detention should be reported to the Director of then centre, be assessed by an appropriate medical specialist and others responsible for the safe custody and wellbeing of the young person.	UN Rules for the Protection of Juveniles Deprived of their Liberty	52	-interview health staff -interview health unit manager	
14	The detention centre has adopted specialised drug abuse prevention and rehabilitation programs administered by qualified professionals. The programs are adapted to the age, sex, and other individual circumstances of young people to promote the best possible chance or rehabilitation.	UN Rules for the Protection of Juveniles Deprived of their Liberty	54	-interview case workers -interview relevant health services staff	
15	Young people have appropriate personal clothing	UN Rules for the Protection of Juveniles Deprived of their	36	-observations -inspect random sample of	

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	<p>suitable for the climate and adequate to ensure good health.</p> <p>All clothing shall be clean and washed as often as necessary for the maintenance of hygiene.</p>	<p>Liberty</p> <p>Standard Minimum Rules for the Treatment of Prisoners</p>	<p>17(1), 17(2)</p>	<p>young peoples' rooms</p> <p>-interview young people</p> <p>-interview relevant staff</p>	
16	<p>Adolescent females in detention are adequately supplied with sanitary products when required. Staff understand the sensitivity of this issue for some young people and the young person's dignity is respected.</p>	<p>Standard Minimum Rules for the Treatment of Prisoners</p> <p>UN Rules for the Protection of Juveniles Deprived of their Liberty</p>	<p>15</p> <p>34</p>	<p>-discuss with appropriate young people</p> <p>-discuss with appropriate staff</p>	
17	<p>In circumstances where a female young person is pregnant in detention the provision of all pre and post natal care and treatment is accessible when required.</p>	<p>Standard Minimum Rules for the Treatment of Prisoners</p>	<p>23</p>	<p>-interview staff</p> <p>-discuss with medical staff</p>	
18	<p>Young people are provided with such toiletry articles as are necessary for health and cleanliness. Minimum provisions include soap, shampoo and conditioner,</p>	<p>Standard Minimum Rules for the Treatment of Prisoners</p>	<p>15</p>	<p>-interview young people</p> <p>-interview staff</p> <p>- randomly observe young person's room</p>	

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 72

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	toothbrush and paste.				
19	In order to maintain a good appearance compatible with their self-respect, young people are provided with a razor to use under close supervision to enable them to shave as required.	Standard Minimum Rules for the Treatment of Prisoners	16	-interview young people -interview appropriate staff	
20	Parents or guardians of young people are notified as soon as practicable of any concerns relating to the young persons health whilst in detention.	UN Rules for the Protection of Juveniles Deprived of their Liberty RCIADIC	56 147	-interview caseworkers -interview health services staff -interview parents (where appropriate)	
21	Qld Health staff who provide medical services to young people in the centre receive specific orientation training covering both the socio-cultural aspects relating to Indigenous young people and the care that must be afforded to those illnesses and conditions endemic to the Indigenous population.	RCIADIC	127; 155; 247(d)	-discuss with health unit manager	
22	Where practicable Qld Health endeavour to employ Indigenous people to assist in the delivery of health services in the centre.	RCIADIC	154(c)	-inspect health services provided to Indigenous young people	
23	Where possible Qld Health	RCIADIC	127(c)	-interviews with health unit	

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 73

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	seek the involvement of Indigenous Health Services in the provision of health or medical advice with respect to Indigenous young people.			manager	
24	All young people are provided with food and drink that is hygienically and suitably prepared and presented at normal meal times and of quality and quantity to satisfy the individual needs of young people whilst in detention. Special measures are taken to ensure young people with specific dietary requirements are catered for.	UN Rules for the Protection of Juveniles Deprived of their Liberty RCIADIC Standard Minimum Rules for the Treatment of Prisoners	37 143 20	-interview kitchen staff -interview case workers -interview relevant staff -interview young people -inspect menus -inspect meals -inspect kitchen	
25	Regular inspections are conducted by Qld Health staff who then report to the Centre Director in relation to their informed evaluation of the overall hygiene and well being of young people whilst in detention. Any issues brought to the attention of the Centre Director are investigated and promptly acted upon to improve the well being of the young people.	Standard Minimum Rules for the Treatment of Prisoners	26	-interviews with relevant stakeholders and staff -inspect relevant records -other evidence sources as guided by contractor with expertise in field	

Title: Youth Detention Inspectorate Expectations for Queensland Youth Detention Centres

Author: CRYDI

Date: 18/10/2011

Version: V1

Page 74

2.7 Bullying

Young people feel safe from bullying including verbal and racial abuse, theft, threats of violence and assault. The centre promotes anti-bullying policies and has procedures in place to respond to bullying behaviour of staff, young people and visitors. Young people are aware of services and procedures that they can utilise to assist them in dealing with others behaviour. Young people identified by staff as victims of bullying behaviour are closely monitored for risk of harm.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	On admission to the detention centre young people are informed about the detention centre's policies and procedures on bullying. Young people are informed of the consequences of bullying behaviour and also of the centre's procedures to protect young people from being a victim of the bullying behaviour of others.	Charter of Juvenile Justice Principles UN Rules for the Protection of Juveniles Deprived of their Liberty	3 & 6 87(d)	-observations -interviews with young people -relevant documentation available -interviews with relevant staff	
2	The detention centre promotes programs targeting bullying behaviour of young people. The programs are age appropriate and recognise all types of bullying including physical and psychological.	Good practice identified to mitigate against risk.		-observations -interviews with young people -relevant documentation available -interviews with relevant staff	
3	Staff are appropriately trained in identifying bullying behaviour and are aware of the potential implications of ignoring this behaviour.	UN Rules for the Protection of Juveniles Deprived of their Liberty	87	-interviews with appropriate staff -interview training officer	
4	Young people are aware and	Good practice identified to		-interviews with young people	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	confident in being able to make a complaint or allegation of bullying either against another young person or a staff member. Young people are offered support and counselling through the investigation process.	mitigate against risk.		-observations -inspect complaints process	

2.8 Cultural and Religious Beliefs

Young people encouraged to embrace and value diversity. Respect and equality for all young people irrespective of race, background, cultural or religious beliefs, is promoted by the Centre and staff lead by example. All young people feel free to practise their religion fully and safely and experience equality of opportunity during every aspect of their time in custody. Tolerance of others is introduced to young people as an integral part of communal living and promoted as an essential life skill assisting young people with their integration back into the community.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	The centre acts in accordance with their obligation to assist young people to participate in the culture into which he or she was born into.	Convention on the Rights of the Child	8.1, 20, 29.1(c), 30.	-interviews with young people -inspect cultural practices and policies	
2	Any forms of discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status is not tolerated in the centre.	Standard Minimum Rules for the Treatment of Prisoners	6(1)	-observations -interviews with staff -interview with young people	
3	In making a decision regarding a young person consideration is given to the young person's cultural and religious beliefs and practices.	Charter of Juvenile Justice Principles	12	-observations -interviews with staff -interviews with young people	
4	Culturally appropriate programs are offered to young people in detention promoting their right to individuality.	Good practice identified to mitigate against risk.		-interview relevant young people -interview relevant staff -interview programs co-	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
				ordinator	
5	Detention facilities are culturally appropriate.	Good practice identified to mitigate against risk.		-interview relevant young people -interview relevant staff -observations	
6	Young people are not denied cultural rights which they are entitled under international law and which are compatible with the deprivation of liberty.	UN Rules for the Protection of Juveniles Deprived of their Liberty	13	-interview relevant young people -interview relevant staff -observations	
7	Young people are allowed and encouraged to satisfy the needs of their religious, cultural or spiritual life. A young person's choice of religious or cultural belief or attachment is respected.	UN Rules for the Protection of Juveniles Deprived of their Liberty Standard Minimum Rules for the Treatment of Prisoners ICCPR	48 6(2) 18	-interview relevant young people -interview relevant staff -observations	
8	Religious services may be organised and those young people that wish to attend are encouraged to do so.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.41	-interview relevant young people -interview relevant staff -observations -interview relevant stakeholders	
9	Young people are never forced to participate or engage in religious services and have a	UN Rules for the Protection of Juveniles Deprived of their	48	-interview relevant young people	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	right to decline religious education.	Liberty		-interview relevant staff -observations -interview relevant stakeholders	
10	If the centre contains a sufficient number of young people from the same religion or culture, a qualified representative of that religion or culture is encouraged to come to the centre at all reasonable times. Access to these representatives is not denied to young people.	Standard Minimum Rules for the Treatment of Prisoners	41	-observations -interviews with staff -interviews with young people -interviews with programs manager	
11	Recognition is given to the special kinship and family obligations of Indigenous prisoners which extend beyond the immediate family and favourable consideration is given to requests for permission to attend funeral services and burials and other occasions of very special family significance.	RCIADIC	171	-interviews with staff -interviews with young people -interviews with case workers	
12	Indigenous young people are entitled to receive periodic visits from representatives of the Indigenous community or Indigenous organisations, including Indigenous Legal	Charter of Juvenile Justice Principles RCIADIC	13	-discuss with young people -interview with caseworkers -discuss with representatives from Indigenous Legal Services	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	Services.		172		
13	Indigenous Welfare Officers are employed to assist Indigenous young people with respect to any problems they might be experiencing inside the Centre.	RCIADIC	174	-staffing profile interview with Centre Director discussions with young people	
14	Centres are committed to the establishment and maintenance of Indigenous support groups within the Centres. Such Indigenous support groups should be permitted to hold regular meetings, liaise with Indigenous service organisations outside the institution.	Charter of Juvenile Justice Principles RCIADIC	13 183	-staffing profile -interview with Centre Director -discussions with young people	
15	Centre management recognise Indigenous support groups as providers of educational and cultural services to Indigenous young people. The support groups are also recognised as being capable of representing the interests and viewpoints of Indigenous young people.	RCIADIC	183	-staffing profile -interview with Centre Director -discussions with young people	

2.9 Complaints Process

Effective complaints mechanisms are in place and easily accessible to young people. Young people are confident in making a complaint and are assured that their complaints will be dealt with in a sensitive manner and given appropriate attention. There is not total reliance on the complaints mechanisms to expose any forms of abuse occurring within the detention centres. Effective monitoring systems are also in place to detect excessive or unlawful uses of force.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	The centre has an effective and confidential complaints mechanism in place that is well-publicised to young people, staff and visitors to the centre.	<i>Youth Justice Act 1992 (Qld)</i> Charter of Juvenile Justice Principles Forde Inquiry Recommendations UN Rules for the Protection of Juveniles Deprived of their Liberty Standard Minimum Rules for the Treatment of Prisoners Public Service Commissioner's Directive 13/06 – Complaints Management Systems	s.227 6 34 25 35 1.8	-discussions with young people -discussions with staff -discussions with parents and care providers -observations -discussions with Manager Monitoring and Compliance	
2	Centre management ensures that the complaints process is publicised in the following areas			-discussions with young people	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	<p>of the centre:</p> <ul style="list-style-type: none"> -Admissions/entry to centre; -Visitors centre; -Each accommodation unit; -Programs area; and -Health Services. 	Public Service Commissioner's Directive 13/06 – Complaints Management Systems		<ul style="list-style-type: none"> -discussions with staff -discussions with parents and care providers -observations -discussion with Manager Monitoring and Compliance 	
3	As soon as practicable after admission young people are informed of, and understand, their rights and also how they may access the complaints process.	<p><i>Youth Justice Act 1992 (Qld)</i></p> <p>Charter of Juvenile Justice Principles</p> <p>UN Rules for the Protection of Juveniles Deprived of their Liberty</p> <p>Standard Minimum Rules for the Treatment of Prisoners</p>	<p>s.267(1)(c)</p> <p>6</p> <p>25</p> <p>35</p>	<ul style="list-style-type: none"> -interview young people -inspect literature relating to complaints 	
4	Complaints are dealt with in a prompt and sensitive manner by centre management outcomes young people are fully informed of the outcome of their complaint within a reasonable time.	<p>Forde Inquiry Recommendations</p> <p>UN Rules for the Protection of Juveniles Deprived of their Liberty</p>	<p>34</p> <p>76</p>	<ul style="list-style-type: none"> -inspect complaints process -inspect timeframes -inspect centre practice 	
5	Every complaint that is submitted by a young person is dealt with	Standard Minimum Rules for the Treatment of Prisoners	36	-inspect complaints process	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	in a comprehensive and systematic manner to ensure the rights of young people are not denied.			-interview young people -interview Manager Monitoring and Compliance	
6	Young people have a basic right to make a request or complaint, without censorship as to substance, either to centre management or an external authority.	<i>Youth Justice Act 1992 (Qld)</i> UN Rules for the Protection of Juveniles Deprived of their Liberty	s.277 75, 76	-inspect complaints process -interview young people -interview manager monitoring and compliance -interview staff -inspect policy centre rules	
7	Young people are permitted to request assistance for external authorities, family members, friends, legal advocates or others in order to make a complaint.	UN Rules for the Protection of Juveniles Deprived of their Liberty	78	-inspect complaints process -interview young people -interview Manager Monitoring and Compliance -interview staff -inspect policy centre rules	
8	Family members or visitors have easy access to brochures or other forms of information in relation to the complaints process and their ability to make a confidential complaint.	Good practice identified to mitigate against risk.		-discussions with parents and care providers -observations	
9	Complaints may be made anonymously and it is publicised that those who wish to make a complaint have a right to confidentiality.	Good practice identified to mitigate against risk.		-inspect complaint process and practice	

2.10 Legal Rights

On their admission to detention young people are informed of their legal rights in a manner that is appropriate to the individual young person, taking into account age and maturity levels. Young people should feel confident in exercising their rights whilst in detention and have access to legal representatives at all reasonable times.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT AND REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	Young people are offered necessary assistance in gaining access to a legal practitioner.	<i>Youth Justice Act 1992</i> (Qld)	ss.275& 276	-inspect centre rules -interview young people -interview stakeholders for legal agencies such as Legal Aid, ATSILS	
		Charter of Juvenile Justice Principles	15		
		Forde Inquiry Recommendations	19		
2	Adequate processes are in place to ensure legal representatives have unrestricted access to young people in detention.	<i>Youth Justice Act 1992</i> (Qld)	s.276(1)	-inspect centre rules -interview young people -interview stakeholders for legal agencies such as Legal Aid, ATSILS	
		Charter of Juvenile Justice Principles	15		
		Forde Inquiry Recommendations	19		
		UN Rules for the Protection of juveniles Deprived of their Liberty	60		
3	Legal representatives are able to conduct meetings or correspond	<i>Youth Justice Act 1992</i> (Qld)	s.276(2)	-inspect centre rules	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT AND REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	with their clients in private and without other people hearing their conversation.	UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)	15	-interview young people -interview stakeholders for legal agencies such as Legal Aid, ATSILS	
		UN Rules for the Protection of Juveniles Deprived of their Liberty	18(a)		
4	Legal representatives are given access to their clients at all reasonable times.	<i>Youth Justice Act 1992</i> (Qld)	s.276(1)	inspect centre rules interview young people interview stakeholders for legal agencies such as Legal Aid, ATSILS	
		Charter of Juvenile Justice Principles	15		
5	All correspondence between a young person and their legal representative including telephone calls and/or mail is kept strictly confidential and at no time is intercepted by staff.	<i>Youth Justice Act 1992</i> (Qld)	s.276(3)	inspect centre rules interview young people interview stakeholders for legal agencies such as Legal Aid, ATSILS	
		<i>Youth Justice Regulation 2003</i> (Qld)	s.31(5)(c)		
		UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)	15		
		UN Rules for the Protection of Juveniles Deprived of their Liberty	18(a)		

2.11 Centre Facilities and Environment

The detention centre provides a safe and clean environment for young people to live whilst in custody. Residential sections should be calm and quiet and are in keeping with the rehabilitative aim of youth detention. Young people are offered a stimulating environment that is gender and age appropriate. Young people are encouraged to engage in various out of cell activities. Young people are also encouraged to contribute to daily tasks to maintain their section.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	During their period of detention young people are provided with a safe and stable living environment.	Charter of Juvenile Justice Principles	20(a)	-interviews with young people -observations -report on incidents of harm to young people while in detention	
2	The Centre facilities reflect the age and background needs of young people in custody.	Charter of Juvenile Justice Principles	20	-interviews with young people -observations	
3	The Centre is kept clean and hygienic at all times and young people are encouraged to maintain their personal areas.	Charter of Juvenile Justice Principles	20	-interviews with young people -observations of young people rooms -interviews with staff	
4	The physical environment of the detention centre is recognised as an important factor in the safe custody and wellbeing of young people whilst in detention.	Charter of Juvenile Justice Principles	20	-observations -interviews with young people -interviews with staff	
5	The detention facility has an open plan and is not overpopulated.	UN Rules for the Protection of Juveniles Deprived of their Liberty	30	-observations -inspect room sharing arrangements (short term & long term)	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
6	The detention facility provides young people with adequate privacy, sensory stimuli, opportunities for positive association with peers and staff, participation in sports, physical exercise and leisure-time activities.	UN Rules for the Protection of Juveniles Deprived of their Liberty	32	-observations -interviews with young people -interviews with staff	
7	Young people occupy individual rooms/cells and have the right to clean, separate and sufficient bedding that is changed regularly to ensure hygiene standards.	UN Rules for the Protection of Juveniles Deprived of their Liberty Standard Minimum Rules for the Treatment of Prisoners	33 19	-observations -interviews with young people -interviews with laundry staff	
8	All rooms occupied by young people satisfy the minimum requirements of lighting and ventilation taking into account the relevant climate conditions. NB. Windows are large enough to enable young people to read by natural light and are constructed to allow the entrance of fresh air whether or not there is artificial ventilation. Artificial light is provided and is	Standard Minimum Rules for the Treatment of Prisoners	10	-observations -inspect young person's room	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	sufficient for young people to read by without injury to eyesight.				
9	Only in exceptional circumstances do two young people occupy a room overnight. A comprehensive risk assessment is conducted prior to sharing a room.	Standard Minimum Rules for the Treatment of Prisoners	9	-observations -interviews with young people -interviews with staff	
10	Young people have access to clean and fully operational toilet and shower facilities and have the right to use the facilities when required.	UN Rules for the Protection of Juveniles Deprived of their Liberty Standard Minimum Rules for the Treatment of Prisoners	34 12, 13	-observations -interviews with young people	
11	Young people have adequate storage facilities for their authorised personal effects.	UN Rules for the Protection of Juveniles Deprived of their Liberty	35	-observations -interviews with young people	
12	The design of the detention centre meets Australian fire and evacuation regulations and standards.	UN Rules for the Protection of Juveniles Deprived of their Liberty	32	-interview Workplace Health and Safety Officer	
13	Surveillance systems are installed in a discreet manner keeping in mind the psychological impact that the use of such equipment may have on the young person.	RCIADIC	139	-observations	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
14	All cells are equipped with a working intercom system giving young people direct communication to youth workers.	RCIADIC	140	-observations	

2.12 Relationship between Staff and Young People

It is recognised that one of the most important aspects of a detention centre is the human interaction between staff and young people. Positive relationships are maintained between staff and young people throughout the duration of the young person's period of detention. Staff balance the need for healthy relationships with young people against the need for a secure controlled environment where all young people are treated fairly and kept safe from physical or psychological harm.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	All young people in detention are treated with respect and dignity by all staff members promoting healthy relationships and encouraging young people to treat others with the same courtesy.	Charter of Juvenile Justice Principles	3	-observations -interviews with young people -interviews with staff	
2	The human interaction between staff and young people is recognised as important and beneficial to the wellbeing of young people.	UN Rules for the Protection of Juveniles Deprived of their Liberty	82	-observations interviews with young people interviews with staff	
3	The use of racist or offensive language towards young people never occurs.	RCIADIC	60(b)	observations -discussions with staff -discussions with young people	
4	Registers or case notes never contain racist or derogatory comments.	RCIADIC	60(b)	-random inspection of registers -random inspection of case notes	
5	At all times staff interact with young people in a manner that is both humane and courteous.	RCIADIC	182	-observations -discussions with staff -discussions with young	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
				people	
6	Centre management considers it a serious breach for a staff member to speak or act in a manner towards a young person that is hurtful, disrespectful or provocative.	RCIADIC	182	-observations -discussions with staff -discussions with young people	

2.13 Education and Training

Young people have access to education appropriate to their needs and abilities in preparation for their return to the community. Young people are guaranteed the benefit of meaningful and constructive activities and programs which serve to promote and sustain their health and self-respect. The activities and programs also foster the sense of responsibility of young people and encourage attitudes and skills that assist in their reintegration back into the community. Special education is available for young people who are illiterate or who have cognitive or learning difficulties.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	Young people are permitted and encouraged to continue their schooling whilst in detention and have access to qualified teachers.	Charter of Juvenile Justice Principles UN Rules for the Protection of Juveniles Deprived of their Liberty	20(g) 38	-observations -interviews with young people -interviews with staff -interviews with Education Queensland staff e.g. Principal, teachers	
2	Having regard to the young person's age and ability to understand, young people are allowed to take part in making decisions affecting their schooling and their participation in programs offered at the centre.	Charter of Juvenile Justice Principles	12, 20(c)(i), (iv).	-observations -interviews with young people -interviews with staff -interviews with Education Queensland staff e.g. principal, teachers -inspect a random selection of single case plans	
3	The centre offers a range of programs that engages young people and offers them future vocational	Forde Inquiry Recommendations	12	-interviews with Education Queensland staff e.g. Principal, teachers	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	benefit.	UN Rules for the Protection of Juveniles Deprived of their Liberty	42	-inspect a selection of single case plans	
		Standard Minimum Rules for the Treatment of Prisoners	71(5)		
4	Whilst detained young people are guaranteed the benefit of meaningful activities and programs which serve to promote and sustain their health and self-respect, foster their sense of responsibility and encourage attitudes and skills that will assist them in developing their potential as members of society.	Charter of Juvenile Justice Principles	14, 20(g)	-interviews with staff -interviews with young people -inspect single case plans	
		UN Rules for the Protection of Juveniles Deprived of their Liberty	12, 18(b)		
5	All Education Queensland teachers who work in the centre have been trained in courses relating to Australia's Indigenous history and Indigenous viewpoints on social, cultural and historical matters. The curriculum reflects this training.	RCIADIC	295(a)	-interview school Principal	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
6	The Centre ensures that all Indigenous young people have the opportunity to perform to undertake educational courses in Indigenous history and culture. Where appropriate special consideration should be given to appropriate teaching methods and learning dispositions of Indigenous young people.	Charter of Juvenile Justice Principles RCIADIC	14 184	-interview Curriculum Coordinator	
7	The Centre offers age appropriate education and programs aimed at the young person's development.	Charter of Juvenile Justice Principles	14, 20(g)	-interviews with staff -interview programs staff and/or Education Queensland staff -interviews with young people -inspect programs available for young people (particularly young females)	
8	Education, training and programs that are provided are equivalent to current community standards and expectations and support the young person's reintegration into the community.	Charter of Juvenile Justice Principles	16	-interview program coordinator -interview school Principal	
9	Educational programs are designed to meet the individual needs and abilities of young people.	UN Rules for the Protection of Juveniles Deprived of their Liberty	38	-interviews with staff -interview programs staff and/or Education Queensland staff	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
				-interviews with young people -inspect programs available for young people (particularly young females)	
10	<p>Whilst in detention, young people have regular access to an adequately stocked library and are encouraged to make use of it.</p> <p>In most cases young people are encouraged to borrow the books from the library to read during free time in their accommodation units.</p> <p>The library stocks books that are suitable for a range of different reading abilities of young people.</p>	<p>UN Rules for the Protection of Juveniles Deprived of their Liberty</p> <p>Standard Minimum Rules for the Treatment of Prisoners</p>	<p>41</p> <p>40</p>	<p>-observations</p> <p>-interview Librarian</p> <p>-interview with young people</p>	

2.14 Recreational Time

Young people are allowed a suitable amount of time for daily free exercise in the open air (when whether permits). Appropriate recreational and physical training is also provided.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT& REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
1	The centre provides appropriate recreational facilities and sporting opportunities and instruction.	Forde Inquiry Recommendations Standard Minimum Rules for the Treatment of Prisoners	12 21(2)	-interviews with staff -interviews with young people -inspect daily program	
2	Where compatible with the interests of the administration of justice, young people receive and retain materials for their leisure and recreation.	UN Rules for the Protection of Juveniles Deprived of their Liberty	18(c)	-interviews with staff -interviews with young people -inspection of young peoples' rooms for personal property	
3	Young people are given a suitable amount of time for daily free exercise.	UN Rules for the Protection of Juveniles Deprived of their Liberty Standard Minimum Rules for the Treatment of Prisoners	47 21(1)	-interviews with staff -interviews with young people -inspect daily program -inspect young people on behavioural management plans	
4	Young people are allowed to exercise in fresh air when the whether permits.	UN Rules for the Protection of Juveniles Deprived of their Liberty	47	-interviews with staff -interviews with young people	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
				<ul style="list-style-type: none"> -inspect daily program -inspect relevant documents young people on behavioural management plans 	
5	Young people who are not physically able to participate in the available recreational programs are provided with appropriate alternatives.	UN Rules for the Protection of Juveniles Deprived of their Liberty	47	<ul style="list-style-type: none"> -interviews with staff -interviews with young people -inspect daily program -inspect re young people on behavioural management plans -provide a case example if appropriate 	

2.15 Behaviour Management

Behaviour management of young people is an integral element of the detention centre preventing harm to young people, staff and/or visitors, however, the use of disciplinary procedures, force and separation are minimised through effective preventative strategies, alternative approaches to discipline and behaviour development.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
Rules					
1	On admission to the detention centre the young person is provided with written information of the types of behaviours which will not be tolerated during their period of detention and the consequences of misbehaviour. This information is also orally explained to the young person in a way that has regard to the young person's age and ability to understand.	<i>Youth Justice Regulation 2003</i> (Qld)	s.17	-interviews with staff -interviews with young people -inspect any reading material provided to the young people -observations if appropriate	
		Charter of Juvenile Justice Principles	6		
2	The detention centre rules are publicised throughout the centre, are fully explained during admission of the young person and are reinforced by staff in age appropriate methods to ensure young people are aware of what is expected of them and the potential	Charter of Juvenile Justice Principles	6	-interviews with staff -interviews with young people -inspect any reading material provided to the young people -observations if appropriate	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	consequences for young people who refuse to comply with the rules.				
3	The individual needs of each young person are balanced with the need for group consistency without impeding on the young person's rights or the safety and security of the centre.	Good practice identified to mitigate against risk.		-interviews with staff -interviews with young people -inspect any reading material provided to the young people -observations if appropriate	
4	Rules are applied fairly and consistently by staff without discrimination.	Good practice identified to mitigate against risk.		-interviews with staff -interviews with young people -observations if appropriate (pay particular attention to female young people)	
5	Young people are provided with consistent boundaries to avoid confusion, inequality or favouritism.	Good practice identified to mitigate against risk.		-interviews with staff -interviews with young people -observations if appropriate	
6	Young people are encouraged and assisted by staff to engage in all activities in their structured day in a way which conforms to centre rules promoting punctuality, attendance and responsible behaviour.	Good practice identified to mitigate against risk.		-interviews with staff -interviews with young people -observations if appropriate	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
Disciplinary Procedures					
7	A young person is only disciplined for a failure to obey reasonable instructions lawfully given to the young person by a detention centre employee. All forms of discipline are accurately recorded in a register with adequate detail of the incident.	<i>Youth Justice Regulation 2003</i> (Qld) UN Rules for the Protection of Juveniles Deprived of their Liberty	s.17 70	-interviews with staff -interviews with young people -inspect relevant registers -observations if appropriate -ensure female young people are provided with the opportunity to be interviewed	
8	Any disciplinary measures or procedures maintain the interest of safety and security whilst still upholding the respect and well-being of the young person.	UN Rules for the Protection of Juveniles Deprived of their Liberty	66	-observations -discussions with staff	
9	Staff are trained in lawful disciplinary procedures and are aware of disciplinary measures that are prohibited.	UN Rules for the Protection of Juveniles Deprived of their Liberty	67	-interviews with staff -inspect centre monitoring system -inspect a selection of incident reports	
10	Young people are only punished in accordance with the terms of the legislation and never punished twice for	UN Rules for the Protection of Juveniles Deprived of their Liberty	67	-look at young peoples' case plans -interviews with case workers	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	the same offence.	Standard Minimum Rules for the Treatment of Prisoners	30		
11	The inappropriate behaviour of a young person is addressed as soon as a staff member becomes aware of the incident directly linking the behaviour with the consequence. Young people are informed of what they have done wrong in an age appropriate manner and are always given an opportunity to explain their behaviour.	Standard Minimum Rules for the Treatment of Prisoners	30	-observations -interviews/discussions with staff	
12	Discipline of young people is maintained with firmness but with no more restriction than is necessary for the safe custody of young people and the security of the detention centre.	Standard Minimum Rules for the Treatment of Prisoners	27	-interviews with staff -interviews with young people -observations if appropriate -pay particular attention to consequences for female young people	
13	Rather than taking a purely consequential approach to correcting the behaviour of a young person, behaviour is effectively managed by having regard to the young	Charter of Juvenile Justice Principles	12	-interviews with staff -interviews with young people -observations if appropriate (pay particular attention to what consequences occur for	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	person's underlying individual needs.			female young people). -inspect single case plans	
14	Behaviour of young people is managed in a way that respects the young people's dignity and has regard to: the nature of the misbehaviour; the young person's age and maturity; and the young person's cultural background or beliefs.	Charter of Juvenile Justice Principles	12	-interviews with staff -interviews with young people -observations if appropriate	
15	Staff take into consideration the fact that young people in detention will experience normal adolescent behaviour and therefore staff exercise an appropriate balance of tolerance and authority necessary to gain compliance with the rules.	Good practice identified to mitigate against risk.		-interviews with staff -interviews with young people -observations if appropriate (pay particular attention to consequences for female young people)	
16	Behaviour is not managed with a one size fits all approach. The underlying needs of young people are identified and addressed in an effort to avoid an ineffective purely disciplinary approach.	Charter of Juvenile Justice Principles	12	-interviews with staff -interviews with young people -observations if appropriate (pay particular attention to consequences for female young people)	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
17	The individual behavioural needs of young people are addressed through a combination of therapeutic inputs and incentive schemes.	Good practice identified to mitigate against risk.		-interviews with staff -interviews with young people -observations if appropriate (pay particular attention to consequences for female young people). -inspect young peoples' BMPs from the last six months.	
18	Disciplinary procedures are applied fairly and consistently by staff.	Good practice identified to mitigate against risk.		-interviews with staff -interviews with young people -observations if appropriate (pay particular attention to consequences for female young people) -inspect young peoples' BMPs during the last six months.	
19	Labour is never imposed as a disciplinary sanction.	UN Rules for the Protection of Juveniles Deprived of their Liberty	67	-interviews with staff -interviews with young people -observations if appropriate -inspect young peoples' BMPs during the last six months N.B. Labour can be used if it is truly restorative, such as a young person being required to remove graffiti they previously did, rather than	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
				being formally charged.	
20	Young people are informed in a manner that they understand why they are being disciplined and are given an opportunity to appeal.	UN Rules for the Protection of Juveniles Deprived of their Liberty	70	-discussions with staff -discussions with young people -observations if appropriate -examine the appeals process	
21	Young people are only disciplined according to the legislation. Unlawful, cruel or degrading forms of discipline are strictly prohibited.	<i>Youth Justice Regulation 2003</i> (Qld) UN Rules for the Protection of Juveniles Deprived of their Liberty	s.17 67	-discussions with staff -discussions with young people -observations if appropriate	
22	Young people are never sanctioned more than once for the same disciplinary infraction.	UN Rules for the Protection of Juveniles Deprived of their Liberty	67	-discussions with staff -discussions with young people -observations if appropriate	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.	POTENTIAL EVIDENCE SOURCES	FINDINGS	
Use of Force and/or Restraints					
23	The use of force and/or restraints on young people in detention are only utilised for reasons prescribed by the legislation.	UN Rules for the Protection of Juveniles Deprived of their Liberty	64	-discussions with staff -discussions with young people -observations if appropriate -check the appeals process	
24	The use of restraint aids are used only as a last resort.	RCIADIC	163	-inspect incident reports and incident registers	
25	Centre policies/practices are consistent with the legislation in relation to the uses of force and/or restraints.	Good practice identified to mitigate against risk.		-inspect relevant policy -inspect relevant incident reports	
26	The uses of force and/or restraints are used as a last resort and where no other method is appropriate to prevent risk of harm to the young person or others.	<i>Youth Justice Regulation 2003 (Qld)</i>	20	-discussions with staff -inspect incident reports	
27	The applications of force and/or restraints are never used as a punishment or to obtain a young person's compliance with staff instructions.	Standard Minimum Rules for the Treatment of Prisoners	33	-discussions with staff -inspect incident reports -inspect that policy reflects the intent of relevant legislation	
28	Staff do not use force when escorting unresisting young	RCIADIC	163	-discussions with staff -inspect incident reports	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	people.			-inspect policy reflects the intent of relevant legislation	
29	Staff are trained in de-escalation and non-escalation techniques and are encouraged to utilise these techniques to avoid the need for the use of force or restraints.	RCIADIC	163	-discussions with staff -inspect training documentation -discussions with training officer	
30	Only approved restraints are kept at the detention centre. Careful inventory and record of their use is kept accurate and up to date.	Good practice identified to mitigate against risk.		-inspect types of restraints	
31	Youth workers receive regular training in restraint techniques, including the application of approved restraint equipment.	RCIADIC Standard Minimum Rules for the Treatment of Prisoners	163 54(2)	-discuss with youth workers -inspect training register	
32	Where the use of restraints is necessary reasonable steps are taken by staff to use them in a way that respects the child's dignity and for no longer than reasonably necessary in the circumstances.	<i>Youth Justice Regulation 2003</i> (Qld) UN Rules for the Protection of Juveniles Derived of their Liberty Standard Minimum Rules for the Treatment of Prisoners	s.20(4)(a)(b) 64 34	-interviews with staff -interviews with relevant young people (if appropriate) -inspect relevant incident reports	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
33	Where the use of force or restraints is unavoidable, trained staff use only approved techniques and with no more force and for no longer than is necessary in the circumstances.	UN Rules for the Protection of Juveniles Deprived of their Liberty	64	-discussions with staff -inspect incident reports -inspect that policy reflects the intent of relevant legislation	
34	The use of force and restraints register is up to date, accurate and contains adequate detail of the restraint used, the young person and the incident.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.21	-inspect relevant register -inspect centre practice of ensuring detail in the register is correct	
35	The use of force and restraints register is regularly reviewed by centre management and monitored for emerging patterns in relation to certain young people, staff, locations, ethnicity and gender.	Good practice identified to mitigate against risk.		-inspect relevant register -inspect centre practice of ensuring register are completed correctly	
36	Use of force rates are reasonable in comparison to other centres and jurisdictions.	Good practice identified to mitigate against risk.		-conduct a comparison with other equivalent jurisdictions	
37	Following an incident where the use of force or the use of restraints are necessary, the young person subject to the force or restraint procedures are seen by a healthcare professional as soon as	Standard Minimum Rules for the Treatment of Prisoners	33(c)	-inspect incident reports -inspect relevant medical reports	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	possible after the incident.				
38	All uses of force and/or restraints are reported and investigated to ensure that the use was lawful. Centre management do not rely on complaints being made by young people before incidents are investigated for compliance.	Standard Minimum Rules for the Treatment of Prisoners	54(1)	-inspect the process for monitoring compliance	
39	In an effort to correct the incident causing behaviour, young people subject to the use of force or the use of restraints, are always offered an opportunity to discuss the incident with an appropriate member of staff not involved in the incident. An opportunity to complain is also offered to the young person.	Good practice identified to mitigate against risk.		-inspect process (what the process is once a young person has been restrained) -interview young people -interview staff	
40	Staff found to have used force unlawfully, either by excessive force or for a reason not prescribed by legislation, are offered learning sessions and retraining in the appropriate use of force and/or restraints.	Good practice identified to mitigate against risk.		-interview manager monitoring and compliance -interview Centre Director -inspect relevant reports i.e. IR4 for outcomes	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
Separation					
41	The centre complies with legislative requirements in relation to separation of young people.	<i>Youth Justice Regulation 2003 (Qld)</i>	ss.17, 22, 23, 30	-observations -inspect incident reports -interview staff	
42	Young people are only separated for reasons prescribed by legislation and only in response to an unacceptable risk of immediate harm to the young person or to others.	Good practice identified to mitigate against risk.		-observations -inspect incident reports -interview staff	
43	Young people are held in separation only for reasonable periods of time and only for a prescribed purpose. The separation environment does not pose a risk to the physical or mental health of the young person.	<i>Youth Justice Regulation 2003 (Qld)</i>	s.22	-observations -inspect incident reports -interview staff	
44	The primary objective of separating a young person is to diffuse and de-escalate the young person's problem behaviour. Separation is never used as punishment.	Good practice identified to mitigate against risk.		-observations -inspect incident reports -interview staff	
45	A separation register is up to date, accurate and contains adequate detail relating to	<i>Youth Justice Regulation 2003 (Qld)</i>	s.23	-inspect separation register	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	the young person, the reason for separation, supervising staff and the date and length of the young person's separation. Staff also record information relating to the young person's daily routine whilst in separation.				
46	Young people are never kept in isolation with nothing to occupy them for a long period of time.	Good practice identified to mitigate against risk.		-inspect separation register -interview young people -interview staff	
47	Young people in separation are closely monitored at all times by appropriately trained staff members.	Good practice identified to mitigate against risk.		-observations -inspect incident reports -interview staff	
48	Separation practices reflect the intent of recommendations of the RCIADIC.	RCIADIC		-inspect separation plans (Behavioural Management Plans)	
49	The segregation or separation of young people is used only as a last resort.	RCIADIC	181 9.5	-inspect separation registers -discussions with staff -discussions with young people -discussions with case workers	
50	The separation of a young person meets the minimum	RCIADIC	181	-observations	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	standards for separation including fresh air, lighting, daily exercise, adequate clothing and heating/cooling, adequate food and appropriate mealtimes, water and sanitation facilities and reasonable access to visitors.			-interviews with young people -interviews with staff	
51	Young people are never denied access to school work whilst in separation except in extreme circumstances.	Good practice identified to mitigate against risk.		-interviews with young people -observations of any young people in separation at time of inspection -interviews with staff -interview school principal	
52	All young people in the separation unit have a "plan" developed in order to address the underlying issues relating to the young person's behaviour in an aim to reintegrate the young person to their normal residential units as soon as possible. The plan takes into consideration the young persons age and maturity and where appropriate cultural and religious beliefs. These plans are reviewed regularly and amended	Charter of Juvenile Justice Principles	12	-inspection of separation plans -interviews with young people who have been placed on a Behavioural Management Plan (BMP).	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT & REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	according to the changing needs of the individual young person.				
53	Young people are informed in an age appropriate manner why they have been separated and assured that they are not being separated as punishment rather that staff are worried for the safety of the young people or others.	Charter of Juvenile Justice Principles	6, 12	-interview appropriate young people -interviews with staff	

2.16 Behaviour Development

Individual behaviour that is considered inconsistent with the good order and maintenance of a safe centre is addressed in an objective and consistent manner that is constructive to the advancement of the young person's positive behaviour. A focus is placed on the development of a young person's behaviour as the primary method of maintaining a safe environment for young people, staff and visitors to the centre. Staff promote a reward scheme for good behaviour and young people are aware of, and understand, the scheme. Behaviour related procedures, schemes and programs are applied individually to young people that cater to their own needs. Group punishment is not used to address individual young people's behaviour.

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT AND REF.	POTENTIAL EVIDENCE SOURCES	FINDINGS
Individual Focus				
1	Individual development is encouraged by staff recognising and promoting the individuality of each young person.	Good practice identified to mitigate against risk.		-inspect behavioural development system -interview young people -interview staff
2	There is no obvious gap between behaviour development in theory and in practice.	Good practice identified to mitigate against risk.		-inspect behavioural development system -interviews with young people -interviews with staff
3	Caseworkers utilise reports prepared by health team staff when developing programs and/or plans for young people to ensure that the individual needs of the young person are being met.	UN Rules for the Protection of Juveniles Deprived of their Liberty	27	-interview case workers -inspect young people's plans
4	Standard behaviour management plans are not used in the centre. Any young people who appear	Good practice identified to mitigate against risk.		-inspect sample of Behaviour Management Plans

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT AND REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
	unable or unwilling to engage in the centres routines and incentives schemes are referred to casework and/or other specialist staff for consideration of an individual management plan informed by adolescent psychology and developmental principles.				
Rewards programs					
5	A rewards program has been established in the detention centre. The scheme is explained to young people and young people understand how it works.	Charter of Juvenile Justice Principles	6, 12	-discussions with young people -discussions with youth workers and section supervisors -observations	
6	Where considered necessary the rewards program is individualised to meet the needs of a young person.	Charter of Juvenile Justice Principles	12	-discussions with young people -discussions with youth workers and section supervisors -observations	
7	The rewards program encourages good behaviour of young people and focuses on positive outcomes.	Standard Minimum Rules for the Treatment of Prisoners	70	-discussions with young people -discussions with youth workers, and section	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT AND REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
				supervisors -observations	
8	Systems of rewards or privileges are applied in the centre in order to encourage good conduct, develop a sense of responsibility and to secure the interest and co-operation of the young people.	Standard Minimum Rules for the Treatment of Prisoners	63(2), 70	-inspect reward aspect of the behaviour development system	
Restoration and Reintegration					
9	Detention centre staff seek to minimise, as reasonably practicable, any differences between life inside and outside the detention centre.	Charter of Juvenile Justice Principles UN Rules for the Protection of Juveniles Deprived of their Liberty	19, 20(b) 87(f)	-observations -interviews with staff	
10	Young people are given appropriate assistance in making the transition from being in detention to independence.	Charter of Juvenile Justice Principles	20(h)	-observations -inspection of reintegration plans -interviews with appropriate young people	

CRITERIA		AUTHORITY / GOVERNMENT COMMITMENT AND REF.		POTENTIAL EVIDENCE SOURCES	FINDINGS
11	Young people benefit from programs that are designed to assist them in returning to the community, family life, education or employment after their release from detention.	UN Rules for the Protection of Juveniles Deprived of their Liberty	79	-observations -inspection of reintegration plans -interviews with appropriate young people	
12	Young people have access to services to assist them in re-establishing themselves in the community.	Charter of Juvenile Justice Principles UN Rules for the Protection of Juveniles Deprived of their Liberty	19, 20(b) 80	-observations -inspection of reintegration plans -interviews with appropriate young people	
13	The centre utilises all therapeutic, educational, moral, spiritual and other forms of assistance which are appropriate and available to assist young people in preparation for their return to the community.	Standard Minimum Rules for the Treatment of Prisoners	59, 66	-inspect programs available for young people	
14	Prior to their return to the community, necessary steps are taken to ensure for the young person's gradual return to the community.	Standard Minimum Rules for the Treatment of Prisoners	60(2)	-inspect reintegration activities	

Acronyms and Abbreviations

Beijing Rules	United Nations Standard Minimum Rules for the Administration of Juvenile Justice
BDP	Behavioural Development Plans
BYDC	Brisbane Youth Detention Centre
CROC	Convention on the Rights of the Child
CYDC	Cleveland Youth Detention Centre
Forde Inquiry Recommendations	Commission of Inquiry into Abuse of Children in Queensland Institutions
IR	Incident Report
JJA	<i>Youth Justice Act 1992 (Qld)</i>
JJR	<i>Youth Justice Regulation 2003 (Qld)</i>
QPS	Queensland Police Service
YDI	Youth Detention Inspectorate
YDO	Youth Detention Operations
RCIADIC	Royal Commission into Aboriginal Deaths in Custody

References

Legislation

Youth Justice Act 1992 (Qld)

Youth Justice Regulation 2003 (Qld)

Charter of Juvenile Justice Principles

Juvenile Justice Amendment Bill 2002 Explanatory Notes

Juvenile Justice Amendment Bill 2002, Hansard 19 June 2002

International Law

United Nations Rules for the Protection of Juveniles Deprived of their Liberty

Standard Minimum Rules for the Treatment of Prisoners

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)

United Nations Standard Minimum Rules for the Treatment of Prisoners

Convention on the Rights of the Child (CROC)

Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment

Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)

Recommendations and Standards

Commission of Inquiry into the Abuse of Children in Queensland Institutions (May 1999) (the Forde Inquiry)

Queensland Government Response to Recommendations of the Commission of Inquiry into the Abuse of Children in Queensland Institutions (August 1999)

Royal Commission into Aboriginal Deaths in Custody (RCIADIC)

Other Jurisdictions

Her Majesty's Inspectorate of Prisons, England and Wales, Children and Young People Expectations

Office of the Custodial Inspector, Western Australia