

Youth detention centre

OPERATIONAL POLICY

Title: YD-1-2 Youth detention – Behaviour development

Policy statement:

The department will promote the safety, wellbeing, rights and rehabilitation of young people in youth detention through an effective behaviour development framework.

Behaviour development responses will assist young people to become aware of the impacts of misbehaviour and encourage them to make appropriate decisions by promoting positive behaviour.

While misbehaviour will be managed in an appropriate and consistent manner; fundamental rights and entitlements will not be revoked for disciplinary purposes.

Youth detention staff must model appropriate and positive behaviours when interacting with young people and contribute to creating a youth detention culture that is safe, calm and respectful of others.

Principles:

1. General principles

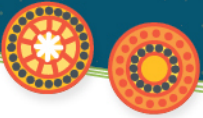
Behaviour development in youth detention centres will:

- promote the safety and wellbeing of young people and staff
- respect young people's dignity, cultural background and beliefs
- respect and uphold the fundamental rights and entitlements of young people, which must not be revoked for disciplinary purposes
- promote positive behaviour using incentives and consequences, applied in a timely, consistent and reasonable manner
- ensure behavioural support responses meet a young person's individual needs, taking into consideration their personal circumstances, age, gender and developmental level
- ensure behavioural expectations for young people are clearly defined, easy to understand, explained at induction and reiterated frequently
- provide young people with the opportunity to consent, participate and have their views taken into account in behaviour support planning processes to the fullest extent possible
- provide an appeals process to young people who feel decisions made by staff have been unreasonable.

2. Promoting positive behaviour

2.1 Youth detention centres must implement a system for assessing and acknowledging positive behaviours in a way that promotes young people's social and behavioural development and rehabilitation.

2.2 Young people's daily routine will provide structure and order.



2.3 The system for assessing and promoting positive behaviours must:

- be transparent in how it assesses and rewards behaviour
- be consistently applied
- be clearly communicated to young people and easy for them to understand
- provide motivating rewards in a timely way to encourage young people to continue the positive behaviour.

2.4 Rewards available to young people must not incentivise their fundamental rights and entitlements.

2.5 Rewards must be administered in a way that prevents their misuse by young people. Any unreasonable stockpiling of items or the use of rewards as a form of currency for betting or any other purpose is strictly prohibited.

2.6 Positive behaviour is defined as compliance with centre rules, which are:

- program participation
- respectful interactions with staff and peers
- following reasonable instructions
- performing section duties
- good manners
- maintenance of good hygiene
- going to bed at bedtime
- no smoking
- no swearing
- no graffiti
- no inappropriate physical contact with other young people.

3. Managing misbehaviour

3.1 Youth detention centres must implement a system for assessing and providing consequences for misbehaviour in a way that:

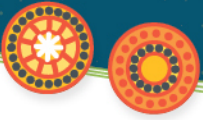
- aims to minimise and deter misbehaviour
- is proportionate to the nature of the misbehaviour
- considers the young person's age, developmental level and individual needs
- provides opportunities to develop self-management skills and pro-social behaviours
- implements consequences in a consistent and specific manner
- is responsive and timely to allow young people to understand the connection between their behaviour and the consequences
- provides an appeals process to allow young people to challenge decisions made as part of the consequence scheme.

3.2 Misbehaviour is defined as non-compliance with the centre rules.

3.3 To ensure consequences are commensurate to the misbehaviour, such behaviour is classified into three categories:

- minor misbehaviour – behaviour which may create a distraction or unsettle other people but has no serious implications and negative outcomes for anyone or centre operations. Minor misbehaviour can often be quickly addressed and resolved with no further action required.
- moderate misbehaviour – behaviour that has a reasonable impact on others and/or centre operations. It may be hurtful to others, but not as harmful as serious misbehaviour will be. It will usually require a consequence to be implemented.
- serious misbehaviour – behaviour that has serious impacts on others and/or the operations of the centre. It includes assaults, serious property damage and possession of a restricted, prohibited or illegal article.

3.4 Appendix A provides more information about appropriate consequences for misbehaviour.



- 3.5 For persistent minor misbehaviour and moderate and serious behaviour, youth detention centres may establish a behaviour support plan.
- 3.6 The establishment of a behaviour support plan may prevent a young person from accessing the incentive scheme.
- 3.7 If the misbehaviour may have resulted in alleged or suspected harm to another young person, the matter must be reported in accordance with section 268 of the *Youth Justice Act 1992*. Refer to [Policy YD-3-9: Identifying and reporting harm in a youth detention centre](#) for guidance on these matters.

4. Misbehaviour that may constitute a criminal offence

- 4.1 If a young person's misbehaviour relates to a potential criminal offence that is alleged to have occurred to another young person and the victim does not wish to make a complaint to the Queensland Police Service (QPS), the youth detention centre must refer the matter to QPS (regardless of the victim's wishes).
- 4.2 In addition to the obligations under section 3.7, a youth detention centre may refer any other suspected criminal offence by a young person to QPS for investigation.
- 4.3 Matters referred to the QPS may include available evidence such as CCTV footage, body worn camera video and audio footage and incident reports.
- 4.4 If a young person is found guilty of an offence arising out of their misbehaviour while in a youth detention centre, the youth detention centre must ensure information about any consequences applied to that young person is provided to the court before sentencing.

5. Prohibited disciplinary strategies

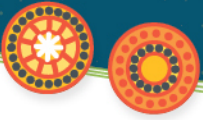
Youth detention staff must not use any of the following for the purpose of disciplining a young person:

- separation¹
- corporal punishment
- physical contact
- any act that involves humiliation, physical abuse, emotional abuse or sustained verbal abuse
- deprivation of sleep, food, visitors or bedding items
- withholding mail sent to or from the young person
- withholding access to phones or other means of communication
- exclusion from cultural, education or vocational programs
- medication or deprivation of medication
- any other response that infringes upon a young person's fundamental rights and entitlements.

6. Behaviour management and the youth detention protective actions continuum

- 6.1 At times, young people's misbehaviour may place their safety or the safety of other young people, staff, property or the security of the centre at risk. In these situations, youth detention operational staff may be required to utilise Policy YD-3-4: Youth Detention Protective Actions Continuum.
- 6.2 In situations where a young person's behaviour poses a risk to their safety, or the safety of others, staff may turn on their body worn camera in order to record the incident. Refer to Policy YD-4-6: Surveillance technology and client privacy and Chapter 4: Security management for more information.
- 6.3 To remove any doubt, the youth detention protective actions continuum (PAC) and the centre's behaviour management system are separate frameworks that work together when a young person's misbehaviour has the potential to pose safety risks to themselves, other people, property or the order of the centre.

¹ However, separation is authorised in circumstances where a person or property requires protection or the order of the centre needs to be restored.



Objectives:

Young people in youth detention often display difficult and challenging behaviours. Accordingly, youth detention centres require an effective behaviour development framework to promote the safety, wellbeing and rehabilitation of young people.

The department also acknowledges that effective behaviour development responses contribute to centre safety and security. In conjunction with behaviour management responses (for example, PAC), these systems protect staff and young people from violent behaviours, thereby reducing incidents and injuries.

This policy also aims to ensure the department's obligations under the *Human Rights Act 2019*, section 263 (2) and (3) of the *Youth Justice Act 1992* and sections 15, 16 and 17 of the *Youth Justice Regulation 2016* are met.

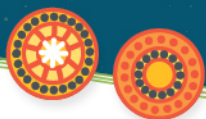
Scope:

This policy applies to young people sentenced or remanded in a youth detention centre and is to be read in conjunction with:

- [Policy YD-1-12: Physical contact between young people](#)
- Policy YD-3-4: Protective actions continuum
- [Policy YD-4-6: Use of surveillance technology and client privacy](#)
- Chapter 1: Care and management of young people, Youth Detention Centre Operations Manual
- Appendix 02: Philosophy of youth detention services

Roles and responsibilities:

- Youth detention centre caseworker:
 - collate and provide information to the youth justice service centre about consequences applied to a young person who is found guilty of an offence
 - actively participate in behaviour support planning processes.
- Unit manager, accommodation:
 - actively participate in behaviour support planning processes
 - oversee the implementation of incentive and consequence schemes and make sure they are applied consistently, fairly and transparently.
- Team leader – behaviour support:
 - lead behaviour development responses and management, including incentive and consequence schemes
 - review and update centre-specific resources related to behaviour development
 - guide behaviour support plan development, implementation and review
 - make sure relevant information is integrated into case plans.
- Practice support manager:
 - refer potential criminal matters to QPS.
- Psychologist:
 - provide high quality psychological services including psychological behavioural assessments, treatments and interventions
 - actively participate in behaviour support planning processes
 - make sure relevant psychological information is integrated into case plans.
- Youth detention centre staff:



- model appropriate behaviours when interacting with young people
 - respect young people's dignity, cultural background and beliefs when responding to behaviour
 - acknowledge, assess and reward positive behaviours
 - identify, reprimand and apply consequences for misbehaviour.
- Executive director:
 - ensure compliance with this policy.

Authority:

Youth Justice Act 1992
Youth Justice Regulation 2016

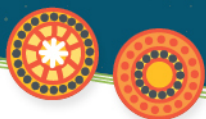
Delegations:

Position	Delegation
Senior Executive Director , Youth Justice Executive director, youth detention centre Director, Secure Services Operations and Practice	<i>Youth Justice Act 1992</i> Section 263 (2), (5) – Issue directions, codes, standards and guidelines for the security and management of detention centres and the safe custody and wellbeing of children in detention. Comply with youth justice principles.
Senior Executive Director, Youth Justice Executive director, youth detention centre Director, Secure Services Operations and Practice Executive Director, Ethical Standards Unit Principal Inspector, Ethical Standards Unit	<i>Youth Justice Act 1992</i> Section 263 (4) – Monitor operation of detention centres.
Senior Executive Director, Youth Justice Executive director, youth detention centre Deputy director Unit manager Shift supervisor Section supervisor Court supervisor Gym instructor Structured day coordinator	<i>Youth Justice Regulation 2016</i> Section 15 (1) (2) – Give written notice of types of behaviour. Ensure information in notice is explained.
Senior Executive Director, Youth Justice Executive director, youth detention centre Deputy director Unit manager Shift supervisor Section supervisor Court supervisor Gym instructor Structured day coordinator Community assistance project supervisor Programs support officer Transition officer Program deliverer Youth worker	<i>Youth Justice Regulation 2016</i> Section 16 (2) (3) – May discipline child. Must ensure misbehaviour is managed in a way that respects the child's dignity, and has regard to the nature of the misbehaviour, and the child's age and maturity, and the child's cultural background or beliefs.
Senior Executive Director, Youth Justice	<i>Youth Justice Regulation 2016</i> Section 17 (2) – Give information about discipline to court.

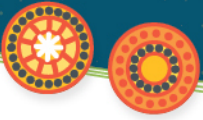
Definitions:

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

Term	Definition
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Behaviour support plan	A behaviour support plan documents a specific intervention plan in response to a young person's behaviour. It facilitates an individualised, focused, multi-disciplinary approach to the management and support of a young person's behaviour.
Centre rules	Young people are required to comply with the following rules while in youth detention: <ul style="list-style-type: none"> • program participation • respectful interactions with staff and peers • following reasonable instructions • performing section duties • good manners • maintenance of good hygiene • going to bed at bedtime • no smoking • no swearing • no graffiti • no inappropriate physical contact with other young people.
Corporal punishment	Any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light.
Executive director	The director of the youth detention centre.
Fundamental rights and entitlements	Young people must be provided with access to the following fundamental entitlements to ensure their physical and mental wellbeing: <ul style="list-style-type: none"> • clothing items • hygiene items • items of personal significance that are safe for a youth detention environment • stable accommodation • regular meals • access to food and beverages outside of standard meal times • educational, vocational and rehabilitation activities • recreation time • visits • cultural and religious needs • complaints mechanisms • medical care.
Induction	Induction is part of the admissions process. It is a critical point of communicating to the young person their rights and responsibilities while in youth detention. Refer also to the induction booklet .
Separation	When a young person is placed in a locked room by themselves for a reason prescribed under section 21 of the <i>Youth Justice Regulation 2016</i> .
Youth detention protective actions continuum	An incident intervention response framework based on using the proportionate level of response possible in order to safely resolve an incident.
Reward	An object or activity or position or concession or word of praise or sense of achievement or other good that is valued by a young person which is utilised as a positive reinforcer for displaying good behaviour.
Reinforcement	A consequence administered by staff to a client for specific behaviour, which is intended either to increase or to decrease the likelihood that behaviour of that kind will recur.



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Approved by: 1.0 Director General DJAG (23 September 2013)

1.1 Assistant Director-General (22 July 2015)

1.2 Director, Practice, Program and Design (16 November 2017)

1.3 Director, Secure Services Operations and Practice

1.4 Deputy Director-General (2 December 2019)

1.5 Director, Secure Services Operations and Practice (16 December 2019)

Date of operation: 22 July 2015

Date to be reviewed: 16 December 2022

Office: Youth Justice Secure Services Operations and Practice

Help contact: Youth Detention Operations: YJPracticeEnquiries@csyw.qld.gov.au

Communication strategy:

- publish on intranet
- publish on internet
- advise staff to read
- supervisors discuss with direct reports

Links:

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

[Human Rights Act 2019](#)

[Queensland Human Rights Commission](#)

[Youth Justice policies](#)

Bob Gee

Director-General