



6 August 2024

Our ref: GIPA24 [REDACTED]

Dear [REDACTED]

Formal Access Application - Notice of Decision

I refer to your Formal Access Application under the *Government Information (Public Access) Act 2009* (GIPA Act) that you lodged with the Department of Communities and Justice (the Department) on behalf of [REDACTED]

In your application, you originally sought access to the following information:

1. *Centre-wide staff sign-on sheet for Reiby Juvenile Justice Centre between 18 June 1990 and 19 July 1990*
2. *Centre-wide staff sign-on sheet for Yasmar Shelter between 8 June 1991 and 11 June 1991*
3. *Centre-wide staff sign-on sheets for Mt Penang Juvenile Justice Centre between 11 June 1991 and 6 June 1993*
4. *All policies, procedures, and guidelines in force in 1990 to 1993 in relation to the management of Juvenile Justice Centres and the handling of juveniles.*

I wrote to you on 26 June 2024 and advised that dealing with the original scope of your request would require an unreasonable and substantial diversion of the Department's resources pursuant to section 60(1)(a) of the GIPA Act.

Therefore, on 2 July 2024, you reduced the scope of your request to the following information:

File Name	Date Range	Number of pages
Mount Penang Policies and procedures	1992	213
Mount Penang Policies	1992 - 1993	110

I note that the required processing charges of \$360 have been paid in full.

In order to locate the information that falls within the scope of your request, searches were conducted of the Department's records management system, OneTRIM, as well as the Government Records Repository database, CommServNet. Additionally, I liaised with staff from Youth Justice, Records Management and the Library which conducted further searches for information captured by your request.

I have carefully considered your request in view of the objectives of the GIPA Act where you have a legally enforceable right to obtain information, unless there is an overriding public interest against disclosure of the subject information. Further, I have also considered the requirements of section 74 of the GIPA Act, which provides that an agency may delete information from a record to which access is provided if the deleted information is not relevant, or within the scope of the information applied for, or an agency has decided to refuse access to that information.

I have decided to provide you with a complete copy of the information requested in your access application in accordance with section 58(1)(a) of the GIPA Act.

In deciding your application, I was required to conduct a “public interest test” where the public interest considerations favouring disclosure of government information were weighed against those factors that do not favour disclosure. The following are a number of public interest factors I considered which favour disclosure of the information requested:

- Disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance.
- Disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, their policies and practices for dealing with members of the public.
- Disclosure of the information could reasonably be expected to ensure effective oversight of the expenditure of public funds.
- The information is personal information of the person to whom it is to be disclosed.
- Disclosure of the information could reasonably be expected to reveal or substantiate that an agency (or a member of an agency) has engaged in misconduct or negligent, improper or unlawful conduct.
- Disclosure of the information could reasonably be expected to advance the fair treatment of individuals in accordance with the law in their dealings with agencies.
- Disclosure of the information could reasonably be expected to reveal the reason for a government decision and any background or contextual information that informed the decision.
- Disclosure of the information could reasonably be expected to contribute to the administration of justice generally, including procedural fairness.

On this occasion, I have not identified any public interest considerations against disclosure that outweigh the factors in favour of disclosure and the information has been released in full.

If you are aggrieved by any of the reviewable decisions in this notice of decision, you may seek a review under Part 5 of the GIPA Act, by requesting any one of the following:

- An internal review that must be lodged with Open Government, Information and Privacy within 20 working days of this notice of decision. You must lodge your internal review at the address shown at the bottom of the first page and must be accompanied by the appropriate application fee of \$40.
- Alternatively, a request for an external review may be lodged with either the Information and Privacy Commission, or the NSW Civil and Administrative Tribunal. Please note that you must lodge your request for an external review within 8 weeks of this notice of decision.

If you have any questions or concerns in relation to this matter, please contact me by phone or email.

Yours sincerely

Hayley Croft

Hayley Croft
OGIP Advisor
Open Government, Information and Privacy Unit
Department of Communities and Justice

OFFICE OF JUVENILE
JUSTICE
POLICIES & PROCEDURES

PENANG INDUSTRIES

24/017A1

OFFICE OF JUVENILE JUSTICES

JOB EVALUATION

STAFF INFORMATION BULLETIN

**HUMAN RESOURCES BRANCH
DECEMBER 1992**

INFORMATION

The purpose of this Bulletin is to inform on the implementation of job evaluation in the Office of Juvenile Justice. Job evaluation has been successfully operating in several Government departments and agencies, and has been shown to provide a fair, equitable and systematic way of measuring the content and demands of jobs. In addition, job evaluation is very widely used throughout Australia in both public and private sector organisations.

Against this background, the Department decided to apply job evaluation to salaried positions and engage the consulting firm Hay Group, to assist with the process.

WHAT IS JOB EVALUATION?

Job Evaluation is a method of comparing jobs to determine the location of each job in a classification or grading structure. It is concerned with comparing the content and demands of jobs in terms of clearly defined, job-related factors. It is not concerned with comparing or judging people; job evaluators consider only the position itself, as defined by the position documentation.

POSITION DOCUMENTATION

The position documentation is of two types. A position questionnaire, is completed by the Peg position holder and is used to gather information about a position, and a position description which is the main input to evaluating the position. The content of both these documents is to be agreed with the relevant supervisors.

A position description is written for each Peg position by Juvenile Justice personnel. The information gathered in the questionnaire, along with a short interview of the Peg position holder, forms the basis for writing the position description. Once the position description is agreed upon by the position holder and their supervisor it is given to the job evaluation committee.

This process requires the co-operation and assistance of many people within the Department. These people are:

- * Peg Position Holders - staff who currently hold a position which is chosen for evaluation.
- * Job Analysts - staff who nominated to write the position descriptions based on the position questionnaire.
- * Job Evaluators - staff who nominated to sit on the panel to evaluate the jobs.

HAY APPROACH TO JOB EVALUATION

The Hay job evaluation system establishes the relative work value or 'size' of a job by looking at a series of common "job factors" that are considered to be key determinants of job worth. These factors have been identified through research in many different work environments in a wide range of organisations throughout the world, and have been shown to function effectively in practical applications. They can also be applied to all positions irrespective of location, level and occupational category. The three factors are:-

- * **Know How** focussing on the knowledge, experience and skills required to achieve the position's objectives, however they are acquired.
- * **Problem Solving** focussing on the complexity of the work and the reasoning demands of the position; and
- * **Accountability** focussing on the impact of the position on end results, the capacity to commit resources to action, and the size of the organisational segment affected by the position.

Individual positions are evaluated against these factors in a rigorous, structured and orderly way and ratings made depending on the degree to which the position requires these factors. Ratings will be made by a panel of trained evaluators.

FEATURES OF THE SYSTEM

The quality of the evaluation outcomes is carefully monitored by the project team and the consultants as the implementation of the system is required to meet the Standards of Best Practice developed by the Department of Industrial Relations, Employment, Training and Further Education (DIRETFE).

This includes the people chosen to be involved with the project undertaking training to enable them to fulfil their respective roles. This training addresses EEO considerations to make people aware of potential biases and to highlight areas where bias may occur. Through this training the position documentation and the resultant evaluations are prepared and handled in a fair and equitable manner.

This project is undertaken with the co-operation of the unions.

Once this project is completed the Office of Juvenile Justice will obtain accreditation from DIRETFE to continue with the job evaluation process unaided.

ADVANTAGES OF JOB EVALUATION

- * Provides an opportunity to ensure that your position is fully understood.
- * Provides the basis for a fair and equitable grading structure.
- * Will enable the Office of Juvenile Justice to be instrumental in the development of their own grading structure.
- * Provides training in position description writing and job evaluation for personnel of the Office of Juvenile Justice.
- * It is a system that is based on what a job actually does, not what its title is or its assumed role.
- * Assists with the development of Enterprise Agreements.
- * Provides a basis for improving job design and career pathing.

Staff Name:

K. DEAN

A. CLARKE

C. DOWNIE

B. SULLIVAN

K. TAUNTON

B. FENWICK

S. SHOOBERT

DOCUMENT NO.

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PEOPLE WITH INTELLECTUAL DISABILITIES AND THE CRIMINAL JUSTICE SYSTEM

Pursuant to section 10 of the *Law Reform Commission Act 1967*, the Attorney General of New South Wales, the Hon PEJ Collins QC MP, referred the following matter to the Law Reform Commission for report by 30 November 1992.

To inquire into and review the law and practice relating to the treatment of the intellectually disabled in the criminal justice system and matters incidental thereto; and in particular, without affecting the generality of the foregoing, to consider -

- (a) whether there should be a new uniform statutory definition of "intellectual disability";
- (b) whether, and to what extent, the intellectually disabled should be diverted from the criminal justice system, including consideration of the custodial and non-custodial alternatives to the sentencing and detention of the intellectually disabled;
- (c) the treatment of intellectually disabled persons in police custody and in prison;
- (d) the release from custody into the community of intellectually disabled persons considered dangerous;
- (e) whether specialist units should be established within the Office of the Director of Public Prosecutions, the Legal Aid Commission, the Corrective Services Commission, the Police Service and other related bodies, to deal with the intellectually disabled; and
- (f) in so far as the law and practice relating to the treatment of the intellectually disabled is relevant to the treatment of the mentally ill in the criminal justice system, whether any recommendations should also be made in relation to the mentally ill.

OJJ POLICIES & PROCEDURES 1992/17

OFFICE OF JUVENILE JUSTICE

CIRCULAR NUMBER: 15/92

ISSUE: JUVENILE JUSTICE COMMUNITY SERVICES
INVOLVEMENT IN THE COMMUNITY AID PANEL
SCHEME

As the Premier has publicly endorsed the utilisation of the Community Aid Panels Juvenile Justice Community Services personnel, if required, are to provide a referral service.

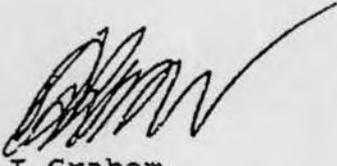
Members of a Panel may contact the appropriate Juvenile Justice Officer if difficulties are being experienced in locating a community placement for restitution work. Juvenile Justice Officers should provide, on request, the names of the contact persons and the phone numbers of community agencies that are not presently being utilised by juveniles on Community Service Orders or Fine Default Orders.

Members of Community Aid Panels are responsible for organising the placement and the Juvenile Justice Officer should advise members of the Community Aid Panel that the placement of the juvenile is not covered by insurance organised by the Office of Juvenile Justice.

In accordance with circular 17/91 dated 2 October 1991, court report requests from Magistrates must be completed. The Senior Children's Magistrate has advised that court reports on first offenders appearing on minor offences will not be requested unless there are extenuating circumstances. Brief assessment reports are to be provided for juveniles if the court is considering a supervised order.

Court reports are not to be provided if the juvenile completes the obligations set by the Panels or if the Panel requests a report. However, if a Court requests a further assessment of the juvenile, Juvenile Justice Officer's may prepare a brief court report in accordance with the provisions outlined in Circular 17/91.

Please ensure this information is relayed to field personnel who are to liaise with and provide a contact number to the Community Aid Panels operating in their area.



I Graham
Director

16 March 1992

● AREA MANAGERS, JUVENILE JUSTICE COMMUNITY SERVICES

MANAGERS, JUVENILE JUSTICE COMMUNITY SERVICES

MANAGERS, COUNSELLING SERVICES, COMMUNITY YOUTH CENTRES

CO-ORDINATOR, PERSONAL DEVELOPMENT PROGRAMME

MANAGER, TRAINING JUVENILE JUSTICE (ACADEMY)

OJJ POLICIES & PROCEDURES 1992/16

OFFICE OF JUVENILE JUSTICE

CIRCULAR NUMBER: 16/92

ISSUE: PROVISION OF BACKGROUND REPORTS ON
JUVENILE OFFENDERS

1.0 INTRODUCTION

- 1.1 This Circular supersedes Circular 88/118.
- 1.2 Special reference is made to Section 4.2 requesting Juvenile Justice Centres to provide information to the court on juvenile offenders appearing for sentence on other matters who are already subject to control. Advice has been received that this aspect has not always been performed. In these cases the courts are to receive all information requested under Section 4.2 a and b.
- 1.3 Under Section 25(1) and (2) of the Children (Criminal Proceedings) Act, 1987, the Court cannot make a control order under Section 33(1)(g) or sentence to a term of imprisonment unless a background report has been tendered to the Court.
- 1.4 Under Clause 6 of the Children (Criminal Proceedings) Regulations the background report is to cover all the sections of that Clause that are relevant to the circumstances of the person.
- 1.5 Background reports are to be forwarded in sealed envelopes and both the background report and envelope are to be clearly marked "REPORT TO BE USED ONLY IF MATTER PROCEEDS TO SENTENCING".
- 1.6 The decision as to which Departmental personnel provide the relevant background report is dependent upon the status of the juvenile. The following procedures are to be observed:

2.0 FOR JUVENILE OFFENDERS WHO ARE GRANTED BAIL AND WHO ARE NOT SUBJECT TO CONTROL ORDERS/IMPRISONMENT

2.1 Upon request from the court, Juvenile Justice Community Services (JJCS) personnel (or Community Youth Centre personnel) are to provide a background report, the content of which is in line with Departmental policy and regulations.

3.0 FOR JUVENILES REMANDED IN CUSTODY AND NOT SUBJECT TO CONTROL ORDERS/IMPRISONMENT

3.1 Similarly, upon request from the court, Juvenile Justice Community Services personnel (or Community Youth Centre personnel) are to provide the background report.

3.2 In instances where the juvenile escapes from custody whilst on remand, once the juvenile has been apprehended and transferred from police custody to Departmental custody:

a) Departmental escorts, Juvenile Justice Officers and Juvenile Justice Centres admissions staff have a responsibility to ensure that information on the escapee's apprehension is relayed as soon as possible, i.e. the centre from which the escape occurred.

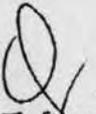
b) Upon receipt of such information, the Superintendent of the Juvenile Justice Centre is to ensure that a report outlining:

- the circumstances surrounding/comments upon the escape,
- details of comments upon any associated charges (e.g. assault on staff, malicious injury), and
- comments, as deemed relevant by the Superintendent, on the juveniles response in custody and possible future placement,

is presented to the relevant sitting of the Court. (This, in effect, is the background report on those offences and differs from the Incident Report which is sent to Head Office). A copy of this background report is to be forwarded to the relevant JJCS personnel.

- 4.3 In instances where the juvenile escapes from custody whilst on a control order, once the juvenile has been apprehended and transferred from police custody to Departmental custody the Departmental escorts, Juvenile Justice Officers and Juvenile Justice Centres admissions staff have a responsibility to ensure that information on the escapee's apprehension is relayed as soon as possible to the Juvenile Justice Centre of origin, i.e. the centre from which the escape occurred.

Please ensure all personnel are conversant with these requirements.


I. Graham
Director

16 March 1992

AREA MANAGERS, JUVENILE JUSTICE COMMUNITY SERVICES
MANAGERS, JUVENILE JUSTICE COMMUNITY SERVICES
MANAGERS, COUNSELLING SERVICES, COMMUNITY YOUTH CENTRES
CO-ORDINATOR, PERSONAL DEVELOPMENT PROGRAMME
SUPERINTENDENTS, JUVENILE JUSTICE CENTRES
MANAGER, JUVENILE TRANSPORT SERVICE
MANAGER, TRAINING JUVENILE JUSTICE (ACADEMY)
MANAGER, McCABE

OJJ POLICIES & PROCEDURES 1992/15

Office of Juvenile Justice

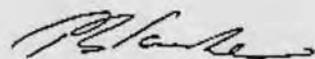
CRIME INFORMATION REPORTS - POLICE DEPARTMENT - P40.

Following the transfer of juvenile justice from the Department of Community Services problems have been encountered in the receipt of the Crime Information Reports (P40) form the NSW Police Services. Originally these forms were forwarded to the Department of Community Services District Offices which, in turn, forwarded same to the Juvenile Court Index Section of the Planning and Research Section of that Department. Arrangements have been made to have the P40 Forms forwarded direct to the Office of Juvenile Justice.

Advice has been received that, on occasions, some Crime Report Form - P40 have been received in Juvenile Justice Centres.

Please advise personnel that if Crime Report Forms -P40 are received in the Juvenile Justice Centre they are to be forwarded to:

Policy Officer,
Office of Juvenile Justice,
Level 5,
Roden Cutler House,
24 Campbell St.,
Sydney. 2000



P. Clarke,
Juvenile Justice.
16 March, 1992.

Superintendents,
Juvenile Justice Centres.

OJJ POLICIES & PROCEDURES 1992/14

OFFICE OF JUVENILE JUSTICE

CIRCULAR NUMBER: 14/92

ISSUE: REVOCATION OF CHILDREN'S COMMUNITY SERVICE ORDERS

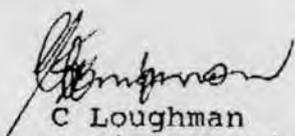
This circular supersedes Circular Number 34/91 issued 8 January 1992.

Following correspondence with the Senior Children's Magistrate on Section 22B(1) of the Children (Community Service Orders) Act 1987, there is agreement that this Section of the Act requires amendment and that the legal interpretation of this Office is correct.

However this Section was meant to specifically relate to Community Service Orders (Fine Default). Crown Solicitors advice has been sought to clarify the interpretation and amend the Act if necessary.

Until advice from the Crown Solicitors is received Section 22B(1) of the Children (Community Service Orders) Act 1987 ("Satisfaction of Certain Orders by detention") is only to be applied to Community Service Orders (Fine Default) issued under Section 5A of the Act.

Please ensure all field staff are informed of the interim arrangement.


C Loughman
Assistant Director (Community)

13 March 1992

AREA MANAGERS, JUVENILE JUSTICE COMMUNITY SERVICES

MANAGERS, JUVENILE JUSTICE COMMUNITY SERVICES

MANAGERS, COUNSELLING SERVICES, COMMUNITY YOUTH CENTRES

CO-ORDINATOR, PERSONAL DEVELOPMENT PROGRAMME

SUPERINTENDENTS, JUVENILE JUSTICE CENTRES

MANAGER, JUVENILE TRANSPORT SERVICE

MANAGER, TRAINING JUVENILE JUSTICE (ACADEMY)

OFFICE OF JUVENILE JUSTICEMEMORANDUM

TO: ALL SUPERINTENDENTS
ADMISSION CENTRE STAFF
TRANSPORT SERVICE STAFF

FROM: GRAHAM CARL
MANAGER, JUVENILE TRANSPORT SERVICE

SUBJECT: PAPERWORK/LEGAL PAPERS TO ACCOMPANY
OFFENDERS

DATE: 12 March 1992

All units are to ensure the correct documentation accompanies offenders when leaving the Juvenile Justice Centre.

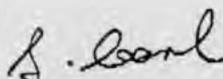
- Offenders going from Juvenile Justice Centre to Court and return must have:
 - a) Authority for Movement/Transfer Form (with all relevant sections completed);
 - b) Remand Warrant or Section 42 Order;
 - c) Property and property docket.

- Offender being transferred to another Juvenile Justice Centre awaiting transit must have:
 - a) Authority for Movement/Transfer Form (with all relevant sections completed);
 - b) Remand Warrant or Section 42 Order;
 - c) If any other orders - Control; Commit for trial etc. a copy of these orders must be forwarded with offender to other Unit for authority to hold;
 - d) Property and Property docket if the offender has a possibility of being released by the Court;
 - e) Medical records if any.

-2-

- Offender being transferred from one Juvenile Justice Centre to another must have:
 - a) Authority for Movement/Transfer Form;
 - b) "D" File;
 - c) All Property and Property docket;
 - e) Medical records if any.

Would all supervisors please ensure that all staff associated with the Transfer/Movement of offenders are acquainted with the above instructions.


GRAHAM CARL
Manager, Juvenile Transport Service

OJJ POLICIES & PROCEDURES 1992/12

OFFICE OF JUVENILE JUSTICE

CIRCULAR NUMBER: 13/92

ISSUE: MANAGEMENT APPOINTMENTS

The following officers have been appointed to Management positions with the community based services of the Office of Juvenile Justice as detailed below:

Ms Suellen Lambke	Area Manager	Southern Sydney (Cabramatta)
Mr Phil Clarke	Area Manager	Eastern Sydney (Rozelle)
Mr Peter Irons	Area Manager	Western Sydney (Werrington)
Mr Warren Smith	Area Manager	Northern NSW (Lismore)
Mr Peter Muir	Area Manager	Southern NSW (Wollongong)
Mr David Twyman	Area Manager	Hunter NSW (Broadmeadow)
Ms Margaret Vanderkleij	Acting Area Manager	Western NSW (Dubbo)
Ms M Bridget Crawley	Assistant Manager	Western NSW (Bourke)

Interviews for Managers Juvenile Justice Community Services (Metropolitan), Assistant Managers Juvenile Justice Community Services, (Metropolitan) and (Country) will be held in the forthcoming weeks. All enquiries regarding operational issues should be canvassed with the above Managers if designated Juvenile Justice Officers are unable to assist.

The attached organisation charts detail the metropolitan and country community based structures. Please ensure that this information, as well as notice of the above appointments, is disseminated to all staff under your supervision.

Referred for your information.

*Admin staff to
note please*

Carl Loughman
Carl Loughman
Assistant Director (Community)

10 MAR 1992

OFFICE OF JUVENILE JUSTICE

METROPOLITAN

DIRECTOR

ASSISTANT DIRECTOR
COMMUNITY

AREA MANAGER
JUVENILE JUSTICE
COMMUNITY SERVICES GR 10

MANAGER
COUNSELLING GR 8

SPECIALIST JUVENILE
JUSTICE COUNSELLOR
GR 7

JUVENILE JUSTICE
COUNSELLORS GR 3-6

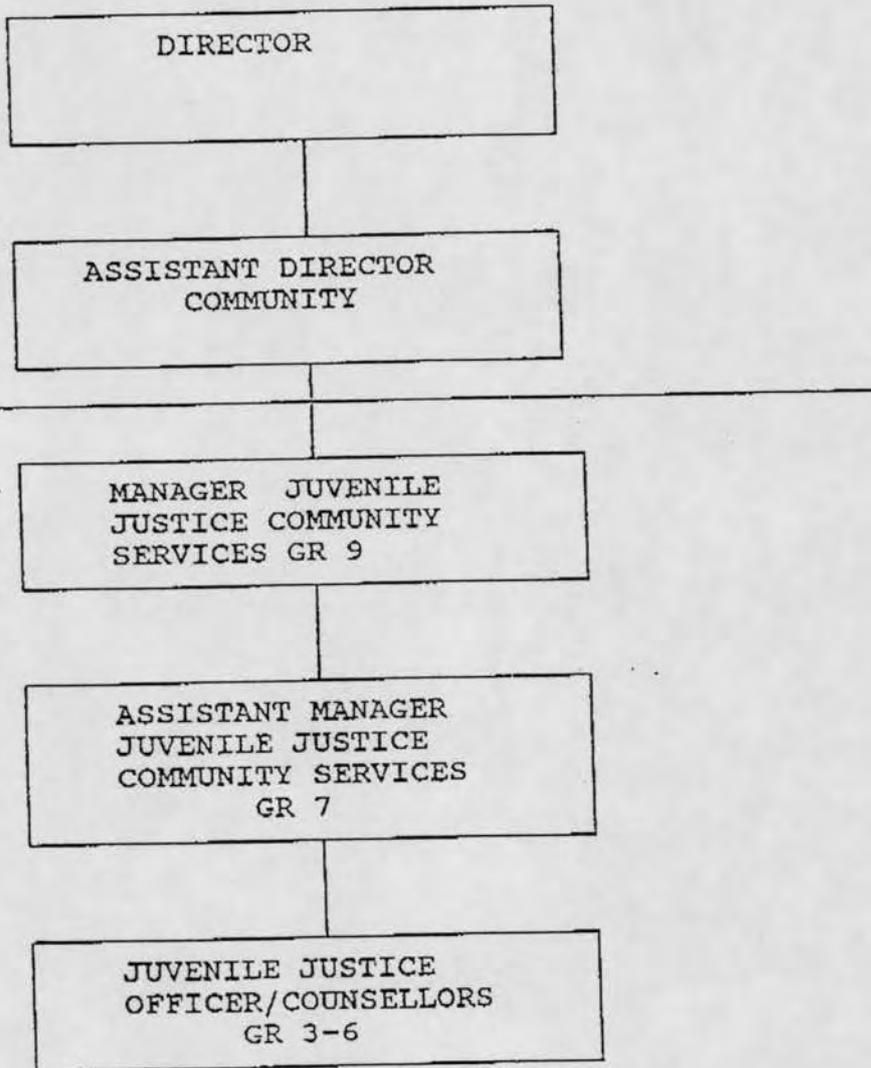
MANAGER
JUVENILE JUSTICE
COMMUNITY
SERVICES GR 8

ASSISTANT MANAGER
JUVENILE JUSTICE
COMMUNITY
SERVICES GR 7

JUVENILE JUSTICE
OFFICER GR 3-6

OFFICE OF JUVENILE JUSTICE

COUNTRY



OJJ POLICIES & PROCEDURES 1992/11

Office of Juvenile Justice

CIRCULAR NUMBER: 12/92

ISSUE: CONCURRENT COMMUNITY SERVICE ORDERS

Difficulties have been experienced in some areas relating to the courts interpretation of concurrent community service orders.

The following scenarios were forwarded to the Legal Officer for clarification:

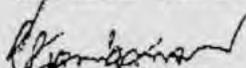
- a) Juvenile receives a 60 hours Community Service Order (under Section 5) in September, 1991, and then receives a Fine Default CSO (under Section 5A) for 20 hours in October, 1991. Orders run 'concurrent' and the juvenile only has to complete 60 hours (if he/she had not completed any hours previously).
- b)
 - i) Juvenile receives 5 Fine Default Orders (largest being 20 hours) on the same day. Juvenile only has to complete a total of 20 hours.
 - ii) Same juvenile has 15 hours of the above to complete and a further 4 Fine Default Orders are received that were issued at a later date. The largest of these 4 is 12 hours. The juvenile still only has to complete a total of 15 hours as the orders are concurrent.

The Legal Officer advised that:

- i) Section 13 (4) of the Children (Community Service Orders) Act 1987 provides that C.C.S.O. made by authorised justice runs concurrent with any other C.C.S.O. whether imposed by Court or authorised justice.
- ii) Section 13(3) provides that a court may specify that two or more C.C.S.O. run consecutively (as long as total does not exceed 100 hours).

Therefore, fine default C.C.S.Os which are given by authorised justice run concurrently. If Court directs that a C.C.S.O. is consecutive with other C.C.S.O then they run consecutively up to 100 hours.

Please advise field personnel.


C. Loughman

ASSISTANT DIRECTOR (Community)

4 March 1992

AREA MANAGERS, JUVENILE JUSTICE COMMUNITY SERVICES
MANAGERS, JUVENILE JUSTICE COMMUNITY SERVICES
MANAGERS, COUNSELLING, COMMUNITY YOUTH CENTRES
CO-ORDINATOR, PERSONAL DEVELOPMENT PROGRAMME
MANAGER, TRAINING JUVENILE JUSTICE (ACADEMY)


L. GUILFOYLE
Superintendent

05 MAR 1992

Mt. Penang J. J. Centre

OJJ POLICIES & PROCEDURES 1992/10

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: ALL SUPERINTENDENTS

FROM: R SALZMANN
ASSISTANT DIRECTOR

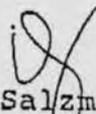
SUBJECT: VISITS TO JUVENILE JUSTICE CENTRES
BY MEMBERS OF PARLIAMENT

DATE: 4 MARCH 1992

Should Members of Parliament wish to visit your Centres the following procedures are to be adopted.

Notice in writing should be forwarded to the Ministers Office via your Assistant Director advising of the members wish to visit your Centre.

This information is required at the Ministers Office at least 48 hours prior to the visit.


R Salzmänn
Assistant Director


L. GUILFOYLE
Superintendent

05 MAR 1992

Mt. Penang J. J. Centre

OJJ POLICIES & PROCEDURES 1992/9

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

D FILES

Records of D Files will be transferred from Department of Community Services to the Office of Juvenile Justice from Monday, 24 February, 1992.

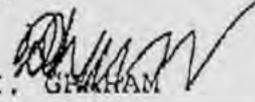
Records of all D Files will now be located at McCabe Cottage, on the grounds of Mt Penang Juvenile Justice Centre. The following procedures are to be followed regarding the movements and records of a D File.

- a. On the admission of any young person, a D File Advice Form is to be faxed to the D File Clerk, McCabe Cottage, Fax, (043) 402529 in order to ascertain:
 - previous registration
 - location of previously registered D File or
 - a new D File registration number.
- b. Immediately following a young person's discharge, the D File is to be returned to the D File Clerk (McCabe Cottage, Mt Penang Juvenile Justice Centre) where it is to be retained until requested again, or until the young person turns 18 years of age.
- c. When a young person is transferred to another Juvenile Justice Centre for any reason, the D File must accompany the detainee and the D File Clerk must be notified of the file's new location by the admitting unit. Hence the D File location is always known at McCabe Cottage.
- d. In the case of a young person admitted for only a short period (e.g. overnight or over a weekend), documents related to the admission are to be forwarded as soon as possible to the D File Clerk (McCabe Cottage), attached to a D File Record sheet (see attached)

On receipt, by the D File Clerk, this documentation will be attached to the existing D File or used to establish a new D File.

A photocopy of such documentation should be retained as a record at the admitting unit.

Any enquiries in regards to the above should be directed to Kerrie Bannister, McCabe Cottage, (043) 402305.


I. GRAHAM
Director
20.2.92

OJJ POLICIES & PROCEDURES 1992/8

OFFICE OF JUVENILE JUSTICE

CIRCULAR NUMBER: 4/92

ISSUE: JUVENILES ON LEAVE TO
COMMUNITY YOUTH CENTRES

To date the legislative base utilised for the approval of juveniles being discharged from detention to attend Community Youth Centres was section 24(1)(b) of the Children (Detention Centres) Act 1987 as amended.

Following Crown Solicitors advice of 9 January 1991, the attendance of a juvenile at a Community Youth Centre may be approved using the following sections of the Children (Detention Centres) Act 1987:

Section 24(1)(c) which empowers the Director to discharge a person subject to control from detention if the Director has made arrangements for the person to serve the period of detention by way of periodic detention or made suitable arrangements for the supervision of the person during the period of detention.

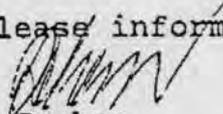
Section 24(4) which allows the Director to impose conditions on the order of discharge from detention; one such condition being attendance at a Community Youth Centre.

Section 24(5) determines the duration of the order.

The order may be revoked in writing by the Director under section 24(6).

Accordingly please alter the section dealing with the "Legislative Base" in the Community Youth Centre Policy Manual to include section 24(1)(c) instead of 24(1)(b) as the section to be used for approval for a discharge from detention on conditions including attendance at the Community Youth Centre programme.

Please inform all personnel.


I Graham
Director
Juvenile Justice

13 FEB 1992

MANAGERS, JUVENILE JUSTICE COMMUNITY SERVICES
MANAGERS, COUNSELLING SERVICES,
COMMUNITY YOUTH CENTRES
CO-ORDINATOR, PERSONAL DEVELOPMENT PROGRAMME
SUPERINTENDENTS, JUVENILE JUSTICE CENTRES
MANAGER, TRAINING JUVENILE JUSTICE (ACADEMY)

OJJ POLICIES & PROCEDURES 1992/7

OFFICE OF JUVENILE JUSTICE

POLICY AND PROCEDURES FOR CONDUCTING CAMPS AND SUPERVISED ACTIVITIES FROM A JUVENILE JUSTICE CENTRE

LEGISLATIVE BASE

Children (Detention Centres) Act, 1987,

- 23A: (1) Subject to the Regulations, the Director-General may, by order in writing, permit a detainee to be absent from a detention centre -
- (c) for any purpose that the Director-General thinks proper.
- (2) The Superintendent of the detention centre shall direct an officer to take charge of the detainee while the detainee is so absent from the detention centre.
- (3) While the detainee is so absent from a detention centre the detainee shall be regarded as being in custody.
- (4) The regulations may make provisions for or with respect to -
- (a) the circumstances in which an order may be made under this section; and
 - (b) the conditions to be imposed on such an order; and
 - (c) any other matters relevant to the making of such an order, including the purposes for which an order may be made.

Children (Detention Centres) Act, 1987,

Regulation 8 (2): A detainee shall be afforded reasonable opportunity to participate in -

- (a) healthy exercise; and
- (b) sporting, recreational and leisure activities.

POLICY STATEMENT

Camps and supervised community activities continue to be a most important facet of the total programme offered to committed juveniles in Juvenile Justice Centres. To continue to derive maximum benefit from these activities, Superintendents are to ensure that the following policy and procedures are strictly adhered to.

OFFICE OF JUVENILE JUSTICE

POLICY AND PROCEDURES FOR CONDUCTING CAMPS AND
SUPERVISED ACTIVITIES FROM A JUVENILE JUSTICE CENTRE

LEGISLATIVE BASE

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- 23A: (1) Subject to the Regulations, the Director-General may, by order in writing, permit a detainee to be absent from a detention centre -
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- (4) The regulations may make provisions for or with respect to -
- (a) the circumstances in which an order may be made under this section; and
 - (b) the conditions to be imposed on such an order; and
 - (c) any other matters relevant to the making of such an order, including the purposes for which an order may be made.

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Regulation 8 (2): A detainee shall be afforded reasonable opportunity to participate in -

- (a) healthy exercise; and
- (b) sporting, recreational and leisure activities.

POLICY STATEMENT

Camps and supervised community activities continue to be a most important facet of the total programme offered to committed juveniles in Juvenile Justice Centres. To continue to derive maximum benefit from these activities, Superintendents are to ensure that the following policy and procedures are strictly adhered to.

GENERAL GUIDELINES AND DEFINITIONS

As juveniles are more likely to have the opportunity to escape from positions of trust or supervised community activities than from a Juvenile Justice Centre, special care must be taken in selecting the staff, juveniles and location and type of camp, outing or excursion.

Whilst the element of risk can never be eliminated from juvenile placement decisions, it is expected that administrative staff in Juvenile Justice Centres will consider the following crucial factors before juvenile placement or activity involvement is determined.

In approving camps and supervised community activities, Superintendents must take into account the need for additional supervision and pay particular attention to the number of juveniles which each staff member is required to supervise.

Although a juvenile may have previously, successfully participated in a camp and/or supervised outing, systems must be established to closely monitor any changing circumstances which may negatively effect the behaviour or judgement of juveniles since that successful participation, prior to any approval to participate in additional camps or supervised community activities.

If behaviour on or leading up to a camp or supervised community activity leads to a decision to remove a juvenile from that camp or activity, the decision must be thoroughly explained to the juvenile.

SERIOUS INDICTABLE OFFENCE

These are defined in Section 3(1) of the Children (Criminal Proceedings) Act, 1987 as amended and Clause 4 of the Criminal Proceedings Regulations and include offences such as: Homicide; Any offence punishable by life sentences; Sexual offences (categories 1 and 2); Sexual offences against children under 10 years.

INDICTABLE OFFENCES

These are serious offences dealt with by any judge and jury in a superior court unless they fall within the category of those indictable offences which may be punished summarily, with the consent of the accused, under Section 476 of the Crimes Act, 1900. They include: Armed Robbery; Assault occasioning actual bodily harm; Culpable driving or navigation; Indecent assault; Stealing a motor vehicle; breaking, entering and stealing.

SUMMARY OFFENCES

These are less serious offences for which a person can only be dealt with in a magistrate's court. They include: Minor theft (shoplifting); Trespassing; Offensive Behaviour; Carried in Stolen Conveyance.

1. *MINIMUM PERIODS OF CUSTODY FOR JUVENILE OFFENDERS PRIOR TO PARTICIPATING IN CAMPS OR SUPERVISED COMMUNITY ACTIVITIES*

1.1 Persons charged with Serious Indictable Offences under Section 10 of the Children (Detention Centres) Act, 1987 or Section 19 of the Children (Criminal Proceedings) Act, 1987:

- a) Remanded juveniles or juveniles on appeal - no participation in camps or supervised community activities
- b) Sentenced juveniles - participation in camps and supervised community activities after the completion of one third of the sentence. Initially this must be with the approval of the Assistant Director, Juvenile Justice and thereafter at the Superintendent's discretion.

1.2 Persons charged with Indictable Offences under Section 10 of the Children (Detention Centres) Act, 1987 or Section 19 of the Children (Criminal Proceedings) Act, 1987:

- a) Remanded juveniles or juveniles on appeal - no participation in camps or supervised community activities
- b) Sentences juveniles - participation in supervised camps or supervised community activities at the discretion of the Superintendent after the completion of one third of the sentence

1.3 Persons charged with Indictable or Summary Offences pursuant to Children (Criminal Proceedings) Act, 1987:

Sentenced juveniles - participation in camps or supervised activities at the discretion of the Superintendent after one third of the sentence in custody.

2. SELECTION CRITERIA

- 2.1 Camps or supervised activities for the purposes specified in the Act is an important facet of the programme offered to committed juveniles in a Juvenile Justice Centre and should be part of an established case plan for juveniles and should be staged as part of an overall plan of community reintegration.
- 2.2 The nature and circumstances of the juvenile's offence and offence history.
- 2.3 The possibility of threat to public safety and the likelihood of further offending by the juvenile.
- 2.4 The length of time in custody in relation to the length of committal and to the time staff have had the opportunity for accurate assessment of the juvenile.
- 2.5 Any prior history of escape or attempted escape from custody by the juvenile.
- 2.6 Any additional court appearances to be faced by the juvenile.
- 2.7 The response (over time) of the juvenile to the Juvenile Justice Centre Programme.
- 2.8 Prior history of drug abuse or addiction by the juvenile.
- 2.9 Any recent personal circumstances, within or outside the Juvenile Justice Centre, which may negatively effect the juvenile's judgement if placed in a less controlled situation.
- 2.10 The nature of staff supervision to be given to the juvenile in the placement or activity being considered.
- 2.11 The juvenile associations which will result from the placement under consideration.

3. SUPERVISED COMMUNITY ACTIVITIES

Supervised community activities may only be conducted in the following circumstances:

- 3.1 No juvenile may leave the Juvenile Justice Centre without the written approval of the Superintendent or Deputy Superintendent. The "outing sheet" or request for approval must detail names and level/section of each juvenile, the supervising staff member(s), meal arrangements, transport arrangements, departure and return times.

- 3.2 All supervised community activities are to be part of a planned recreational or educational programme.
- 3.3 Where there is more than one staff member involved a person approved by the Superintendent is to be placed in control of the outing or excursion.
- 3.4 Staff should be selected on the basis of their capacity to provide security for the juveniles and if inexperienced staff are to participate, they must be balanced against experienced and competent staff.
- 3.5 Staff members participating should clearly discuss the purpose of the excursion/outing and to establish guidelines for behaviour, safety and limits, etc. with juveniles prior to the outing or excursion.
- 3.6 Staff members participating are to ensure that juveniles have suitable clothing and footwear appropriate to that excursion or outing.
- 3.7 Once the excursion has left the Juvenile Justice Centre, there are to be no deviations made from the approved submission without the approval of the Superintendent or Deputy Superintendent.
- 3.8 Supervising staff are to be conscious at all times that the behaviour of the group will be subject to public scrutiny. The way that the group conducts itself in transit and throughout the excursion should be beyond reproach. The supervising staff must terminate the excursion if any serious misbehaviour occurs and submit an immediate verbal report to the Superintendent prior to ceasing duty on the day of the outing or excursion.
- 3.9 Sobriety is essential to the discipline of supervised community activities and no alcohol is to be taken or consumed during any outing or excursion by any staff member or juvenile.

4. *CAMPING*

Camps may only be conducted in the following circumstances:

- 4.1 In selecting staff for a camp it is essential staff must be under the supervision of at least a Chief Youth Worker who is to accept the administrative responsibility for the camp.
- 4.2 All preparations for the proposed camp are to commence well in advance of the camp (suggested at least two weeks).
- 4.3 Each camp must have set goals and objectives and general principles to be followed. A detailed programme for the period of the camp must be prepared including an alternative wet weather programme.

- 4.4 Staff are to be selected to meet the goals and objectives of the camp and the needs of juveniles participating, and if inexperienced staff are to participate, they must be balanced against experienced and competent staff.
- 4.5 Each staff member should be given a particular responsibility in the preparation and conduct of the camp.
- 4.6 Each staff member should be given a say in the selection of the group of juveniles for whom they will have particular responsibility for the duration of the camp.
- 4.7 The staff member responsible for his/her small group is required to participate in all activities involving their group members and should accept responsibility for the behaviour of their group for the entirety of the camp. Naturally this will be under the direction of the camp leader.
- 4.8 Each group leader should conduct a number of group sessions with his/her group for the purposes of discussing the aims of the camp guidelines for behaviour, safety and limits, etc. prior to the camp.
- 4.9 Each group leader is to ensure that the juveniles in his/her group has sufficient, suitable clothing towels and sleeping bag to complete their camping kit. The juvenile should be encouraged to accept personal responsibility for their kit and the group leader should make regular checks to ensure that the kit is in good order and complete.
- 4.10 From time to time emphasis should be placed on programming "adventure/stress" type camps which provide opportunities for juveniles with the support of staff to test themselves in various activities and to heighten their self esteem by achieving the goals of the camp.
- 4.11 In the selection of camp sites, excessive travelling time should be taken into account. Generally camp sites are to be in the local area. The camp leader should inspect the proposed camp site prior to submitting the programme to the Superintendent for approval. The assessment should include suitability of facilities, activities that the site provides, safety, security and access to assistance in the event of an emergency, etc.
- 4.12 Once a suitable site has been established, the necessary enquiries should be made to establish permission to camp at that site and any fees or conditions that apply.
- 4.13 A contact number must be left with the Juvenile Justice Centre for emergency purposes (local police station number to be provided if no other number is available).

- 4.14 The full camp programme including goals, objectives, guidelines, group leaders, etc. emergency contact number and timetable of programmed activities are to be submitted for approval by the Superintendent prior to the commencement of the camp.
- 4.15 Once the camping group has left the Juvenile Justice Centre there are to be no deviations made from the submission approved by the Superintendent without approval by the Superintendent. This includes moving to another camp site or major alterations to the timetable.
- 4.16 The camp leader must phone in to the Superintendent or Duty Admin., reporting on the camp's progress at least every 48 hours during camps that are of more than two days' duration where this is possible.
- 4.17 Staff should be conscious that sometimes the behaviour of the group will be under scrutiny of the public. The way that the group conducts itself in transit and throughout the camp and the condition that the site is left in etc. will reflect on the Juvenile Justice Centre and the Office of Juvenile Justice. Any serious misconduct is to be reported immediately to the Superintendent who will make a determination regarding terminating the camp.
- 4.18 Under no circumstances is alcohol to be taken on camps or should any staff member partake of any liquor during the camp.
- 4.19 Written evaluations of the camp should be completed by the staff and juveniles who participated in the camp and a comprehensive report be submitted by the camp leader to the Superintendent within 7 days of the completion of the camp.


R. SALZMANN,
ASSISTANT DIRECTOR

OJJ POLICIES & PROCEDURES 1992/6

M E M O R A N D U M

TO: ALL SUPERINTENDENTS
JUVENILE JUSTICE CENTRES

FROM: R. SALZMANN

SUBJECT: 1) LEAVE POLICY
2) CASE WORK PROVISIONS FOR JUVENILES

LEAVE

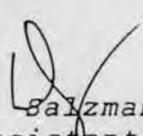
Recently the new policy for granting leave to juveniles was issued to all Superintendents.

The provisions of the Leave Policy must be clearly explained to both staff and juveniles to ensure the policy is fully understood including the expectation of leave being part of an established case plan designed towards community reintegration.

Your attention is also drawn to the requirement for liaison with Youth Counsellors (C.Y.C.) to participate with Juvenile Justice Centres' staff in the case work decision to grant leave. Leave generally is to occur mid-week only.

CASE WORK PROVISIONS FOR JUVENILES

The provision of well-planned and thoroughly implemented case management is an essential part of the Juvenile Justice Centre programme and to ensure appropriate case work provisions are implemented. Superintendents are to designate an appropriate member of staff to be responsible for case work areas of EACH juvenile subject to a Control Order or Lengthy Remand.


R. Salzmänn,
Assistant Director,
Juvenile Justice.

Received
16.1.92

OJJ POLICIES & PROCEDURES 1992/5

OFFICE OF JUVENILE JUSTICE

POLICY AND PROCEDURES FOR
GRANTING LEAVE FROM A
JUVENILE JUSTICE CENTRE

POLICY AND PROCEDURES FOR GRANTING LEAVE FROM A
JUVENILE JUSTICE CENTRE

LEGISLATIVE BASE:

Children (Detention Centres) Act, 1987 23: A person on remand may not be granted leave to be absent from a Juvenile Justice Centre but may be permitted to be absent under Section 23A i.e., escorted absences.

24(1): Subject to the regulations the Director may, by order in writing - (a) grant a person subject to control leave to be absent from a Juvenile Justice Centre for a purpose specified in subsection (1A);

(b) remove a person subject to control from a Juvenile Justice Centre and place the person in the care of such person as may be specified in the order; or

(1A) The purposes for which leave may be granted under subsection (1)(a) are as follows:

- a) attending the funeral of a close relative;
- b) visiting a close relative who is seriously ill;
- c) applying for employment or being interviewed in relation to an application for employment;
- d) engaging in employment of a kind specified in the order;
- e) engaging in employment in a course of education or vocational training or being interviewed in relation to an application for enrolment in such a course;
- f) attending a course of education or vocational training at a place specified in the order;
- g) any other purpose that the Director thinks proper, being a purpose which the Director considers to be directly associated with the welfare or rehabilitation of the person concerned.

(1B) The regulations may make provision for or with respect to-

- a) the circumstances in which an order may be made under this section; and
- b) the conditions to be imposed on such an order; and
- c) any other matter relevant to the making of such an order, including the purposes for which an order may be made.

(2) An order under subsection (1) (b) may not be made in relation to a classified person.

(4) An order under subsection (1) may be made subject to such conditions as the Director may specify in the order.

- (5) Such a condition shall remain in force -
- a) until the person to whom the order relates ceases to be a person subject to control; or
 - b) for such shorter periods as the Director may specify in the order.
- (6) The Director may, by further ordering in writing, revoke an order under this Section.

37A(1): A juvenile who -

- a) is granted leave of absence by order under section 24 and fails, without reasonable excuse, to comply with any condition to which the order is subject or to return to the Juvenile Justice Centre before the leave of absence expires; or
- b) fails, without reasonable excuse, to return to the Juvenile Justice Centre pursuant to the requirements of Section 25 (4) relating to return from medical treatment,

is guilty of an offence and liable to imprisonment for a period not exceeding 3 months.

(2): This section does not prevent misbehaviour that is an offence against this section being dealt with as misbehaviour rather than as an offence.

Children (Detention Centres) Act, 1987 Regulations 32A:

Day Leave: means leave to be absent from a Juvenile Justice Centre granted under section 24 of the Act, being leave that does not involve absence overnight;

Overnight Leave: means leave to be absent from a Juvenile Justice Centre under section 24 of the Act, being leave that involves absence overnight.

32B: In deciding whether or not to grant day leave or overnight leave to a person subject to control, the Director shall have regard to the following matters:

- a) whether the person would be likely to commit any offence if he or she were to be granted leave;
- b) whether the granting of leave would be likely to create a risk to public safety;
- c) whether the person's conduct while detained in a Juvenile Justice Centre indicates that he or she would observe any conditions to which leave would be subject;
- d) whether the person would be likely to interfere with, or attempt to interfere with, a witness in any proceedings;
- e) any previous history of escape or absconding of the person from lawful custody;
- f) the kind of supervision to which the person would be likely to be subject while on leave;

- g) whether the granting of leave would be likely to bring the person into contact with any victim of the offence in relation to which he or she is detained;
- h) any other matter that is, in the opinion of the Director, relevant to the decision.

32C: Day leave shall not be granted to a person subject to control unless -

- a) in the case of a classified person detained in relation to a serious indictable offence - at least one half of the person's detention period in relation to that offence has expired;
- b) in the case of a classified person detained in relation to any other indictable offence - at least one third of the person's detention period in relation to that offence has expired; or
- c) in the case of -
 - i) a classified person detained in relation to any offence other than an indictable offence; or
 - ii) any other person subject to control detained in relation to any offence (whether indictable or otherwise), at least one half of the person's detention period in relation to that offence has expired.

POLICY STATEMENT

Leave for the purposes specified in the Act is an important facet of the total programme offered to committed juveniles in a Juvenile Justice Centre. Other than in emergency cases, leave should be part of an established case plan for juveniles and should be staged as part of an overall plan of community reintegration. Periods of day leave must precede the granting of overnight leave. As part of the case plan, leave can be used to re-establish ties between the young person and his/her family.

Juveniles may only be granted leave to parents, guardians or the person(s) to whom the juvenile is being discharged. The only exception to this will be for the purpose of engaging in work experience or educational or vocational training in accordance with the Act.

The Superintendent must be satisfied that the parent/guardian or other responsible person is capable of and willing to, exercise adequate supervision during the total period of leave.

In deciding whether to grant day or overnight leave, the Superintendent must consider the issues raised in Section 32B of the Children (Detention Centres) Act, 1987 Regulations in conjunction with the juvenile's level of response during his/her period of control and the progress he/she has made towards achieving his/her case work goals.

GENERAL GUIDELINES AND DEFINITIONS

Juveniles on control orders who have been granted bail and have entered into a bail undertaking in relation to other matters, and would ordinarily meet all other leave requirements may participate in leave. If NO bail has been granted on other matters, no leave is to be approved.

Juveniles who are ineligible for leave are not to be granted home visits under escort as an alternative to leave. Escorted home visits and escorted leave from the Juvenile Justice Centre in general are to be provided only in extreme circumstances, which would include serious illness or death of close relative, etc.

Participation in leave can often place a juvenile under unreasonable pressure. In spite of all the reasonable precautions, family, friends and associates may take the opportunity to treat leave as an opportunity to celebrate and participate in uncontrolled or unsupervised activities. This is particularly so at weekends and holiday periods.

For these reasons and on the basis that mid-week leave offers greater opportunities for contact with employers, etc. exist, leave should ordinarily be granted during the week. Youth Counsellor shall participate in the casework decision to grant leave and in the supervision of the juvenile during his/her period of leave.

Superintendents should make every effort to ensure that co-offenders do not participate in leave at the same time in the same area.

The interviewing of the parent, guardian or employer is of particular importance prior to any juvenile participating in leave, work experience or educational and vocational opportunities. It is important that in all circumstances there is a nominated person who is capable and willing to accept adequate responsibility for the juvenile during his/her absence from the Juvenile Justice Centre.

Leave outside the state will be the subject of a special submission to the Director through the Assistant Director, Juvenile Justice.

Ordinarily, leave is not to exceed two overnight periods except where reasonable travelling time is necessary because of distance and has been approved by the Superintendent. Where special circumstances exist that may warrant leave to be extended beyond two overnight periods (other than for travel), approval must be sought from the Assistant Director, Juvenile Justice.

Prior to a juvenile who is listed on the Victim's Register maintained in the Office of Juvenile Justice being approved to participate in any leave, the Superintendent must advise the Office of Juvenile Justice to ensure that the victim is notified of any impending leave.

LEAVE

Leave means the absence of a juvenile from a Juvenile Justice Centre other than in the custody of a Departmental officer. This includes day and overnight leave (as defined under section 32A of the Regulations), work experience or attendance at educational or vocational courses.

SERIOUS INDICTABLE OFFENCES

These are defined in Section 3(1) of the Children (Criminal Proceedings) Act, 1987 as amended and Clause 4 of the Criminal Proceedings Regulations and include offences such as: Homicide; Any offence punishable by life sentences; Sexual offences (categories 1 and 2); Sexual offences against children under 10 years.

INDICTABLE OFFENCES

These are serious offences dealt with by any judge or jury in a superior court unless that fall within the category of those indictable offences which may be punished summarily, with the consent of the accused, under Section 476 of the Crimes Act, 1900. They include Armed Robbers; Assault Occasioning Actual Bodily Harm; Culpable Driving or Navigation; Indecent Assault; Stealing a Motor Vehicle; Breaking, Entering and Stealing.

SUMMARY OFFENCES

These are less serious offences for which a person can only be dealt with in a magistrate's court. They include: Minor Theft (Shoplifting); Trespassing; Offensive Behaviour; Carried in Stolen Conveyance.

1. MINIMUM PERIODS OF CUSTODY FOR JUVENILE OFFENDERS PRIOR TO PARTICIPATING IN LEAVE

1.1 Persons charged with Serious Indictable Offences under Section 10 of the Children (Detention Centres) Act, 1987 or Section 19 of the Children (Criminal Proceedings) Act, 1987:

- a) Remanded juveniles or juveniles on appeal - no day or overnight leave
- b) Sentenced juveniles - participation in day leave after the expiration of one half of the sentence. Initially with the approval of the Assistant Director, Juvenile Justice and thereafter at the Superintendent's discretion.

- participation on overnight leave after the expiration of two thirds of the sentence. Initially with the approval of the Assistant Director and thereafter at the Superintendent's discretion.

1.2 Persons charged with Indictable Offences under Section 10 of the Children (Detention Centres) Act, 1987 or Section 19 of the Children (Criminal Proceedings) Act, 1987:

- a) Remanded juveniles or juveniles on appeal - no day or overnight leave
- b) Sentenced juveniles - participation in day leave at the Superintendent's discretion after the expiration of one third of the sentence.
- participation in overnight leave at the Superintendent's discretion after the completion of two thirds of the sentence.

1.3 Persons charged with Indictable or Summary Offences pursuant to Children (Detention Centres) Act, 1987:

- a) Remanded juveniles or juveniles on appeal - no day or overnight leave
- b) Sentenced juveniles - participation in day leave at the Superintendent's discretion after the completion of one quarter of the sentence.
- participation in overnight leave at the Superintendent's discretion after the completion of one half of the sentence.

2. DAY LEAVE

Day leave may only be granted in the following circumstances: -

- 2.1 leave must be arranged in advance and be approved by the Superintendent;
- 2.2 prior to participating in their first leave, a formal interview must be conducted with the parent/guardian of the juvenile and the Administrative Officer or Principal/Chief Youth Worker responsible for the case work management of that juvenile.

The purpose of this interview is to discuss:

- a) the progress of the juvenile in relation to his/her committal
- b) the purpose for which leave is granted; and

- c) to ascertain that the parent/guardian is prepared to accept full responsibility for the juvenile during the period of leave and that they will notify the Juvenile Justice Centre immediately if any breakdown of leave conditions occur.
- 2.3 the parent/guardian must sign an undertaking in respect of 2.2(c);
- 2.4 juveniles participating in leave must be collected and returned to the Juvenile Justice Centre by the parent/guardian;
- 2.5 day leave should not ordinarily exceed eight (8) hours and should be taken in reasonable proximity to the Juvenile Justice Centre.

3. OVERNIGHT LEAVE

Overnight leave may only be conducted in the following circumstances: -

- 3.1 leave must be arranged in advance and be approved by the Superintendent;
- 3.2 prior to participating in their first overnight leave, juveniles must usually have successfully participated in day leave. a formal interview must be conducted with the parent/guardian of the juvenile and the Administrative Officer or Principal/Chief Youth Worker responsible for the case work management of that juvenile.

The purpose of this interview is to discuss:

- a) the progress of the juvenile in relation to his/her committal,
 - b) the purpose for which leave has been granted; and
 - c) to ascertain that the parent/guardian is prepared to accept full responsibility for the juvenile during the period of leave and that they will notify the Juvenile Justice Centre immediately if any breakdown of leave conditions occurs.
- 3.3 the parent/guardian must sign an undertaking in respect of 3.2(c) on each occasion that leave is taken
 - 3.4 juveniles participating in leave must be collected and returned to the Juvenile Justice Centre by the parent/guardian.
 - 3.5 except where the Superintendent has approved reasonable travelling time, overnight leave may not exceed two nights without the approval of the Assistant Director, Juvenile Justice.

- 3.6 it is essential that the Juvenile Justice Centre make regular checks on the juvenile during overnight leave, either by phone or actually visiting the home where the juvenile is staying. These checks should be recorded and any abnormalities should be followed up appropriately.
- 3.7 the parent/guardian and the juvenile must complete a written evaluation of their leave.

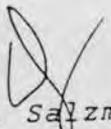
4. LEAVE TO ATTEND EMPLOYMENT, EDUCATIONAL OR VOCATIONAL TRAINING

- 4.1 Leave must be arranged in advance and be approved by the Superintendent.
- 4.2 Prior to participating in their first leave, a formal interview must be conducted with the person who has been nominated as being responsible for the juvenile, the juvenile concerned and the Administrative Officer or Principal/Chief Youth Worker responsible for the case work management for that juvenile.

The purpose of this interview is to: -

- a) discuss the purpose for which leave has been granted;
- b) to ascertain that the nominated person is prepared to accept full responsibility for the juvenile during the period of leave and that they will notify the Juvenile Justice Centre immediately if any breakdown of leave conditions occur;
- c) clarify the expectations of the juvenile, the employer or training unit and the Juvenile Justice Centre (covering hours of leave, behavioural expectations, means of travel, expectations during lunch breaks, strikes, early finishes, method of payment, accident liability, etc.).
- 4.3 It is essential that the Juvenile Justice Centre makes regular checks on the juvenile during leave either by phone or by actually visiting the workplace or training centre where the juvenile will be. These checks should be recorded and any abnormalities should be followed up appropriately.
- 4.4 Before any juvenile commences employment or educational or vocational training, a contract should be agreed to by the juvenile and his/her Administrative Officer/Case work Supervisor. This contract should clearly establish the rules in relation to leave (e.g., issues mentioned in 4.2.(c) and practical issues such as preparation of lunches, pocket monies, payment of board, etc. This contract must be approved by the Superintendent and be recorded on the D file.

- 4.5 If a juvenile is participating in paid employment, he/she is required under the Public Sector Management Act, 1988 Regulations (General) to pay Board and Lodgings. All earnings must be placed into a Public Monies, Trust Account for the juvenile.
- 4.6 An investment account may be opened at a bank or building society when a juvenile has saved a minimum of five hundred dollars (\$500). Such accounts must be for a fixed period with no A.T.M. access and set up "in trust" i.e., the Office of Juvenile Justice - Trust Account for J. Bloggs. Signatories must be J. Bloggs and either the Superintendent, Senior Administrative Officer or an Administrative Officer (as certified by the verifying officer), two signatures being required to withdraw money.
- 4.7 A juvenile must surrender his/her total earnings to be deposited in the Trust Account before any money can be withdrawn.
- 4.8 Subject to the approval of the Superintendent, the juvenile may be permitted to have a small amount of pocket money to cover essential incidental items.
- 4.9 The Superintendent may approve larger withdrawals upon a written request from the juvenile stating the purpose of the expenditure (e.g., clothing, books or equipment for his/her course, assisting parents financially).
- 4.10 Where a juvenile has a liability for compensation under the Victims Compensation Act, 1989, the Superintendent must ensure that the juvenile meets his/her statutory obligations before approving other investments or expenditures.


R. Salzmänn,
Assistant Director.

Office of Juvenile Justice

ORDER FOR DAY LEAVE
Children (Detention Centres) Act, 1987
Section 24

Leave is granted to the person whose name appears below, to be absent from the Juvenile Justice Centre specified, for the period and under the conditions noted below:

NAME OF PERSON:

DATE OF BIRTH:

JUVENILE JUSTICE CENTRE:

PHONE NO:

ADDRESS:

DATE OF LEAVE:

LEAVE ENDS: (Time)

LEAVE COMMENCES: (Time)

PURPOSE OF DAY LEAVE:

CONDITIONS:

- 1) To be of good behaviour
- 2) To remain in the care & accept supervision of:
whose address is:
- 3) To produce this Leave Order if asked to do so by an officer of the Office of Juvenile Justice or a Police Officer.
- 4) To return to the Juvenile Justice Centre before -
(time) on (date)
- 5) To not use alcohol or any prohibited drug.

OTHER SPECIAL CONDITIONS:

AUTHORISED BY:

(Delegate of the Director)

NAME OF DELEGATE:

POSITION:

DATE:

SIGNATURE OF PERSON GRANTED LEAVE:

DATE:

NOTE:

Under the Children (Detention Centres) Act, 1987 it is an offence punishable at law for a person to fail to observe a condition of leave or to fail to return to a Juvenile Justice Centre at the cessation of leave.

OJJ POLICIES & PROCEDURES 1992/4

05/01 '92 07:20 61 2 289 1826

JUVENILE JUSTICE →→→ PENANG

001/001

OFFICE OF JUVENILE JUSTICE

CIRCULAR NUMBER: 92/2

ISSUE: AMENDMENT TO TERMINOLOGY IN CIRCULAR 91/38

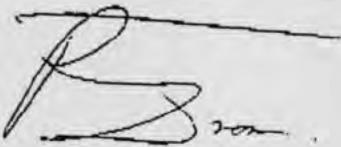
It has been decided to amend the position names for the Metropolitan Juvenile Justice Community Services to the following:

Area Manager Grade 10
Juvenile Justice Community Services (Metropolitan)

Manager (Community Services) Grade 8

Manager (Counselling Services) Grade 8

The attached Statement of Duties for the position, Manager (Counselling Services) has also been amended. The delegation to grant leave and discharge juvenile offenders will remain with the Assistant Director (Community).



Peter Irons
A/Assistant Director

8 January 1992

Admin Staff To Note Please



OJJ POLICIES & PROCEDURES 1992/3

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: SUPERINTENDENTS
JUVENILE JUSTICE CENTRES

FROM: R SALZMAN
ASSISTANT DIRECTOR, JUVENILE JUSTICE CENTRES

SUBJECT: PILOT POST RELEASE PROGRAMME

DATE: 10 JANUARY 1992

The South Sydney Youth Services at Alexandria has received a Commonwealth grant to implement a pilot post release programme for specific juveniles discharged from Juvenile Justice Centres who normally reside in the South Sydney Youth Services intake area. The implementation of the programme has been approved by the Director, Office of Juvenile Justice.

Mr R Hitzegrad, Manager, Juvenile Justice Community Services, Rozelle, has been nominated on the steering committee to ensure that:

- i) a specific target group is maintained;
- ii) appropriate arrangements are made to ensure the introduction of the South Sydney Youth Services personnel to superintendents and such personnel is made aware of the protocol when visiting Juvenile Justice Centres;
- iii) the overlap of services is minimised.

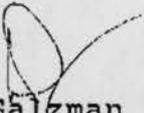
The pilot programme is to offer specific juveniles from South Sydney area a smooth integration into the community from Juvenile Justice Centres. It will enable specific juveniles known to the agency to

- i) maintain relationship with, and support from familiar community persons while in Juvenile Justice Centres;
- ii) ensure they receive assistance with accommodation, re-education and training, employment and range of immediate health needs;
- iii) provide and post release service without overlap to the services already being provided by the Office of Juvenile Justice.

Personal contact with the selected juvenile in the Juvenile Justice Centre will be made by the staff of the South Sydney Youth Services at least a month prior to release and support will be provided for at least three months thereafter.

Juveniles will be selected following consultation between the Manager, Juvenile Justice Community Services, Rozelle and the co-ordinator, South Sydney Youth Services.

Forwarded for your information.



R Salzman
Assistant Director
Juvenile Justice Centres

OJJ POLICIES & PROCEDURES 1992/2

OFFICE OF JUVENILE JUSTICE

CIRCULAR NUMBER: 92/1

PROTOCOL FOR JUVENILE JUSTICE OFFICERS AND JUVENILE JUSTICE COUNSELLORS

- A: REQUEST FOR TRANSFER OF JUVENILES
- B: WHEN VISITING JUVENILE AT A JUVENILE JUSTICE CENTRE
-

The need for effective casework provisions is essential in all facets of Juvenile Justice.

To ensure co-operation and liaison between Juvenile Justice Community Services and Juvenile Justice Centre personnel, the following protocol is to be adhered to.

A: REQUEST FOR TRANSFER OF JUVENILE IN CUSTODY

Transfers of juveniles to a Juvenile Justice Centre close to their Juvenile Justice Officer are not to be considered as automatic functions.

Should it be found impracticable for community based staff to visit a juvenile at his/her current location, the Manager of the particular Juvenile Justice Community Service is to liaise with the administration of the Juvenile Justice Centre.

This interaction should form a regular part of the case planning process for each juvenile.

The Superintendent of the Juvenile Justice Centre currently having custody of the juvenile, will make contact with the Superintendent of the Centre to which the juvenile may be transferred.

If both Superintendents concur with the proposed transfer, approval will be sought from the Assistant Director, Juvenile Justices Centres and the decision is to be relayed to the relevant Manager of the Juvenile Justice Community Services.

Should the transfer be approved, movement generally will be undertaken during normal escort times.

10/01 '92 07:11 261 2 239 1923 JUVENILE JUSTICE 44 PERINS 4001 001

3: WHEN VISITING A JUVENILE JUSTICE CENTRE

In any instance where staff from the Juvenile Justice Community Services wish to visit a juvenile in custody the following protocol must occur:-

1. Telephone ahead to establish if juvenile will be available (i.e. on leave, on camp, course etc);
2. On arrival at the Juvenile Justice Centre, make contact with duty Administration Officer;
3. Interview client.
4. Provide feedback to appropriate Administrative Officer in the Juvenile Justice Centre (i.e. problems, concerns, complaints, etc).

CONFLICTS:

Should conflict occur between Juvenile Justice Community Services staff and Juvenile Justice Centre staff, such issues are to be resolved between the Manager of the Juvenile Justice Community Services/Assistant Managers (Counselling) and the Senior Administrative person of the Juvenile Justice Centre.

In the situation where an irreconcilable difference remains, contact should then be made with the Assistant Director, Juvenile Justice Centres.

Please ensure Juvenile Justice personnel are aware of the protocols included in this document.


R Saizmann
A/Director
JUVENILE JUSTICE

- 9 JAN 1992

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

ISSUE: PEOPLE WITH INTELLECTUAL DISABILITIES AND
THE CRIMINAL JUSTICE SYSTEM

Attached is a letter from the Law Reform Commission regarding the treatment of people with intellectual disabilities and the Criminal Justice System.

Please read the document and forward any comments by 10 January 1992.

This is an opportunity for Juvenile Justice personnel to raise issues relating to concerns/difficulties and treatment of offenders with intellectual disabilities.

Your assistance is appreciated in this issue.



R Smith
Acting Assistant Director

6 January 1992



LAW REFORM COMMISSION

LEVEL 12, 189-193 KENT ST, SYDNEY 2000, NEW SOUTH WALES, AUSTRALIA
GPO BOX 5199, SYDNEY 2001, NEW SOUTH WALES, AUSTRALIA
TELEPHONE: (02) 252 3855 FAX: (02) 247 1054 DX1227 SYDNEY

NEW SOUTH WALES

18 December, 1991

Mr Dick Smith
Acting Assistant Director
Office of Juvenile Justice
Level 5, Roden Cutler House
24 Campbell Street
SYDNEY NSW 2000

Dear Mr Smith

PEOPLE WITH INTELLECTUAL DISABILITIES AND THE CRIMINAL JUSTICE SYSTEM

As discussed in our telephone conversation today, the Commission has received a reference from the Attorney General to inquire into and review the law and practice relating to the treatment of people with intellectual disabilities in the New South Wales criminal justice system. A copy of the terms of the reference are attached for your information. The Commission has been asked to report to the Attorney General by November 1992.

The Commission proposes publishing an Issues Paper early in 1992 and a more detailed Discussion Paper in mid 1992. There will be extensive consultation on both these papers.

In preparing the Issues Paper the Commission is keen to receive preliminary comments on the terms of reference. We are also interested to obtain information about projects being currently undertaken in this area and in receiving a list of relevant publications. Our aim is to avoid unnecessary duplication of work and to receive submissions as soon as possible from organisations such as yours with expertise in this area. We would also be interested in meeting with members of your organisation, either before or after the release of the Commission's Issues Paper, to discuss your particular concerns and areas of interest.

We look forward to hearing from you.

Yours faithfully

L Armstrong

LEONIE ARMSTRONG
Legal Officer

LA0412.doc/3.12.91

*Mr Laughlin For comment please
L.A. Smith
27/12/91*

*Suggest memo with copy of terms
of reference be sent to all units
calling for comment on juvenile justice
concerns / difficulties / issues regarding
offenders with intellectual disabilities*

*[Signature]
27/1/92*

No. 8/92

MOUNT PENANG JUVENILE JUSTICE CENTRE

POLICY FOR LEAVE

MOUNT PENANG JUVENILE JUSTICE CENTRE

Guidelines for the Approval Under Supervision

of Day or Night Leave

Overnight Leave

- (1) Unit staff must ensure before supporting any request for leave from the Unit that the young person concerned has qualified and is eligible for leave.
- (2)
 - (a) Unit Staff must ensure that the conditions and policy relating to the granting of leave are met.
 - (b) That Young Offenders Support Services have been contacted and a report received on the probability that leave if granted is likely to be successful.
 - (c) That the family of the young person has been contacted and interviewed concerning their attitude to having the young person on leave.
 - (d) That the person who will be supervising the young person is aware of the conditions which apply for picking up and returning the child to Mount Penang, and also aware of the Laws and Regulations which apply to visiting or bringing contraband into a Juvenile Justice Centre.
- (3) Unit Staff must ensure that each young person is well informed in regard to the Rules and Regulations that apply to leave of any kind and that they are coached in the procedure to be followed should things go wrong.
- (4) Unit Staff must ensure that each young person is aware of the Critical Dates which apply in their case and the correct procedure for applying for leave.
- (5) Unit Administration Staff Assistant Superintendent and Principle should make sure that applications for various leaves are presented to the Superintendent on Thursday for approval.
- (6) Unit Administration must ensure that application for leave from serious offenders or others that require approval from the Office of Juvenile Justice are presented well in advance.

- (7) Unit Staff should ensure that young persons on Control Orders who have additional matters to be dealt with before the Court, make application for bail so that they are able when they qualify to apply and enjoy leave.
- (8) Unit Staff are responsible for presenting requests for outings to attend or participate in recreation, work or educational activities. Young people who have a general approval to participate in the Work Programme will need to be reviewed regularly and therefore there should be a programme of supervision and visits which are reported upon at intervals not greater than 2 weeks.

These reports should be included in both "D" and Casework Files after each review.

These requests and reports should be presented at the Changeover of Work Meeting each Friday.

However, to have outings etc. approved will require that they are presented the following week. However, to have Outing Leave etc. approved, will require that the applications are presented for consideration on Fridays for the following week. Young people could be disadvantaged should this not occur, therefore, staff are instructed to ensure that they carry out their duty in relation to the matter in a diligent way.

- (9) Unit Staff are required to present a weekly programme for their Company each week at the Changeover of Work Meeting. This Programme is a good way to ensure that a plan is developed for each week displaying all of the activities including outings. Should requests for outings be presented in conjunction with this plan, then there is less likelihood of omission or mistake. The plan should reflect the volume of work and activities that the Unit Staff are engaged in on behalf of the young people in their care.

It further demonstrates a commitment from all the Staff in each Unit to ensuring that the need and rights of each young person are attended to and that Mount Penang will operate in a most effective manner at all times.

The presentation of this plan each week is an essential action for effective operation. effective operation.

L E A V E

The provisions governing escorted absences, the granting of leave and the release from detention of residents are contained in the Children (Detention Centres) Act 1987 Sections 23, 23A and 24 and in Part 4A of the Children (Detention Centres) Regulation 1988 (as amended). Part 4A of the Regulation was inserted on 2nd September 1989.

Principally, the provisions most commonly used consist of:-

- * Escorted absence - s23A
- * Leave to be absent from a Detention Centre - s24(1)(a) and (b)
- * Discharge from detention - s24(1)(C)

[NB: Leave/Discharge under Section 24(1)(b) or (c) cannot be granted to a classified person.

Discharge from detention to attend at a C.Y.C. is made under s24(1)(c)]

1. Escorted Absence

- Is an order in writing by the Director
- Must be for the purpose of attending the funeral of a close relative; visiting a close relative who is seriously ill; or such other purpose that the Director thinks proper.
- Superintendents must direct an officer to take charge of the resident whilst absent from the Centre.
- Is the only leave permitted to persons on Remand.

2. Grant of leave to be absent

- Must be for the purposes outlined in s24(1A) - i.e. funeral of close relative; visiting seriously ill close relative; applying for employment; engaging in employment; applying for enrolment in education or vocational training; attending course of education or vocational training or any other purpose that the Director thinks proper; being a

purpose which the Director considers to be directly associated with the welfare or rehabilitation of the person concerned.

- Is subject to the Regulations, namely Clause 32C which governs day leave (being leave which does not involve absence overnight) and Clause 32D which governs overnight leave.

Day Leave

Day Leave shall not be granted to a resident unless certain periods of detention have been expired.

1. Classified person on serious indictable offence - **one half** of that person's detention period
2. Classified person on other indictable offence - **one third** of that person's detention period
3. Classified person on any offence other than indictable or any other person for any offence whether indictable or not - **one quarter** of that person's detention period.

"**Serious indictable offence**" is defined in the Children (Criminal Proceedings) Act and the Children (Criminal Proceedings) Regulation and includes:

- * homicide
 - * an offence punishable by penal servitude for life or 25 years e.g. armed robbery with wounding
 - * sexual offences under Section 61, 66 and 78 of the Crimes Act (check the Children (Criminal Proceedings) Act
 - * attempt to commit certain sexual offences under Section 61 (check Act as above)
-

Overnight Leave

Overnight Leave shall not be granted unless certain periods of detention have expired.

1. Classified person detained in relation to an indictable offence (whether serious indictable or not) - **two thirds** of that person's period.

2. Classified person detained in relation to an offence other than an indictable **or** any other person for any offence whether indictable or not - **one half** of that person's detention period.

LEAVE GUIDELINES

Times allowed to be absent from the Centre whilst on various types of leave include:

Supervised Outings

When approval has been given for a supervised outing the time of leaving and expected returns to the Centre must be stated. Once this time has been agreed to it should not be varied without specific permission of the Superintendent or Deputy Superintendent.

Supervised outings will not be approved before six (6) weeks in detention have elapsed and in the case of classified "Serious" persons prior approval will need to be arranged with the officer of Juvenile Justice.

Day Leave

When a resident has qualified for day leave and approval has been obtained the day leave will be taken between the hours of 9am and 5pm. Day leave will be available on two (2) occasions each month subject to qualification and performance.

In all cases leave is granted subject to the condition of leave being understood and observed. Any breach of leave conditions will lead to an inquiry and could lead to a suspension of further leave for a period of time. For example should a young person who has been granted leave consume Drugs or Alcohol or bring Drugs or other Contraband into the Centre they could be referred to the Police for further investigation and depending on the outcome, they could lose the right to go on leave again for up to three (3) months or during the whole of the present committal period.

Leave will generally be granted to residents in the care of parents or significant others but most often to parents only. Additionally they must be picked up from Admissions and returned to Admissions by the person into whose care they have been granted the leave.

The Parent Interview Form must be completed before leave is requested.

Overnight Leave

Overnight leave will consist of two (2) periods of 24 hours commencing at 4pm on the day agreed for leave to commence and terminating at 5pm on the agreed date. It may be necessary to adjust the time a Resident is allowed to be picked up depending on how far away their home address is or on the travelling time. If travelling time is in excess of three (3) hours or greater the time arranged for the Parent to pick up

the Resident should be adjusted by that time but only out going, the time of return is fixed. In special circumstances and following prior negotiation time could, but not generally, be changed. This has to be the exception and must be approved by the Superintendent. Each resident will be entitled to two (2) overnight leaves each month. This will be subject to meeting the criteria for leave and includes qualifying period and acceptable behaviour.

Residents who breach the conditions of leave stand to lose their right to ongoing leave unless they can demonstrate by strong evidence that the breach was out of their control. This decision to prevent further leave can only be taken by the Superintendent or the Deputy Superintendent following an investigation.

Special Leave

This leave is only available on occasions to meet a critical need. The times and transport arrangements will be examined and approved in conjunction with individual submissions from unit managers.

30th March 1992
File: polleave

CRITICAL DATES FOR YOUNG PEOPLE BEING ADMITTED
TO MOUNT PENANG JUVENILE JUSTICE CENTRE

Name: D.O.B.:

Date of Admission:

Date of Discharge:

Date on which Supervised Outings will
be considered:

Date on which Day Leave can be
considered:

Date on which Overnight Leave can be
considered:

The above dates are Guidelines. Leave or Outings will only be approved if:

1. The Book Carrier approves the application.
2. The Unit Administrative Officer or the Principal Youth Worker supports the application after checking the correctness of the dates noted.

L. GUILFOYLE
Superintendent

30th March 1992
File: polleave

OFFICE OF JUVENILE JUSTICE

WARRANTS

OF

COMMITMENT

PROCEDURES

POLICY NUMBER : 91/004P
REVISED NOVEMBER 1992, RJS

WARRANTS OF COMMITMENT

INTRODUCTION

"Warrants of Commitment" are the documents issued to apprehend and place in custody, an offender who has failed to comply with previous order of a Court, to pay a fine as Penalty for an offence.

The Legal System attempts to provide opportunity for an offender in arranging payment for either, over a longer period than granted by the Court or at small regular payments.

When an offender fails to comply with the Court order, that is, to pay the amount designated or makes no attempt to extend the time for payment of penalty, a Warrant of Commitment is issued which provides authority for police to apprehend the offender and convey him/her to the nearest Juvenile Justice Centre.

In August, 1987, the New South Wales Police Department met with Youth and Community Services and requested new procedures be introduced to deal with Warrants of Commitment.

The attached information has been designed to provide staff of Juvenile Justice Centres with a set of procedures.

The information consists of two parts:

Part "A" outlines the procedures for receiving Juveniles on Warrants of Commitment and requesting the execution of outstanding warrants.

Part "B" encompasses new procedures to be adopted in calculating the time the juvenile is required to spend in custody and the formula for "Pro-Rata" payments of outstanding penalties.

All warrants for juvenile offenders run concurrently on an accumulative basis.

WARRANTS OF COMMITMENT - PROCEDURES

PART A:

1. POLICE PROCEDURES FOR ISSUING WARRANTS OF COMMITMENT

1.1 Definition:

"A Commitment Warrant" (or facsimile copy) is a document indicating either the fine or period in detention that should be served for a particular offence.

1.2 Procedure:

Juvenile Admitted to Centre by virtue of Warrants.

Whenever a juvenile is admitted to a Juvenile Justice Centre on a Warrant of Commitment only, Police will NOT provide a Blue Warrant as was the practice. However a facsimile copy with the following endorsement will be tendered and is acceptable as appropriate documentation -

"I hereby certify that a copy of the warrant transmitted to the Office of Juvenile Justice by facsimile machine was made from the original warrant.

Assistant Commissioner of Police.

Per:....."

This document is to be treated as a "Warrant of Commitment".

- 1.3 No receipt is required by Police, however a "Satisfaction of Penalty" form is to be completed when the designated time for satisfaction of penalty is reached or a pro-rata payment of fine is made. This "Satisfaction of Penalty" form is to be completed in duplicate. The original copy to be forwarded to the Court which originally issued the Warrant of Commitment and a copy retained on Juvenile's D file.

1.4 Time of Discharge from Warrant of Commitment:

The appropriate method for calculating time and dates of release are outlined under Part "B" of this document.

2. OFFICE OF JUVENILE JUSTICE PROCEDURES FOR DEALING WITH WARRANTS.

2.1 When Police arrive at a Juvenile Justice Centre, a juvenile is processed as for any other admission.

Police will provide a "Facsimile" copy of a warrant as described in 1.2.

The juvenile is to be advised of date and time of release.

On completion of designated time for the satisfaction of penalty, a form is to be issued as described in 1.3.

"Facsimile" copy of Warrant/s and copy of "Form of Satisfaction" to be placed on D file.

3. "CALLING-IN" OF WARRANTS BY JUVENILES

1 From time to time, juveniles will request staff to "Call-In" Warrants on their behalf.

This means that the juvenile feels warrants are in existence for some offence previously committed and they seek to satisfy this penalty whilst in custody.

Procedure:

"Calling-In" of Warrants of Commitment:

Whenever a juvenile requests staff to arrange to have outstanding Warrants "Call-In", the following procedure is to be followed.

"Calling-In" Warrants of Commitment by Juvenile in

Custody:

2 When an application is made by a juvenile to the Office Of Juvenile Justice, the application will be transmitted to the Warrant Index Unit by facsimile machine. Upon receipt of the application, staff at the Warrant Index Unit will locate ALL outstanding warrants for the juvenile and transmit via the facsimile machine, copies of the warrant(s) to the Juvenile Justice Centre concerned. (see attached Pro-Forma).

- 3 Staff at the Warrant Index Unit will contact by telephone Police at the nearest station to the Juvenile Justice Centre who will attend the Centre and verify the person named in the Warrant(s) is the same juvenile who called in the Warrants. When identification is verified Police will endorse on the facsimile copy of the Warrant(s) the following:-

Executed by (name) _____

at (time) this _____ day of _____ 19_____

at (Juvenile Justice Centre) _____

Signature _____

Rank _____

- 4 Once Police have "Executed" the Warrant on a juvenile the endorsed document is to be placed on the D file.

- 5 Procedure as outlined in 1.3 is to be undertaken on completion of time in custody.

6 Police Central Warrant Index:

The Central Warrants Index is located at Parramatta and can be contacted as follows:

Facsimile No: (02) 689 7389

Telephone No: (02) 689 7311

OFFICE OF JUVENILE JUSTICE

APPLICATION TO CALL IN WARRANTS.

_____ Juvenile Justice Centre

_____ 19__

Facsimile No: _____

Date of Birth: _____

From Juvenile: _____

Exp of Committal
or Remand _____

Subject: OUTSTANDING WARRANTS

SEPARATE APPLICATION IS TO BE MADE WHEN MORE THAN ONE COURT IS INVOLVED.

I, the abovenamed, desire to have issued and served upon me during my present detention, outstanding warrants.

The particulars are as follows:-

DATE OF CONVICTIONS: _____

COURT OF CONVICTIONS: _____

OFFENCE(S): _____

SENTENCES: _____

SIGNED _____

FORWARDED FOR THE ATTENTION

SUPERINTENDENT

JUVENILE JUSTICE CENTRE

THE OFFICER IN CHARGE
CENTRAL WARRANTS INDEX

OFFICE OF JUVENILE JUSTICE

RECEIPT FOR SATISFACTION OF WARRANT OF COMMITTAL

Juvenile Justice Centre:
Juvenile's Name:
Address: _____ *D.O.B.* _____

Warrant of Commitment Police Number:
Warrant of Commitment Court Case Number:
Court of Issue: _____ *Date of Issue:* _____
Penalty: _____

SATISFACTION OF WARRANT:
Date and Time Warrant Executed:
Date and Time Juvenile Discharged:
This document will serve to inform the Court that the above named Juvenile, satisfied the requirements of the aforesaid Warrant of Commitment by way of detention at the _____ Juvenile Justice Centre.

for Superintendent

Date:

(Pro-Rata Payment of Fines, please see reverse side of Form)

To: THE CLERK OF THE COURT.
COURT HOUSE

PRO-RATA PAYMENT OF FINE:

Schedule of payment of Warrant of Commitment described overleaf.

WARRANTS EXPRESSED IN HOURS	RECEIPT NO:
<p>Total Fine: \$ _____ Total Cost/Fees: \$ _____ TOTAL: \$ _____</p> <p>METHOD: Divide the total amount of Fine and Costs/Fees by the number of hours specified on Warrant. \$ _____ Fine and Costs divided by _____ hours = \$ _____ (hourly rate) number of hours served. (Multiply hourly rate by hours remaining to be served to provide Pro-Rata Payment). Hourly Rate \$ _____ Multiplied by _____ Hours = \$ _____, therefore Pro-Rata Payment equals \$ _____</p>	

WARRANTS EXPRESSED IN DAYS	RECEIPT NO
<p>Total Fine: \$ _____ Total Cost/Fees: \$ _____ TOTAL: \$ _____</p> <p>Each day shown on Warrant, counts as \$100.00 OFF</p> <p>Fine: Days shown on Warrant _____ multiplied by \$100.00 = \$ _____</p> <p>Total Fine: \$ _____ Less Days served at \$100 per day: \$ _____ TOTAL: \$ _____</p> <p>Therefore Balance of Fine: \$ _____ Plus Balance of Cost/Fees: \$ _____ = Total Pro-Rata Payment: \$ _____</p>	

PART B (refer to Section 87, Justices' Act 1902 see appendix 3)

This section deals with the procedures to be adopted in calculating either the period a juvenile must remain in custody or the Pro-Rata payment formula for "paying-out" fines.

Following the admission of a juvenile on a Warrant of Commitment the juvenile must be advised of the time and date of discharge.

The warrant will show the time for "satisfaction" of the penalty either in hours or in days.

In Section 4 procedure for warrant expressed in hours only is outlined, while in Section 5 and 6 method to be adopted for release if warrant expressed in days and the pro-rata payment of penalties.

Pro-Rata payment refers to the paying-out of the balance of time not served of a penalty prescribed on a Warrant of Commitment.

4. WARRANTS EXPRESSED IN HOURS ONLY

4.1 If a Warrant is expressed in "HOURS" only the formula to be employed is as follows:

If a Warrant is expressed purely in HOURS, the juvenile must complete the time specified.

Example 1: Warrant showing 24 hours

Juvenile arrested by Police:	1.06pm - 7/7/87
Admitted to Juvenile Justice Centre:	4.35pm - 7/7/87
To be Discharged:	1.06pm - 8/7/87

Example 2: Warrant showing 48 hours

Juvenile arrested by Police:	1.06pm - 7/7/87
Admitted to Juvenile Justice Centre:	4.35pm - 7/7/87
To be Discharged:	1.06pm - 9/7/87

However, in the case of warrants expressed as 24 hours at \$50.00 per day (old system) this will be taken to be half a unit (a unit being \$100.00 a day) and juveniles in this case should serve 12 hours. For amounts under \$50.00 treat as above. In the case of amounts above \$50.00 or lower than \$100.00 treat as 24 hours detention.

5. DETENTION EXPRESSED IN DAYS

Where a warrant is shown in Days to Serve in default of payment of a fine, the following is to be used as the formula for calculating date and time of release.

5.1 FOR ANY PERIOD DESCRIBED IN DAYS ONLY.

A juvenile arrested at 9 p.m. on 3/3/87 would be seen to have completed one day at 12 midnight on 3/3/87

Example 1: Warrant of four (4) days

Time of arrest by Police:	3/3/87	9 pm to
		midnight = 1 day/1 night
One Day completed:	4/3/87	2nd day
Second Day	5/3/87	3rd day
Third Day	6/3/87	4th day

Time of release should be determined by the Superintendent on last day in keeping with specific needs of travel arrangements of the juvenile.

For all warrants expressed in hours, should a warrant on a rare occasion be received expressed as one "day" only, with the offender being apprehended at 3 a.m., this should be regarded as for a warrant expressed in hours, so the juvenile is not detained above 24 hours.

6. PRO-RATA PAYMENT OF FINES

From time to time a Juvenile will seek to "pay-out" a warrant (fine). The following formula is to be used in calculating pro-rata payment.

GENERAL STATEMENT:

Fines are reduced by an amount of \$100.00 each day as hereunder described.

6.1 For any period described in Days only. The formula to be employed will be the same as that used by the Department of Corrective Services.

When applying pro-rata payment formula, a day or part of each day will count as a whole day.

For example, if an offender was apprehended by Police on a warrant of 4 Days at 9 p.m. on 3/3/87 this part of a day 9 a.m. till midnight is to be considered as a "whole day" for the purposes of pro-rata payment only.

If the warrant was for only 24 hours or 48 hours (NOT DAYS) then the formula is that each hour must be served or paid-out.

PRO-RATA PAYMENT OF FINES

Whenever a juvenile has indicated a wish to "pay-out" the balance of a warrant the following procedure is adopted. It must be remembered that EACH individual fine must be paid out, NOT only the lightest penalty as suggested by police.

6.2 Where Warrant is Expressed in HOURS

Whenever the warrant is expressed in hours only to be served in detention, the pro-rata payment is calculated by dividing the total amount of fine, plus costs, by the number of hours indicated or number of hours yet to be completed.

Example 1:

Penalty: 24 hour penalty
Fine: \$100.00
Costs: \$ 16.00
Total: \$116.00

Time of Arrest: 2.10 p.m. - 12/9/87
Time of Release: 2.10 p.m. - 13/9/87
Time of Pay-Out of Fine: 9.10 p.m. - 12/9/87

Pro-rata payment calculated as follows:

Fine = \$100 or 4.17 per hour
Costs \$ 16 or .67 per hour

Detained in custody 7 hours.
Number of hours for pro-rata payment =
Fine 17hrs at \$ 4.17 ph
Costs 17 hours x 0.67 = \$11.39

The juvenile would be required to pay an amount of \$82.30 (rounded up) to secure release from custody.

6.3 Where a warrant is expressed in days.

Example 2:

In the case of a warrant of \$400 plus \$20 fees/costs this would be \$420 divided x 4 = \$105 per day.

If one (1) day served in custody (or part thereof) the pro-rata payment due would be \$315.00 = 1 day at a \$105.00 balance.

Formula:

For each day or Part-Day served in custody, \$100 is deducted. The fee/costs total is to be divided by the number of days shown on warrant and the resulting daily rate, is to be multiplied by the number of days served and this amount deducted.

This means the following:

Example 3:

Warrant for 8 days Detention

Fine: \$800.00

Costs/fees: \$ 36.00

Total \$836.00

Juvenile apprehended by Police at 6 p.m. - 1/7/87

Due for Release at: 10 a.m. - 9/7/87

For pro-rata payment of Outstanding Balance -

Apprehended: 6 p.m. - 1/7/87

Date of Pro-Rata Payment: 4 p.m. - 4/7/87 =
4* days Served

Fees/Costs: - \$36 divided by 8 days = \$4.50 daily rate.

Pro-Rata calculated as follows:

Fine \$800.00 ÷ by 8 = \$100.00 per day

\$36.00 ÷ 8 = \$4.50 per day

Less 4 days already served/balance of 4 days

\$100 x 4 days = \$400.00

\$4.50 = \$ 18.00

Pro-Rata Payment: \$418.00

- 6.4 For any money received, a receipt must be given to the person paying pro-rata amount.

A "Form of Satisfaction" of warrants is to be completed in duplicate. The original sent to the court of issue and a copy on "D" File. All money accepted for payment of fines is to be paid into the nearest court. When remitting payment to a Court you must obtain a receipt which is to be posted in Office of Juvenile Justice receipt book to provide proof of payment.

At all time extreme care must be taken to ensure any monies collected for fines is kept under SECURE conditions until paid into the Court.

6.5 Early Discharge

In specific cases Superintendents can approve the early discharge of a person on warrants pursuant to Section 31 (1) Children Detention Centres' Act 1987). (Remember that a Warrant of Commitment is converted to a Control Order).

The use of this procedure could arise in a case where a person who is detained at a country Police Station on warrants and where transfer to a Juvenile Justice Centre is not practicable. As the person would not arrive at the Centre until near time of release from custody.

In such cases the Superintendent of the nearest Juvenile Justice Centre could issue a letter by facsimile to Police ordering discharge at a time in accordance with Section 31.

Action under Section 31 should only be taken as stated when a transfer to a Juvenile Justice Centre is not practicable and approval should be sought from Head Office, (see attachment 4).

ACCEPTING PERSONS AGED ABOVE 18 YEARS

From time to time persons aged above 18 years of age will be brought to a Juvenile Justice Centre to undertake a period of custodial care in respect of a Warrant of Commitment.

Section 87 (5) to 87 (8) of the Justices Act, 1903 (see appendix 3) provides that, "Where the offender is over the age of 18 years at "Time of Conviction" that person should be placed in an adult correctional facility".

What this simply means is that a person aged between 18 years and 21 years who is on a Juvenile Warrant can be admitted to a Juvenile Justice Centre, UNLESS convicted of the offence after her/his 18th birthday. (ie: This does not mean an offence committed after 18th birthday, but for an offence committed prior to the offenders 18th birthday, which did NOT GET DEALT WITH by a court until after the 18th birthday occurred).

Therefore any person 18 to 21 years of age who is apprehended on a warrant, for which penalty was imposed prior to the 18th birthday is to be admitted to a Juvenile Justice Centre.

Superintendents' are to ensure all relevant staff are informed of this policy.

RUDOLF SALZMANN
DEPUTY DIRECTOR

26 November 1992

(2) Subsection (1) does not authorise or require a person subject to control to be discharged from detention while any other detention order is in force in respect of the person or while the person is a person on remand.

(3) This section does not limit the operation of the Probation and Parole Act 1983 with respect to a person subject to control.

Early discharge

31. (1) A person subject to control may be discharged from detention at any time during the period of 24 hours immediately preceding the time when the person's detention as a person subject to control would otherwise terminate.

(2) A person subject to control whose detention would, but for this subsection, terminate on a Saturday, Sunday or public holiday may be discharged from detention on the last day that is not a Saturday, Sunday or public holiday.

Termination of detention orders

32. A detention order ceases to have effect—

- (a) in the case of a person who is discharged from detention pursuant to section 30 or 31—when the person is discharged;
- (b) in the case of a person who is discharged from detention by virtue of an order under section 24 (1) (c)—
 - (i) except as provided by subparagraph (ii)—when the person is discharged; or
 - (ii) if the person is discharged subject to conditions and the order is not subsequently revoked—at the end of the period for which the person would otherwise be required, under the detention order, to be detained in a detention centre, taking into account any reduction or extension of that period under section 29 or 33;
- (c) in the case of a person the subject of an order in force under section 19 of the Children (Criminal Proceedings) Act 1987 whereby a court has directed that part only of a term of imprisonment imposed on the person be served in a detention centre—when the person is transferred to a prison in accordance with the order to serve the remainder of the term of imprisonment in a prison; or
- (d) in the case of a person who is transferred to a prison pursuant to section 28—when the person is so transferred.

PART 4—OFFENCES

Escaping

~~33. (1) A detainee who escapes or attempts to escape from lawful custody is guilty of an offence and liable to imprisonment for a period not exceeding 3 months.~~

“authorised justice” means—

- (a) a Magistrate;
- (b) a Justice employed in the Local Courts Administration, Attorney General’s Department; or
- (c) a Justice employed in a prescribed office.

Warrant of commitment for non-payment

87. (1) Where—

- (a) it is adjudged by a conviction or order that a fine, penalty, costs or other amount of money be paid; and
- (b) the person against whom the conviction or order is made does not pay in accordance with the terms of the conviction or order the amount adjudged to be paid as ascertained by the conviction or order,

an authorised justice may, by warrant, commit the person to prison to be kept there according to the terms of the warrant for a period calculated in accordance with subsection (2) unless the person sooner pays the amount together with such further sum for the costs of enforcing the conviction or order as seems just and reasonable to the authorised justice.

(2) Where—

- (a) the amount is not more than the prescribed unit, the period shall not exceed 24 hours;
- (b) the amount is more than the prescribed unit but is not more than twice the prescribed unit, the period shall not exceed 48 hours; or
- (c) the amount is more than twice the prescribed unit, the period shall be 1 day for each such unit of the amount or part of such a unit,

but in no case shall the period exceed 3 months.

(3) In subsection (2)—

“prescribed unit” means—

- (a) except as provided by paragraph (b)—the amount of \$50; or
- (b) where another amount is prescribed for the purposes of this definition—that other amount.

(4) A warrant under this section committing a person to prison for non-payment of an amount adjudged by a conviction or order to be paid is revoked on the making of a community service order under section 26B of the Community Service Orders Act 1979 requiring the person to perform community service work in relation to the conviction or order.

(5) A warrant under this section shall not be issued—

- (a) in relation to a conviction or order with respect to—

- (i) an offence under the Motor Traffic Act 1909 or an offence prescribed for the purposes of section 18B of that Act; or
- (ii) an offence under any prescribed provision of an Act or a statutory instrument,

unless the authorised justice has been otherwise notified in accordance with the regulations;

- (b) in relation to a conviction or order in respect of which a community service order has been made under Part 3 of the Community Service Orders Act 1979, except in accordance with section 26K (6) of that Act;
- (c) in relation to a conviction or order made against a person to whom the Children (Community Service Orders) Act 1987 applies;
- (d) in relation to an enforcement order made against a person—
 - (i) who was under the age of 18 years at the time the alleged offence to which the order relates was committed; and
 - (ii) who was under the age of 21 years at the time the order was made,

under Division 2 of Part 4B; or

- (e) in such circumstances as may be prescribed for the purposes of this subsection.

87A.

* * * * *

PRISONER/JUVENILE (WARRANT) TRANSPORT FORM

The Superintendent _____ Institution/Prison.

The person described below has been arrested on the authority of the warrants listed. These warrants order that he be received and be kept for the period of time mentioned in the warrants.

A copy of the warrants mentioned has been transmitted to your Institution/Prison by Facsimile.

OFFENDER/DEFENDANT

FULL NAME: _____

ADDRESS: _____

D.O.B: _____

ALIAS: _____

ARREST TIME/DATE OF: _____

NAME OF ARRESTING POLICE: _____ RANK _____ STATION _____

WARRANT NUMBER	HOURS/DAYS TO BE SERVED. FROM TIME OF ARREST (P.I. 32.47)	OFFENCE
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____

SIGNATURE: _____

NAME: _____ RANK: _____ STATION: _____

At _____ am/pm on the _____ day of _____ 19 _____, I contacted _____ at the Warrant Index Unit and requested copies of the abovementioned warrants be sent by Facsimile to _____ Institution/Prison.

SIGNATURE: _____

NAME: _____ RANK: _____ STATION: _____

PRISONER/OFFENDER SIGNATURE: _____
 Prisoners right index fingerprint. If not R.I.F., indicate finger used. FINGERPRINT
REVERSE SIDE

**WARRANTS OF COMMITMENT
AND DISCHARGE COSTS**

At the Senior Officers meeting at Mt Penang on 2nd May, 1991, the following requests were made relating to warrants of commitment:

- i) Ascertain the time a young person may be discharged on a warrant commitment if admitted early in the morning.
- ii) Ascertain whether the \$6 - discharge money is payable to the juvenile on discharge from the detention centre following completion of the warrants of commitment as, under the Children (C.S.O.) Act 1987 and amendments, the warrant of commitment on fine default is to be treated as a control order.

Legal Branch advice on i) above is as follows: "Given the latitude available in the legislation, it is a matter for administrative convenience (e.g. if the completion of the period would occur during normal business hours then that should be the discharge time. If the completion time was after 5 p.m. (approx)."

In relation to ii) above the Deputy Director-General advised on 24th May, 1991 that the administrative arrangement of the \$6-discharge money should be at the discretion of the administration of the detention centre. If young offenders are in need of assistance to return to their place of abode, then monetary assistance may be provided.

Head. Wick

MOUNT PENANG JUVENILE JUSTICE CENTRE

STAFF TRAINING MODULE

"THE ASSESSMENT PROCESS"

L. GUILFOYLE
November 1992

CASEWORK

"THE ASSESSMENT PROCESS"

The success of any Case Study or the development of a Case Work Plan is dependent on the relationship which exists between the Caseworker and residents in Juvenile Justice Centres, thus the ultimate success of a Case Plan will depend on the rapport which is established between the resident, Caseworkers and others. An atmosphere of trust must be developed where all participants - the Case Worker, Case Supervisor, the contributors to the Case Work and the Residents concerned, feel free to express ideas and opinions without fear of condemnation or even slight disapproval.

Generally, all participants should see themselves as equals in an attempt to find the facts or factors that might be relevant to any particular case. This does not in any way imply that the Case Worker or Supervisor has no major role in the case discussion; in fact, Case Workers must take on the very difficult role of becoming a Supervisor or Facilitator. As a Facilitator, it is the Case Workers role to provide an open environment for discussion by actively listening, helping to clarify ideas being put forward, and by reinforcing even minor contributions of information from the participants. So, although the Case Worker may have some general objectives in mind, he / she must operate as a client centred counsellor rather than operating on his / her own interpretations. I remind the reader here that a client centred counsellor is a Counsellor or Case Worker who places at the centre of focus the child for whom a plan is being considered or developed.

CASEWORK - "The Assessment Process"

While it should be true that Case Workers are more expert in most dimensions of the case under discussion, it must be their role to draw all valuable information from case participants and to reinforce a critical approach to problem solving. The Case Worker must remember it is not the case but the way of thinking or the approach to problem solving which is being established in the mind of the resident. This is not to imply that theories or thoughts are not relevant to case studies but that facts and theories must be carefully fitted into the broader framework of a problem solving approach.

During the discussion of any case, it will be evident that each resident perceives the case in his / her own way. Some Caseworkers identify with certain characters in the case; others may get caught up in the way their own values relate to the case, and others may interpret characteristics in terms of their own stereotypes or behaviour.

It is through this diversity of perception and imagination that Case Workers develop insight, not only into the residents' lives but also into their real life situations.

PREPARATION OF CASEWORK PLANS

Comments in this paragraph provide a general background to casework reporting. These should prove useful as Caseworkers consider the areas presented by their contributors during the preparation and presentation of Casework Plans.

CASEWORK - "The Assessment Process"

Casework documentation is essentially a subjective event. Try as this writer may to be objective and unbiased in his writing, it is difficult if not impossible to prevent our own personal characteristics from clouding our view of others, even when the "other" is a resident for whom we are attempting to develop a Casework Plan.

Whilst this may seem to be a statement of the obvious, it is important that we keep in mind as we work our way towards developing casework that at every stage during case planning this subjective influence is at work.

During the data collection interview, the Case Worker's personality and background can and will determine what he / she sees; what he / she overlooks and how he / she perceives the residents' predicament and of course, how the resident responds. So even during the early documentation stage of the collecting of the demographic data, information about a resident has been consciously or unconsciously selected, pruned and coloured.

In preparing a Casework Plan, further selection occurs. The Caseworker selects from all the information available, information which fits the background and for which that person professes some understanding, and sifts away information that he / she considers unnecessary. This usually reflects the Caseworkers personality. To a significant degree, this sifting, selecting and interpreting is influenced by the writer's interpretation of human behaviour. It is important here to point out that although the writer's theory may not be blatantly apparent, he / she still has a theory and interprets the resident from that viewpoint.

CASEWORK - "The Assessment Process"

Often Caseworkers themselves may not be aware that they are not aware; that they have their own personal theories. Yet be assured that they are there, and are determining the development of the case and the Caseworkers' behaviour to the resident during this Assessment Process. In this context, I am using the term "theory" to not only refer to a well-known and well-formulated theory, e.g. psychoanalytic or behaviour theory, but also to the personal theories that individuals develop to explain human behaviour. This writer's theory has been discussed in a previous document entitled "Framework for Casework".

The Caseworker's personal theory then determines the kind of information that will be included in the Casework Plan. For example, it may mean that emphasis is placed almost exclusively on the resident's education processes or lack of them with very little attention to the external or environmental factors acting on him. It has become, I think, unfashionable for Caseworkers to include responses to case histories or relevant factual material about the resident's personal views of life. I would attribute this to the current popular theory that it is the resident's perception and feelings about his life that count rather than actual happenings to him and his family in his environment and during the early socialization process.

CASEWORK - "The Assessment Process"

DEVELOPING THE CASEWORK PLAN

Orienting Data

The Caseworker in developing a Case Work Plan must select with an open mind those pieces of information about the resident which are relevant to the understanding of the resident and the problem which sets the stage for this. If the fact that the resident has a series of tattoos is relevant to the understanding of this young person, then by all means say so; even a simple fact like a subject's age may be a useful piece of information given the nature of the presenting problem. It should be evident that selection of information even concerning information of such superficial items as tattoos may reflect a bias rather than seeing the resident as he really is.

Another piece of orientating data in the developing of a Case Work Plan is the reason for the young person being committed and other relevant information which is available concerning the immediate past history of offending behaviour.

Observational Data

Observational Data - for example, how did a resident respond during the initial interview, e.g. suspicious, tense, at ease; behaviour during subsequent interviews or during testing.

CASEWORK - "The Assessment Process"

Interview Data

History, particularly as it relates to the present problem, will dictate the need to develop a Casework Plan which is both relevant and flexible. Each plan requires a summary of the resident's discussion of the problem and related topics. It is feasible here to use verbatim statements to establish where necessary the relevancy that exists between the resident and the Caseworker during interviews.

Test Results

In some cases, where it is relevant to administer psychometric tests, the results of the tests should be reported in summary form and interpreted with reference to the problem in developing a Casework Plan in a residential unit. These results would be interpreted by a Psychologist.

Environment

In some cases features of the resident's home environment are important to the Case Plan. For example, if you are reporting on a personal problem within the family or organisation, it would be appropriate to talk about the organisational structure and the young person's relationship to that organisation if that is relevant.

Relationships

Here the definition of "others" would be determined by the nature of the problem. It may not be relevant to talk about a young person's relation to work mates if the problem is basically a family problem, but it may be highly relevant to talk about the relationship of family members or extended family. Often extended family members are seen to play an important role in the final solution to the problem.

CASEWORK - "The Assessment Process"

Data from Other Resources

Each person has a role to contribute to the development of a Casework Plan in Juvenile Justice; for example, educationalists, family members, or medical practitioners, or others who have responsibility for the care of the resident.

It is not suggested that the Caseworker should organise a Casework Plan under the above headings, These are merely used to show how some types of information which may be available and can be incorporated into a Casework Plan.

OFFICE OF JUVENILE JUSTICE

WARRANTS

OF

COMMITMENT

PROCEDURES

POLICY NUMBER : 91/004P
REVISED OCTOBER 1992, RJS

WARRANTS OF COMMITMENT

INTRODUCTION

"Warrants of Commitment" are the documents issued to apprehend and place in custody, an offender who has failed to comply with previous order of a Court, to pay a fine as Penalty for an offence.

The Legal System attempts to provide opportunity for an offender in arranging payment for either, over a longer period than granted by the Court or at small regular payments.

When an offender fails to comply with the Court order, that is, to pay the amount designated or makes no attempt to extend the time for payment of penalty, a Warrant of Commitment is issued which provides authority for police to apprehend the offender and convey him/her to the nearest Juvenile Justice Centre.

In August, 1987, the New South Wales Police Department met with Youth and Community Services and requested new procedures be introduced to deal with Warrants of Commitment.

The attached information has been designed to provide staff of Juvenile Justice Centres with a set of procedures.

The information consists of two parts:

Part "A" outlines the procedures for receiving Juveniles on Warrants of Commitment and requesting the execution of outstanding warrants.

Part "B" encompasses new procedures to be adopted in calculating the time the juvenile is required to spend in custody and the formula for "Pro-Rata" payments of outstanding penalties.

All warrants for juvenile offenders run concurrently on an accumulative basis.

WARRANTS OF COMMITMENT - PROCEDURES

PART A:

1. POLICE PROCEDURES FOR ISSUING WARRANTS OF COMMITMENT

1.1 Definition:

"A Commitment Warrant" (or facsimile copy) is a document indicating either the fine or period in detention that should be served for a particular offence.

1.2 Procedure:

Juvenile Admitted to Centre by virtue of Warrants.

Whenever a juvenile is admitted to a Juvenile Justice Centre on a Warrant of Commitment only, Police will NOT provide a Blue Warrant as was the practice. However a facsimile copy with the following endorsement will be tendered and is acceptable as appropriate documentation -

"I hereby certify that a copy of the warrant transmitted to the Office of Juvenile Justice by facsimile machine was made from the original warrant.

Assistant Commissioner of Police.

Per:....."

This document is to be treated as a "Warrant of Commitment".

- 1.3 No receipt is required by Police, however a "Satisfaction of Penalty" form is to be completed when the designated time for satisfaction of penalty is reached or a pro-rata payment of fine is made. This "Satisfaction of Penalty" form is to be completed in duplicate. The original copy to be forwarded to the Court which originally issued the Warrant of Commitment and a copy retained on Juvenile's D file.

1.4 Time of Discharge from Warrant of Commitment:

The appropriate method for calculating time and dates of release are outlined under Part "B" of this document.

2. OFFICE OF JUVENILE JUSTICE PROCEDURES FOR DEALING WITH WARRANTS.

2.1 When Police arrive at a Juvenile Justice Centre, a juvenile is processed as for any other admission.

Police will provide a "Facsimile" copy of a warrant as described in 1.2.

The juvenile is to be advised of date and time of release.

On completion of designated time for the satisfaction of penalty, a form is to be issued as described in 1.3.

"Facsimile" copy of Warrant/s and copy of "Form of Satisfaction" to be placed on D file.

3. "CALLING-IN" OF WARRANTS BY JUVENILES

1 From time to time, juveniles will request staff to "Call-In" Warrants on their behalf.

This means that the juvenile feels warrants are in existence for some offence previously committed and they seek to satisfy this penalty whilst in custody.

Procedure:

"Calling-In" of Warrants of Commitment:

Whenever a juvenile requests staff to arrange to have outstanding Warrants "Call-In", the following procedure is to be followed.

"Calling-In" Warrants of Commitment by Juvenile in

Custody:

2 When an application is made by a juvenile to the Office Of Juvenile Justice, the application will be transmitted to the Warrant Index Unit by facsimile machine. Upon receipt of the application, staff at the Warrant Index Unit will locate ALL outstanding warrants for the juvenile and transmit via the facsimile machine, copies of the warrant(s) to the Juvenile Justice Centre concerned. (see attached Pro-Forma).

- 3 Staff at the Warrant Index Unit will contact by telephone Police at the nearest station to the Juvenile Justice Centre who will attend the Centre and verify the person named in the Warrant(s) is the same juvenile who called in the Warrants. When identification is verified Police will endorse on the facsimile copy of the Warrant(s) the following:-

Executed by (name) _____

at (time) this _____ day of _____ 19_____

at (Juvenile Justice Centre) _____

Signature _____

Rank _____

- 4 Once Police have "Executed" the Warrant on a juvenile the endorsed document is to be placed on the D file.
- 5 Procedure as outlined in 1.3 is to be undertaken on completion of time in custody.
- 6 Police Central Warrant Index:

The Central Warrants Index is located at Parramatta and can be contacted as follows:

Facsimile No: (02) 689 7389

Telephone No: (02) 689 7311

OFFICE OF JUVENILE JUSTICE

APPLICATION TO CALL IN WARRANTS.

_____ Juvenile Justice Centre

_____ 19__

Facsimile No: _____

Date of Birth: _____

From Juvenile: _____

Exp of Committal
or Remand _____

Subject: OUTSTANDING WARRANTS

SEPARATE APPLICATION IS TO BE MADE WHEN MORE THAN ONE COURT IS INVOLVED.

I, the abovenamed, desire to have issued and served upon me during my present detention, outstanding warrants.

The particulars are as follows:-

DATE OF CONVICTIONS: _____

COURT OF CONVICTIONS: _____

OFFENCE(S): _____

SENTENCES: _____

SIGNED _____

FORWARDED FOR THE ATTENTION

SUPERINTENDENT

JUVENILE JUSTICE CENTRE

THE OFFICER IN CHARGE
CENTRAL WARRANTS INDEX

OFFICE OF JUVENILE JUSTICE

RECEIPT FOR SATISFACTION OF WARRANT OF COMMITTAL

Juvenile Justice Centre:
Juvenile's Name:
Address: _____ *D.O.B.* _____

Warrant of Commitment Police Number:
Warrant of Commitment Court Case Number:
Court of Issue: _____ *Date of Issue:* _____
Penalty: _____

SATISFACTION OF WARRANT:
Date and Time Warrant Executed:
Date and Time Juvenile Discharged:
This document will serve to inform the Court that the above named Juvenile, satisfied the requirements of the aforesaid Warrant of Commitment by way of detention at the _____ Juvenile Justice Centre.

for Superintendent

Date: _____

(Pro-Rata Payment of Fines, please see reverse side of Form)

To: THE CLERK OF THE COURT.
COURT HOUSE

PRO-RATA PAYMENT OF FINE:

Schedule of payment of Warrant of Commitment described overleaf.

WARRANTS EXPRESSED IN HOURS	RECEIPT NO:
<p>Total Fine: \$ _____ Total Cost/Fees: \$ _____ TOTAL: \$ _____</p> <p>METHOD: Divide the total amount of Fine and Costs/Fees by the number of hours specified on Warrant. \$ _____ Fine and Costs divided by _____ hours = \$ _____ (hourly rate) number of hours served. (Multiply hourly rate by hours remaining to be served to provide Pro-Rata Payment). Hourly Rate \$ _____ Multiplied by _____ Hours = \$ _____, therefore Pro-Rata Payment equals \$ _____</p>	

WARRANTS EXPRESSED IN DAYS	RECEIPT NO
<p>Total Fine: \$ _____ Total Cost/Fees: \$ _____ TOTAL: \$ _____</p> <p>Each day shown on Warrant, counts as \$50.00 OFF</p> <p>Fine: Days shown on Warrant _____ multiplied by \$50.00 = \$ _____</p> <p>Total Fine: \$ _____ Less Days served at \$50 per day: \$ _____ TOTAL: \$ _____</p> <p>Therefore Balance of Fine: \$ _____ Plus Balance of Cost/Fees: \$ _____ = Total Pro-Rata Payment: \$ _____</p>	

PART B

This section deals with the procedures to be adopted in calculating either the period a juvenile must remain in custody or the Pro-Rata payment formula for "paying-out" fines.

Following the admission of a juvenile on a Warrant of Commitment the juvenile must be advised of the time and date of discharge.

The warrant will show the time for "satisfaction" of the penalty either in hours or in days.

In Section 4 procedure for warrant expressed in hours only is outlined, while in Section 5 and 6 method to be adopted for release if warrant expressed in days and the pro-rata payment of penalties.

Pro-Rata payment refers to the paying-out of the balance of time not served of a penalty prescribed on a Warrant of Commitment.

4. WARRANTS EXPRESSED IN HOURS ONLY

4.1 If a Warrant is expressed in "HOURS" only the formula to be employed is as follows:

If a Warrant is expressed purely in HOURS, the juvenile must complete the time specified.

Example 1: Warrant showing 24 hours

Juvenile arrested by Police:	1.06pm - 7/7/87
Admitted to Juvenile Justice Centre:	4.35pm - 7/7/87
To be Discharged:	1.06pm - 8/7/87

Example 2: Warrant showing 48 hours

Juvenile arrested by Police:	1.06pm - 7/7/87
Admitted to Juvenile Justice Centre:	4.35pm - 7/7/87
To be Discharged:	1.06pm - 9/7/87

5. DETENTION EXPRESSED IN DAYS

Where a warrant is shown in Days to Serve in default of payment of a fine, the following is to be used as the formula for calculating date and time of release.

5.1 FOR ANY PERIOD DESCRIBED IN DAYS ONLY.

A juvenile arrested at 9 p.m. on 3/3/87 would be seen to have completed one day at 12 midnight on 3/3/87

Example 1: Warrant of four (4) days

Time of arrest by Police:	3/3/87	9 pm to
		midnight = 1 day/1 night
One Day completed:	4/3/87	2nd day
Second Day	5/3/87	3rd day
Third Day	6/3/87	4th day

Time of release should be determined by the Superintendent on last day in keeping with specific needs of travel arrangements of the juvenile.

For all warrants expressed in hours, should a warrant on a rare occasion be received expressed as one "day" only, with the offender being apprehended at 3 a.m., this should be regarded as for a warrant expressed in hours, so the juvenile is not detained above 24 hours.

6. PRO-RATA PAYMENT OF FINES

From time to time a Juvenile will seek to "pay-out" a warrant (fine). The following formula is to be used in calculating pro-rata payment.

GENERAL STATEMENT:

Fines are reduced by an amount of \$50.00 each day as hereunder described.

6.1 For any period described in Days only. The formula to be employed will be the same as that used by the Department of Corrective Services.

When applying pro-rata payment formula, a day or part of each day will count as a whole day.

For example, if an offender was apprehended by Police on a warrant of 4 Days at 9 p.m. on 3/3/87 this part of a day 9 a.m. till midnight is to be considered as a "whole day" for the purposes of pro-rata payment only.

If the warrant was for only 24 hours or 48 hours (NOT DAYS) then the formula is that each hour must be served or paid-out.

PRO-RATA PAYMENT OF FINES

Whenever a juvenile has indicated a wish to "pay-out" the balance of a warrant the following procedure is adopted. It must be remembered that EACH individual fine must be paid out, NOT only the lightest penalty as suggested by police.

6.2 Where Warrant is Expressed in HOURS

Whenever the warrant is expressed in hours only to be served in detention, the pro-rata payment is calculated by dividing the total amount of fine, plus costs, by the number of hours indicated or number of hours yet to be completed.

Example 1:

Penalty: 24 hour penalty
Fine: \$50.00
Costs: \$16.00
Total: \$66.00 - 24 = \$2.75 hourly rate.

Time of Arrest: 2.10 p.m. - 12/9/87
Time of Release: 2.10 p.m. - 13/9/87
Time of Pay-Out of Fine: 9.10 p.m. - 12/9/87

Therefore detained in custody 7 hours.
Number of hours for pro-rata payment = 17 at \$ 2.75=
\$46.75.

The juvenile would be required to pay an amount of \$46.75 to secure release from custody.

6.3 Example 2:

In the case of a warrant of \$200 plus \$20 fees/costs this would be \$220 divided x 4 = \$55 per day.

If one (1) day served in custody (or part thereof) the pro-rata payment due would be \$165.00 = 3 days at \$55 balance.

Formula:

For each day or Part-Day served in custody, \$50 is deducted. The fee/costs total is to be divided by the number of days shown on warrant and the resulting daily rate, is to be multiplied by the number of days served and this amount deducted.

This means the following:

Example 3:

Warrant for 8 days Detention	
Fine:	\$400.00
Costs/fees:	\$ 36.00
Total	<u>\$436.00</u>

Juvenile apprehended by Police at 6 p.m. - 1/7/87
Due for Release at: 10 a.m. - 9/7/87

For pro-rata payment of Outstanding Balance -	
Apprehended:	6 p.m. - 1/7/87
Date of Pro-Rata Payment:	4 p.m. - 4/7/87 = 4* days Served

Fees/Costs: - \$36 divided by 8 days = \$4.50 daily rate.

<u>Pro-Rata:</u> - Total Fine = \$400.00	total costs/fees:
\$36.	
Less 4 days Served at	
\$50 per day = <u>\$200.00</u>	Less 4 days at Daily Rate
	\$4.50 = <u>\$18.00</u>
<u>Pro-Rata Payment:</u>	<u>\$200.00</u> <u>\$18.00</u>

6.4 For any money received, a receipt must be given to the person paying pro-rata amount.

A "Form of Satisfaction" of warrants is to be completed in duplicate. The original sent to the court of issue and a copy on "D" File. All money accepted for payment of fines is to be paid into the nearest court. When remitting payment to a Court you must obtain a receipt which is to be posted in Office of Juvenile Justice receipt book to provide proof of payment.

At all time extreme care must be taken to ensure any monies collected for fines is kept under **SECURE** conditions until paid into the Court.

ACCEPTING PERSONS AGED ABOVE 18 YEARS

From time to time persons aged above 18 years of age will be brought to a Juvenile Justice Centre to undertake a period of custodial care in respect of a Warrant of Commitment.

Section 87 (5) to 87 (8) of the Justices Act, 1903 (see appendix 3) provides that, "Where the offender is over the age of 18 years at "Time of Conviction" that person should be placed in an adult correctional facility".

What this simply means is that a person aged between 18 years and 21 years who is on a Juvenile Warrant can be admitted to a Juvenile Justice Centre, UNLESS convicted of the offence after her/his 18th birthday. (ie: This does not mean an offence committed after 18th birthday, but for an offence committed prior to the offenders 18th birthday, which did NOT GET DEALT WITH by a court until after the 18th birthday occurred).

Therefore any person 18 to 21 years of age who is apprehended on a warrant, for which penalty was imposed prior to the 18th birthday is to be admitted to a Juvenile Justice Centre.

Superintendents' are to ensure all relevant staff are informed of this policy.

RUDOLF SALZMANN
DEPUTY DIRECTOR

28 October 1992

PRISONER/JUVENILE (WARRANT) TRANSPORT FORM

The Superintendent _____ Institution/Prison.

The person described below has been arrested on the authority of the warrants listed. These warrants order that he be received and be kept for the period of time mentioned in the warrants.

A copy of the warrants mentioned has been transmitted to your Institution/Prison by Facsimile.

OFFENDER/DEFENDANT

FULL NAME: _____

ADDRESS: _____

D.O.B: _____

ALIAS: _____

ARREST
TIME/DATE OF: _____

NAME OF ARRESTING
POLICE: _____ RANK _____ STATION _____

WARRANT NUMBER	HOURS/DAYS TO BE SERVED. FROM TIME OF ARREST (P.I. 32.47)	OFFENCE
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____
_____	(_____)	_____

SIGNATURE: _____

NAME: _____ RANK: _____ STATION: _____

At _____ am/pm on the _____ day of _____ 19 _____, I contacted _____ at the Warrant Index Unit and requested copies of the abovementioned warrants be sent by Facsimile to _____ Institution/Prison.

SIGNATURE: _____

NAME: _____ RANK: _____ STATION: _____

PRISONER/OFFENDER SIGNATURE: _____
Prisoners right index fingerprint. If not R.I.F., indicate finger used. FINGERPRINT
REVERSE SIDE

WARRANTS OF COMMITMENT

AND DISCHARGE COSTS

At the Senior Officers meeting at Mt Penang on 2nd May, 1991, the following requests were made relating to warrants of commitment:

- i) Ascertain the time a young person may be discharged on a warrant commitment if admitted early in the morning.
- ii) Ascertain whether the \$6 - discharge money is payable to the juvenile on discharge from the detention centre following completion of the warrants of commitment as, under the Children (C.S.O.) Act 1987 and amendments, the warrant of commitment on fine default is to be treated as a control order.

Legal Branch advice on i) above is as follows: "Given the latitude available in the legislation, it is a matter for administrative convenience (e.g. if the completion of the period would occur during normal business hours then that should be the discharge time. If the completion time was after 5 p.m. (approx)."

In relation to ii) above the Deputy Director-General advised on 24th May, 1991 that the administrative arrangement of the \$6-discharge money should be at the discretion of the administration of the detention centre. If young offenders are in need of assistance to return to their place of abode, then monetary assistance may be provided.

MOUNT PENANG JUVENILE JUSTICE CENTRE

STAFF TRAINING MODULE

PSYCHOLOGY OF CHILDHOOD

L. GUILFOYLE
August 1992

PSYCHOLOGY OF CHILDHOOD

MODULE NO. 3 - DEVIATIONS IN DEVELOPMENT

Child development, physical, intellectual and emotional involves progressing through a series of stages. For it to proceed normally, the environment must provide certain necessary conditions. These are love, the development of enduring bonds of a relationship and intellectually stimulating interactions with other people. Children also need food, care and protection, discipline and models of behaviour, play and conversation. In particular, what happens to children during their first five years is crucial for providing a sound basis for future development.

It is clear that the vast majority of children raised in residential homes have not experienced these necessary conditions for sound development either because of what happened to them before they came into care, or because of the nature of their residential care experience itself.

This article is concerned with some of the adverse effects which children raised in residential homes may show and with practical ways that staff can seek to minimise these effects.

Some characteristics of children raised in children's homes which adversely affect their ability to live successfully in the community as adults are:

1. Low Self Esteem and Poor Motivation

They do not hold out any great hope for their lives or their ability to do things. They do not develop a positive self-concept of themselves as competent to run their own lives effectively and so their main aim is to avoid the risk of failure rather than to try to succeed. Their life histories often contain repeated experiences of rejection and failure which leads them to believe they are incapable of ever succeeding. So it is not surprising that they actually do perform poorly even when they are in fact capable of the task - they think they will fail and so they do.

2. Conditioned Helplessness

When children raised in Homes eventually go out to live in the community, they show a noticeable lack of independent action or attempts to find the answers to their problems. They seem unable to cope with emergencies or setbacks. This behaviour seems to result from years of being exposed to a subtle conditioning process in the Homes. In residential Homes, there is often little or no relationship between a child's behaviour and its consequences in terms of important need-fulfilling services. Although punishment may follow misbehaviour, the child always receives food, shelter and clothing - i.e. he doesn't learn the important lesson of living in society: "If you don't work you don't eat."

There is little in the daily round that allows him to develop self-sufficiency. Everything that happens, both good and bad, seems to be beyond his control. Someone else decides what he will wear and so on. If something breaks, someone else fixes it or gets another one out of the store. Because things just appear, as if by magic, little value is placed on them and little effort is made to take care of them ("It's only Guvvo rubbish.").

Children may complain about things, but probably do nothing about them. This conditioning can even continue after the child returns to the community as a young adult. Often in emergencies, he is "rescued" by sympathetic people in the community, friends, or the District Officer. The result is that he never learns how to fend for himself.

3. Acquiescence

Traits of conformity and acquiescence, conditioned by residential homes, are necessary for adjustment in the Home and may be important for keeping a job in the community. Many former residents of Homes are limited to boring, poorly paid, unskilled jobs and have very restricted social experiences (i.e. few recreational interests; don't go out much, etc.).

An acquiescent personality may be necessary for putting up with it all, but in many situations, acquiescence can be detrimental. For example, it may lead to putting up with things rather than asserting oneself and trying to improve things, better oneself and get ahead, etc. Acquiescence can also make the individual more vulnerable to exploitation.

In one study, 25% of a group of 121 former institution residents who had problems in the community were the victims of exploitation. For example, one man had another "freeloading" off him for a long time, often stealing from him or living in his flat without payment. Among girls discharged to the community, exploitation often took a sexual form. In many cases, exploitive behaviour was seen as natural, socially acceptable and even desirable by both the exploiter and the exploited. Even if the victim saw the injustice he was unable to react appropriately. The lack of privacy and automatic provision of food and shelter seem to be a direct continuation of what happened in the residential Home.

4. Socially Inappropriate Behaviour

After living for years in the artificial and often impoverished residential setting, many people returning to the community seem rather odd. Much of this strange behaviour has been found to be the result of the way children are treated in the residential Home. For example, it is very common for children in Homes to rush up to every new person who walks into the Home and besiege him with demands for attention, all talking and calling out at once. In the community, such behaviour would be regarded as irritating and offensive, yet in the Home setting it is encouraged by giving attention to the demanding children, talking to them, playing with them, perhaps even giving them toys or lollies - while the polite children who do not intrude often go ignored.

Reinforcement of inappropriate behaviour occurs in many ways, usually unintentional, innocent and subtle. It takes the form of attention given to children for tantrums, stealing, helplessness and other undesirable behaviour. These factors are not minor. Considerably more training of children in residential care takes place through casual social contact with staff than through formal training situations.

5. Sexual Inadequacies

Return to the community creates severe problems for those who have grown up in almost completely sexually segregated conditions. Having an environment where the sexes are rigidly separated except under extremely controlled conditions to one where complete sexual licence is possible may be an extremely threatening change. For the most part, the result may be social withdrawal, shyness and frustration at being unable to engage in socially appropriate behaviour which the person perceives is the norm in his community. Loneliness, isolation and frustrated desires for the opposite sex may prevail.

Among females, severe socio-sexual problems may occur - e.g. unwanted pregnancies and promiscuity. Among males, there may be homosexual behaviours. These are extreme cases, but the lack of sexual knowledge and preparation and the failure of adolescents in Homes to develop socially appropriate behaviour toward the opposite sex is a widespread problem.

Teenagers in residential care are often denied the opportunity for learning adequate social behaviours which the average adolescent learns in dating and social functions and which are a normal part of growing up. Ignorance about sex abounds. Superstitions and misconceptions about sexual intercourse, masturbation and pregnancy are common. Often attitudes such as "masturbation is sinful" are learned from staff who also have these ideas.

6. Depressed Intellectual Functioning

The proper development of mental abilities depends on stimulating experiences in the child's Pre-School years. These lay the basis for language developments, problem solving and independent thinking; in other words, for learning to learn. Perhaps most importantly of all it is during the Pre-School years that parental stimulation and expectations provide the child with the motivation to want to learn. Typically, children who have been raised in residential homes are backward educationally, even though they may be of normal intelligence. They have great difficulty in thinking and planning ahead, and in expressing themselves in words.

7. Emotional Deprivation

Because of restricted opportunities for forming deep, lasting relationships with adults and other children, children raised in Homes often do not learn how to relate to other people in later life, even if they want to. Because conscience development depends on the quality of early emotional experience, it is often defective in children in care, with resultant unacceptable behaviour.

WHAT CAN BE DONE TO MINIMISE OR CORRECT THESE DEFECTS?

The basic principles are:

- * To establish a loving, secure, mutually satisfying relationship with a caring adult,
- * To kindle or rekindle curiosity, the desire to learn,
- * To provide an environment which stimulates language development and intellectual growth, and
- * To stimulate the development of personal and social competence and growth toward mature self-sufficiency.

All staff need to see themselves as part of a rehabilitation team teaching appropriate and independent behaviour and fostering health attitudes for learning achievement motivation and a healthy self-concept. Social learning needs to be stressed: learning to play; learning competence at some hobby or recreational activity; learning to get on with other people; achieving some social skill which forms a basis for pride and enhancement of self-concept. Learning to distinguish between situations where acquiescence is essential and those where it is detrimental, is an essential part of the programme.

Efforts should be made from a child's earliest years to provide him with opportunities to make decisions about his own life, provided that appropriate consequences follow those decisions. This can involve decisions about what to eat, what to wear, what to do in leisure hours, provided that appropriate outcome follows each decision.

An 11 year old could for example, be given the opportunity to miss a meal, sleep late or avoid a recreational activity if he so desired, but with suitable consequences e.g. going hungry until the next meal.

Learning theory approaches to training and education are one method by which the child can learn he has some control over his own destiny. Children must be made to learn that whatever happens to them will depend largely on their own efforts and not on circumstances in their environment or all-powerful adults. Co-educational activities should be an important part of the life of the residential home from children's youngest years and programmes devised to help children develop appropriate relationships with other people.

Now we will consider the needs of different age groups of children.

The Pre-School Child

The younger the child, the greater the shock of being removed from home. His limited understanding of verbal explanation adds to his bewilderment. Also, a young child often feels it is his own misbehaviour which has led to his being sent away from home and so being unwanted.

Limited language skills remain a difficulty in the first task of restoring a sense of security, of being welcomed and valued. Establishing a personal bond of affection is the only means of doing so. Initially, this should be done through consistent contact with the same staff members. Once a secure relationship has been created with one adult, the child can then reach out to new ones.

High priority needs to be given from the outset to stimulating speech and intellectual development. Nursery rhymes, stories, songs and being talked to, long before he can speak himself are essential activities. They must not be regarded as merely incidental and subsidiary to physical care, habit training and general homemaking tasks. Similarly, being played with is as essential as having suitable toys available.

Because these activities are enjoyable, not only for the child, but also for the adult, they must not be regarded as a luxury or a waste of time. Rather, regular daily periods should be devoted to these activities; in addition, every opportunity needs to be used during the day for conversation and stimulation.

Even the youngest infant should be given some personal toys. Only if exclusive ownership is granted will a toddler gradually learn to develop a sense of responsibility for his own belongings and a pride in them. Also possessions are a talking point, as much for children as for adults. The more we speak, sing and read to children, the more readily they learn to enjoy the give and take of conversation with peers and adults. This enjoyment and skill forms the basis for later learning at school and, more importantly, for participating successfully in our predominantly verbal society.

Middle Childhood (6 - 12 years)

What the infant needs remains basic for the older child: rewarding relationships with adults and peers and a stimulating environment to foster his learning abilities. Stimulating here often means allowing the child to behave, to talk, and to play at a level much below that of his actual age.

Earlier deprivation is likely to leave him immature for his years. He needs to cover the ground to bridge the gap between where he is and where he needs to get to so he can hold his own with normal children his own age. This includes talking with and reading to him regularly, especially if he has remained poor at it himself.

In addition, specific provisions must be sought for overcoming educational and social disabilities. In most cases, children need not merely coaching, but a whole compensatory programme of enriching experiences which widens the child's whole horizon so as to overcome the cumulative effects of prolonged deprivation. Some of the aspects needed in this programme have already been suggested. Others will need to be developed to meet the particular needs of the particular children in each particular residential home.

Often the compensatory programme of home activities needs to be linked with a comprehensive remedial programme at school. As far as possible, home staff should co-operate with school staff in working out a comprehensive programme for the child.

This is easier where the home has an internal school, but much can be achieved through discussion with teachers at local community schools which the children may go out to attend, and the opportunities for socialisation at an outside school make it an important part of preparing the child to return to the community.

In cases of severe learning difficulty, a full assessment by either Departmental professional staff or by Education Department School Counsellors is called for. Though neither quick nor easy remedies can be expected, a comprehensive assessment of the child's strengths and weaknesses and an appropriate treatment programme are of great help.

The Adolescent

For the child whose earlier years have been deprived emotionally or intellectually, adolescence brings greater dangers and greater opportunities.

Greater dangers because his early experiences are likely to have left him immature, insecure and educationally adrift. Greater opportunities because he now has a second chance to make satisfying, mutually rewarding relationships with significant adults outside his immediate family.

During the years from 12 to 17, a second weaning takes place from dependence on parents and on authority in general and at the same time, there is a search for other figures to model one's life after. This requires a willingness to offer a relationship which enables the child to learn more adequately what was denied him in earlier years.

The unloved, rejected adolescent has failed to learn to make more satisfying relationships. Often, he has also felt or actually been rejected by the school system, which he in turn has rejected as being of little relevance to himself. Yet he still needs to earn his living, to become independent and to find some idea however vague or simple, of what life is all about.

It is a period of heightened emotional awareness and receptiveness, but also of increased insecurity because he is on the threshold of a new world. The more his parents and teachers have failed him, the more distrustful of adults he will be. Once his trust has been won, he will become so much more demanding than other teenagers. So the task of rehabilitation is arduous, complex and slow.

The same applies to educational rehabilitation. Very considerable resistance will need to be overcome, stemming from the adolescent's profound belief in the inevitability of failure and rejection of teaching methods or materials that appear "childish". There are now books available which, though easy to read, are geared to teenage interest levels and they can be very helpful for older, educationally retarded children. In tackling the adolescent's educational backwardness, the same principles apply as those discussed for younger children. Each teenager needs to be considered as an individual in his own individual situation.

Summary

Many of the children in residential care show deviations from the normal course of child development which arise from the deprivation they have suffered and which make it harder for them to adjust successfully to adult life in the community. Some of these characteristics are low self-esteem, helplessness, acquiescence, inappropriate behaviour, sexual inadequacies, depressed intellectual functioning and emotional deprivation.

In meeting the needs of these deprived children, childcare staff need as a basis, an understanding of normal child development. Love is an essential ingredient in caring for them, but it is not enough. Childcare staff need to add to their many other responsibilities a very specific concern for the language development and educational progress of children in their care. Realistic, yet positive standards of expectation are a vital ingredient in helping children to develop.

File: childpsy3.trg

SUICIDE INTERVENTION POLICY

F ● R M ● U N T P E N A N G

J U V E N I L E J U S T I C E C E N T R E

1992

L. GUILF●YLE

1992

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PREAMBLE

Suicide is the second most common cause of death for Adolescents (ABS 1989). In the period between 1980-1989, seven deaths were recorded in Juvenile Detention Centres across Australia. Of the seven deaths recorded, six were attributed to suicide (Howard 1990).

Many young people in detention are apt to perceive their environment as hostile and alien. This taken with the recent separation from significant others, the impulsivity of youth and their tendency to tolerate frustration poorly places detainees at great risk of self-injury/suicidal behaviour.

As a discussion of risk factors and warning signs will indicate those young people at risk of suicide appear similar on many dimensions to the detention centre population.

As officers charged with the responsibility of working with young persons in detention, we have an obligation to provide professional services which reduce the risk of client self-injury or suicide. It is to this aim the following document is tabled.

RISK FACTORS

It would appear from the literature that a number of common factors or events may underlie a young person's choice to end their life. It should be acknowledged, however, that although these events may appear similar from the outsiders point of view it is the young person's interpretation and experience of such events that is of critical significance.

Some risk factors are outlined below. A knowledge of these factors is, however, of limited utility and should not be viewed independent of a deeper understanding of the individual's fears and concerns.

These factors may be considered to be of the categories Loss or Change.

1. PERCEIVED LOSS

1.1 Loss of Significant Others:

This loss may arise from the death of significant others. Loss may be experienced through separation from significant others as in the breakdown of the family unit or termination of a relationship, or in the process of detention.

1.2 Loss Through Illness or Injury:

Serious illness or injury of the individual or significant others may result in feelings of loss.

1.3 Loss of Social Support:

The social support a young person may have experienced prior to committal may have operated on a number of different levels. Although parents are actively encouraged to maintain contact with their children, the adolescents typically rely greatly upon their peer group for support and affirmation. Separation from parents and peer group may be experienced as a significant loss following committal to detention.

2 PERCEIVED CHANGE

2.1 Change in Family Structure or Dynamics

Family disharmony or the fear of breakdown of the family unit and the introduction or departure of siblings are factors which may lead a young person to feel powerless or inappropriately own responsibility for others actions.

2.2 Change in Role:

The loss of a familiar role in which one received some status is likely to lead a young person to experience anxiety and may increase the risk of suicide.

2.3 Mental Illness:

The experience of mental illness and/or the awareness of family members suffering such conditions may place young people at risk of suicide.

2.4 Adolescence:

As a developmental stage this period of life has been identified, in the literature, as a period of increased suicide risk. Factors particularly common to adolescents which are of some concern include poor verbal skills, impulsivity, poor planning ability, low frustration tolerance and a difficulty to appreciate a long range view.

2.5 Feelings of Failure and Worthlessness:

Feelings such as these may precipitate a suicidal gesture. Within our culture, incarceration is probably the strangest message a young person can be given which says that they were deviant, failing within mainstream culture and are, therefore, worthless.

2.6 Drug and Alcohol Abuse:

Substance abuse and participation in other risk taking behaviour should be viewed as serious indicators of potential suicide.

The previous list of risk factors are not exhaustive nor do they out-weigh a working knowledge of a young person's personal fears and concerns. Risk factors can provide a guide and may alert the aware observer to the increased risk of suicidal behaviour. The presence of such factors may prompt those working with young persons in detention the critical question; Have you ever thought about hurting yourself?

WARNING SIGNS OF SUICIDE

The following warning signs of suicide were gained from literature produced by the *MASPTF.

These are some indicators or types of behaviour that suggest suicidal intent. In discussing warning signs it is important to realise that the presence of one sign by itself may mean little. When, however, there are a number of indicators or a 'cluster of clues' careful attention should be given to the possibility of suicide.

1 PREVIOUS ATTEMPT

A suicide attempt is the number one warning sign. Often people ignore suicide attempts. They believe the attempt is merely an effort to get attention. It may be true that many attempts are a means of seeking attention or crying for help but it is a cry that can be fatal next time if not heeded.

2 VERBAL WARNINGS

Verbal clues may vary from straight out statements of intention to suicide through to ambiguous hints which only have significance after the event.

Many people don't take such threats seriously because they mistakenly believe that people who talk about suicide won't do it. People who suicide often talk about their intention or make other statements that reveal a desire to die.

Verbal clues to be "alert to" include:

"I want to die, I am going to kill myself...."

"I'm no good, nobody wants me around, I won't be here tomorrow...."

"Everybody would be better off if I weren't here....".

3 GETTING AFFAIRS IN ORDER

People who are planning to end their lives often make some arrangements to get their affairs in order. An adult may review their will, check insurance papers or pay off all their bills. Young people often give away personal possessions. This, of course, does not mean that everyone who makes a will or gives something away is suicidal.

*MASPTF: Macarthur Suicide Prevention Task Force.

4 CHANGES IN BEHAVIOUR

Be alert to subtle or major changes to patterns of behaviour.

5 DRUG AND ALCOHOL

An increase in the use of alcohol or drugs is another indicator and it may be seen as an "escape" itself.

6 DEPRESSION

Some form of depression is another warning sign but it is one that may be more difficult to detect.

Depression may be indicated by a number of symptoms:

Physical

Sleep disturbance

Agitation

Nausea

Loss of appetite

Weight loss

Movements slowed

Psychological

Anxiety

Crying

Impaired concentration

Lethargy

Loss of motivation

Social withdrawal

In the severely depressed delusions and/or hallucinations may be experienced.

A sense of hopelessness and helplessness is experienced by people who are depressed and they may feel unable to enjoy anything.

Adolescents, rather than withdrawing, tend to become more active or unsettled when they are depressed.

Surprisingly, depressed people often suicide when their symptoms seem to be improving. They become more communicative and start resuming former activities. Family and friends relax, believing the crisis is passed. Then, one day, everyone is shocked by the individual suiciding. There are two possible explanations:

- * Firstly, depression often saps the person's energy and motivation to do anything. They may wish to kill themselves but simply can't do it. As their most severe symptoms lift, the ability to act returns and the suicide that was thought about become a reality.
- * Secondly, when depressed people resolve to take their life the decision in itself may be profound relief and they appear to be greatly relieved. They may be enjoying their final days making plans and looking forward to the end of their suffering.

CONCLUSION

If you notice some warning signs of suicide, don't say "they wouldn't do that" or "they're not the type anyway". Check it out; ask a few questions or talk to someone else about it. Be alert to the mood and meaning behind how people behave and trust your instincts. Give the young people in your care an opportunity to talk - BE DIRECT.

SCREENING FOR SUICIDE POTENTIAL

Formalised screening procedures have been criticised in the literature. They often are of questionable reliability and thus limited utility.

Effective screening is generally undertaken by an experienced psychologist or psychiatrist.

Staff within the detention centre may actively reduce the risk of suicide through being aware of:

- 1 The indicators of suicide.
- 2 Previous history of the resident.
- 3 Thoughts, feelings and attitude of residents on admission to the unit.
- 4 Maintaining appropriate supervision and forming positive working relationship with residents.

A more comprehensive assessment is the function of a psychiatrist or psychologist.

OJJ POLICIES & PROCEDURES 1992/41

INSTRUCTIONS TO STAFF RELATING TO MISBEHAVIOUR AND PUNISHMENT

1. INTRODUCTION

The Children (Detention Centres) Act, 1987, and the Children (Detention Centres) Regulation, provide the legal basis for dealing with an act of misbehaviour by a juvenile in custody.

All staff employed to supervise juvenile offenders must have a clear understanding of the requirements of the Act and Regulation.

This document has been prepared for issue to EVERY member of staff in conjunction with appropriate training within each Juvenile Justice Centre. Superintendents must ensure that the requirements of the relevant sections of the Act and clauses of the Regulation relating to misbehaviour and punishment are understood by staff.

2. LEGISLATIVE BASE

The Children (Detention Centres) Act 1987 and the Regulation provide the legislative basis for all activities involved in the operation of a Juvenile Justice Centre.

The legislation provides clear direction on what constitutes minor misbehaviour and serious misbehaviour, what action must be taken by staff to investigate an allegation of misbehaviour, what punishments can be imposed and what records must be maintained.

3. COMPLAINTS OF MISBEHAVIOUR - SECTION 20 CHILDREN (DETENTION CENTRES) ACT, 1987 AND REGULATIONS 39 TO 47

3.1 Section 20 and Regulations 39 through to 47 provide the Legislative basis for dealing with complaints of misbehaviour.

3.2 Requirements

* A complaint is to be made either orally or in writing to the superintendent.

* An oral complaint shall be recorded in writing by the Superintendent

* A complaint shall be heard in accordance with the Regulations (see Regulations 41 (1) to 47). The superintendent must inquire into each complaint within 24 hours.

* Regulation 43 deals with procedure where a detainee admits guilt

Received

16.1.92

* Whosoever is hearing the complaint will observe the rules of natural justice including that -

- the juvenile is provided with the substance of complaint prior to the hearing commencing;
- the juvenile is provided with an opportunity to make submissions relating to the complaint;
- any submissions made by or on behalf of the juvenile are taken into account prior to the making of a decision.

3.3 Inquiry

The requirements of Section 20 and Regulations 40A, 41, 42, 45, 46 and 47 all refer to the conducting of an inquiry into a misbehaviour.

- Reg 45 (1) An inquiry to be conducted with as little formality and with such expedition in ensuring fairness and which meets the requirements of the Act and this Regulation.
- Reg 45 (2) No entitlement to be represented.
- Reg 45 (3) If a juvenile refuses or fails to attend inquiry the superintendent may hear and determine the complaint in the juvenile's absence.
- Reg 45 (4) Evidence not required to be given on oath.
- Reg 45 (5) Persons can be present at inquiry and give evidence as allowed by the superintendent.
- Reg 45 (6) The juvenile may be dealt with for misbehaviour even though the misbehaviour constitutes an offence. This means
- Reg 45 (7) If criminal charges are to be laid in relation to an act of misbehaviour, no punishment can be imposed pursuant to the provisions for misbehaviour for the same matter.

Misbehaviour occurring in another Centre

Regulations 46/47 provides authority for a superintendent of one Centre to deal with misbehaviour which may have occurred in another Centre.

This means that if a juvenile commits an act of misbehaviour say at Cobham and is transferred to Yasmar prior to inquiry being held at Cobham, the superintendent at Yasmar can conduct an inquiry

into the misconduct.

CHILDREN (DETENTION CENTRES) ACT

Complaints of Misbehaviour

20. (1) A complaint that a detainee is guilty of misbehaviour shall be made to such person, and in such manner, as may be prescribed by the Regulations.

(2) Subject to subsection (3), a complaint shall be heard and determined in accordance with such procedures as may be prescribed by the Regulations.

(3) The person by whom a complaint is being heard shall observe the rules of natural justice and, without limiting the generality of those rules, shall ensure that -

a) reasonable notice of the substance of the complaint is given to the person to whom the complaint relates before the hearing commences;

b) reasonable opportunity is given for the making of submissions by or on behalf of the person to whom the complaint relates (including submissions that challenge any allegations made in relation to that person) while the hearing is being conducted: and

c) any submissions made by or on behalf of the person to whom the complaint relates are taken into consideration in any decision made by the person by whom the complaint is being heard.

(4) The rules of evidence shall not apply to the hearing of a complaint under this section.

(5) If the person by whom a complaint is being heard is satisfied beyond reasonable doubt that the person to whom the complaint relates is guilty of the misbehaviour alleged in the complaint, the person by whom the complaint is being heard may -

a) take no action on the matter; or

b) punish the person to whom the complaint relates.

(6) The person by whom a complaint is being heard shall cause a record to be made -

a) of any decision made by that person as to whether or not the person to whom the complaint relates is guilty of the misbehaviour alleged in the complaint;

b) of any decision made by that person under subsection (5) in relation to a person found guilty of misbehaviour; and

c) of any other decision made by that person as a consequence of the hearing.

(7) Such a record shall include particulars of the facts on which the decision was based.

(8) A copy of the record shall be given to the person to whom the complaint relates within 24 hours after the determination of the complaint.

(9) (10) * * * * *

Punishments for Misbehaviour

21. (1) Subject to the Regulations, the following punishments may be imposed on a detainee found guilty of misbehaviour:

a) caution;

b) restriction from participation in sport or leisure activities for a period not exceeding four (4) days;

c) additional duties for a period not exceeding seven (7) days, being duties of a constructive nature designed to promote the welfare of detainees;

d) exclusion from, or confinement to, a place for a period not exceeding 3 hours or, in the case of a detainee of or over the age of 16 years, not exceeding 12 hours;

e) in the case of misbehaviour declared by the regulations to be serious misbehaviour - extension, by a period that does not exceed seven (7) days, of each minimum or fixed term (within the meaning of the Sentencing Act, 1989) to which the detainee is subject (other than a term which is cumulative on a minimum term).

(2) Punishment of a kind referred to in subsection (1) (d) may only be imposed on a detainee subject to the following conditions:

a) the detainee shall be provided with some means of usefully occupying himself or herself;

b) if the punishment consists of confinement to a place, the physical environment of the place where the detainee is confined shall, unless otherwise appropriate, be no less favourable than the physical environment of other places occupied by detainees in the Detention Centre;

c) the detainee shall at all times be visible to, and able

to communicate readily with, an officer.

(3) A punishment must not be imposed on a detainee so as to interfere with a visit to the detainee by -

- a) a barrister or solicitor (or such other classes of persons as may be prescribed; or
- b) any other person, unless the superintendent is of the opinion that the security, safety or good order of the Detention Centre would be adversely affected if the visit were permitted.

(4) A punishment under subsection (1) (e) may only be imposed, in accordance with this Act and the Regulations by the Children's Court.

(5) A penalty under subsection (1) (e) which extends a detainee's minimum term reduces by a corresponding period the detainee's additional term, but if the additional term is thereby extinguished, the detainee's extended minimum term becomes a fixed term within the meaning of the Sentencing Act, 1989.

(6) A punishment under subsection (1) (e) may extend a detainee's period of detention beyond the end of the period of detention imposed by the court or the maximum period of detention which could lawfully be imposed by the court for the offence concerned.

Prohibited Punishments

22. (1) A detainee shall not be punished by being -

- a) struck, cuffed, shaken or subjected to any other form of physical violence;
- b) dosed with medicine or any other substance;
- c) compelled to hold himself or herself in a constrained or fatiguing position;
- d) deprived of food or drink;
- e) denied the right to read or write letters or to make or receive telephone calls (except during any period of punishment by exclusion or confinement referred to in section 21 (1) (d));
- f) subjected to treatment of a kind that could reasonably be expected to be detrimental to his or her physical, psychological or emotional well-being; {
- g) subjected to treatment of a kind that is cruel, inhuman or degrading;

h) segregated in contravention of section 19; or

i) subjected to treatment of a kind forbidden by the Regulations.

(2) A detainee shall not, without reasonable excuse, be handcuffed or forcibly restrained.

(3) A person who punishes a detainee, or causes a detainee to be punished, in a manner prohibited by subsection (1) or (2) is guilty of an offence and liable to a penalty not exceeding \$1,000 or imprisonment for a period not exceeding 12 months, or both.

CHILDREN (DETENTION CENTRES) REGULATION

PART 6 - MAINTENANCE OF ORDER

Order Generally

36. (1) Order shall be maintained with firmness, but with no more restriction or force than is necessary for safe custody and well-ordered community life within the Detention Centre.

(2) Officers shall seek to influence detainees through example and leadership and shall seek to enlist their willing co-operation.

(3) At all times, the treatment of detainees shall be such as to encourage their self-respect and sense of personal responsibility.

Use of Force

37. (1) In dealing with a detainee, an officer shall use no more force than is reasonably necessary in the circumstances -

- a) to maintain control;
- b) to ensure the personal safety of officers and other persons; or
- c) to effect one of the purposes referred to in subclause (3),

and the inflicting of injury on a detainee is to be avoided if at all possible.

(2) If a detainee is satisfactorily restrained, further force shall not be used against the detainee except to the extent necessary to maintain that restraint.

(3) An officer may have recourse to force for the following purposes or in the following circumstances:

- a) to search, where necessary, a detainee or to take possession of dangerous or harmful article;
- b) to prevent the escape of a detainee;
- c) to prevent any unauthorised attempt to enter a Detention Centre by force or to free a detainee;
- d) to defend himself or herself if attacked or threatened with attack, but only in circumstances in which there are no other immediate or apparent means available for his or her protection;

- e) to protect other persons from attack, but only in circumstances in which there are no other immediate or apparent means available for their protection;
- f) in circumstances in which he or she fears an imminent attack on himself or herself or some other person;
- g) to prevent a detainee from injuring himself or herself;
- h) to ensure that a detainee complies with a lawful direction given to him or her or to ensure maintenance of order in circumstances in which a detainee is failing to comply with such an order;
- i) to effect the movement of a detainee who refuses to move from one location to another in accordance with a lawful direction;
- j) to control a detainee who is acting in a defiant manner;
- k) to avert imminent violent or destructive behaviour by a detainee;
- l) to restrain violence directed towards the officer or towards other persons by an uncontrollable or disturbed detainee;
- m) to prevent or quell a riot or other disturbance;
- n) for any other similar purpose or in any other similar circumstances.

Reports on Use of Force

38. (1) If force is used on a person by an officer, a report in relation to that use of force shall, as soon as practicable, be furnished to the superintendent by each officer involved in the use of force.

(2) A report shall -

- a) be in writing;
- b) specify the name of each person who has been subjected to force and the name of each officer who was involved in the use of force;
- c) specify the location where the use of force occurred;
- d) describe the nature of the force used and the purpose for which, or the circumstances in which, force was used; and
- e) be signed by each officer involved in the use of force.

PART 7 - MISBEHAVIOUR

Division 1 - Misbehaviour Generally

Definitions

38A In this Part:

"minor misbehaviour" means contravention of any of the provisions of Part 1 of Schedule 1;

"serious misbehaviour" means contravention of any of the provisions of Part 2 of Schedule 1.

Misbehaviour

39. A detainee shall not -

- a) contravene any of the provisions of Schedule 1; or
- b) encourage any other detainee to contravene any of those provisions.

Complaints of Misbehaviour

40. (1) A complaint that a detainee is guilty of misbehaviour may be made, orally or in writing, to the superintendent.

(2) An oral complaint shall be recorded in writing by the superintendent.

Division 2 - Minor Misbehaviour

Complaints of Minor Misbehaviour

40A A complaint that a detainee is guilty of minor misbehaviour is to be heard and dealt with by the superintendent.

Inquiry to be Held

41. (1) The superintendent shall inquire into a complaint as soon as reasonably practicable but, in any event, within 24 hours after the complaint is made.

(2) The superintendent shall, before proceeding to inquire into a complaint, inform the detainee of the name of the complainant and of the substance of the complaint.

Adjournments

42. The superintendent may adjourn an inquiry for any reason that seems him or her to be sufficient.

Procedure after guilty plea

43. If the detainee admits his or her guilt, and if the superintendent is satisfied that the detainee is guilty of the misbehaviour charged in the complaint, the superintendent may punish the detainee in accordance with this Part.

Procedure after not guilty plea

44. (1) If the detainee denies his or her guilt, he or she shall be given an opportunity to cross-examine the complainant and any witnesses called the complainant.

(2) If the detainee gives evidence at the inquiry, or if other persons give evidence on his or her behalf, they may be cross-examined by the superintendent or the complainant.

(3) If the detainee, or any other person who is to give evidence on his or her behalf, cannot speak English to an extent that is sufficient for the purposes of the inquiry, the superintendent shall adjourn the inquiry until the services of an interpreter can be obtained.

(4) At the conclusion of evidence, both the complainant and the detainee shall (in that order) be given an opportunity to address the superintendent.

Procedure Generally

45. (1) An inquiry shall be conducted with as little formality and technicality, and with as much expedition, as fairness to the detainee, the requirements of the Act and this Regulation and the proper consideration the complaint permit.

(2) Neither the complainant nor the detainee are entitled to be represented by a barrister or solicitor or by any other person.

(3) If the detainee refuses or fails to attend the inquiry, the superintendent may hear and determine the complaint in the detainee's absence.

(4) Evidence shall not be required to be given on oath at the enquiry.

(5) The superintendent may allow such persons to be present and give evidence at the inquiry as the superintendent thinks fit.

(6) A detainee may be dealt with for misbehaviour even though misbehaviour constitutes an offence.

(7) Punishment shall not be imposed on a person found guilty of misbehaviour if criminal proceedings have been, or are likely to be, brought in respect of substantially the same facts as those on which the person has been found guilty.

Misbehaviour occurring in other detention centres

46. Misbehaviour may be dealt with by the superintendent even though it occurred, or was alleged to have occurred, while the detainee was detained in other Detention Centre or in the custody of the superintendent of another Detention Centre.

Transfer of inquiries

47. The superintendent of one Detention Centre may transfer to the superintendent of another Detention Centre the conduct of an inquiry relating to a complaint concerning a detainee who has been transferred to the other Detention Centre.

Recording of punishment

48. (1) When the superintendent imposes a punishment under this Part, he or she shall keep a record of the following particulars:

- a) particulars of the detainee's name and age;
- b) particulars of the dates and times when the misbehaviour occurred;
- c) particulars of the dates and times of the inquiry into the complaint of alleged misbehaviour;
- d) particulars of the name and official capacity of the complainant;
- e) particulars of the detainee's plea;
- f) particulars of the evidence given at the inquiry;
- g) particulars of the reasons for which the detainee was found guilty of misbehaviour;
- h) particulars of the punishment imposed on the detainee and of the reasons for which that particular punishment was imposed.

(2) The superintendent shall forward to the Director, within 10 days after the end of each calendar month, a copy of all records made by the superintendent under this clause in respect of that month.

Division 3 - Serious Misbehaviour

Complaints of Serious Misbehaviour

49. When it is alleged that a detainee has been guilty of serious misbehaviour, the superintendent must, as soon as practicable, make arrangements with the Children's Magistrate for hearing the complaint.

Notice of Hearing

49A (1) The superintendent must cause a notice to be served on the detainee concerned, stating the allegation and advising the child that he or she is required to appear before a Children's Magistrate for the purpose of hearing the complaint.

(2) The notice must state:

- a) the name of the complainant; and
- b) the nature of the alleged misbehaviour (as particularised in Part 2 of Schedule 1); and
- c) the date and time when, and the place where, the detainee's appearance before the Children's Magistrate is required; and
- d) that the detainee must indicate to the superintendent, no later than eight (8) hours prior to his or her appearance before the Children's Magistrate, whether or not the alleged serious misbehaviour is admitted or denied; and
- e) that the detainee is entitled to be legally represented at the hearing; and
- f) that the detainee is entitled to give evidence before the Children's Magistrate in respect of the alleged serious misbehaviour.

(3) It is the duty of the superintendent to ensure, as far as possible, that the detainee understands the meaning of the notice.

4. EXPLANATION OF THE PROVISIONS OF MISBEHAVIOUR

4.1 As previously mentioned in this document, each member of staff employed in Juvenile Justice Centres, must clearly understand the legislative requirements governing the operations of such Centres.

This particular section of the document is designed to clarify the procedures which must be used in dealing with acts of misbehaviour by juveniles.

4.2 It should be noted that any member of staff who punishes or

causes a juvenile to be punished, in a manner prohibited by the legislation, is liable to a penalty not exceeding \$1000 or imprisonment for a period not exceeding 12 months or both.

4.3 Segregation (Section 19)

Although strictly not part of misbehaviour, the use of segregation must be clearly understood.

Whenever a juvenile is locked in a room, apart from normal functions (i.e., sleeping, showering, illness, etc.) this must be approved by the superintendent (or person in charge of the Centre at the time) and a Segregation Report Form completed.

Segregation is used to provide opportunity for a juvenile to be segregated from other juveniles to protect their safety or the safety of others.

Segregation is available for up to 3 hours and can be extended to 6 hours only with permission from the Assistant Director, Juvenile Justice Centres.

The specific requirements as outlined in Section 19 (1) (B to C) are to be strictly adhered to.

A Segregation Report Form is to be completed and sent by facsimile to the Assistant Director within 24 hours and a monthly return of the Use of Segregation is to be forwarded to the Assistant Director.

It must be remembered that the use of Segregation should only occur if there is no practical alternative available.

CHILDREN (DETENTION CENTRES) ACT

Segregation of Detainees for Protection

19. (1) If the superintendent of a detention centre believes on reasonable grounds that a detainee should be segregated in order to protect the personal safety of that or any other detainee, or of any other person, the superintendent may, whether or not with the consent of the detainee, direct the segregation of the

detainee, subject to the following conditions:

- a) the nature and duration of the segregation shall be reasonable having regard to the age, mental condition and development of the detainee;
- b) the duration of the segregation shall be as short as practicable but, in any case, shall not exceed 3 hours, or, with the approval of the Director, 6 hours, in any period of 24 hours;
- c) the detainee shall be provided with some means of usefully occupying himself or herself;
- d) the physical environment of the place where the detainee is kept segregated shall, unless otherwise appropriate, be no less favourable than the physical environment of other places occupied by detainees in the detention centre;
- e) the detainee shall be so segregated that at all times he or she is visible to, and can readily communicate with, an officer.

(2) A detainee shall not be segregated under this section by way of punishment.

(3) The superintendent of the detention centre shall make a record containing such particulars as may be prescribed by the regulations of any segregation effected under this section and shall forward copies of the record to the detainee and to the Director within 24 hours of the segregation.

(4) A detainee shall not be segregated under this section unless the superintendent of the Detention Centre is satisfied that there is no practicable alternative means to protect the personal safety of the person or persons for whose protection the detainee is to be segregated.

5. PUNISHMENT FOR MISBEHAVIOUR

5.1 Section 20(5) provides that if the person conducting the inquiry is satisfied beyond reasonable doubt that a juvenile is guilty of misbehaviour, he/she may -

- a) take no action on the matter;
- b) punish the person.

5.2 Record of Actions

Section 20(6) and Regulation 48 require that records be kept of all inquiries and outcomes.

The following records are to be maintained: -

- a) staff report of misbehaviour (Appendix B);
- b) punishment form (Appendix C);
- c) Punishment Register

Section 20 (7) requires that that the records (Punishment Form) must include particulars of the facts on which decision was based (see also Regulation 48)

Section 20 (8) requires that a copy of the punishment form be given to the juvenile within 24 hours.

5.3 Punishments for Misbehaviour are subject to the provisions of Section 21 of the Act while Section 22 defines Prohibited Punishments.

Punishments

- a) Caution
- b) Restriction from sport or leisure activities not exceeding four (4) days
- c) Additional duties of a constructive nature for up to seven (7) days
- d) Confinement up to 3 hours if under 16 years or up to 12 hours if over 16 years of age. Special requirements exist in the use of confinement, which must be the last course of action.

These special requirements include means of usefully occupying juvenile, the room used for such purpose must be no less favourable than other accommodation in the Centre and the juvenile must be readily able to communicate with staff ie. communications button/visits by staff.

The juvenile must be visible to staff during visits which must occur no less than each 20 minutes or in special cases where there is concern for the juvenile, a staff member may be present in the vicinity.

A record of all visits to confinement rooms must be maintained.

5.4 A Return of Punishments must be forwarded to the Assistant

Director each month.

5.5 Visits to Juvenile in Confinement

Generally, visits by legal representatives or family must not be interfered with by confinement and visiting should be permitted for a juvenile who is in confinement except if security, safety and good order of the Centre would adversely be affected if the visit were permitted.

5.6 Prohibited Punishments

Section 22 provides a list of prohibited punishments.

Staff must ensure that only punishments as provided under Section 21 are imposed.

The use of prohibited punishments is an offence which carries a penalty of 12 months imprisonment or \$1000 fine (Section 22 (3)).

Prohibited Punishments

A Juvenile shall not be punished by being -

- struck, cuffed, shaken or subjected to any other form of physical violence;
- dosed with medicine or other substance;
- compelled to hold him/herself in a constrained or fatiguing position;
- deprived of food or drink;
- denied the right to read or write letters, make or receive telephone calls;
- subjected to treatment of a kind that is cruel, inhuman or degrading;
- segregated to treatment of a kind forbidden by the Regulations;
- a juvenile shall not, without reasonable excuse, be handcuffed or forcibly restrained (refer to Regulation 37 on Use of Force).

6. USE OF FORCE/ORDER GENERALLY

6.1 As part of the overall misbehaviour area, staff must also

clearly understand the sections on Maintenance of Order and the Use of Force.

6.2 Regulation 36 deals with the maintenance of order and provides:

- order shall be maintained with firmness, but with no more restriction or force that is necessary for safe custody and well-ordered community life within the Centre.

- Officers shall seek to influence juveniles through example and leadership and shall seek to enlist their willing co-operation.

- At all times, the treatment of juveniles shall be such as to encourage their self-respect and sense of personal responsibility.

6.3 Regulation 37 provides that an officer shall use no more force than is reasonably necessary in the circumstances:

a) to maintain control

b) to ensure the personal safety of officers and other persons

c) to effect one of the purposes referred to in sub-clause 3

and the inflicting of injury on a juvenile is to be avoided if at all possible.

6.4 Each member of staff must have a clear understanding of Regulations 36, 37 and 38. Regulation 37 (3) (a to n) provides a schedule of the circumstances when force may be used.

6.5 Report on Use of Force (Regulation 38 (1))

Whenever force has to be used in relation to a juvenile, a report on the use of force must be completed by staff involved.

The superintendent must forward a return of the use of force to the Assistant Director each month.

7. SCHEDULE OF MISBEHAVIOUR

7.1 What constitutes minor misbehaviour or serious misbehaviour?

7.2 Minor Misbehaviour

Minor misbehaviour is defined in Schedule 1:

CHILDREN (DETENTION CENTRES) REGULATION

SCHEDULE 1 - MISBEHAVIOUR

Part 1 - Minor Misbehaviour

Disobeying Rules or Instructions

1. A detainee must not breach any of the published rules of the detention centre or disobey any reasonable instruction given by a detention centre staff member.

Lying

2. A detainee must not tell lies which adversely affect the good order and discipline of the detention centre.

Unauthorised Telephone Calls

3. A detainee must not make telephone calls other than those authorised by a detention centre staff member.

Deliberate Harassment or Provocation

4. A detainee must not deliberately use either words or actions to harass or provoke other detainees, detention centre staff members or any other person.

Damage to Government or Personal Property

5. A detainee must not, unless by accident, cause damage to any Government property or to the personal property of another detainee, detention centre staff member or any other person in the detention centre.

Abusive, Indecent or Threatening Language

6. A detainee must not use abusive, indecent or threatening language when speaking to another person in the detention centre, or when corresponding or communicating with persons either in the detention centre or elsewhere.

Subversive Behaviour

7. A detainee must not, by word or action, attempt to undermine the good order or discipline of a detention centre, or encourage other detainees to behave in such a way as to disrupt the good order and discipline of the detention centre.

Unauthorised Entry to Certain Areas

8. A detainee must not, unless with the permission of a detention centre staff member, enter a room, office, storeroom or other area to which entry by detainees has been clearly prohibited.

Possession of Unauthorised Articles

9. A detainee must not receive, possess, or pass on to others, any article which is not of a kind that has been authorised by the superintendent.

Fighting

10. A detainee must not become involved, or entice others to become involved, in physical altercations with other detainees.

Unauthorised Use of Alarms or Equipment

11. A detainee must not, unless authorised by a detention centre staff member or responding to a perceived emergency, use any alarm, fire fighting equipment or first aid supplies.

Petty Stealing

12. A detainee must not steal.

Refusal to Work or Participate in Activities

13. A detainee must not, except with reasonable excuse, refuse to perform properly allocated duties or to participate in authorised programme activities.

- 7.3 Staff must be clearly able to determine those acts of misbehaviour which are minor and dealt with pursuant to Section 21 Children (Detention Centres) Act, 1987 and define those Acts which come under Part 2 of Schedule 1, Serious Misbehaviour.

8. SERIOUS MISBEHAVIOUR

- 8.1 "Serious Misbehaviour" are those acts of misbehaviour described in Schedule 1 (Part 2) -

- Assault
- Concealment for Purpose of Escape
- Insubordination
- Inciting Misbehaviour

- Mistreatment of Animals
- Unauthorised Medications or Substances

CHILDREN (DETENTION CENTRES) REGULATION

SCHEDULE 1

Part 2 - Serious Misbehaviour

Assault

1. A detainee must not assault or attempt to assault any other person.

Concealment for Purpose of Escape

2. A detainee must not hide, or assist another detainee to hide, in an attempt to escape.

Insubordination

3. A detainee must not defy the reasonable instructions of detention centre staff or refuse to comply with the established rules or routines of the detention centre.

Inciting Behaviour

4. A detainee must not incite other detainees to engage in behaviour which seriously disrupts the good order or discipline of the detention centre.

Mistreatment of animals

5. A detainee must not maim, wound, beat or cruelly ill-treat any animal.

Unauthorised Medications or Substances

6. A detainee must not procure, possess or supply to other detainees unauthorised medications or substances likely to be injurious to health.

8.2 Regulation 49 requires that when it is alleged that a juvenile has been guilty of serious misbehaviour, the superintendent must, as soon as practicable, make arrangements with the Children's Court for a hearing of the complaint (see Section 21 (4)).

8.3 Regulation 49A requires that a notice of hearing be served on the juvenile, stating the allegation and advising the child that he/she is required to appear before a Children's Court for the purpose of hearing a complaint.

The notice must state the name of the complainant, the nature of the alleged misbehaviour, the date, time and place where the juvenile's appearance before the Court is required.

The juvenile is to indicate to the superintendent whether or not the alleged serious misbehaviour is admitted or denied.

The juvenile is entitled to give evidence and be legally represented at the Court.

The superintendent is to ensure, as far as possible, that the juvenile understands the meaning of the notice (see Appendix D).

- 8.4 For some serious offences, i.e., assault, malicious damage, etc. the matter may need to be referred to the Police for investigation. (refer to Policy No. 91/003P on Assaults)

9. STAFF TRAINING

- 9.1 To ensure that staff are fully conversant with all aspects of the legislation referring to Misbehaviour.

9.2 Document:

Superintendents are required to issue a copy of this document to each member of staff.

9.3 Training Courses:

The Juvenile Justice Staff Training Section is to prepare, as part of staff development, a course on legislation, a segment dealing with the misbehaviour/punishment areas of the Children (Detention Centres) Act, 1987 and relevant Regulations.

9.4 Local Level Training

As part of the local unit training, superintendents are to include a segment on misbehaviour/punishment, which should be provided in concept with this document.

10. SUMMARY

A clear understanding of the legislation is most essential for staff working in a Juvenile Justice Centre.

This document has been prepared to ensure staff are equipped to effectively carry out their roles in accordance with the legislative requirements, with fairness and concern for the juvenile being paramount.

Please note:
Any reference to "detention centre" should read Juvenile
Justice Centre.
Any reference to "detainee" should read juvenile.

R. Salzmann,
Assistant Director,
Juvenile Justice Centres.
/12/91

RECORD OF PUNISHMENT
MINOR MISBEHAVIOUR

RM: J.J. RS 90/MBI

Office of Juvenile Justice

Juvenile Justice Centre

Number:/.....

Juvenile

D.O.B.:

OFFENCE OF MINOR MISBEHAVIOUR (TICK APPROPRIATE AREA):

- Lying*
- Unauthorised telephone call*
- Subversive behaviour*
- Petty Stealing*
- Fighting*
- Disobey rules or instructions*
- Deliberate harassment or provocation*
- Abusive, indecent or threatening language*
- Unauthorised entry to certain areas*
- Possession of unauthorised articles*
- Unauthorised use of alarms or equipment*
- Refusal to work or participate in activities*
- Damage to government or personal property*

DATE OF OFFENCE:

TIME OF OFFENCE:

REPORTING OFFICER:

POSITION:

SIGNATURE

TO BE COMPLETED BY ADMINISTRATION OFFICER:

DATE OF INQUIRY:/.....

TIME:

PLEA:

GUILTY/NOT GUILTY

EVIDENCE SUBMITTED:

DECISION: GUILTY/NOT GUILTY/NO DETERMINATION

PARTICULARS OF THE FACTS ON WHICH DECISION BASED:

PUNISHMENT:

CAUTION

RESTRICTION FOR SPORTS/LEISURE FOR _____ DAYS

ADDITIONAL DUTIES FOR _____ DAYS

CONFINEMENT FOR _____ HOURS

REASON FOR PUNISHMENT

Punishment to be Reviewed after _____ days

ADMINISTRATION OFFICER'S SIGNATURE

REVIEW RESULT: Punishment Upheld/Declined

CHANGES:

ADMINISTRATION OFFICER'S SIGNATURE

ORIGINAL TO PUNISHMENT FILE

COPIES TO: D-FILE

LOCAL FILE

DETAINEE

OFFICE OF JUVENILE JUSTICE

REPORT OF MISBEHAVIOUR

(TO BE COMPLETED BY REPORTING OFFICER)

DATE NAME OF JUVENILE

CIRCUMSTANCES OF MISBEHAVIOUR

CHIEF YOUTH WORKER'S REPORT

RECOMMENDED ACTION

COMMENT BY DUTY ADMINISTRATION OFFICER

(TO BE ATTACHED TO LOCAL FILE
COPY OF RECORD OF PUNISHMENT FORM)

OFFICE OF JUVENILE JUSTICE

CHILDREN (DETENTION CENTRES) REGULATION

Regulation 49A (1)

NOTICE OF HEARING OF COMPLAINT OF SERIOUS MISBEHAVIOUR

NAME OF DETAINEE DOB.....

ADDRESS

.....

JUVENILE JUSTICE CENTRE

STATUS Remand/Control

TO APPEAR ATCHILDREN'S COURT

ON ATO'CLOCK

COMPLAINANT RANK

NATURE OF ALLEGED MISBEHAVIOUR

DATE

TIME

CIRCUMSTANCES

This notice was given to me atam/pm on199
and my right to give evidence on my own behalf and to be
legally represented were explained to me.

Signed.....(Detainee)

Date.....

OFFICE OF JUVENILE JUSTICE

POLICY STATEMENT NUMBER:

91/001 P

COMPLAINTS BY JUVENILES IN

A JUVENILE JUSTICE CENTRE

OFFICE OF JUVENILE JUSTICE

POLICY STATEMENT:

*Complaints by Juveniles in a
Juvenile Justice Centre*

The following Policy Statement has been developed to ensure consistency in procedures to be followed when a juvenile:

- Requests to speak with the Superintendent of a Juvenile Justice Centre or
- Makes a specific complaint

LEGISLATIVE BASE

Various legislative measures are provided to allow a Juvenile to lodge a complaint and have such complaint effectively dealt with.

Hereunder, is a brief outline of the various relevant legislation influencing complaints by a juvenile.

SUPERINTENDENT:

Regulation 29 - Children (Detention Centres) Act, 1987

Provides a process for a juvenile to request to speak with the Superintendent of a Juvenile Justice Centre.

Regulation 30 - Children (Detention Centres) Act, 1987

This Regulation provides a process whereby a juvenile can make a written complaint to the Director regarding his/her treatment in a Juvenile Justice Centre or the administration or management of a Centre.

OFFICIAL VISITORS:

The Community Welfare Act provides the appointment of "Official Visitors" for each Juvenile Justice Centre.

OMBUDSMAN'S ACT:

The Ombudsman's Act provides for the Office of the Ombudsman to provide investigatory action on complaints regarding Government Departments and Statutory Authorities.

POLICY STATEMENT

Current legislation provides a variety of avenues for a juvenile to have a complaint investigated and resolved.

Superintendents of Juvenile Justice Centres are advocates for the care and welfare of juveniles and should ensure that all available resources are utilised to effectively deal with the majority of complaints at a local unit level. Those complaints not able to be locally resolved are to be forwarded to the Assistant Director, for urgent attention.

1. REQUESTS FROM A JUVENILE TO SPEAK TO SUPERINTENDENT:

The Children (Detention Centres) Act, 1987 - Regulation 29 (1) provides:

Requests to speak to the Superintendent.

29. (1) If a detainee requests an officer (whether orally or in writing) for permission to speak to the Superintendent, the officer shall, as soon as practicable, convey the request to the Superintendent.
- (2) If -
 - (a) an officer conveys such a request to the Superintendent; or
 - (b) a detainee requests the Superintendent (whether orally or in writing) for permission to speak to him or her, the Superintendent shall give the detainee an opportunity to speak to him or her on the day on which the request is conveyed or made to him or her or as soon as practicable after that day.
- (3) If the Superintendent gives a detainee an opportunity to speak to him or her, the Superintendent shall consider what the person has to say and if, as a consequence of having considered what the person has had to say, the Superintendent:-

- (a) makes or proposes to take any action, he or she shall inform the person of the action that he or she takes or proposed to take; or
- (b) does not propose to take any action, he or she shall inform the person of that fact.

It is a requirement under the Detention Centres Act and associated Regulations that incidents of complaints and/or requests by juveniles be reported to the Superintendent as soon as possible after they are received. It is therefore essential that complaints and/or requests by juveniles to see the Superintendent are reported in detail prior to the end of each shift.

RECORD OF INTERVIEWS:

The Superintendent is to maintain a written record of all requests of a formal or serious nature. The outcome of such an interview must also be recorded.

Each Member of the Administrative team should carry a notebook which contains information of any requests from juveniles, including the outcome. This will provide a record of action taken on requests as well as ensuring other appropriate complaint/request procedures are in place.

2. COMPLAINTS

Written complaints to the Director.

Regulation 30: Provides that:-

- (1) A detainee may make a written complaint to the Director-General with respect to any specific matter concerning:
 - (a) his or her treatment in the detention centre;
or
 - (b) the administration or management of the centre.
- (2) A detainee may not make such a complaint in relation to a matter the Superintendent may dispose of unless he or she has previously made request under clause 29 for permission to speak to the Superintendent regarding the matter.
- (3) A complaint shall be placed in an envelope (which may be sealed), addressed to the Director-General and delivered to an officer.
- (4) If a detainee delivers to an officer an envelope addressed to the Director-General -

- (a) the officer shall send the envelope immediately to the Director-General; and
- (b) the envelope shall not be opened, nor shall its contents be inspected or read, otherwise than by the Director-General or some other person authorised by the Director-General.

Whenever a juvenile wishes to complain about his/her treatment by Juvenile Justice staff, police or another government Department, the Superintendent, in the first instance should enquire into the complaint to ascertain if resolution of the situation is possible at the local unit level.

If the complaint is such, that it cannot (or should not) be resolved at the centre level, the complaint should immediately be forwarded in writing, to the Director, Juvenile Justice, who will investigate the matter.

The Director shall advise the detainee in writing of his findings in relation to the complaint.

3. OTHER AVENUES FOR LODGING COMPLAINTS

OFFICIAL VISITORS:

The Official Visitor appointed to each Juvenile Justice Centre has the responsibility for listening to the complaints/concerns of both juveniles and staff.

In conjunction with the Superintendent, every attempt should be made to informally resolve all issues at the local unit level.

4. OMBUDSMAN

Every juvenile must be clearly advised on his/her admission to a Juvenile Justice Centre of his/her rights to write to the Ombudsman regarding any complaint of their treatment. Ombudsman pamphlets should be readily on display and available to all juveniles.

While every juvenile should be aware of his/her rights to complain to the Ombudsman, the delay in resolution, particularly of minor matters, should be pointed out.; Action through the Superintendent, Director or Official Visitor should be speedier.

5. CHAPLAINS:

Chaplains are also appointed to each Juvenile Justice Centre and are accessible by juveniles in seeking assistance in resolving problems.

6. PROCEDURE:

Once a complaint has been received by the Superintendent, it must be ascertained if the matter can be resolved at the local Unit level.

If the issue is unable to be locally resolved, the written complaint by the juvenile accompanied by the Superintendent's report (Appendix A) is to be forwarded immediately to the Director (Juvenile Justice) by facsimile.

The Director will endeavour to find an acceptable way of resolving the complaint.

The Superintendent's complaint report is to be placed on a "Complaints" file at the Juvenile Justice Centre.

ADVICE TO JUVENILES

Superintendents are to ensure that each juvenile on admission is fully informed of the method for dealing with all complaints.

Superintendents are to ensure that all staff are thoroughly conversant with this procedure.

A juvenile MUST be fully informed of any decision regarding his/her complaint.


R SALZMANN
Assistant Director
(Juvenile Justice Centres)

JUVENILE JUSTICE CENTRES

OFFICE OF JUVENILE JUSTICE

REPORT ON COMPLAINT BY JUVENILE

NAME OF JUVENILE:	D.O.B.:
NATURE OF COMPLAINT:	
LOCAL UNIT ACTION:	
RECOMMENDED ACTION:	

SUPERINTENDENT

DATE:

OFFICE OF JUVENILE JUSTICE COMMENTS:

ASSISTANT DIRECTOR

DATE:

OJJ POLICIES & PROCEDURES 1992/39

**SUBJECT: USE OF CONSULTANTS FOR STAFF
DEVELOPMENT PURPOSES**

Please ensure that prior to seeking approval to use a Consultant for Staff Development purposes, that the following process has occurred.

1. Three (3) quotations obtained for the provision of such services.
2. Should only one service be available a detailed proposal must be prepared outlining the reasons why this particular Consultant should be used.
3. Submissions to be forwarded to Head Office for approval and should contain appropriate detail to allow decision to be made.

Your co-operation in this matter will be appreciated.


R. SALZMANN
Director (Acting)

DISTRIBUTION:

1. SUPERINTENDENTS - JUVENILE JUSTICE CENTRES
2. HOWARD COOK - MANAGER
TRAINING & DEVELOPMENT
3. CHRIS SIMPSON - MANAGER
PERSONAL DEVELOPMENT
PROGRAM

OFFICE OF JUVENILE JUSTICE

COMPLAINTS

As a resident of a Juvenile Justice Centre, things might happen to you from time to time which you feel are wrong.

To assist you in dealing with any complaint you may have, please see below the ways you can have problems dealt with or your family can also take action for you by:

1. SPEAKING TO THE SUPERINTENDENT

It is your right to talk to the Superintendent about problems or complaints.

You can ask staff to arrange for you to see the Superintendent as soon as practicable.

If you have a complaint, you should FIRST ask the Superintendent to help you.

2. DIRECTOR

If you feel your complaint should go higher, you can write to the Director (or Boss of the Office of Juvenile Justice).

Letter should go to:

LEVEL 5
RODEN CUTLER HOUSE
24 CAMPBELL STREET
SYDNEY NSW 2000

or can be sent by: FAX ON: 289 3311

3. OFFICIAL VISITOR

The Official Visitor is a special person who can speak directly to the Minister for Justice. The Official Visitor visits each Centre on a regular basis or can be contacted by telephone at other items.

The Official Visitor is there to assist you with any problem and you should not hesitate to speak with the Visitor during their Visits.

4. OMBUDSMAN

The Ombudsman is a person who is able to look into any problem or complain that you feel has not been corrected properly.

The Ombudsman can help you with complaints on Government Departments and Officers of the Ombudsman visit the Juvenile Justice Centres from time to time.

You can write or telephone the Ombudsman if you feel your complaint has not been attended to correctly or that you have been badly treated by any Government Officer.

To contact the Ombudsman you should write to:

*THE OMBUDSMAN
LEVEL 3
580 GEORGE STREET
SYDNEY NSW 2000*

TELEPHONE: 286 1000

5. MINISTER

It is also your right to complain to the Minister for Justice about your treatment.

If you wish to write to the Minister your letter should be addressed to:

*THE MINISTER FOR JUSTICE
LEVEL 19
RODEN CUTLER HOUSE
24 CAMPBELL STREET
SYDNEY NSW 2000*

6. LOCAL MEMBER OF PARLIAMENT

You can also write to your local Member of Parliament if you have a complain about a Government Department.

If you wish to write to a member of Parliament, you should ask staff for the address.

REMEMBER

- If you have a complaint, you should firstly attempt to have the Superintendent help you solve it.
- You can complain to the DIRECTOR.
- You can talk to the OFFICIAL VISITOR.
- You can contact the OMBUDSMAN.
- You can write to THE MINISTER.
- You can write to your LOCAL MEMBER OF PARLIAMENT.

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: SUPERINTENDENTS
JUVENILE JUSTICE CENTRES

JUVENILE TRANSPORT SERVICE
McCABE COTTAGE ("D" FILE)

FROM: R SMITH
OFFICE OF JUVENILE JUSTICE

SUBJECT: TRANSFER TO SPECIALIST
JUVENILE JUSTICE CENTRE -
NEW FORM

DATE: 13 July 1992

Please see herewith revised Form to be used for transfer of juveniles from Juvenile justice Centres to a Specialist Unit (i.e.: Kariong/Minda).

SECTION 13 ORDER

The Section 13 Transfer Order is now included in Forms for transfer to a Specialist Centre and also on Form transferring a juvenile from Kariong to other Centres.

The Section 13 Order in respect of admission or discharge from Specialist Centres must be forwarded to the Assistant Director for approval.

TRANSFER OF REMAND/CONTROL PERSONS

Whenever a person either on Remand or subject to a Control Order is transferred from one Centre to another, (excepting for those transferred to Specialist Units) the Section 13 Order is to be forwarded to:

GRAHAM CARL
FAX NUMBER: (02) 692 7162

Please inform relevant staff of new Form.



R SMITH
Office of Juvenile Justice

**RECOMMENDATION FOR TRANSFER
OF A JUVENILE TO A SPECIALIST UNIT**

1. RECOMMENDATION FROM:

Juvenile Justice Centre: Report completed by:	Date: Designation:
---	------------------------------

2. DETAILS OF JUVENILE:

Name: Home Address:	D.O.B.:
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3. DETAILS OF CURRENT COURT ORDERS:

	DATE:	COURT:	OFFENCES	ORDERS	FUTURE COURT DATE
Control Order					
Remand					
Appeal					

4. RECOMMENDED PLACEMENT:

KARIONG CENTRE	MINDA JUVENILE JUSTICE CENTRE
----------------	-------------------------------

**5. DETAILED REASONS FOR TRANSFER RECOMMENDATION
(Including full history of prior Management problems)**

--

6. STRATEGIES ATTEMPTED TO MANAGE BEHAVIOUR:

--

7. SIGNIFICANT INFORMATION ABOUT JUVENILE:

--

8. SUPPORTING DOCUMENTATION ATTACHED:

Wherever possible "D" file should accompany juvenile, if not available supporting documents including Juvenile Justice Centre Report/Psychological Report/Psychiatric Report/Medical Report/School Report/including copies of recent Incident Reports.

9.

SECTION 13 (1) ORDER

CHILDREN (DETENTION CENTRES) ACT, 1987 NO: 57

Order for Transfer of juvenile from one Juvenile Justice Centre to another.

I hereby order that _____ Born: _____ and subject to a Control Order of the Children's Court at: _____ dated _____ 19 _____ OR on Remand, he now transferred from the Juvenile Justice Centre known as _____ to the Juvenile Justice Centre known as _____

APPROVED:

DELEGATE:

DATE:

10. DECISION OF ASSISTANT DIRECTOR:

Transferrd to:

Approved:

Not approved:

Comments:

Signed:

Designation:

Date:

Assistant Director (Juvenile Justice Centre)

001199588 JUVENILE JUSTICE --- PENANG @0017001

OJJ POLICIES & PROCEDURES 1992/36

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: SUPERINTENDENTS
JUVENILE JUSTICE CENTRES

FROM: R SMITH
OFFICE OF JUVENILE JUSTICE

SUBJECT: SCHEDULE OF UNIT EVALUATIONS

DATE: 30 June 1992

Shortly Unit Reviews will be undertaken. The format of these Reviews will be discussed by Mr Salzmann, Assistant Director at the next Superintendent's meeting.

Hereunder, please see revised schedule of dates:

UNIT	DATES OF REVIEW
KARIONG JUVENILE JUSTICE CENTRE	8 and 9 July 1992
WORIMI JUVENILE JUSTICE CENTRE	13 and 14 October 1992
KEELONG JUVENILE JUSTICE CENTRE	20 and 21 July 1992
RIVERINA JUVENILE JUSTICE CENTRE	6 and 7 October 1992
BOBHAM JUVENILE JUSTICE CENTRE	11 and 12 August 1992
MINDA JUVENILE JUSTICE CENTRE	18 and 19 August 1992
JUVENILE TRANSPORT	26 August 1992
REIBY JUVENILE JUSTICE CENTRE	2 and 3 September 1992
MT PENANG JUVENILE JUSTICE CENTRE	8, 9 and 10 September 1992
YASMAR JUVENILE JUSTICE CENTRE	15 and 16 September 1992


R SMITH
Office of Juvenile Justice

001/001

OJJ POLICIES & PROCEDURES 1992/35

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: SUPERINTENDENTS
MANAGERS, JUVENILE JUSTICE COMMUNITY
CENTRES

MANAGERS, COMMUNITY YOUTH CENTRES

FROM: R SMITH
ASSISTANT DIRECTOR (ACTING)

SUBJECT: HOME REPORTS - JUVENILES IN CUSTODY

DATE: 29 June 1992

At the combined Senior Officers' meeting of 26 June, 1992 the issue of Home Reports for leave purposes in respect of juveniles in custody, was thoroughly discussed.

It was resolved that the home situation information included in court background reports be utilised as the basis for release on leave and fresh home reports to only be requested in specific cases where little information is available in the background report or the circumstances of the offence or family dynamics are such as to require clarification of the appropriateness of release on leave to that address.

The following procedures are to be immediately adopted.

1. Juvenile Justice Community Managers to ensure copies of all background reports are forwarded to:

KERRY BANNISTER at McCABE COTTAGE.

2. At least fourteen (14) days prior to a juvenile being eligible for proceeding on leave, the Superintendent of the Juvenile Justice Centre will arrange for the relevant Juvenile Justice Community Officer to be contacted with a request for a home report to be completed.

(In special circumstances, a home report may be requested at short notice, but this must be a rare occurrence).

3. Once the home report information is available, the relevant Juvenile Justice Community Officers will verbally inform the Superintendent of the Juvenile Justice Centre (or the relevant casework person at the Centre) of the home situation.



R SMITH
Assistant Director (Acting)



OFFICE OF JUVENILE JUSTICE

JUVENILE JUSTICE COMMUNITY SERVICES
HUNTER REGION

MEMORANDUM

TO: Carl Loughman
FROM: DJ Twyman
SUBJECT: Operational issues related to the implementation
of Juvenile Justice Counselling Program.
DATE: 24/6/92.

A brief analysis of the distribution of potential JJC program clients has been undertaken at the 24/6/92. Information was accessed from the following Juvenile Justice centres: Mt Penang, Worimi & Reiby.

As a consequence of this analysis the following issues have been identified:

1) Data:

There appears to be discrepancies between CIS Clients in Detention report, computerised lists forwarded by Juvenile Justice centres & information gained from Case Reviews of individual Juvenile Justice Officers.

e.g. 1 Control order for the Central Coast indicated in computerised list from Juvenile Justice centre cfd. to Case Review information indicating 9 current control orders for the Central Coast.

This anomaly with these data inhibits appropriate forward planning of service delivery.

2) Implications of identified distribution: (see attachment)

- i) Distance from Broadmeadow base - Clients travelling. Cost & variable access to public transport in order to attend Broadmeadow base. This will have obvious repercussions if the requirement to attend "CYC" remains as the policy imperative.
- ii) Distance from Broadmeadow base - Counsellors travelling. Cost & time involved in servicing outlying areas of the region & consequent implications on projected case load.
- iii) The impact of this variable time based distribution will effect the quality & frequency of the counselling program offered to appropriately assessed clients.
- iv) The implication of this may be the need to develop alternative strategies for outlying areas. e.g.

A Second Chance For Kids

Taree/Forster & the Upper Hunter.

3. Alternative Options.

i) Intensive Personal Supervision.

This option may be provided on a "fee for service" basis, however, this option is contingent upon availability of appropriately qualified practitioners. In particular areas such as Taree & Forster with significant Koori populations will require a culturally sensitive & acceptable supervisor.

This significant issue will challenge the established "CYC" intervention assumption of the efficacy of the counselling model both operationally & culturally.

ii) Associated Operational Issues.

- a) Identification & selection of appropriately qualified Intensive Personal Supervisors
- b) Lines of accountability & responsibility including legal framework & case management
- c) Cost & budgetary implications
- d) Issues related to equity & standardised service delivery for appropriately assessed clients
- e) Implications for monitoring & evaluation of proposed Intensive Personal Supervision program for outlying areas

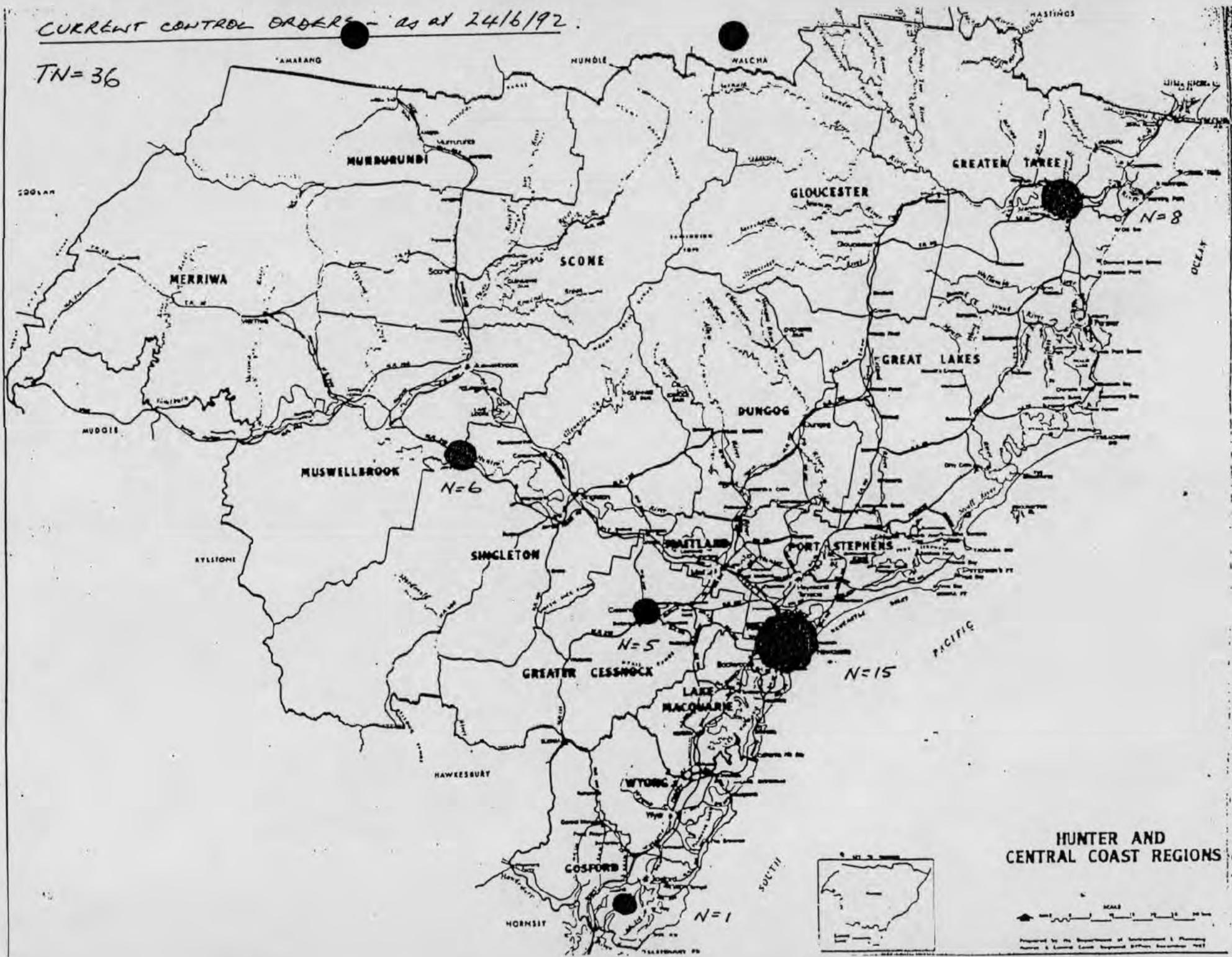
These operational issues are forwarded for your consideration & advice,



DJ Twyman
Manager - JJCS.

CURRENT CONTROL ORDERS - as at 24/6/92.

TN=36



HUNTER AND CENTRAL COAST REGIONS

SCALE
0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100

Prepared by the Department of Environment & Planning
Hunter & Central Coast Regional Office, Newcastle 1981

11.00 02 12.10 0022889988 JUVENILE JUSTICE 447 PENANG 020017000

OJJ POLICIES & PROCEDURES 1992/33

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: SUPERINTENDENTS

FROM: R SMITH

SUBJECT: BACKGROUND REPORTS - OFFENDERS SERVING
DETENTION

DATE: 11 JUNE 1992

I refer to previous instructions regarding the provision of Background Reports by Superintendents of Juvenile Justice Centres for juveniles who are charged with offences committed in a Centre, (i.e. escape, malicious damage, assault, etc).

Mr R Blackmore Senior Children's Magistrate has advised that reports are still not being provided by all Centres.

Would Superintendents ensure that this legal requirement be strictly adhered to by all staff.

RS

R Smith

OJJ POLICIES & PROCEDURES 1992/32

OFFICE OF JUVENILE JUSTICE

SUBJECT: EMPLOYMENT OF PUBLIC SERVANTS

Section 80 of the Public Sector Management Act, 1988 requires that no officer of the Public Service engage in other employment without permission.

What this requirement means, is that public servants must not be employed as casual/part-time staff within the Office of Juvenile Justice, or permanent staff of the Office of Juvenile Justice may not be engaged in employment outside their appointed position, unless permission for such employment has been given by both Assistant Directors.

All officers of the Office of Juvenile Justice are to be provided with the following information and their responsibilities under the provisions of Section 80, of the Public Sector Management Act.

EMPLOYMENT OF PUBLIC SERVANTS IN CASUAL/PART-TIME POSITIONS

The employment of any officer of the New South Wales Public Service (i.e. Police Officers, Prison Officers, Community Services Officers, etc.) in any casual or part-time position within the Office of Juvenile Justice is not to occur.

Should special circumstances arise where the employment of a Public Servant in a particular casual/part-time position is unavoidable, prior to any action being taken, the matter is to be discussed with the Assistant Director, who will seek approval by the Director.

PERMANENT STAFF OF THE OFFICE OF JUVENILE JUSTICE SEEKING CASUAL/PART-TIME EMPLOYMENT

Should any person employed within the Office of Juvenile Justice contemplate gaining either casual or part-time work, other than their permanent position, approval in writing must be obtained from the Director.

A copy of Section 80 is attached which outlines Legislative requirements for employment of Public Sector staff.


R. SALZMANN
Assistant Director
(Juvenile Justice Centres)

Officer not to engage in other employment without permission
(1979 Act, s.99)

- 80.(1) An officer shall not:
- (a) accept or continue to hold or discharge the duties of or be employed in any paid office in connection with any banking insurance, mining, mercantile or other commercial business, whether it is carried on by a corporation, company, firm or individual; or
 - (b) engage in or undertake any such business, whether as principal or agent; or
 - (c) engage in or continue in the private practice of any profession, occupation or trade, or enter into any employment, whether remunerative or not, with any corporation, company, firm or individual so engaged,

except with the permission of the appropriate Department Head.

- (2) The appropriate Department Head may withdraw any such permission at any time.
- (3) Subsections (1) and (2) are subject to any other Act that expressly applies to officers.
- (4) If an officer:
 - (a) is the holder of an office or position; or
 - (b) is engaged in any employment whatever, otherwise than in connection with the duties of the officer's position under the Crown, the officer must at once notify the fact to the appropriate Department head.
- (5) If an officer has given a notification to the appropriate Department Head under subsection (4), that Department Head may require the officer to resign the office or position or to abstain from engaging in the employment.
- (6) Nothing in this section prevents an officer from accepting and continuing to hold office in any society established under the law relating to friendly societies for the benefit of public servants only.
- (7) This section does not apply to chief executive officers or senior executive officers.

OJJ POLICIES & PROCEDURES 1992/31

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: AREA MANAGERS
JUVENILE JUSTICE COMMUNITY SERVICES

FROM: ASSISTANT DIRECTOR (COMMUNITY)

SUBJECT: FUNDED YOUTH SERVICES

DATE: 3 JUNE 1992

While negotiations are currently proceeding with the Executive of the Department of Community Services to review and formalise inter-agency protocols regarding the provision of services to adolescents, and their families, all managers are requested to contact their local divisional offices of the Department of Community Services to obtain a listing of funded youth services in their respective areas for the up coming financial year.

Such lists should be disseminated to all Juvenile Justice Officers who in turn should be requested to contact these services to ascertain local criteria for referral.

Field Officers should also access local councils/shires to ascertain the availability of services which may be provided by local government for adolescent support.

Regional community profiles should be established, or if already in existence, updated to include new or additional services and then distributed across the Region for the information and use of all field officers.

Juvenile Justice Officers should continue to actively network mainstream services and accommodation resources which will facilitate the reintegration of our clients in the community to help minimise the possibilities of further offending.

Referred for your attention.

Carl Loughman
Assistant Director Community

OJJ POLICIES & PROCEDURES 1992/30

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: AREA MANAGERS
JUVENILE JUSTICE COMMUNITY SERVICES

FROM: ASSISTANT DIRECTOR (COMMUNITY)

SUBJECT: COMMUNITY SERVICE ORDER PLACEMENTS

DATE: 3 JUNE 1992

In order to ascertain the availability and range of community agencies that are currently available for the placement of juvenile offenders on either Community Service Orders or Fine Default Orders, it is requested that an audit be undertaken across all areas.

It is timely that Managers review Community Service Order Registers to review the currency, availability and the extent to which agencies are utilised by Juvenile Justice Officers.

It is therefore requested that such information be reviewed on a region basis with individual breakdowns for specific areas. For instance, rural services should be tabulated on areas where Juvenile Justice Officers are located with some indication of the number of juveniles placed with these agencies over the last twelve months.

Managers of the metropolitan services in Sydney should prepare their returns for their regions on local government areas where practical, also highlighting usage of the respective agencies.

Juvenile Justice Officers should continue to be encouraged to be pro active in their networking to procure new agencies who are willing to accept placements. Other government departments, including the Department of Community Services (e.g. group homes for clients with disabilities) should be approached as to their availability to place Community Service Order participants.

Please note that such placements need to be authorised by Head Office while community agencies may be approved by Area Managers.

Returns showing agencies should be submitted to Head Office by 30 June 1992.

Carl Loughman
Assistant Director (Community)

OJJ POLICIES & PROCEDURES 1992/29

CIRCULAR NUMBER: 25/92

ISSUE: SICK LEAVE POLICY

All Departments are required to have in place a sick leave policy.

In accordance with the Personnel Handbook procedures, the following sick leave policy is to be implemented within the Office of Juvenile Justice.

POLICY:

Staff with five (5) absences on sick leave during a 12 month period unsupported by medical certificates are to be interviewed by their Supervisors to discuss reasons for sick leave. Following interview and on examination of the staff member's overall attendance patterns and work performance, the Supervisor may recommend to the Manger, Human Resources to:

1. Take no further action.

REVIEW PERIOD

2. If there is reason to monitor sick leave absences, then a review period is to be specified for improvement (usually six (6) months) and the staff member advised of the consequences of continued unsupported sick leave absences.

IMPOSITION OF MEDICAL CERTIFICATE REQUIREMENT

3. If no improvement occurs during the review period, then medical certificates will be required for each future sick leave absence for a minimum period of six (6) months.

COUNSELLING:

At all stages in the management of sick leave, the responsibility for counselling the staff member rests with the Supervisor.

Such counselling must always precede application of any sanctions (for example imposition of the medical certificate requirement) and must include clear indications of the next steps to be taken.



I GRAHAM
Director

ALL OFFICE OF JUVENILE JUSTICE STAFF
(PERMANENT AND TEMPORARY)

OJJ POLICIES & PROCEDURES 1992/28

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: All Superintendents

FROM: R Salzmann

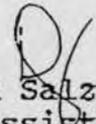
SUBJECT: Placement of Long-Term Remand Juveniles

DATE: 26 May 1992

With effect immediately, any male juvenile offender who is admitted to a Juvenile Justice Centre in relation to serious charges which will or have been remanded to the District or Supreme Court must be referred to the Assistant Director (Juvenile Justice Centres).

The Assistant Director will determine if such juveniles are to be placed in a special program at the Kariong centre or other centre.

This will involve any charge relating offences against a person or other offenders whose offences might be the cause of community concern.


R Salzmann
Assistant Director

OJJ POLICIES & PROCEDURES 1992/27

OFFICE OF JUVENILE JUSTICE

HEAD OFFICE, OTHER FACILITIES

AND ADVISORY COUNCIL

HEAD OFFICE:

AS AT: 5/5/92

5th Level
 Roden Cutler House
 24 Campbell Street
 SYDNEY NSW 2000
 Telephone: (02) 289 3333

Office of Juvenile Justice	DIRECTOR Ian Graham
Juvenile Justice Community Services	ASSISTANT DIRECTOR Carl Loughman
Juvenile Justice Centres	ASSISTANT DIRECTOR Rudolf Salzmann
Policy, Planning, Evaluation and Research	ASSISTANT DIRECTOR Joli Tie
Aboriginal Programmes	MANAGER Evelyn Maher
Human Resources	MANAGER Elaine Lamond
Legal	LEGAL OFFICER Jill Spooner
Media Liaison	MEDIA LIAISON OFFICER Ross Parker
Finance) Salaries) Properties) Records)	MANAGER David Sleeman

PERSONAL DEVELOPMENT UNIT

C/- Mt Penang Juvenile Justice Centre
 Pacific Highway
 KARIONG NSW 2250
 Phone (043) 40 1002
 Fax: (043) 40 1677
 Manager: CHRIS SIMPSON

STAFF DEVELOPMENT UNIT

Cnr Marsden & Terry Street
 EASTWOOD NSW 2122
 Phone (02) 804 5465
 Fax: (02) 804 5428
 Acting Manager: HOWARD COOK

JUVENILE JUSTICE ADVISORY COUNCIL

Level 19
 Roden Cutler House
 24 Campbell Street
 SYDNEY NSW 2000
 Phone (02) 289 1908
 Fax: (02) 281 1115
 Deputy Chairperson: ROBYN SEXTON

(As at 4 May 1992)

OFFICE OF JUVENILE JUSTICEHEAD OFFICE PERSONNEL TELEPHONE EXTENSIONS

If phoning from outside Head Office use prefix 289 then the extension or (02)289 - for STD

RECEPTION		3333
ABELA Jo	Clerical Officer	3333
ANDERSON Glenn	Personnel Services Co-ord	3342
BAGNALL Kerry	Executive Officer	3326
BROWN Phillip	Executive Officer	3388
CAIN Michael	Policy Officer	3335
CHALLINOR Wayne	Acting Co-ord Sal & Staff	3345
CHURCHILL Clive	Admin Officer	3332
COZENS Marie	Policy Officer	3325
DIAMASCIA Marisa	Juvenile Crimes Index	3303
DONNELLY Suzanne	Clerical Officer	3338
DOOLEY Steve	Personnel Services Officer	3348
DOUGLAS Dianne	Clerk Human Resources	3349
DUTTON Jan	Personnel Services Officer	3339
EAGLES Carol	Personal Assistant to Director	3357
EGAN John	Policy Officer	3321
GRAHAM Ian	Director	3361
HEALY Helen	Clerical Officer	3313
HELE Gary	Records Clerk	3329
KING Cheryl	Juvenile Crimes Index	3304
KLAASAN Wendy	Industrial Relations Officer	
LAMOND Elaine	Human Resources Manager	3340
LEARY Michael	OIC Accounts Payable	3373
LOUGHMAN Carl	Assistant Director	3383
MAHER Amanda	Clerical Officer	3326
MAHER Evelyn	Manager Aboriginal Programmes	3323
MULLAMPY Dorothy	Salaries Clerk	3346
ORR Annette	Data Con Co-ordinator	3305
PARKER Ross	Media Liaison Officer	3336
RABINAU Chris	Salaries Clerk	3341
SALZMANN Rudolf	Assistant Director	3331
SIMPSON Nicolle	Salaries Clerk	3358
SIMPSON Robin	Salaries Clerk (Casual)	3343
SLEEMAN David	Manager Finance & Properties	3351
SMITH Dick	Superintendent	3301
SMITH Steve	Records	3330
SPOONER Jill	Legal Officer	3319
THACKRAY Debbie	Senior Accounts Clerk	3353
TIE Joli	Assistant Director	3334
TORDAY Elena	Policy Officer	3324
WESLEY Mark	Salaries Clerk	3350
WRIGHT Gary	Salaries Clerk (Casual)	3343
	(Snr Psychologist	
	(Data Entry Officer	
To be	(Funds Manager	
	(Property & Purchasing Officer	
appointed	(Property Officer	
	(Building Projects Supervisor	
	(Voucher Examiner	
Conference Room		3300
Facsimile	Office of Juvenile Justice	3399
Facsimile	Director	3311

OFFICE OF JUVENILE JUSTICE
NORTHERN JUVENILE JUSTICE COMMUNITY
SERVICES

All Offices Charged to Accounts Cost Centre 578

As at 5 May 1992

LISMORE AREA OFFICE

Warren Smith
 (JJ Area Mangr)
 Julie Gerrish
 Marcia Duncan
 (JJO'S)
 Pat Smith
 (CO)

Location Code 038
 Tel (066) 22 2864
 Fax (066) 22 0146
 Speed Dial No:*0461

8a Carrington St
 Lismore 2480

ARMIDALE

Kathleen Bromley
 (Asst Mngr)
 Lynda Saviller
 (JJO)

Location Code 028
 Tel (067) 71 2820
 Fax (067) 71 2883
 Speed Dial No:*0462

174a Allingham Pl
 Armidale 2350

COFFS HARBOUR

Paul Dwyer
 (JJO)

Location Code 029
 Tel (066) 51 4783
 Fax (066) 51 4784
 Speed Dial No:*0463

Suite 6, A.M.P
 Centre, Cnr
 Gordon & High Sts
 Coffs Harbour 2450

GLENN INNES

Philip Byrne
 (JJO)

Location Code 030
 Tel (067) 32 4489
 Fax (067) 32 4490
 Speed Dial No:*0464

Old Dentist's
 Surgery, Cnr
 Mcade & East Ave
 Glenn Innes 2370

GRAFTON

Elissa Jones
 (JJO)

Location Code 031
 Tel (066) 43 2172
 Fax (066) 42 5477
 Speed Dial No:*0465

26 Villiers St
 Grafton 2460

KEMPSEY

Joanne Smith
 (JJO)
 Bernadette Kelly
 (JJO)

Location Code 032
 Tel (065) 63 1388
 Fax (065) 63 1371
 Speed Dial No*0466

Old Fire Station
 Cnr. Forth & Regent
 Sts Kempsey 2440

MOREE

Jim McMullen
 (JJO)

Location Code 033
 Tel (067) 52 3415
 Fax (067) 52 3417
 Speed Dial No*0467

Shop 3/191-7 Balg St
 Moree 2400

TAMWORTH

Gary Dennes
 (JJO)

Location Code 035
 Tel (067) 66 9433
 Fax (067) 66 9454
 Speed Dial No*0468

2/56 Dowe St
 Tamworth 2340

TWEED HEADS

Phillip Mulherin
 (JJO)

Location Code 036
 Tel (075) 99 1298
 Fax (075) 99 1789
 Speed Dial No*0469

Telecom House
 40 Francis St
 Tweed Heads 2485

OFFICE OF JUVENILE JUSTICE

SOUTHERN JUVENILE JUSTICE COMMUNITY SERVICES

All Offices Charged to Accounts cost Centre 563

WOLLONGONG AREA		
OFFICE	Location Code 018	As at 5 May
Peter Muir	Tel (042) 26 8438	84 Crown Street
(JJ Area Manager)	Fax (042) 26 8420	Wollongong 2500
Jackie Seib	Speed Dial No:*0441	
(CO)		
BOWRAL		
Chris Spilarewicz	Location Code 021	"Sherwood"
(JJO)	Tel (048) 62 2211	76 Bowral St
	Fax (048) 62 2212	Bowral 2576
	Speed Dial No:*0443	
GOULBURN		
Margaret Bailey	Location Code 022	Goulburn Court
(JJO)	Tel (048) 22 1232	House Montagu
	Fax (048) 21 8494	Street Goulburn
	Speed Dial No:*0444	2580
QUEANBEYAN		
Sarah Hancock	Location Code 023	Queanbeyan Court
(JJO)	Tel (06) 299 2868	House Farrar Pl
	Fax (06) 298 0480	Queanbeyan 2620
	Speed Dial No:*0445	
WAGGA WAGGA		
Margaret	Location Code 024	1/45 Fitzmaurice
Vanderkelcij	Tel (069) 21 4500	St Wagga Wagga 2650
(Asst Mngr)	Fax (069) 21 8543	
Barbara Wealands	Speed Dial No:*0446	
Joanne Gooden		
Ron Curtois		
(JJO'S)		
ALBURY		
Linda Mulholland	Location Code 025	State Govt Office
(JJO)	Tel (060) 23 0925	Block 512 Dean St
Steve Smith	Fax (060) 23 0926	Albury 2640
(JJO)	Speed Dial No:*0447	
GRIFFITH		
Stan Penrith	Location Code 026	State Govt Office
(JJO)	Tel (069) 64 1744	104-111 Banna Ave
	Fax (069) 62 4265	2680
	Speed Dial No:*0448	
NOWRA		
Jim Bicler	Location Code 020	4/48 Berry St
(JJO)	Tel (044) 23 0556	Nowra 2542
	Fax (044) 23 0546	
	Speed Dial No:*0442	
NAROOMA		
Keith King	OFFICE NOT OPEN	Shop 6 Lynches
(JJO)		Arcarde, Princes
		Highway
		Narooma 2546
DENILIQUIN		
Col Cherry	OFFICE NOT OPEN	50 Hardinge St
(JJO)		Deniliquin 2710

OFFICE OF JUVENILE JUSTICE

WESTERN JUVENILE JUSTICE COMMUNITY SERVICES

All Offices Charged to Accounts Cost Centre 593

As at 5 May 1992

DUBBO AREA OFFICE Michael Kneipp (JJ Area Mngr) Lyn Short (CO)	Location Code 041 Tel (068) 81 1304 Fax (068) 81 1310 Tel (068) 81 1509 Speed Dial No:*0471	37/39 Carrington Ave Dubbo 2830
BATHURST Hans Kok (JJO)	Location Code 038 Tel (063) 32 3690 Fax (063) 32 3692 Speed Dial No*0472	Suite 8/73a William St Bathurst 2795
BOURKE Wayne Miller (JJO) Bridget Crawley (Asst Mngr)	Location Code 309 Tel (068) 72 2188 Fax (068) 72 2812 Speed Dial No*0473	45 Mitchell St Bourke 2840
BROKEN HILL Tony Rush Anne Marie Kelly (JJO'S)	Location Code 040 Tel (080) 87 2844 Fax (080) 88 1086 Speed Dial No*0474	146 Chloride St Broken Hill 2880
DUBBO Greg Nolan John Schoengen Leonie Bender (JJO'S)	Location Code 037 Tel (068) 81 1206 (068) 81 1610 Fax (068) 81 1310 Speed Dial No*0471	37/39 Carrington Ave Dubbo 2830
ORANGE Sean McArdle Simon Wheatley (JJO'S)	Location Code 043 Tel (063) 61 8585 Fax (063) 62 2933 Speed Dial No*0476	79/81 Kite St Orange 2800
PARKES John Robinson (JJO)	Location Code 044 Tel (068) 62 5770 Fax (068) 62 4955 Speed Dial No*0477	26 Clarinda St Parkes 2870
WALGETT Cheryl Suey (JJO)	Location Code 045 Tel (068) 28 2010 Fax (068) 28 1788 Speed Dial No*0478	86 Fox St Walgett 2832

OFFICE OF JUVENILE JUSTICE
HUNTER JUVENILE JUSTICE COMMUNITY SERVICES

All Offices Charged to Accounts Cost Centre 548

As at 5 May 1992

HUNTER AREA OFFICE

David Twyman
 (JJ Area Mngr)
 Anne Hardy
 (CO)

Location Code 055
 Tel (049) 29 9799
 Fax (049) 29 9711
 Speed Dial No *0481

11 Brown St
 Newcastle 2300
(Address & No's To Change
1 June 1992)

CHARLESTOWN

Denis Flynn
 (JJO)

Location Code 051
 Tel (049) 43 8811
 Fax (049) 43 9686
 Speed Dial No*0485

7 Smith St
 Charlestown 2290

GOSFORD

Bill Sullivan
 Michael Barrett
 Ewen Williams
 (JJO'S)

Location Code 048
 Tel (043) 23 4994
 Fax (043) 23 4441
 Speed Dial No*0483

Suite 2 55-71
 Mann St
 Gosford 2250

MAITLAND

Terry Fauchon
 (JJO)

Location Code 053
 Tel (049) 33 6488
 Fax (049) 34 1085
 Speed Dial No*0487

262 High St
 Maitland 2320

MUSWELLBROOK

Pat Rivers
 (JJO)

Location Code 054
 Tel (065) 41 1191
 Fax (065) 43 4931
 Speed Dial No*0488

Court House
 Bridge St
 Muswellbrook 2333

NEWCASTLE

Col Marshall
 Peter Johnson
 Henry Ponsen
 (JJO'S)

Location Code 052
 Tel (049) 29 4669
 Fax (049) 29 2161
 Speed Dial No*0486

Beneficial Finance
 Building 406-408
 King St
 Newcastle 2300

TAREE

Lex Davis
 (JJO)

Location Code 055
 Tel (065) 51 2555
 Fax (065) 51 2612
 Speed Dial No*0489

Suite 18 102-112
 Victoria Street
 Taree 2430

**OFFICE OF JUVENILE JUSTICE
JUVENILE JUSTICE CENTRES**

As at 5/5/92

MT. PENANG

Liam Guilfoyle (Supt)

TEL:(043) 40 1002
 FAX:(043) 40 1677
 Pacific Highway KARIONG 2250
 Speed Dial No:*0 401

Tony Ryan

(Admin Co-ordinator)

Cost Centre 546

Mc CABE COTTAGEKerrie Bannister
(Manager)

TEL:(043) 40 2305
 FAX:(043) 40 2529
 Speed Dial No:*0 415

Cost Centre 564

YASMARKevin Harris (Supt)
Sharon Murphy
(Snr Admin Mngr)

TEL:(02) 797 3000
 FAX:(02) 799 5927
 Parramatta Rd HABERFIELD 2045
 Speed Dial No:*0 402

Cost Centre 502

COBHAMGlenn Ford (Supt)
Mike Galea
(Snr Admin Mngr)

TEL:(02) 623 8088
 FAX:(02) 673 4917
 Water St ST MARYS 2760
 Speed Dial No:*0 403

Cost Centre 516

REIBYTerry Gould (Supt)
Neil Hector
(Snr Admin Mngr)

TEL:(046) 29 3800
 FAX:(046) 29 3829
 Briar Rd CAMPBELLTOWN 2560
 Speed Dial No:*0 404
 Admin Fax (046) 29 3856

Cost Centre 532

MINDAPeter Reiberger (Supt)
Val O'Driscoll
(Snr Admin Mngr)

TEL: 646 0777
 FAX: 749 2598
 Joseph St LIDCOMBE 2141
 Speed Dial No:*0 405

Cost Centre 531

WORIMIJohn Waddell (Supt)
Phil Brown
(Snr Admin Mngr)

TEL:(049) 69 3255
 FAX:(049) 61 2419
 Lambton Rd BROADMEADOW 2292
 Speed Dial No:*0 406

Cost Centre 547

KEELONGBob Barracluff (Supt)
Carolyn Kerr
(Snr Admin Mngr)

TEL:(042) 71 5044
 FAX:(042) 71 5697
 Staff Rd UNANDERRA 2526
 Speed Dial No:*0 407

Cost Centre 561

RIVERINALaurie Myers (Supt)
Owen White
(Snr Admin Mngr)

TEL:(069) 31 2811
 FAX:(069) 31 3903
 Fernleigh Rd WAGGA WAGGA
 Speed Dial No:*0 408

Cost Centre 562

KARIONGJohn Fairhall (Supt)
Nigel Brown
(Snr Admin Mngr)

TEL:(043) 40 2600
 FAX:(043) 40 2595
 Pacific Hwy KARIONG 2250
 Speed Dial No:*0 409 Cost Centre 549

JUVENILE TRANSPORT SERVICESGraham Carl
(Manager)
Samantha Leep
(Clerical Officer)

TEL:(02) 692 7155
 FAX:(02) 692 7162
 357 Glebe Point Rd
 Speed Dial NO:*0499 Cost Centre 501

OFFICE OF JUVENILE JUSTICE

METROPOLITAN TEAMS JUVENILE JUSTICE COMMUNITY
SERVICES & COMMUNITY YOUTH CENTRE

As at 5/5/92

AREA MANAGER - SOUTHERN SYDNEY
Sue-Ellen Lembkey Ph: 725 8100

CABRAMATTA JUVENILE JUSTICE
COMMUNITY SERVICES
Accounts Cost Centre 534
Cnr Hill & John Streets
Phone 821 1644
CABRAMATTA 2166
Phone 725 8100
Speed Dial No: *0 431
Fax 725 8150
Laurie Grant
(A/Manager) 600 6786
Karen Woods
(Clerk)

LIVERPOOL COMMUNITY YOUTH CENTRE
Accounts Cost Centre 533
Speed Street LIVERPOOL
Fax 821 3470
Speed Dial No: *0 422
Ernie Zibert
(Act Mngr)
Carmel Bradley
(CO)

AREA MANAGER - EASTERN SYDNEY
Phil Clarke Ph: 555 8933

ROZELLE JUVENILE JUSTICE
COMMUNITY SERVICES
Accounts Cost Centre 504
697 Darling Street
ROZELLE 2039
Phone 555 8933
Speed Dial No: *0 432
Fax 555 1373
Reinhard Hitzegrad
(Manager) 660 7931
Beverly Mills
(Clerk)

STANMORE COMMUNITY YOUTH CENTRE
Accounts Cost Centre 503
Middleton Rd STANMORE
Phone 560 4343
Fax 550 0867
Speed Dial No: *0 423
Kathleen Power
(Act Mngr)
Malaky Sader
(CO)

AREA MANAGER - WESTERN SYDNEY
Peter Irons Ph: 673 3466

ST MARYS JUVENILE JUSTICE
COMMUNITY SERVICES
Accounts Cost Centre 519
Water Street
ST MARYS 2760
Phone 673 3466 / 673 3555
Speed Dial No: *0 433
Fax 673 2064
Lee Mansfield (Act Mngr)
Michelle Nichols
(Clerk)

BLACKTOWN COMMUNITY YOUTH CENTRE
Accounts Cost Centre 517
Stephen Street
BLACKTOWN 2148
Phone 831 2588
Fax 831 2470
Speed Dial No* 0 421
Tim Mathews
(Act Mngr)
Barbara Powell
(CO)

OFFICE OF JUVENILE JUSTICE

CIRCULAR NUMBER: 22/92

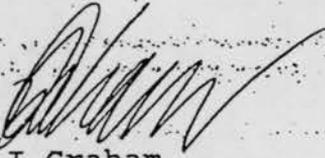
ISSUE: DEFINITION OF NEW METROPOLITAN BOUNDARIES
(RE: CIRCULAR NO. 38/91)

After further discussion with Area Managers the following Metropolitan boundaries, complete with defining clusters and local government areas have been determined:

<u>REGION</u>	<u>CLUSTER</u>	<u>LOCAL GOVT. AREAS</u>
Juvenile Justice Community Services <u>Eastern Sydney</u> (Rozelle)	Hornsby/ Ku-ring-gai	Gosford, Hornsby, Hunters Hill, Kur-ing-gai, Lane Cove, Ryde, Willoughby
	Manly/ Warringah	Manly, Mosman, North Sydney, Warringah
	Eastern Sydney	Botany, Randwick, South Sydney, Waverley, Woollahra
	Inner West	Ashfield, Burwood, Canterbury, Concord, Drummoyne, Leichhardt, Marrickville, Strathfield
Juvenile Justice Community Services <u>Southern Sydney</u> (Cabramatta)	St George	Hurstville, Kogarah, Rockdale, Sutherland
	South Western Sydney	Bankstown, Fairfield, Liverpool
	Macarthur	Camden, Campbelltown, Wollondilly
Juvenile Justice Community Services <u>Western Sydney</u> (Werrington)	Cumberland	Auburn, Baulkham Hills, Holroyd, Parramatta
	Prospect	Blacktown
	Nepean	Blue Mountains, Hawkesbury, Penrith

Managers should ensure courts are advised of these re-aligned intake areas and negotiate locally over referrals of cases.

Referred for your attention.



I Graham
Director

24 April 1992

SUBURBS COVERED BY METROPOLITAN
JUVENILE JUSTICE COMMUNITY SERVICES

EASTERN SYDNEY

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Abbotsford	2046	Drummoyne
Alexandria	2015	South Sydney
Allambi Heights	2100	Warringah
Annandale	2038	Leichhardt
Artarmon	2064	Lane Cove
Ashfield	2131	Ashfield
Asquith	2077	Hornsby
Avalon	2107	Warringah
Balgowlah	2093	Manly
Balgowlah Heights	2093	Manly
Balmain	2041	Leichhardt
Balmoral	2088	Mosman
Banksmeadow	2019	Botany
Bar Point	2083	Gosford
Bayview	2104	Warringah
Beacon Hill	2100	Warringah
Beauty Point	2088	Mosman
Beecroft	2119	Hornsby
Belfield	2191	Strathfield
Bellevue Hill	2023	Woollahra
Belrose	2085	Warringah
Berowra	2081	Hornsby
Berowra Heights	2082	Hornsby
Bilgola	2107	Warringah
Birchgrove	2041	Leichhardt
Bondi	2026	Waverley
Bondi Junction	2022	Waverley
Boronia Park	2111	Hunters Hill
Botany	2019	Botany
Boundary Road, East Willoughby	2068	Willoughby
Bronte	2024	Waverley
Brooklyn	2083	Hornsby
Brookvale	2100	Warringah
Burwood	2134	Burwood
Cabarita	2137	Concord
Cammeray	2062	North Sydney
Camperdown	2050	Marrickville
Campsie	2194	Canterbury
Careel Bay	2107	Warringah
Castlecrag - Castle Cove	2068/2069	Willoughby
Chatswood	2067	Willoughby
Chatswood West	2066	Willoughby
Cheltenham	2119	Hornsby
Cherrybrook	2126	Hornsby
Chifley	2036	Randwick
Chippendale	2008	South Sydney
Chiswick	2046	Drummoyne
Church Point	2105	Warringah
Clareville	2107	Warringah

Eastern Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Clifton Gardens	2088	Mosman
Clontarf	2093	Manly
Clovelly	2031	Randwick
Collaroy	2097	Warringah
Collaroy Plateau	2097	Warringah
Concord	2137	Concord
Concord North	2138	Concord
Concord West	2138	Concord
Coogee	2034	Randwick
Coogee South	2034	Randwick
Cowan	2252	Hornsby
Cremorne	2090	North Sydney
Cremorne Point	2090	North Sydney
Cromer	2099	Warringah
Crows Nest	2065	North Sydney
Croydon	2132	Ashfield
Croydon Park	2133	Ashfield
Curl Curl	2096	Warringah
Daceyville	2032	Botany
Dangar Island	2083	Hornsby
Darlinghurst	2010	South Sydney
Darling Point	2027	Woollahra
Darlington	2008	South Sydney
Davidson	2085	Warringah
Dee Why	2099	Warringah
Denistone	2114	Ryde
Denistone East	2112	Ryde
Dobroyd Point	2045	Ashfield
Double Bay	2028	Woollahra
Dover Heights	2030	Waverley
Drummoyne	2047	Drummoyne
Duffys Forest	2084	Warringah
Dulwich Hill	2203	Marrickville
Earlwood	2206	Canterbury
East Gordon	2072	Ku-ring-gai
East Lindfield	2070	Ku-ring-gai
East Roseville	2069	Ku-ring-gai
East Ryde	2113	Ryde
East Wahroonga	2076	Ku-ring-gai
Eastlakes	2018	Botany
Eastwood	2122	Parra/Ryde/Horns
Edgecliff	2027	Woollahra
Elanora Heights	2101	Warringah
Enfield	2136	Strathfld/burwood
Enmore	2042	Marrickville
Epping	2121	Hornsby
Epping West	2121	Hornsby
Erskineville	2043	South Sydney
Fairlight	2094	Manly
Flemington	2140	Strathfield
Five Dock	2046	Drummoyne

Eastern Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Flemington Markets	2129	Strathfield
Forest Lodge	2037	Leichhardt
Forestville	2087	Warringah
Fox Valley	2076	Ku-ring-gai
Frenchs Forest	2086	Warringah
Gladesville	2111	Hunters Hill/Ryde
Glebe	2037	Leichhardt
Gordon	2072	Ku-ring-gai
Gore Hill	2065	Lane Cove/Willoug
Greenwich	2065	Lane Cove
Haberfield	2045	Ashfield
Harbord	2096	Warringah
Henley	2111	Hunters Hill
Hillsdale	2036	Botany
Homebush	2040	Strathfield
Hornsby	2077	Hornsby
Hornsby Heights	2077	Hornsby
Hunters Hill	2110	Hunters Hill
Huntley's Point	2111	Hunters Hill
Ingleside	2101	Warringah
Kensington	2033	Randwick
Killara	2071	Ku-ring-gai
Killarney Heights	2087	Warringah
Kings Cross	2011	South Sydney
Kingsford	2032	Botany/Randwick
Kirribilli	2061	North Sydney
La Perouse	2036	Randwick
Lane Cove	2066	Lane Cove
Leichhardt	2040	Leichhardt
Lewisham	2049	Marrickville
Lilyfield	2040	Leichhardt
Lindfield	2070	Ku-ring-gai
Linley Point	2066	Lane Cove
Little Bay	2036	Randwick
Longueville	2066	Lane Cove
Lovett Bay	2105	Warringah
Macquarie Park	2113	Ryde
Malabar	2036	Randwick
Manly	2095	Manly
Manly Vale	2093	Warringah
Maroubra	2035	Randwick
Marrickville	2204	Marrickville
Marsfield	2122	Ryde
Mascot	2020	Botany
Matraville	2036	Botany/Randwick
McMahons Point	2060	North Sydney
Meadowbank	2114	Ryde
Melrose Park	2114	Ryde
Middle Cove - Middle Head	2068/2088	Willoughby/Mosman

Eastern Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Milsons Point	2061	North Sydney
Mona Vale	2103	Warringah
Mortlake	2137	Concord
Mosman	2088	Mosman
Mosman Junction	2088	Mosman
Mount Colah	2079	Hornsby
Mount Ku-ring-gai	2080	Hornsby
Naremburn	2065	NthSydney/Willoug
Narrabeen	2101	Warringah
Narraweena	2099	Warringah
Neutral Bay	2089	North Sydney
Newport	2106	Warringah
Newtown	2042	Marrickville
Normanhurst	2076	Hornsby
North Epping	2121	Hornsby
North Ryde	2113	Ryde
North Turramurra	2074	Ku-ring-gai
North Sydney	2060	North Sydney
North Manly	2100	Warringah
North St Ives	2075	Warringah
Northbridge	2063	Willoughby
Northwood	2066	Lane Cove
Oxford Falls	2100	Warringah
Paddington	2021	Woollahra
Pagewood	2035	Botany
Palm Beach	2108	Warringah
Peat Island	2083	Gosford
Pennant Hills	2120	Hornsby
Petersham	2049	Marrickville
Phillip Bay	2036	Randwick
Point Piper	2027	Woollahra
Putney	2112	Ryde
Pymble	2073	Ku-ring-gai
Queenscliff	2096	Warringah
Randwick	2031	Randwick
Redfern	2016	South Sydney
Rhodes	2138	Concord
Riverview	2066	Lane Cove
Rose Bay	2029	Waverley/Woollah
Rosebery	2018	Botany
Roseville	2069	Ku-ringgai/Willou
Rozelle	2039	Leichhardt
Russell Lea	2046	Drummoyne
Ryde	2112	Ryde
Scotland Island	2105	Warringah
Seaforth	2092	Manly
South Turramurra	2074	Ku-ring-gai
Spit Junction	2088	Mosman
St Ives	2075	Ku-ring-gai

Eastern Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
St Ives Chase	2075	Ku-ring-gai
St Leonards	2065	Nth Syd/LaneC/Wil
St Peters	2044	Marrickville
Stanmore	2048	Marrickville
Strathfield	2135	Burwood/Concord
Strathfield West	2140	Strathfield
Summer Hill	2130	Ashfield
Surry Hills	2010	South Sydney
Sydenham	2044	Marrickville
Tamarama	2026	Waverley
Tempe	2044	Marrickville
Tennyson	2111	Ryde
Terrey Hills	2084	Warringah
The Spit	2088	Mosman
Thornleigh	2120	Hornsby
Turrumurra	2074	Ku-ring-gai
Ultimo	2007	South Sydney
Vaucluse	2030	Woollahra
Wahroonga	2076	Ku-ring-gai
Waitara	2077	Hornsby
Warrawee	2074	Ku-ring-gai
Warriewood	2102	Wahroonga
Waterloo	2017	South Sydney
Watsons Bay	2030	Woollahra
Waverley	2024	Waverley
Waverton	2060	North Sydney
West Killara	2071	Ku-ring-gai
West Pymble	2073	Ku-ring-gai
West Ryde	2114	Ryde
Westleigh	2120	Hornsby
Whale Beach	2107	Warringah
Wheeler Heights	2097	Warringah
Willoughby	2068	Willoughby
Wingala	2099	Warringah
Wollstonecraft	2065	Nth Syd/Lane C
Woollahra	2025	Woollahra
Woolloomooloo	2011	South Sydney
Woolwich	2110	Hunters Hill
Zetland	2017	South Sydney

SUBURBS COVERED BY METROPOLITAN
JUVENILE JUSTICE COMMUNITY SERVICES

SOUTHERN SYDNEY

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Abbotsbury	2176	Fairfield
Airds	2560	Campbelltown
Alfords Point	2234	Sutherland
Allawah	2218	Hurst/Kogarah/Rockd
Ambarvale	2560	Campbelltown
Appin	2560	Wollondilly
Arncliffe	2205	Rockdale
Ashcroft	2168	Liverpool
Austral	2171	Liverpool
Badgerys Creek	2171	Liverpool
Bangor	2234	Sutherland
Banksia	2216	Rockdale
Bankstown	2200	Bankstown
Bargo	2574	Wollondilly
Bass Hill	2197	Bankstown
Beverly Hills	2209	Canter/Hurstv
Beverly Park	2217	Kogarah
Bexley	2207	Rockdale
Birrong	2143	Bankstown
Blairmont	2559	Campbelltown
Blakehurst	2221	Kogarah
Bonnet Bay	2226	Sutherland
Bonnyrigg	2177	Fairfield
Bossley Park	2176	Fairfield
Bow Bowing	2566	Campbelltown
Bradbury	2560	Campbelltown
Brighton Le San	2216	Rockdale
Bringelly	2171	Camden/Liverp
Bundeena	2230	Sutherland
Busby	2168	Liverpool
Buxton	2571	Wollondilly
Cabramatta	2166	Fairfield
Cabramatta West	2166	Fairfield
Camden	2570	Camden
Campbelltown	2560	Campbelltown
Canley Heights	2166	Fairfield
Canley Vale	2166	Fairfield
Caringbah	2229	Sutherland
Carlton	2218	Kogarah/Rockd
Carramar	2163	Fairfield
Cartwright	2168	Liverpool
Casula	2170	Liverpool
Catherine Field	2171	Camden
Cawdor	2570	Camden/Wollond
Cecil Park	2171	Fairfld/Liv/Penr
Chatham Village	2172	Liverpool
Chester Hill	2162	Bankstown

Southern Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Chipping Norton	2170	Liverpool
Chullora	2190	Bankstown
Claymore	2559	Campbelltown
Cobbitty	2570	Camden
Como	2226	Sutherland
Condell Park	2200	Bankstown
Connells Point	2221	Kogarah
Couridjah	2571	Wollondilly
Cronulla	2230	Sutherland
Crossroads	2170	Liverpool
Denham Court	2565	Campbelltown/Livp
Dolans Bay	2229	Sutherland
Dolls Point	2219	Rockdale
Douglas Park	2569	Wollondilly
Eagle Vale	2558	Campbelltown
East Hills	2213	Bankstown
Edensor Park	2176	Fairfield
Edmondson Park		Liverpool
Elderslie	2570	Camden
Engadine	2233	Sutherland
Eschol Park	2558	Campbelltown
Fairfield	2165	Fairfield
Fairfield Heights	2165	Fairfield
Fairfield West	2165	Fairfield
Georges Hall	2198	Bankstown
Gilead	2560	Campbelltown
Glen Alpine	2560	Campbelltown
Glenfield	2167	Campbelltown
Grays Point	2232	Sutherland
Green Valley		Liverpool
Greenacre	2190	Bankstown
Greenfield Park	2176	Fairfield
Gynea	2227	Sutherland
Hammondville	2170	Liverpool
Heathcote	2233	Sutherland
Heckenberg	2168	Liverpool
Holsworthy	2173	Liverpool
Horsley Park	2164	Fairfield
Hoxton Park	2171	Liverpool
Hurstville	2220	Hurstville
Hurstville Grove	2220	Kogarah
Hurstville South	2221	Kogarah
Illawong	2234	Sutherland
Ingleburn	2565	Campbelltown
Jannali	2226	Sutherland
Kearns	2558	Campbelltown
Kemps Creek	2171	Liverpool/Penr
Kentlyn	2560	Campbelltown

Southern Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Kingsgrove	2208	Cante/Hurst/Rock
Kirrawee	2232	Sutherland
Kurnell	2231	Sutherland
Kyeemagh	2216	Rockdale
Kyle Bay	2221	Kogarah
Lakesland	2572	Wollondilly
Lansdowne		Bankstown
Lansvale	2166	Fairfield
Leightonfield	2163	Bankstown
Leppington	2171	Camden
Leumeah	2560	Campbelltown
Liverpool	2170	Liverpool
Loftus	2232	Sutherland
Long Point		Campbelltown
Lucas Heights	2234	Sutherland
Lugarno	2210	Hurstville
Lurnea	2170	Liverpool
Macquarie Fields	2564	Campbelltown
Maianbar	2230	Sutherland
Maldon	2571	Wollondilly
Menai	2234	Sutherland
Menangle	2568	Wollondilly
Menangle Park	2563	Campbelltown
Miller	2168	Liverpool
Milperra	2214	Bankstown
Minto	2566	Campbelltown
Minto Heights	2566	Campbelltown
Miranda	2228	Sutherland
Monterey	2217	Rockdale
Moorebank	2170	Liverpool
Mortdale	2223	Hurst/Kogarah
Mowbray Park	2571	Wollondilly
Mt Hunter	2570	Wollondilly
Mt Lewis	2200	Bankstown
Mt Pritchard	2170	Fairfield
Narellan	2567	Camden
Narwee	2209	Canter/Hurstv
Nattai	2570	Wollondilly
Oakdale	2570	Wollondilly
Oatley	2223	Hurstville
Old Guildford	2161	Bankstown/Fairf
Oran Park		Camden
Orangeville	2570	Wollondilly
Oyster Bay	2225	Sutherland
Padstow	2211	Bankstown
Panania	2213	Bankstown
Peakhurst	2210	Hurstville
Penshurst	2222	Hurst/Kogarah
Pheasants Nest	2574	Wollondilly
Picnic Point	2213	Bankstown
Picton	2571	Wollondilly

Southern Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Pleasure Point	2171	Liverpool
Potts Hill	2143	Bankstown
Prairiewood	2176	Fairfield
Prestons	2170	Liverpool
Punchbowl	2196	Bankst/Canter
Raby	2566	Campbelltown
Ramsgate	2217	Kogarah/Rockdale
Razorback	2570	Wollondilly
Revesby	2212	Bankstown
Riverwood	2210	Canter/Hurst
Rosemeadow	2560	Campbelltown
Rossmore	2171	Camden/Liverpool
Ruse	2560	Campbelltown
Sadleir	2168	Liverpool
Sandringham	2219	Rockdale
Sandy Point	2171	Sutherland
Sans Souci	2219	Kogarah/Rockdale
Sefton	2162	Bankstown
Smithfield	2164	Fairfield
St Andrews	2566	Campbelltown
St Helens Park	2560	Campbelltown
St Johns Park	2176	Fairfield
Sutherland	2232	Sutherland
Sylvania	2224	Sutherland
Tahmoor	2573	Wollondilly
Taren Point	2229	Sutherland
The Oaks	2570	Wollondilly
Theresa Park	2570	Wollondilly
Thirlmere	2572	Wollondilly
Turrella	2205	Rockdale
Varroville	2565	Campbelltown
Villawood	2163	Bankstown/Fairfi
Wakeley	2176	Fairfield
Warwick Farm	2170	Liverpool
Waterfall	2233	Sutherland
Wedderburn	2560	Campbelltown
Werombi	2570	Wollondilly
West Menai	2234	Sutherland
West Hoxton	2171	Liverpool
Wetherill Park	2164	Fairfield
Wilton	2571	Wollondilly
Woodbine	2560	Campbelltown
Woolooware	2230	Sutherland
Woronora Heights	2232	Sutherland
Yagoona	2199	Bankstown
Yanderra	2574	Wollondilly
Yennora	2161	Fairfield/Holroyd

SUBURBS COVERED BY METROPOLITAN
JUVENILE JUSTICE COMMUNITY SERVICES

WESTERN SYDNEY

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Agnes Banks	2753	Hawkesbury/Penrth
Annangrove	2156	Baulkham Hills
Arcadia	2159	Hornsby
Arndell Park	2148	Blacktown
Auburn	2144	Auburn
Baulkham Hills	2153	Baulkham Hills
Bell	2786	Blue Mountains
Berala	2141	Auburn
Berambing	2758	Hawkesbury
Berkshire Park	2765	Penrith
Berrilee	2159	Hornsby
Bidwill	2770	Blacktown
Bilpin	2758	Hawkesbury
Blackett	2770	Blacktown
Blackheath	2785	Blue Mountains
Blacktown	2148	Blacktown
Blaxland	2774	Blue Mountains
Blaxlands Ridge	2758	Hawkesbury
Bligh Park	2756	Hawkesbury
Bowen Mountain	2753	Hawkesbury
Box Hill	2765	Baulkham/Black
Bullaburra	2784	Blue Mountains
Cambridge Gardens	2747	Penrith
Cambridge Park	2747	Penrith
Camellia	2142	Parramatta
Carlingford	2118	Parra/Baulk/Horns
Castle Hill	2154	Baulkham Hills
Castlereagh	2749	Penrith
Cattai	2756	Baulkham Hills
Central Colo	2756	Hawkesbury
Clarendon	2756	Hawkesbury
Clyde	2142	Parramatta
Colebee	2761	Blacktown
Colo	2756	Hawkesbury
Colo Heights	2756	Hawkesbury
Colyton	2760	Penrith
Comleroy Road	2758	Hawkesbury
Cornwallis	2756	Hawkesbury
Cranebrook	2749	Penrith
Dean Park	2761	Blacktown
Dharruk	2770	Blacktown
Doonside	2767	Blacktown
Dundas	2117	Parra/Baulkham
Dunheved	2760	Penrith
Dural	2158	Hornsby
East Kurrajong	2758	Hawkesbury
Eastern Creek	2766	Blacktown
Ebenezer	2756	Hawkesbury

Western Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Emerton	2770	Blacktown
Emu Heights	2750	Penrith
Emu Plains	2750	Penrith
Ermington	2115	Parramatta
Erskine Park	2759	Penrith
Faulconbridge	2776	Blue Mountains
Fiddletown	2159	Hornsby
Freemans Reach	2756	Hawkesbury
Galston	2159	Hornsby
Girraween	2145	Holroyd
Glenbrook	2773	Blue Mountains
Glendenning	2761	Blacktown
Glenhaven	2156	Baulkham/Hornsby
Glenmore Park	2750	
Glenorie	2157	Baulkham/Hornsby
Glossodia	2756	Hawkesbury
Granville	2142	Parramatta
Greystanes	2145	Holroyd
Gronos Point	2756	
Grose Vale	2753	Hawkesbury
Grose Wold	2753	Hawkesbury
Guildford	2161	Bansk/Fair/Holr
Harris Park	2150	Parramatta
Hassall Grove	2770	Blacktown
Hawkesbury Heights	2777	Blue Mountains
Hazelbrook	2779	Blue Mountains
Hebersham	2770	Blacktown
Hillside	2157	Baulkham Hills
Hobartville	2753	Hawkesbury
Holroyd		Holroyd
Huntingwood	2148	Blacktown
Jamisontown	2750	Penrith
Katoomba	2780	Blue Mountains
Kellyville	2153	Baulkham/Black
Kenthurst	2156	Baulkham Hills
Kings Langley	2147	Blacktown
Kings Park	2148	Blacktown
Kingswood	2747	Penrith
Kingswood Park	2750	Penrith
Kurmond	2757	Hawkesbury
Kurrajong	2758	Hawkesbury
Kurrajong Heights	2758	Hawkesbury
Lalor Park	2147	Blacktown
Lapstone	2773	Blue Mountains
Lawson	2783	Blue Mountains
Leets Vale	2756	Baulkham/Hawkes
Lemongrove	2750	Penrith
Leonay	2750	Penrith
Lethbridge Park	2770	Blacktown
Leura	2780	Blue Mountains

Western Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Lidcombe	2141	Auburn
Linden	2778	Blue Mountains
Llandilo	2747	Penrith
Londonderry	2753	Penrith
Lower Portland	2756	Baulkham/Hawkes
Lowlands	2753	Hawkesbury
Luddenham	2745	Liverpool/Penr
Maraylya	2765	Baulkham/Hawkes
Marayong	2148	Blacktown
Maroota	2756	Baulkham Hills
Marsden Park	2765	Blacktown
Mays Hill	2145	Holroyd
McGraths Hill	2756	Hawkesbury
Medlow Bath	2780	Blue Mountains
Megalong	2785	Blue Mountains
Merrylands	2160	Holroyd/Parra
Merrylands West	2160	Holroyd
Middle Dural	2158	Baulkham/Hornsb
Minchinbury	2770	Blacktown
Morans Rock	2756	
Mountain Lagoon	2758	Hawkesbury
Mt Druitt	2770	Blacktown
Mt Irvine	2786	Blue Mountains
Mt Pleasant	2749	Penrith
Mt Riverview	2774	Blue Mountains
Mt Tomah	2758	Blue Mountains
Mt Victoria	2786	Blue Mountains
Mt Wilson	2786	Blue Mountains
Mulgoa	2745	Penrith
Mulgrave	2756	Hawkesbury
Nelson	2765	Baulkham Hills
Netley Hills	2758	
North Parramatta	2151	Parramatta
North Rocks	2151	Baulkham Hills
North Richmond	2754	Hawkesbury
Northmead	2152	Baulkham/Parrama
Oakhurst	2770	Blacktown
Oakville	2765	Hawkesbury
Old Toongabbie	2146	Blacktown/Parra
Orchard Hills	2748	Penrith
Oxley Park	2760	Penrith
Parklea	2155	Blacktown
Parramatta	2150	Parramatta
Pendle Hill	2145	Holroyd/Parra
Penrith	2750	Penrith
Pitt Town	2756	Hawkesbury
Plumpton	2761	Blacktown
Prospect	2149	Blacktown
Quakers Hill	2763	Blacktown
Quarry Hill	2760	Penrith

Western Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Regents Park	2143	Auburn
Regentville	2745	Penrith
Richmond	2753	Hawkesbury
Riverstone	2765	Blacktown
Rooty Hill	2766	Blacktown
Rosehill	2142	Parramatta
Round Corner	2158	Baulkham/Horns
Rouse Hill	2153	Baulkham Hills
Rydalmere	2116	Parramatta
Sackville	2756	Hawkesbury
Sackville North	2756	Baulkham Hills
Sackville Reach	2756	Baulkham/Hawkes
Scheyville	2756	Hawkesbury
Schofields	2762	Blacktown
Seven Hills	2147	Blacktown
Shalvey	2770	Blacktown
Shanes Park	2760	Blacktown
Shipleigh	2785	Blue Mountains
Silverwater	2141	Auburn
South Granville	2142	Parramatta
South Wentworthville	2145	Holroyd
South Windsor	2765	Hawkesbury
Springwood	2777	Blue Mountains
St Albans	2775	Hawkesbury
St Clair	2759	Penrith
St Marys	2760	Penrith
Telopea	2117	Parramatta
Tennyson	2754	Hawkesbury
The Slopes	2758	Hawkesbury
Toongabbie	2146	Black/Holr/Parra
Tregear	2770	Blacktown
Upper Castlereagh	2750	Penrith
Upper Colo	2756	
Valley Heights	2777	Blue Mountains
Vineyard	2765	Hawkes/Black
Wallacia	2745	Livrp/Penr/Wollon
Warrimoo	2774	Blue Mountains
Wentworth Falls	2782	Blue Mountains
Wentworthville	2145	Holroyd/Parra
Werrington	2747	Penrith
Werrington County	2747	Penrith
Werrington Downs	2747	Penrith
West Pennant Hills	2125	Baulkham/Hornsb
Westmead	2145	Holroyd/Parra
Whalan	2770	Blacktown
Wilberforce	2756	Hawkesbury
Willmot	2770	Blacktown
Windsor	2756	Hawkesbury
Winmalee	2770	Blue Mountains
Winston Hills	2153	Parramatta

Western Sydney Continued

<u>Suburb</u>	<u>Postcode</u>	<u>SLA</u>
Wisemans Ferry	2775	Baulkham Hills
Woodford	2778	Blue Mountains
Woodpark	2164	Holroyd
Woodstock	2793	
Yarramundi	2753	Hawkesbury
Yellow Rock	2777	Blue Mountains

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: All Superintendents
FROM: R Smith
SUBJECT: Pilfering
DATE: 13 April 1992

Considerable concern is felt on the number of instances of pilfering occurring at Juvenile Justice Centres.

Please convey to ALL STAFF their need to understand that under NO circumstance may any person remove ANY item from a Juvenile Justice Centre without the express approval of the Superintendent.

Recently, two members of staff have lost their job due to involvement in pilfering activities and action will be taken against any persons found pilfering.

It is also requested that Superintendents review security of stores equipment.



R Smith
Acting assistant Director

OJJ POLICIES & PROCEDURES 1992/24

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: MANAGERS
JUVENILE JUSTICE

FROM: ASSISTANT DIRECTOR (COMMUNITY)

SUBJECT: JUVENILE JUSTICE COMMUNITY SERVICES PAGERS

DATE: 10 APRIL 1992

Please find below a list of Telecom Pagers in use by Juvenile Justice Community Services. The Pagers can be utilised by either:

1. Telephoning 016 285 850 and quoting the office or person you wish to contact.

OR

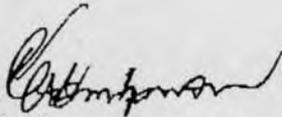
2. Telephone 016 020 and quote the Pager ID number.

<u>Pager ID</u>	<u>Name</u>
6297636	Albury
6297641	Armidale
6297640	Assistant Manager Armidale
6297655	Assistant Manager Bourke
6297619	Assistant Manager Eastern Sydney
6297648	Assistant Manager Hunter
6297615	Assistant Manager Southern Sydney
6297633	Assistant Manager Wagga Wagga
6297623	Assistant Manager Western Sydney
6297657	Bathurst
6297656	Bourke
6297630	Bowral
6297649	Broadmeadow
6297658	Broken Hill
6297642	Coffs Harbour
6297613	David Twyman, Hunter
6297635	Deniliquin
6297654	Dubbo
6297620	Eastern Sydney
6297617	Ernie Zibert, Liverpool
6297643	Glen Innes
6297650	Gosford
6297631	Goulburn
6297644	Grafton
6297637	Griffith
6297606	Kath Power, Stanmore
6297645	Kempsey
6297639	Lismore
6297618	Manager Eastern Sydney
6297605	Manager Liverpool CYC

Pager IDName

6297614 Manager Southern Sydney
6297604 Manager Western Sydney
6297622 Manager Western Sydney
6297621 Monique Cohen, Stanmore
6297646 Moree
6297647 Muswellbrook
6297629 Narooma
6297628 Nowra
6297659 Orange
6297653 Parkes
6297608 Peter Irons, Western Sydney
6297611 Peter Muir, Southern NSW
6297609 Phil Clarke, Eastern Sydney
6297632 Queanbeyan
6297616 Southern Sydney

6297625 Specialist Blacktown
6297610 Sue Lembke, South Sydney
6297638 Tamworth
6297651 Taree
6297607 Tim Matthews, Blacktown
6297634 Wagga Wagga
6297652 Walgett
6297612 Warren Smith, North NSW
6297624 Western Sydney
6297626 Wollongong (1)
6297627 Wollongong (2)



Carl Loughman
Assistant Director (Community)

OJJ POLICIES & PROCEDURES 1992/23

Abuse MATTERS

Please find attached pages 17 & 18 of
Child Abuse Policy (Community Services) relating
to child abuse.

These pages are a guideline for
Superintendents in identifying abuse cases.

R. L. [Signature]

These
superintendents
9-492

(2) please copy for

distribution at next weeks
Admin meeting

(1) Copy to Super's Policy
file

Physical Abuse

Allegations of non-accidental injury to a child (including excessive discipline) by the parent/caregiver.

This ground should be used to cover the following instances:

- . Facial/head bruising
- . Other significant bruising
- . Lacerations/welts
- . Cuts/abrasions
- . Burns/scalds
- . Dislocations/sprains/twisting
- . Skull fractures
- . Other fractures
- . Internal injuries/shaking
- . Attempted suffocation
- . Attempted strangulation
- . Attempted drowning
- . Intentional poisoning
- . Internal or abusive administration of alcohol or other harmful and inappropriate drugs
- . Death of child due to non-accidental injury
- . Death of sibling due to non-accidental injury
- . Threats to physically harm child
- . Child drug dependent at birth and other risk factors present
- . Child with foetal alcohol syndrome at birth
- . Request for assistance by parent/caregiver or child where physical abuse has occurred but where none of the above injuries are currently present.

Sexual Abuse

- (i) Allegations of sexual behaviour towards a child by someone known to the child and who is in a position of power over the child, for example family/household members, neighbours, teachers.

This ground should be used to cover the following instances:

- . Sexual fondling
- . Genital exposure
- . Exposure to adult masturbation
- . Oral sexual behaviour (for example fellatio, cunnilingus)
- . Vaginal or anal penetration by an object, penis, finger
- . Exposure to prostitution, or child used for prostitution purposes
- . Exposure to pornography, or child used for pornographic purposes
- . Deliberate/intentional exposure of child to sexual behaviour of others
- . Child sexual behaviour with an animal
- . Threat of sexual abuse
- . Child's inappropriate sexual behaviour indicates that child has been sexually abused (for example simulated sexual intercourse with a much younger child, knowledge about sex beyond that which would be expected for the child's age and developmental stage).

- (ii) Notification under the Act is based on the harm to the child not on the identity of the perpetrator. Therefore, incidents of sexual behaviour towards a child by a stranger are grounds for notification to ensure an appropriate response by the parents/caregivers and referral to community resources if necessary. These notifications may not require a home visit and DM/SCWO discretion is to be exercised in the light of other agency involvement and the particular circumstances of the case.

Emotional Abuse

Allegations that the child is being harmed as a result of:

- . Continual scapegoating
- . Severe verbal abuse
- . Continual rejection
- . Being physically or socially isolated as punishment
- . Parent suffering from a chronic psychiatric disorder which harms the child's emotional well-being
- . Parent's developmental delay harms the child's emotional well-being
- . Parent's current emotional state is such that the child's safety would be threatened without removal from the home
- . Parent's alcohol or drug abuse harms the child's emotional well-being
- . Failure to thrive (non-organic)
- . Child's behaviour towards self (for example suicide attempts) or towards others indicates that child may have been abused.

Neglect

Allegations that the child is being harmed as a result of:

- . Failure to control access to poisons/alcohol/drugs
- . Failure to provide food
- . Failure to provide shelter
- . Failure to provide clothing
- . Failure to adequately protect the child's health (e.g. extremely unhygienic home conditions)
- . Failure to provide nursing/medical aid
- . Malnutrition
- . Being left inappropriately without supervision.

Where a parent is unable to provide adequately for the child due to poverty, this is not neglect and should be dealt with by referral of the family to an appropriate agency for financial assistance.

Where the parent/caregiver approaches the Department indicating financial problems which could put the children at risk of abuse or neglect leading to possible family breakdown and the children coming into care, financial assistance may be provided under the Child Welfare Assistance Programme. (See page 2, 3A (iii) of the Child Welfare Assistance Guidelines).

OJJ POLICIES & PROCEDURES 1992/22

Office of Juvenile Justice

CIRCULAR NUMBER: 20/92

ISSUE: SERIOUS INDICTABLE OFFENCES

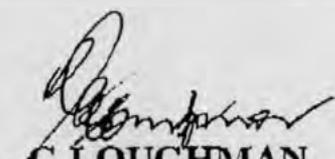
Attached please find a list of those offences in the Crimes Act which are "serious indictable offences" for the purposes of the Children (Criminal Proceedings) Act.

Any young person charged with one of these offences cannot be dealt with by the Children's Court and will go to the District or Supreme Court for sentencing.

These offences must be dealt with according to law - see Section 17 of the Children (Criminal Proceedings) Act. This means that the Court cannot sentence the young person under any of the provisions of Section 33.

If you require assistance with any of these matters please contact:

JILL SPOONER
(02) 289 3319


C. LOUGHMAN
Assistant Director (Community)

9 APR 1992

JUVENILE JUSTICE COMMUNITY SERVICES OFFICERS

Attach.

SERIOUS INDICTABLE OFFENCES

The following is a list of those offences which are "serious indictable offences" for the purposes of the Children (Criminal Proceedings) Act 1987. Any young person charged with one of these offences must be sentenced accordingly to law, ie. none of the penalties outlined in s33 of the Act can be used.

Section of Crimes Act	Description of offence
s 18	Homicide - murder and manslaughter
s 26	Conspiracy to commit murder
Attempts to murder	
s 27	Acts done to the person with intent to murder
s 28	Acts done to property with intent to murder
s 29	Certain other attempts to murder
s 30	Attempts to murder by other means
Acts causing danger to life or bodily harm	
s 32	Impending attempts to escape shipwreck
s 33	Wounding with intent to cause grievous bodily harm or to resist arrest
s 36	Causing or attempting to cause a grievous bodily disease
s 37	Attempting to choke, strangle etc in order to commit an indictable offence
s 38	Using chloroform etc to commit indictable offence
s 46	Causing grievous bodily harm by gunpowder etc
s 47	Using explosive substance or corrosive fluid with intent to cause grievous bodily harm

OFFICE OF JUVENILE JUSTICEMEMORANDUM

TO: Wayne Challinor
Co-ordinator Staff and Salaries

FROM: R Smith

SUBJECT: ALTERATION TO TITLE OF POSITIONS

DATE: 7 April 1992

Recently, Superintendents requested that the existing titles for Line Staff in Juvenile Justice Centres revert to their previous designations. Mr. Salzmann has asked that advice be provided regarding this issue and the following action is sought.

<u>CURRENT POSITION</u>	<u>RECOMMENDED CHANGE</u>
SENIOR YOUTH WORKER	YOUTH WORKER
CHIEF YOUTH WORKER	SENIOR YOUTH WORKER
PRINCIPAL YOUTH WORKER 1	CHIEF YOUTH WORKER
PRINCIPAL YOUTH WORKER 2	PRINCIPAL YOUTH WORKER

These were originally the position titles, which were altered when the then Minister, Mrs Chadwick, up-graded line positions to allow for a wage increase.

Your advice in this matter will be appreciated.

R. Smith

R. SMITH

Human Resources Manager for reply please

I recommend for the present ^{W 4/5/92} no change to the current existing position titles. It is pointed out that whilst there is still a salary category for youth worker it would not be possible to change the title of the position of Senior Youth Worker to Youth Worker, without a change in salary to reflect the position title.

All of these positions will be reviewed under SEP.

OJJ POLICIES & PROCEDURES 1992/20

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

To: Superintendents
From: R Smith
Subject: Legislative Review
Date: 7 April 1992

As you are aware a Legislative Review Committee has examined necessary changes to the Children (Detention Centres) Act, 1987 and relevant regulations.

Proposed changes are to be placed before the Minister in the near future and the cooperation of Superintendents is sought in providing the following information.

Superintendents are asked to discuss with various unit personnel any possible changes to the existing legislation or regulations or other specific issues.

It would be appreciated if this information could be forwarded to me by Thursday, 16 April 1992.



R Smith

To: Superintendents -

Yasmar
Minda
Cobham
Keelong
Riverina
Reiby
Mt Penang
Kariong
Worimi

Manager - Juvenile Justice

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OJJ POLICIES & PROCEDURES 1992/19

Office of Juvenile Justice

CIRCULAR NUMBER: 19/92

ISSUE: SERIOUS INDICTABLE OFFENCES

Attached please find a list of those offences in the Crimes Act which are "serious indictable offences" for the purposes of the Children (Criminal Proceedings) Act.

The list of serious indictable offences has implications for Superintendents of Juvenile Justice Centres and copies are therefore being provided.

In particular, the leave provisions contained in Part 4A of the Children (Detention Centres) Regulation refer to serious indictable offences in relation to the period of a detainee's sentence which has to have expired before certain leave is available.

If you require assistance with any of these matters please contact:

JILL SPOONER
(02) 289 3319


R SALZMANN
Assistant Director (Juvenile Justice Centres)

JUVENILE JUSTICE CENTRE SUPERINTENDENTS

Attach.

SERIOUS INDICTABLE OFFENCES

The following is a list of those offences which are "serious indictable offences" for the purposes of the Children (Criminal Proceedings) Act 1987. Any young person charged with one of these offences must be sentenced accordingly to law, ie. none of the penalties outlined in s33 of the Act can be used.

Section of Crimes Act	Description of offence
s 18	Homicide - murder and manslaughter
s 26	Conspiracy to commit murder
Attempts to murder	
s 27	Acts done to the person with intent to murder
s 28	Acts done to property with intent to murder
s 29	Certain other attempts to murder
s 30	Attempts to murder by other means
Acts causing danger to life or bodily harm	
s 32	Impending attempts to escape shipwreck
s 33	Wounding with intent to cause grievous bodily harm or to resist arrest
s 36	Causing or attempting to cause a grievous bodily disease
s 37	Attempting to choke, strangle etc in order to commit an indictable offence
s 38	Using chloroform etc to commit indictable offence
s 46	Causing grievous bodily harm by gunpowder etc
s 47	Using explosive substance or corrosive fluid with intent to cause grievous bodily harm

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Offences in the nature of rape, offences relating to other acts of sexual assault, etc

s 61J Aggravated sexual assault (circumstances of aggravation : inflicts or threatens grievous bodily harm, offender in company, victim under the offender's authority, victim has serious physical or intellectual disability)

s 61K Assault with intent to have sexual intercourse

s 61P Any attempted aggravated sexual assault or assault with intent to have sexual intercourse

s 66A Sexual intercourse with child under 10

s 66B Attempt, or assault with intent, to have sexual intercourse with child under 10

s 78H Homosexual intercourse with male under 10

s 78I Attempt or assault with intent, to have homosexual intercourse with male under 10

Robbery

s 96 Robbery with wounding

s 98 Armed robbery with wounding

House Breaking

s 110 Break enter and assault with intent to murder or inflict grievous bodily harm

02258558 444 PENANG 002-002

OJJ POLICIES & PROCEDURES 1992/12

MEMORANDUM

FROM: G PARTON, A/MANAGER HUMAN RESOURCES
TO: ALL MANAGERS AND SUPERINTENDENTS
SUBJECT: INDUSTRIAL RELATIONS ACT 1991
DATE: 25 March 1992

On 31 March 1992 the Industrial Relations Act 1992 comes in to effect. The Act prohibits the insertion of provision in State awards which give preference to members of unions over non-members. Existing discriminatory provisions will be rendered void and cease to have effect.

The Act also creates an offence of victimisation of an employee on the grounds of union membership or non-membership. Accordingly the Office of Juvenile Justice will discontinue any practices which apply any favouritism to people on the grounds of their membership or non membership of a union.

My understanding is that there are hardly any such practices, but that in some cases certain shifts get awarded to union members ahead of non members, and that when any two applicants for a position are identical in every other respect, the decision favours the union member. Naturally both practices will need to stop.

Please ensure that the relevant staff in your area are aware of these changes.



Graham Parton
A/Manager Human Resources

KL057555

Government Records Repository



F010521643

Mt Penang Policies

24/01742

Staff Name:

A. CLARKE

K. DEAN

C. POWELL

B. SCULLY

K. TRINTON

B. FENWICK

S. SHOBBERT

G. HOLDER

DOCUMENT NO.

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FACSIMILE COVER SHEET

OFFICE OF JUVENILE JUSTICE
 Level 5, Roden Cutler House
 24 Campbell Street Sydney 2000
 Fax No: (02) 289 3399 Telephone No (02) 289 3333

TO: Superintendents / Area Managers / Managers, etc
 SENDER: Phil Clark
 DATE: 6/1/93
 FAX: _____
 NO OF PAGES (Incl cover sheet) 5

*Copies for
 all Admin
 Please*
Q

OFFICE OF JUVENILE JUSTICE

CIRCULAR NUMBER: 31/92

ISSUE: ISSUES FOR CONSIDERATION WHEN COMPLETING
COMMUNITY YOUTH CENTRE ASSESSMENT
REPORTS

This circular is intended to assist with the preparation of Community Youth Centre assessment reports submitted for the Director's approval for conditional discharge under Section 24(1)(c) to a Community Youth Centre programme. Staff are requested to ensure the following issues are addressed in these assessment reports in accordance with section 8.0 of the current manual which provides the criteria for Community Youth Centres:

- detail the mandate and legal status of the young person in custody;
- whether the client would benefit from community counselling and intensive support;
- if previous interventions have positively affected behaviour;
- if the client has demonstrated interest in the Community Youth Centre programme and is willing to participate fully;
- if the client will attend school, or an educational or training programme, employment or will be actively seeking employment in an area where they can realistically expect to obtain a job.

In addition to the manual criteria consideration should be given to whether the:

- client is likely to reoffend if discharged into the community;

- 2 -

- client has been bail-refused on any outstanding charges and if so name and give full details of the charges;
- court specifically recommended Community Youth Centre assessment; or the client applied; or which Office of Juvenile Justice staff member made the recommendation;
- client is a danger to him/herself or the community;
- client exhibited unacceptable behaviour whilst in detention;
- the client had a supervision order when committed and if so how far had it been completed;
- if outstanding Community Service Orders are current and include in the case plan submitted for approval;
- client has a residence to go to or if accommodation can definitely be arranged;
- full details of the charges should be detailed in the report.

The above questions should be set out in a form for easy completion, or be addressed in the assessment report.

Where custody is indicated, all Background Reports should contain the following paragraph:

"If the Court is considering a custodial sentence under section 33(1)(g), section 24(1)(c) of the Children (Detention Centres) Act provides that conditional release to the community may be granted to a young person on condition that suitable arrangements for supervision are made. Such a release, which is granted after proper assessment, may include attendance at: a Community Youth Centre or a programme of intensive counselling. The Court may wish to recommend that such a release be granted to the young person, if it thinks fit."

The Magistrate can recommend immediate release.

Copies of the mandate from the court and the background report should also be attached.

- 3 -

Where no recommendation for conditional discharge under section 24(1)(c) has been made by the Magistrate or Judge at the time of sentencing and the juvenile is assessed as suitable for inclusion in the Community Youth Centre program, the Court is to be advised of the intention to grant conditional discharge to the CYC Program.

Prior to any submission of an assessment report, a report is submitted to the Court, outlining the following:

- Details of current offences and imposed sentences
- Details of the assessment process, e.g. number of contacts, CYC involvement during the juvenile's time in custody.
- Response of the juvenile to custody
- Case goals and level of contact proposed for the Juvenile upon release from custody.
- Other issues particularly relevant to the juvenile.

The report must be written on departmental letterhead, be in narrative form and any pro-forma formats should be avoided.

In order to invite comments from the Magistrate or Judge to the proposed conditional discharge the report should start with the following paragraph:

"This is to inform your Worship that it is proposed to give consideration to grant conditional discharge to (Name of Juvenile, D.O.B.). The following report is submitted to you for information and any comments you wish to make."

A copy of the report and any comments by the Magistrate or Judge are submitted with the assessment report to the Director for approval of conditional discharge.

- NOTE:
- i) All Assessment Reports are to be submitted to Head Office at least 5 working days prior to the proposed conditional discharge date.
 - ii) No juvenile is to proceed on conditional discharge from Juvenile Justice Centres without a copy of approval from Head Office.
 - iii) Juveniles are not to be informed of a definite conditional discharge until approval has been granted.

- 4 -

The heading "Administration notified" in the assessment report, has often been interpreted as giving the name of the person consulted in the Juvenile Justice Centre/ This has been found to be insufficient and a written comment from the Superintendent or delegate should be attached. The views of the School Principal should also be sought regarding the client's involvement in the Centre's education programme. School Principals have also indicated their readiness to assist with post release placements in community schools maintaining the education of the juvenile (Circular 92/28 refers).

The information outlined is required to ensure all relevant details are fully considered before granting conditional discharge to a Community Youth Centre Programme.

As discussed at the Senior Officers Meeting on 27 August, 1992, the Assistant Director, Community, is to be notified in writing when juveniles reoffend and are charged whilst on conditional discharge to CYC. The Assistant Director will then consider a revocation of the order.


Rudolf Salzmann
ACTING DIRECTOR

6 January 1993

SUPERINTENDENTS JUVENILE JUSTICE CENTRES

**AREA MANAGERS/MANAGERS JUVENILE JUSTICE
COMMUNITY SERVICES AND COMMUNITY YOUTH CENTRES**

Number: 9/000 P

OFFICE OF JUVENILE JUSTICE

POLICY AND PROCEDURES FOR
CONDUCTING CAMPS AND
SUPERVISED ACTIVITIES
FROM A JUVENILE JUSTICE CENTRE

SUMMARY OFFENCES

These are less serious offences for which a person can only be dealt with in a magistrate's court. They include: Minor theft (shoplifting); Trespassing; Offensive Behaviour; Carried in Stolen Conveyance.

1. MINIMUM PERIODS OF CUSTODY FOR JUVENILE OFFENDERS PRIOR TO PARTICIPATING IN CAMPS OR SUPERVISED COMMUNITY ACTIVITIES.

1.1 Persons charged with Serious Indictable Offences under Section 10 of the Children (Detention Centres) Act, 1987 or Section 19 of the Children (Criminal Proceedings) Act, 1987:

- a) Remanded juveniles or juveniles on appeal - no participation in camps or supervised community activities.
- b) Sentenced juveniles - participation in camps and supervised community activities after the completion of one third of the sentence. Initially this must be with the approval of the Assistant Director, Juvenile Justice and thereafter at the Superintendent's discretion.

1.2 Persons charged with Indictable Offences under Section 10 of the Children (Detention Centres) Act, 1987 or Section 19 of the Children (Criminal Proceedings) Act, 1987:

- a) Remanded juveniles or juveniles on appeal - no participation in camps or supervised community activities.
- b) Sentences juveniles - participation in supervised camps or supervised community activities at the discretion of the Superintendent after the completion of one quarter of the sentence

1.3 Persons charged with Indictable or Summary Offences pursuant to Children (Criminal Proceedings) Act, 1987:

- a) Sentenced juveniles - participation in camps or supervised activities at the discretion of the Superintendent after completion of a minimum one month in custody in the small units. This is particularly where small units are unable to provide a breadth of programmes.

In the two major Committal Units i.e., Mt Penang and Reiby, a minimum of six weeks custody is to apply.

2. SELECTION CRITERIA

- 2.1 Camps or supervised activities for the purposes specified in the Act is an important facet of the programme offered to committed juveniles in a Juvenile Justice Centre and should be part of an established case plan for juveniles and should be staged as part of an overall plan of community reintegration.
- 2.2 The nature and circumstances of the juvenile's offence and offence history.
- 2.3 The possibility of threat to public safety and the likelihood of further offending by the juvenile.
- 2.4 The length of time in custody in relation to the length of committal and to the time staff have had the opportunity for accurate assessment of the juvenile.
- 2.5 Any prior history of escape or attempted escape from custody by the juvenile.
- 2.6 Any additional court appearances to be faced by the juvenile.
- 2.7 The response (over time) of the juvenile to the Juvenile Justice Centre Programme.
- 2.8 Prior history of drug abuse or addiction by the juvenile.
- 2.9 Any recent personal circumstances, within or outside the Juvenile Justice Centre, which may negatively effect the juvenile's judgement if placed in a less controlled situation.
- 2.10 The nature of staff supervision to be given to the juvenile in the placement or activity being considered.
- 2.11 The juvenile associations which will result from the placement under consideration.

3. SUPERVISED COMMUNITY ACTIVITIES

Supervised community activities may only be conducted in the following circumstances:

- 3.1 No juvenile may leave the Juvenile Justice Centre without the written approval of the Superintendent or Deputy Superintendent. The "outing sheet" or request for approval must detail names and level/section of each juvenile, the supervising staff member(s), meal arrangements, transport arrangements, departure and return times.

-5-

- 3.2 All supervised community activities are to be part of a planned recreational or educational programme.
- 3.3 Where there is more than one staff member involved a person approved by the Superintendent is to be placed in control of the outing or excursion.
- 3.4 Staff should be selected on the basis of their capacity to provide security for the juveniles and if inexperienced staff are to participate, they must be balanced against experienced and competent staff.
- 3.5 Staff members participating should clearly discuss the purpose of the excursion/outing and to establish guidelines for behaviour, safety and limits, etc. with juveniles prior to the outing or excursion.
- 3.6 Staff members participating are to ensure that juveniles have suitable clothing and footwear appropriate to that excursion or outing.
- 3.7 Once the excursion has left the Juvenile Justice Centre, there are to be no deviations made from the approved submission without the approval of the Superintendent or Deputy Superintendent.
- 3.8 Supervising staff are to be conscious at all times that the behaviour of the group will be subject to public scrutiny. The way that the group conducts itself in transit and throughout the excursion should be beyond reproach. The supervising staff must terminate the excursion if any serious misbehaviour occurs and submit an immediate verbal report to the Superintendent prior to ceasing duty on the day of the outing or excursion.
- 3.9 Sobriety is essential to the discipline of supervised community activities and no alcohol is to be taken or consumed during any outing or excursion by any staff member or juvenile.

4. **CAMPING**

Camps may only be conducted in the following circumstances:

- 4.1 In selecting staff for a camp it is essential staff must be under the supervision of at least a Chief Youth Worker who is to accept the administrative responsibility for the camp.
- 4.2 All preparations for the proposed camp are to commence well in advance of the camp (suggested at least two weeks).
- 4.3 Each camp must have set goals and objectives and general principles to be followed. A detailed programme for the period of the camp must be prepared including an alternative wet weather programme.

-6-

- 4.4 Staff are to be selected to meet the goals and objectives of the camp and the needs of juveniles participating, and if inexperienced staff are to participate, they must be balanced against experienced and competent staff.
- 4.5 Each staff member should be given a particular responsibility in the preparation and conduct of the camp.
- 4.6 Each staff member should be given a say in the selection of the group of juveniles for whom they will have particular responsibility for the duration of the camp.
- 4.7 The staff member responsible for his/her small group is required to participate in all activities involving their group members and should accept responsibility for the behaviour of their group for the entirety of the camp. Naturally this will be under the direction of the camp leader.
- 4.8 Each group leader should conduct a number of group sessions with his/her group for the purposes of discussing the aims of the camp guidelines for behaviour, safety and limits, etc. prior to the camp.
- 4.9 Each group leader is to ensure that the juveniles in his/her group has sufficient, suitable clothing towels and sleeping bag to complete their camping kit. The juvenile should be encouraged to accept personal responsibility for their kit and the group leader should make regular checks to ensure that the kit is in good order and complete.
- 4.10 From time to time emphasis should be placed on programming "adventure/stress" type camps which provide opportunities for juveniles with the support of staff to test themselves in various activities and to heighten their self esteem by achieving the goals of the camp.
- 4.11 In the selection of camp sites, excessive travelling time should be taken into account. Generally camp sites are to be in the local area. The camp leader should inspect the proposed camp site prior to submitting the programme to the Superintendent for approval. The assessment should include suitability of facilities, activities that the site provides, safety, security and access to assistance in the event of an emergency, etc.
- 4.12 Once a suitable site has been established, the necessary enquiries should be made to establish permission to camp at that site and any fees or conditions that apply.
- 4.13 A contact number must be left with the Juvenile Justice Centre for emergency purposes (local police station number to be provided if no other number is available).

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- 4.14 The full camp programme including goals, objectives, guidelines, group leaders, etc. emergency contact number and timetable of programmed activities are to be submitted for approval by the Superintendent prior to the commencement of the camp.
- 4.15 Once the camping group has left the Juvenile Justice Centre there are to be no deviations made from the submission approved by the Superintendent without approval by the Superintendent. This includes moving to another camp site or major alterations to the timetable.
- 4.16 The camp leader must phone in to the Superintendent or Duty Admin., reporting on the camp's progress at least every 48 hours during camps that are of more than two days' duration where this is possible.
- 4.17 Staff should be conscious that sometimes the behaviour of the group will be under scrutiny of the public. The way that the group conducts itself in transit and throughout the camp and the condition that the site is left in etc. will reflect on the Juvenile Justice Centre and the Office of Juvenile Justice. Any serious misconduct is to be reported immediately to the Superintendent who will make a determination regarding terminating the camp.
- 4.18 Under no circumstances is alcohol to be taken on camps or should any staff member partake of any liquor during the camp.
- 4.19 Written evaluations of the camp should be completed by the staff and juveniles who participated in the camp and a comprehensive report be submitted by the camp leader to the Superintendent within 7 days of the completion of the camp.


R. SALZMANN,
ASSISTANT DIRECTOR

STRIP AND BODY SEARCH POLICY

DRAFT NUMBER 1

JANUARY 1993

POLICY AND PROCEDURES FOR SEARCHING DETAINEES IN A JUVENILE JUSTICE CENTRE

LEGISLATIVE BASE

Children (Detention Centres) Act, 1987 Regulation 37 (3)(a): An Officer may have recourse to force for the following purposes or in the following circumstances: (a) to search, where necessary, a detainee or to take possession of a dangerous or harmful article.

Children (Detention Centres) Act, 1987, Regulation 26 (1): If, in the opinion of the Superintendent, the security, safety or good order of the Juvenile Justice Centre is likely to be adversely affected by the delivery to or the despatch from a detainee of any letter or parcel (other than a letter or parcel referred to in clause 27), that letter or parcel may be opened and inspected by the Superintendent or an officer authorised by him or her for that purpose.

Children (Detention Centres) Act, 1987, Regulation 14: A record shall be kept by the Superintendent, in a manner approved by the Director-General, of any property of a detainee-

- a) surrendered to, or taken and retained by, the Superintendent;*
- b) sent away by the Superintendent;*
- c) forfeited to the Crown;*
- d) disposed of by the Superintendent;*
- f) transferred by the Superintendent to the custody of the Superintendent of some other Juvenile Justice Centre;*
- g) allowed to be retained by the detainee; or*
- h) returned to the detainee on discharge.*

POLICY STATEMENT:

Searches are a necessary aspect of maintaining safety, security and good order of a Juvenile Justice Centre.

The necessity to conduct searches is not conducive to staff/detainee relationships and except in emergency situations, searches may only be conducted when directed by the Superintendent, Deputy Superintendent or Manager Juvenile Transport.

Superintendents are to direct staff to carry out a search on a detainee whenever they have evidence to believe that the detainee has in his/her possession any dangerous or harmful article.

Except in emergency situations all searches are to be conducted under the supervision of a Senior officer. They must be conducted by a staff member of the same sex.

Superintendents are to ensure that staff are given training in how to conduct searches.

Searches must never be used as an harassment.

The provisions for conducting searches relating to detainees are to be detailed in the "Detainees Handbook" or similar document in accordance with the Children (Detention Centre) Act, 1987 Regulations 5 (3).

The provisions for conducting searches relating to visitors of detainees are to be detailed in the information letter sent to parents when the detainee is admitted and published on a noticeboard or place readily visible to all visitors.

DEFINITIONS:

CONTRABAND: As defined in the Children (Detention Centres) Act, 1987, Regulations including any item not authorised by the Superintendent under regulations 10 and 11; or any item given to a detainee under Regulation 23 (1) or Schedule 1, Part 1, 9 and Part 2, 6.

EMERGENCY SITUATION: Where there is an imminent threat to the security, safety or good order of the Juvenile Justice Centre

SENIOR OFFICER: An officer who is at least one position above the position of the person conducting the search or a person placed in a supervisory position.

VISITOR: Any person who presents himself/herself at a Juvenile Justice Centre with the intention of entering that Juvenile Justice Centre

1. STRIP SEARCHES:

Strip searches must be conducted in the following circumstances:-

- 1.1 on admission to a Juvenile Justice Centre unless being transferred from another Juvenile Justice Unit and
- 1.2 where there is evidence to suspect that a detainee has contraband items in his/her possession that would not necessarily be detected through a body search.

Strip searches may be conducted in the following circumstances:-

- 1.3 when being placed in confinement
- 1.4 where a detainee has had contact with the community or other detainees in situations where it is possible for contraband to be obtained.

2. BODY SEARCHES:

Body searches may be conducted in the following circumstances:-

- 2.1 on admission to a Juvenile Justice Centre
- 2.2 on return from unsupervised leave
- 2.3 on return from situations outside and from within the Juvenile Justice Centre where contraband is accessible and likely to have been obtained by the detainee.
- 2.4 when being placed in confinement or segregation
- 2.5 where a detainee is suspected of having contraband items in their possession.

PROCEDURE FOR SEARCHING:

1.5 procedure for conducting strip searches

- a) approval must be sought to conduct strip search
- b) strip searches must be conducted in a private place in the presence of a senior officer.
- c) at no stage must the searching officer touch the detainee and for safety reasons, should remain beyond the reach of the detainee.
- d) all clothing is to be removed for searching
- e) the detainee is to be asked to raise his/her arms so that it is possible to check the entire body including arm pits, hands, between the toes, soles of the feet and inner portions of the legs.

- f) All articles of clothing should be searched including collars, cuffs, lapels, seams, lining and potential hiding places. Shoes should be thoroughly examined for split soles, false linings and removable inner soles or heels. These are to be searched in the presence of the detainee.

2.6 procedure for conducting body searches

- a) unless part of a standard, documented routine or unless in an emergency, approval must be sought to conduct a body search.
- b) a senior officer must be present.
- c) the detainee is to remove all articles from their pockets and remove their shoes, socks, jacket, cardigan and coat. The detainee is to turn pocket lining outward. These articles are to be searched in the presence of the detainee.
- d) starting at the back of the collar, staff are to ensure that nothing is inside or under the collar. With one hand on the right shoulder and one hand under the arm pit they are to slide their hands down the entire length of arms to the shirt sleeve (repeat for other arm).
- e) checks are to be made under the arms, behind the neck, covering the shoulders and down the back and sides to the belt line. The belt line and all pockets and chest area are to be searched.
- f) the search must include the back, to the waist line, down the back and sides of the legs to the hemline, and the trouser turnups if applicable.

DRAFT POLICY DOCUMENT:

COMMUNITY AND STAFF USE OF
OFFICE OF JUVENILE JUSTICE RESOURCES

INTRODUCTION

Some community organisations have requested access to and use of the resources of the Office of Juvenile Justice and other community organisations have been granted permission to access and use the resources of the Office of Juvenile Justice; for example, use of swimming pools and tennis courts at Juvenile Justice Centres, vehicles and, in particular, mini-buses, trailers, trolleys, ladders and camping gear as well as office space to hold meetings.

Some staff have also requested access to and use of resources such as camping gear, trailers, computers, photocopiers etc.

At the present time Superintendents and Managers exercise their discretion when making decisions in response to such requests.

As a result of certain incidents in Juvenile Justice Centres the Ombudsman has investigated the use of departmental resources for private purposes by staff.

The Code of Conduct for the Office of Juvenile Justice states:

Use of Public Resources

If I (an employee) wish to use Office resources for private purposes, I will seek the approval of my supervisor or person in charge of the resource and ensure that my personal work is done in my own time and does not limit the access of colleagues in doing their own work.

Community Use of Office of Juvenile Justice Resources

I recognise that the land, buildings, facilities etc of the Office of Juvenile Justice and in particular Juvenile Justice Centres and Juvenile Justice Community Services are, in fact, property owned by the Crown and that before a community can access and use these resources, the prior approval of the relevant officer (eg. Superintendent, Area Manager) is required.

The approval process will be assisted by guidelines on community access to and use of the resources of the Office of Juvenile Justice.

This policy document provides the framework and guidelines to assist Superintendents and Managers when considering requests for access to and use of the resources of the Office of Juvenile Justice.

PRINCIPLES

The following principles provide the framework for this policy document:

- . the material resources of the Office of Juvenile Justice (eg. land, buildings, vehicles, equipment, natural resources etc) are property owned by the Crown;
- . the material resources of the Office of Juvenile Justice are to be used to achieve its Corporate Mission and Goals;
- . the public has the right to expect the Office of Juvenile Justice to manage its resources in an efficient, effective and equitable manner; and
- . the public has the right to expect an efficient and equitable decision-making process in the Office of Juvenile Justice.

OBJECTIVE AND AIMS

The objective of the policy document is the establishment of clear guidelines on community and staff access to and use of the resources of the Office of Juvenile Justice.

The guidelines aim to:

- . assist Superintendents and Managers in their consideration of requests for access to and use of the resources of the Office of Juvenile Justice;
- . assist positive contact between Juvenile Justice Centres and the community through community access to the resources of Centres; and
- . enable appropriate use of Office of Juvenile Justice resources by staff of the Office of Juvenile Justice.

GUIDELINES

1. COMMUNITY

Organisations wishing to access the resources of the Office of Juvenile Justice must:

- . be a recognised and incorporated community organisation;
- . provide a written request detailing:
 - the resource to be used;

- the purpose of usage;
 - the benefit to the community;
 - the people to be involved in resource usage;
 - the responsible personnel; and
 - the time of collection and return (where appropriate).
- . pay for petrol costs, where a vehicle is used;
 - . return resources in the same condition as they were received; and
 - . provide written reasons detailing the nature and cause of damage, where damage occurred.

The Office of Juvenile Justice is to provide organisations with a contract form specifying the conditions of use.

The resources of the Office of Juvenile Justice are not to be used for commercial or profit-making purposes, nor on a regular basis by the same organisation (except in appropriate circumstances eg. sporting club utilising an oval for training and/or games). The resources are not to be used by an individual member of the community for private purposes. Furthermore, the use of a resource of the Office of Juvenile Justice by a community organisation must not interfere with the effective and efficient functioning of a Centre or office.

Natural resources on land owned by the Office of Juvenile Justice, including sand, soil, rocks, gravel are not to be removed by community organisations or individuals without the written approval of the Deputy Director, Office of Juvenile Justice, after consultation with the appropriate government agencies.

The approval for community access to and use of the resources of the Office of Juvenile Justice is the responsibility of Superintendents and Managers, in consultation with the Deputy Director, where appropriate.

2. STAFF

Staff wishing access to and use of the resources of the Office of Juvenile Justice for private purposes must:

- . provide a written request detailing:
 - the resource to be used;
 - the purpose of usage;
 - the duration of usage; and
 - the time of receipt and return (where appropriate).
- . return resources in the same condition as they were received;
- . provide written reasons detailing the nature and cause of damage, where damage occurred;

- not use Office of Juvenile Justice resources for commercial or profit-making purposes, nor on a regular basis; and
- only use Office of Juvenile Justice resources when that usage does not interfere with the effective and efficient functioning of the workplace.

Staff of the Office of Juvenile Justice are not to use Office of Juvenile Justice vehicles for private purposes, except where a vehicle is provided as part of their remuneration package.

The approval for staff access to and use of the resources of the Office of Juvenile Justice is the responsibility of Superintendents and Managers, in consultation with the Deputy Director, where appropriate.

3. PUBLIC LIABILITY

Superintendents and Managers need to be aware of public liability issues and ensure that their decisions do not expose the Office of Juvenile Justice to possible legal action relating to negligence.

GUARANTEE OF SERVICE.

Purpose of this paper

Inform senior officers of the guarantee of service requirements placed on the Office of Juvenile Justice.

Outline the action taken to date by Head Office.

Seek senior officer input into the best means to meet specific requirements on customer feedback mechanisms.

Introduction

In March 1992 Nick Greiner made a vision statement which has since been endorsed by John Fahey. The vision statement outlined the following customer service principles:

- The public should be offered a choice in government services.
- Services should be delivered in a way convenient to the customer, not to the Government.
- Good service means giving the people adequate information about public services and listening to people's needs.

The statement detailed a number of requirements. The following impact on OJJ:

1. Service Planning Teams

All agencies to establish service planning teams.

Our service planning team comprises Rudolf Salzmann, Deputy Director; Carl Loughman, Assistant Director, Community; Elaine Lamond, Manager, Human Resources and Kerrie Bagnall, Executive Officer.

2. Procedures for Staff Dealing with the Public

Staff dealing with the public to wear a name tag. Government employees to provide their names clearly in telephone communications and give a contact name in correspondence.

Requirements for staff dealing with the public have been outlined and a staff circular was issued on 18 September detailing public contact procedures which commenced on Monday, 21 September.

Name tags are to be produced by Minda for all permanent employees. As a minimum the name tags will show the persons christian name and position with the Office. A decision needs to be made at a local level as to whether the surname will be included on the tag. Lists of employees names and positions should be provided to Minda.

A different tag is to be produced for casual staff and, in the future, new staff who are awaiting a permanent tag from Minda. These tags can be produced locally and supplies will be distributed at the meeting on 18 December.

3. Customer Service Mechanisms

Any customer service mechanisms introduced must satisfy the following basic criteria:

- Complaints are adequately handled.
- Suggestions and complaints feed into a mechanism that allows them to have an impact on future service planning and delivery. (It has been suggested by the Office of Public Management that customer councils established at Head Office or local level would be one way of doing this).

The first step in meeting these criteria is to identify our clients.

For the purpose of this exercise the service planning team has suggested that the definition of clients should be juveniles and their families and community groups which access juvenile justice centre facilities or community service labour.

The second step is to identify existing mechanisms and whether they meet the criteria as is or should be adapted.

Complaints about juvenile justice centre and community based services can be made to the manager of the area, the executive of the Office, the local member of Parliament, the Minister or the Ombudsman.

In addition juvenile justice centres have the Official Visitor Scheme. Official Visitors now visit juvenile justice centres once a fortnight. The official visitor scheme goes some way to meeting the customer service criteria. The visitors report both to senior management and the Minister and accordingly have an impact on policy. They visit the centres regularly and can follow up on recommendations made. They meet twice monthly and have an annual conference where more generic items can be considered.

It has been suggested that another committee of representatives of community groups who use centre facilities could be formed for each centre.

The service planning team has not been able to identify any additional mechanisms that are operating for juvenile justice community services.

Some Thought Starters.

Do you consider that to define clients as juveniles, their families and community groups is too narrow?

Which of our clients could contribute to our effective service planning and delivery.

What would be the best way to ensure their representation in the service planning process?

What consultative arrangements exist in your area now?

Should we capitalise on existing mechanisms for feedback?

If so, how would they fit into an overall scheme?

If not, what other mechanisms could we use?

If we don't have customer councils how do we ensure that the information received as complaints and suggestions is fed into the planning process?

How often should customer councils or other review bodies meet?

Refer to Annexure A to see what some other departments with similar client groups are doing.

It would be appreciated if you can submit your comments and ideas to Kerrie Bagnall by 11 February 93.

Service Planning Team
December 92

1 Department of Community Services

The Department of Community Services have just finished a community consultation process on a complaint mechanism. The mechanism does not include a customer council.

Mechanisms which include customer councils are being considered for programmes such as the Aging and Disability programme. Further details have been requested from DOCS and will be forwarded to you in early January.

2 Department of Corrective Services

Corrective Services have identified the general public as their major clients. They have consultative committees for each of the goals which comprise of members of the local community.

They also have an Official Visitor's Scheme which is their customer service mechanism for the prisoners.

The next step in the Customer Service project is to produce a "guarantee of service" for clients. It could be anticipated that Corrective Services may have some problems writing such a document for the general public.

THE WAY AHEAD FOR THE OFFICE OF JUVENILE JUSTICE

Since the Office of Juvenile Justice was established in November, 1991 as a separate department juvenile justice has been given the proper emphasis and resources that it deserves.

In order to provide the appropriate professional services to juvenile offenders, it has been necessary to assess our resources, the skills that staff possess, the role given to the Office and the structure which was determined by the Office of Public Management.

1992 has therefore been a year concentrating upon establishing, reviewing and re-developing the structures for the department in order to establish the Office of Juvenile Justice in its own right and in a way that ensures efficient service delivery.

We have attempted to achieve this through the following major strategies:

- devolving financial and management accountability to managers in accordance with Government policy;
- providing staff with training opportunities in order to improve the skills people possess and the contribution they can make to the organisation;
- conducting job evaluation across the department in order to achieve equity throughout the service and enable positions to be graded appropriately in accordance with the skill requirements;
- trialing a different management structure at three Juvenile Justice Centres;
- commencing the review of the Juvenile Justice Community Services staff structure;
- establishing the infrastructure of the department including human resources, property, salary and financial systems.

These events have meant that staff have often been working in a changing environment and without all the structures necessary which could assist them.

Despite these difficulties a great deal of effort has been made by staff to come to terms with these changes as well as additional effort has been made by everyone in the Juvenile Justice Centres and the Community towards improving service provision through new initiatives and better management.

I would like to commend all the staff for their endurance in this very busy year in which everyone has been asked to adopt so many different challenges. Without the contribution of everyone here today, and all the staff, the Office could not have achieved so much in so little time.

This has only been possible through the dedication and commitment of the staff of the Office which I sincerely appreciate.

THE WAY AHEAD

1992 was a year in which we have had three Ministers. The Hon Terry Griffiths provided great direction for the Office of Juvenile Justice and inspired everyone with his motto "a second chance for kids". Since his departure there has been a period of settling in, first with Minister Pickering and now with Minister Merton and these changes may impact upon the year ahead.

The Green Paper on the Future Directions for Juvenile Justice which everyone has heard so much about, may go to Cabinet in February 1993. Once the document has been debated publicly a White Paper should be issued which will provide the blue print for change, not only for the Office of Juvenile Justice but across Government. This is therefore one significant way in which the Office may be implementing changes in the future.

Putting that to one side the major task for 1993 is to concentrate on identifying how to further improve upon the provision of services. This is in order to achieve our vision of integrating juvenile offenders as positive members of the community as a result of professional service delivery.

A number of important areas have already been identified for the Office to address in 1993. These provide the way ahead and our future direction for the next 12 months:

- negotiating, finalising and implementing the new organisational structure for the Office;
- achieving integrated service delivery throughout the Office of Juvenile Justice;
- implementing case management throughout Juvenile Justice Centres and integrated case management between Centres and Juvenile Justice Community Services;
- providing community supervision which offers positive support, is effective for juveniles to complete their orders and promotes confidence amongst the judiciary in giving community based orders;

- developing credible alternatives to detention and increasing the credibility of existing options with a view to ensuring that detention is used as a last resort;
- focussing in JJC's and the JJCS upon programs that address offending behaviour, the causes of the behaviour and developing skills for community integration;
- providing planned post release support through case management;
- reviewing the Detention Centres Act and Regulations;
- reviewing the manuals for staff to follow in the JJC's and the JJCS which will provide the policies and procedures which will ensure a co ordinated and consistent service delivery to the community;
- focussing upon the evaluation of services - which also highlights the need for data collection and research;
- also, 1993 is the year of Indigenous People and this means the Office should be focussing on positive activities for juvenile offenders from indigenous backgrounds.

1993 promises to be another exciting year which I hope staff will look forward to. There is always going to be the need to adapt and modify the way we manage in order to respond to our changing clientele. I think this presents us with particular challenges that some other Government departments do not have to cope with. It also means that there are always opportunities for new ideas and initiatives which I want to encourage and harness as our future lies in being innovative and flexible.

This is only possible through the staff working together to achieve the objectives of the Department and this has certainly been demonstrated this year. I would like to thank everyone for their commitment and dedication which has been shown during 1992.

I hope everyone has a happy and restful Christmas and will work together to achieve the goals set for 1993.

MOUNT PENANG
JUVENILE JUSTICE CENTRE

POLICY AND PROCEDURES

FOR SEARCHING

J. Byers
1993

POLICY AND PROCEDURES FOR SEARCHING JUVENILES IN MOUNT PENANG JUVENILE JUSTICE CENTRE

LEGISLATIVE BASE:

Children (Detention Centres) Act, 1987, Regulation 37 (3)(a): An Officer may have recourse to force for the following purposes or in the following circumstances: (a) to search, where necessary, a detainee or to take possession of a dangerous or harmful article.

Children (Detention Centres) Act, 1987, Regulation 26 (1): If, in the opinion of the Superintendent, the security, safety or good order of the detention centre is likely to be adversely affected by the delivery to or the despatch from a detainee of any letter or parcel (other than a letter or parcel referred to in clause 27), that letter or parcel may be opened and inspected by the Superintendent or an officer authorised by him or her for that purpose.

Children (Detention Centres) Act, 1987, Regulation 14: A record shall be kept by the Superintendent, in a manner approved by the Director-General, of any property of a detainee-

- (a) surrendered to, or taken and retained by, the Superintendent;
- (b) sent away by the Superintendent;
- (c) forfeited to the Crown;
- (d) disposed of by the Superintendent;
- (e) destroyed by the Superintendent;
- (f) transferred by the Superintendent to the custody of the Superintendent of some other detention centre;
- (g) allowed to be retained by the detainee; or
- (h) returned to the detainee on discharge.

GENERAL

Searches are a necessary aspect of maintaining safety, security and good order of a Juvenile Justice Centre. The necessity to conduct searches is not conducive to staff/juvenile relationships and except in emergency situations, searches may only be conducted when directed by the Superintendent or Deputy Superintendent.

Staff may be directed to carry out a search on a juvenile whenever there is evidence that a juvenile has in his possession a dangerous or harmful article. The Superintendent or Deputy Superintendent may direct that an entire unit be searched.

This may also include a juveniles locker and personal effects. Except in emergency situations, all searches are to be conducted under the supervision of a senior officer. They must be conducted with due regard to privacy and decency.

All searches of persons are to be conducted by a staff member of the same sex. Searches must never be used as a harassment. All searches should be conducted with a minimum of fuss.

Officers conducting the search should do so with due regard to juveniles personal property and should, where possible, take care not to destroy or damage items belonging either to the juvenile or the Department. The purpose in having searches is not to harass or agitate the juvenile, rather they are done with the purpose of discovery and eliminating items and contraband and considered detrimental to the general safety and well being of juveniles and staff in general.

Random Body/Strip searches MAY be done in the following circumstances:

- (a) on return from leave to attend work release
- (b) on return from participation in any community sporting activity
- (c) after participating in day or overnight leave
- (d) after having had a visit from family or approved visitors
- (e) after a juvenile has had any unsupervised contact with the community
- (f) following a court appearance
- (g) following a transfer from another Juvenile Justice Centre
- (h) when being placed in confinement or segregation
- (i) where a juvenile is suspected of having contraband items in their possession.

On each occasion a juvenile is searched, it must be noted in the appropriate log book. Any contraband found must be labelled and stored in a secure place and the Superintendent notified. Approval must be sought from the Superintendent before Police are involved. Contraband not confiscated by the police should be dealt with according to the Policy and Procedure for juvenile's property.

UNIT STAFF

1. All juveniles should be checked to ensure that nothing is brought into the unit that is considered detrimental to the safety, security and good order of the unit.
2. All items brought into the unit by a juvenile after having had any day or overnight leave or escorted absence should be thoroughly checked on each occasion.
3. That at least three juveniles be selected each evening to have their locker, bed area and all personal effects searched for contraband. Selection on a random basis and recorded appropriately.
4. All incoming mail or parcels should be thoroughly checked in the presence of the juvenile.
5. Under the Children (Detention Centres) Act, 1987, Regulation 26 (1) the Superintendent may authorise that a parcel or letter may be opened and inspected.

DEFINITIONS:

CONTRABAND:

As defined in the Children (Detention Centres) Act, 1987, Regulations including any item not authorised by the Superintendent under Regulations 10 and 11; or any item given to a juvenile under Regulation 23 (1) or Schedule 1, Part 1, 9 and Part 2, 6.

EMERGENCY SITUATION:

Where there is an imminent threat to the security, safety or good order of the Detention Centre.

SENIOR OFFICER:

An officer who is at least one position above the position of the person conducting the search or a person placed in a supervisory position.

VISITOR:

Any person who presents himself/herself at a Detention Centre with the intention of entering that Detention Centre.

PROCEDURE FOR SEARCHING:

PROCEDURE FOR CONDUCTING STRIP SEARCHES

- a) approval must be sought from Deputy Superintendent to conduct strip search
- b) strip searches must be conducted in a private place in the presence of a senior officer
- c) at no stage must the searching officer touch the juvenile and for safety reasons should remain beyond the reach of the juvenile
- d) all clothing and footwear is to be removed for searching
- e) the juvenile is to be asked to raise his/her arms so that it is possible to check the entire body including arm pits, hands, between the toes, soles of the feet and inner portions of the legs.
- f) all articles of clothing should be searched including collars, cuffs, lapels, seams, lining and potential hiding places. Shoes should be thoroughly examined for split soles, false linings and removable inner soles or heels. These are to be searched in the presence of the juvenile.

PROCEDURE FOR CONDUCTING BODY SEARCHES

- a) unless part of a standard, documented routine or unless in an emergency, approval must be sought to conduct a body search
- b) a senior officer must be present
- c) the juvenile is to remove all articles from their pockets and remove their shoes, socks, jacket, cardigan and coat. The juvenile is to turn pocket lining outward. These articles are to be searched in the presence of the juvenile
- d) starting at the back of the collar, staff are to ensure that nothing is inside or under the collar. With one hand on either side of the right shoulder and under the arm pit they are to move hand down entire length of arms to the shirt sleeve (repeat for the other arm).
- e) checks are to be made under the arms, behind the neck, covering the shoulders and down the back and sides to the belt line. The belt line all pockets and chest area are to be searched.
- f) the search must include the back leg to the waist line, down the back and sides of the legs to the hemline, and the trouser turnups if applicable.

PROCEDURE FOR CONDUCTING SEARCHES OF CLOTHING, LOCKERS AND ROOMS

- a) unless part of a standard, documented routine approval must be sought to conduct a search
- b) a senior officer must be present
- c) except in an emergency situation the owner must be present throughout the search
- d) for safety reasons bare hands should not be used to probe seams or any bulky areas. Seams, linings of pockets or bulky areas should be searched by placing them on a stable base and running a pen or ruler.
- e) when searching footwear, staff should not place their hands inside the footwear, they should use a pen to lift innersoles, then knock the shoes together firmly to dislodge any articles that could be concealed inside.
- f) record of search to be made.

PROCEDURE FOR SEARCHING VISITORS POSSESSIONS

- a) unless part of a standard, documented routine or an emergency, approval must be sought to conduct a search
- b) a senior officer must be present
- c) request approval from visitor to search bags etc.
- d) if the request is granted the possessions should be checked as per "Procedure for conducting searches of clothing, lockers and rooms" (c), (d) and (e)
- e) if the possessions contain contraband or any item that is likely to adversely affect the security, safety or good order of the Detention Centre, they should be labelled with the owner's name, secured and returned to the owner at the completion of the visit or dealt with under section 37B of the Children (Detention Centres) Act, 1987 or Regulation 23 (1).
- f) record of search to be made.

PROCEDURE FOR SEARCHING LETTERS AND PARCELS

- a) all letters and parcels are to be opened by the juvenile in the presence of a staff member
- b) all items are to be recorded and dealt with in accordance with the Children (Detention Centres) Act, 1987, Regulation 14.

- c) if letters or parcels are opened under Regulation 26 (1) of the Children (Detention Centres) Act, 1987, it is not necessary for the juvenile to be present
- d) items taken in possession under Regulation 26 are to be dealt with in accordance with Regulation 14.
- e) where letters or parcels have been opened and inspected under Regulation 26, the juvenile is to be advised of that fact.

MT PENANG RECORD OF SEARCHES

W/ENDING:

NAME	DATE	SEARCH CONDUCTED e.g. Strip/Body/Locker	LOCATION OF SEARCH	CONDUCTED BY	IN PRESENCE OF	AUTHORISED BY

SPEECH NOTES

ETHNIC AFFAIRS POLICY STATEMENT (EAPS) PROGRAM

The *Ethnic Affairs Policy Statement (EAPS) Program* was introduced in NSW in 1983. Its primary function is to promote equity and social justice for people of non-English speaking background living in NSW. The specific **objectives** of the Program are:

- (i) To ensure that all ethnic groups in the community are aware of the services available to them.
- (ii) To promote equal access to services for ethnic and racial minorities by positive action to identify and eliminate barriers on racial or ethnic grounds.
- (iii) To promote services which are culturally sensitive and appropriate to potential clientele in a multicultural society.

Since its introduction, the Program has received bipartisan political support. It has been endorsed by successive Governments as the key management tool for reforming NSW public sector policies and activities to meet the needs of a population which is ethnically, linguistically and religiously diverse.

The Program attempts to integrate ethnic affairs issues into all aspects of the organisation's activities, including its draft legislation, corporate planning and priority setting processes, program planning, budgetary mechanisms, policy development, service delivery, review and evaluation mechanisms, etc.

For this to happen, there has to be:

- Top-down commitment.
- Organisation-wide commitment which must involve all the major functional and regional components of the instrumentality.
- Clearly identified lines of devolved responsibility for individual EAPS strategies.
- An exploration of critical issues. These issues include:
 1. *What demographic features of the client group should influence the services and activities of the instrumentality?*

The key to this is the collection and management of ethnicity related data. This data serves a number of purposes for the instrumentality. The data can be used to:

- Find out whether people of non-English speaking background are using the services provided.
- Find out which ethnic communities or language groups are using the services.

- Determine whether it needs to identify positions in specific sections of the organisation.
- Determine the languages spoken by its clients. This is useful in determining the languages into which information pamphlets should be translated.
- Identify which ethnic or language groups are not using the services. This information can be used to develop strategies to try and attract these groups.

2. *How can the instrumentality be sure that its key messages are being received and understood by all its potential clients?*

The strategies here include:

- Using plain English.
- Publicity. In planning a publicity campaign which is targeted at the entire community, it is essential to consider the media which are appropriate to ethnic communities, both print and electronic, e.g. ethnic radio, SBS television, newspapers in community languages.
- Community education.
- Developing and effectively distributing multilingual information.
- Utilising the networks and structures within the ethnic communities, e.g. interagencies, Migrant Resource Centres, community leaders, etc.
- Using professional, qualified interpreters.
- Using the language resources of the staff.
- Creating identified positions.

3. *How can the instrumentality be sure that staff are equipped to deal with a client group which has diverse needs, backgrounds and cultural perspectives?*

This involves:

- Identifying positions so that suitably qualified and experienced staff are recruited.
- Staff training. All staff require training in EAPS related issues. Obviously the content of the training courses would vary depending on the roles and responsibilities of the staff. For example, counter staff would require training in practical issues, including how to access and effectively utilise a qualified interpreter. Managers would require training on how to

integrate EAPS objectives into planning and review mechanisms, etc.

4. *How can the instrumentality be sure that its services gives people what they need, where and when they need it?*

The key to this is to consult and conduct research. If the instrumentality wants to know how well it's doing its job, it has to include ethnic communities in its consultation mechanisms and its market research. To exclude these communities would exclude at least 15% of the sample; and in some parts of Sydney, it would mean excluding 50% of the sample. The results from the research or consultations would not represent the population.

5. *How can the instrumentality respond to the demographic changes and draw ethnic affairs issues into its corporate activities?*

This involves stitching ethnic affairs issues into all the department's activities, including its planning, budgeting, reporting and evaluation mechanisms.

For these issues to be effectively explored and dealt with, it is clear that all sections of the instrumentality should be committed to the EAPS objectives and involved, including information management, policy, planning and research, human resources, financial management, public relations.

At present, there are more than 80 NSW Government instrumentalities in the Program.

The Program has had some success; for example:

- multilingual information and community education programs/booklets have been produced on various issues.
- staff positions have been identified in various service delivery areas.
- some recent pieces of legislation have been formulated/amended to reflect a multicultural society.
- multicultural principles have been incorporated into some policies and programs; and,
- professional interpreters are used.

However, the development and implementation of EAPS strategies has been uneven across the NSW public sector.

It needs to be stressed that the EAPS Program is **not a monitoring** one, it is a **reform** program. And the EAC is not a watch-dog, it is a **catalyst** for the reforms; it tries to achieve structural and policy changes.

The EAC is currently developing proposals designed to refine and strengthen the mechanisms for ensuring that NSW Government instrumentalities meet their obligations

to people of non-English speaking background. A key proposal is the development of a *Charter of Principles for a Culturally Diverse Society*. The *Charter* provides a clear policy framework which articulates the commitment of the NSW Government to people of non-English speaking background and ethnic affairs issues. The *Charter* also provides the NSW public sector with a framework for implementing the necessary structural and policy reforms so that the sector can respond to the changing needs of a community which is culturally diverse.

The EAC is developing another two documents to support the *Charter*: one document is designed for public sector managers. This document informs public sector managers of their role in realising the commitment and policy of the NSW Government to ethnic affairs issues. The second document supporting the *Charter* is a manual which outlines how to develop, monitor and implement the Principles in individual Government instrumentalities.

As senior managers, it will be your responsibility to ensure that ethnic affairs issues are not marginalised, but rather that they become integral to all of the day to day operations and activities of the Office.

Policy

OFFICE OF JUVENILE JUSTICE

MEMORANDUM

TO: Unit Managers
Juvenile Justice Centres
Juvenile Justice Community Centres

FROM: Jenni Byers
Legal and Executive Support

DATE: 27 January 1993

SUBJECT: ESCAPEES TO SERVE "STREET TIME"

Your attention is drawn to section 447A of the Crimes Act "Punishment on Escape" which makes provision for a Magistrate to ensure that 'street time' is served.

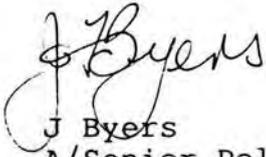
It states:

"Whosoever escapes from lawful custody while undergoing a sentence involving deprivation of liberty, shall be liable upon recapture to undergo the punishment which he was undergoing at the time of his escape, for a term equal to that during which he was absent from prison after the escape and before the expiration of the term of the original sentence, whether at the time of his recapture the term of that sentence has or has not expired, in addition to any punishment which may be awarded for the escape."

Section 447A operates quite independently of any charge of escape that may be laid against a juvenile eg. under section 33. It does not pre-suppose that such a charge is laid. It has the effect that when recaptured, the sentence for escape, together with the period of absence as an escapee, is still to be served. When the juvenile is recaptured and detained section 447A itself provides the warrant for him to be held in custody for a period equal to that during which he has been at large.

*Copies to all
Admin please, attach
to H.O. policy
file
29/1/93*

Managers may wish to highlight this provision through background reports following an escape.

A handwritten signature in cursive script that reads "J Byers".

J Byers
A/Senior Policy Officer

MOUNT PENANG JUVENILE JUSTICE CENTRE

REWARDS CONTROL SYSTEM

REWARDS AND PRIVILEGES AFFORDED WITHIN EACH SECTION

SECTION 1.

1. Access to all community sport inside and outside Centre.
2. Leave approved after six weeks at this Centre.
3. Leader of small groups.
4. Three (3) telephone calls per week (2 provided, 1 earned via behaviour).
5. Bed area around internal perimeter of dormitory or at discretion of Senior Youth Worker or Unit Administrative Staff.
6. Access to all vocational areas and areas of minimal supervision.
7. Access to school after interview with School Principal.
8. To participate in late nights.
9. To be placed in strategic positions, front and rear of lines in movements.
10. Special outings.
11. Visits to take place in allocated areas.

SECTION 2.

1. Access to sport leisure outside unit after 6.00pm.
2. Access to vocational areas.
3. Access to school after interview with School Principal.
4. Access to sport and leisure off the Centre.
5. Two (2) telephone calls per week.
6. Not involved in late nights.

REWARDS CONTROL SYSTEM

Rewards and Privileges afforded within each Section.

7. Movements outside front and rear of lines.
8. Visit in allocated areas.
9. No leave.
10. Consideration to group leader (small groups).
11. Bed area around internal perimeter of dormitory or at discretion of Senior Youth Worker or Unit Administration Staff.

SECTION 3.

1. Access to sport leisure outside Unit after 6.00pm.
2. Access to vocational areas.
3. Access to school after interview with School Principal.
4. Two (2) telephone calls per week.
5. Not involved in late nights.
6. Movements outside lines.
7. Visit in allocated areas.
8. No leave.
9. Bed area against wall.

SECTION 4.

1. Access to vocational areas.
2. Access to school after interview with School Principal.
3. No access to sport and outings off the Centre.
4. Two (2) telephone calls per week.
5. Bed area close to observation office against wall.

REWARDS CONTROL SYSTEM

Rewards and Privileges afforded within each Section.

6. Not involved in late nights.
7. On movements placed centre front of line.
8. Visits take place in allocation areas.
9. No leave.

SECTION 5.

1. No access to sport and leisure after 6.00pm outside Unit.
2. No outings off Centre.
3. Allowed two (2) telephone calls per week.
4. Placed in centre isle-access to locker for personal gear.
5. Not to be involved in Late Nights.
6. No access to vocational areas - work party only.
7. Apply for school interview.
8. On movements to be placed in centre line.
9. No leave.
10. Visits in supervised areas.
11. Full access to activities within dormitory.

SECTION 6.

1. Restricted all sport leisure outside Company unless all Company is participating.
2. No access to vocational areas only work parties.
3. Maintain normal access to Company activities inside the dormitory.
4. To service Unit cleanliness when required (ablutions, etc.).

REWARDS CONTROL SYSTEM

Rewards and Privileges afforded within each Section.

5. Two (2) telephone calls per week.
6. No outings off the Centre.
7. No leave.
8. Placed in centre isle - access to locker for personal gear.
9. Not to be involved in late nights.
10. On movements to be situated in centre lines.
11. To participate in Unit work projects.
12. Not to attend school.
13. Visits in supervised areas.



S.W. WILSON
A/Superintendent
Mount Penang Juvenile Justice Centre

11th February 1992
File:rewardsyst.pol

- Copies:
1. Memo to staff file
 2. All staff
 3. Notice Board each Unit
 4. Operations Centre
 5. Team Leaders

I N D E X

POLICY

Control and Management of

- 1) Complaints and Requests received from Residents and
- 2) Complaints of Misbehaviour by Residents in Juvenile Justice Centres No. 1/92

Procedure for the Reporting and Management of Complaints of Misbehaviour by Residents No. 2/92

Principal Youthworker Routines No. 3/92

Penang Industries No. 4/92

Visiting Procedures No. 5/92

Higher Duties No. 6/92

Warrants No. 7/92

Leave No. 8/92

Mission Statement No. 9/92

OFFICE OF JUVENILE JUSTICE

MOUNT PENANG JUVENILE JUSTICE CENTRE

M I S S I O N S T A T E M E N T

To provide for juvenile offenders placed in the custody of Juvenile Justice humane environments; offering opportunities for the acquisition of educational and vocational skills aimed at assisting successful community re-integration.

Mount Penang Juvenile Justice Centre is an Office of Juvenile Justice Unit situated on the Pacific Highway, Kariong. It provides accommodation for up to 150 male Juveniles up to 18 years of age and in special circumstances, young offenders to 21 years of age.

It offers service to children and their families who are:

1. Awaiting the outcome of an Appeal.
2. Undertaking a period of training following the issuing of a Control Order by the Children's Court.
3. Awaiting trial.
4. Admitted on Warrants for short committals in lieu of paying fines.

Mount Penang's aim is to provide a warm, caring secure atmosphere, wherein young people are given the opportunity to learn ways of coping more adequately in their community by:

- a) Fostering personal growth.
- b) Encouraging positive family relationships.
- c) Seeking to change anti-social behaviour.
- d) Developing living, educational, work and leisure skills.
- e) Assessing individual needs and setting realistic goals in terms of developing self-worth and individual skills for independent living.
- f) To develop a sense of self and community responsibility.

Further, Mount Penang endeavours to:

1. Ensure that the standard of care offered each individual reflects belief in the worth and dignity of each child/young person.
2. Acknowledge that each child/young person has the right to be respected as an individual and therefore, shall receive the best possible care.
3. Acknowledge that all children/young people have a need for love, acceptance, protection, security and esteem and opportunities for play, learning, guidance, discipline, counsel and control, and for relationships with significant adults they can trust and emulate.

1. In the time available to provide juvenile offenders with:
 - 1.1 opportunities for the development of supportive interpersonal relationships and open communication with staff;
 - 1.2 constructive, relevant programmes implemented by a staff team trained to achieve the Unit's clearly stated objectives;
 - 1.3 constraints lowering the opportunities for absconding.

2. After adequate assessment of needs, and in an attempt to minimise the negative effects of institutionalisation to provide:
 - 2.1 programmes assisting juvenile offenders to understand their self-worth and their capacity to make positive life decisions;
 - 2.2 programmes aimed at developing juvenile offenders' practical, living and employment skills;
 - 2.3 in liaison and co-operation with educational personnel, opportunities for the remediation of any educational deficits in the basic skills of resident juvenile offenders;
 - 2.4 programmes offering constructive recreational and leisure activities for the resident young offenders;
 - 2.5 programmes to increase understanding of the legal system and to ensure that juvenile offenders have access to resources enabling them to exercise their rights, clarify and resolve any legal difficulties and receive any necessary advocacy;
 - 2.6 opportunities, in liaison with professional personnel, for the scrutiny and possible resolution of young offenders' personal problems;
 - 2.7 opportunities for juvenile offenders with particular problems to participate in specialised programmes or activities enabling their adjustment to community living.

3. Where appropriate, to divert juvenile offenders from residential services at the earliest opportunity.

Our objectives are:

4. To ensure that we appropriately receive, care for and assess children and young people with a view to encouraging their growth and development whilst co-ordinating a plan for their early return to their communities.
5. When receiving a new resident, we should do so sensitively, to minimise problems for the child or young person associated with separation from families, significant people and familiar surroundings.
6. Care includes a temporary parenting role in providing acceptance, protection, security, control, guidance, discipline and counselling. Our objective is to provide a quality of care, which will be reflected in the relationships fostered between staff and young people.
7. In assuming a share in an on-going parenting process, our objective is to foster each child's or young person's emotional, intellectual, spiritual, social and physical growth, seeking, where possible, to remediate unsatisfactory past growth experiences.
8. To provide opportunities for the development of awareness, understanding and acceptance of cultural differences.
9. To provide opportunities aimed at developing or re-establishing family relationships when practicable.
10. To provide definite procedures for the assessment of young people's needs through social, living and recreational skills assessment, relevant to the understanding of each individual's personality and needs.
11. To provide opportunities for the development and training of staff through positive support and assessment, regular staff meetings and training programmes within a team's environment.

12. In order to achieve these objectives, to provide staff with ongoing appraisal, development and support procedures.

25th May 1992
File: mission

No. 8/92

MOUNT PENANG JUVENILE JUSTICE CENTRE

POLICY FOR LEAVE

MOUNT PENANG JUVENILE JUSTICE CENTRE

Guidelines for the Approval Under Supervision

of Day or Night Leave

Overnight Leave

- (1) Unit staff must ensure before supporting any request for leave from the Unit that the young person concerned has qualified and is eligible for leave.
- (2)
 - (a) Unit Staff must ensure that the conditions and policy relating to the granting of leave are met.
 - (b) That Young Offenders Support Services have been contacted and a report received on the probability that leave if granted is likely to be successful.
 - (c) That the family of the young person has been contacted and interviewed concerning their attitude to having the young person on leave.
 - (d) That the person who will be supervising the young person is aware of the conditions which apply for picking up and returning the child to Mount Penang, and also aware of the Laws and Regulations which apply to visiting or bringing contraband into a Juvenile Justice Centre.
- (3) Unit Staff must ensure that each young person is well informed in regard to the Rules and Regulations that apply to leave of any kind and that they are coached in the procedure to be followed should things go wrong.
- (4) Unit Staff must ensure that each young person is aware of the Critical Dates which apply in their case and the correct procedure for applying for leave.
- (5) Unit Administration Staff Assistant Superintendent and Principle should make sure that applications for various leaves are presented to the Superintendent on Thursday for approval.
- (6) Unit Administration must ensure that application for leave from serious offenders or others that require approval from the Office of Juvenile Justice are presented well in advance.

- (7) Unit Staff should ensure that young persons on Control Orders who have additional matters to be dealt with before the Court, make application for leave so that they are able when they qualify to apply and enjoy leave.

- (8) Unit Staff are responsible for presenting requests for outings to attend or participate in recreation, work or educational activities. Young people who have a general approval to participate in the Work Programme will need to be reviewed regularly and therefore there should be a programme of supervision and visits which are reported upon at intervals not greater than 2 weeks.

These reports should be included in both "D" and Casework Files after each review.

These requests and reports should be presented at the Changeover of Work Meeting each Friday.

However, to have outings etc. approved will require that they are presented the following week. However, to have Outing Leave etc. approved, will require that the applications are presented for consideration on Fridays for the following week. Young people could be disadvantaged should this not occur, therefore, staff are instructed to ensure that they carry out their duty in relation to the matter in a diligent way.

- (9) Unit Staff are required to present a weekly programme for their Company each week at the Changeover of Work Meeting. This Programme is a good way to ensure that a plan is developed for each week displaying all of the activities including outings. Should requests for outings be presented in conjunction with this plan, then there is less likelihood of omission or mistake. The plan should reflect the volume of work and activities that the Unit Staff are engaged in on behalf of the young people in their care.

It further demonstrates a commitment from all the Staff in each Unit to ensuring that the need and rights of each young person are attended to and that Mount Penang will operate in a most effective manner at all times.

The presentation of this plan each week is an essential action for effective operation. effective operation.

L E A V E

The provisions governing escorted absences, the granting of leave and the release from detention of residents are contained in the Children (Detention Centres) Act 1987 Sections 23, 23A and 24 and in Part 4A of the Children (Detention Centres) Regulation 1988 (as amended). Part 4A of the Regulation was inserted on 2nd September 1989.

Principally, the provisions most commonly used consist of:-

- * Escorted absence - s23A
- * Leave to be absent from a Detention Centre - s24(1)(a) and (b)
- * Discharge from detention - s24(1)(c)

[NB: Leave/Discharge under Section 24(1)(b) or (c) cannot be granted to a classified person.

Discharge from detention to attend at a C.Y.C. is made under s24(1)(c)]

1. Escorted Absence

- Is an order in writing by the Director
- Must be for the purpose of attending the funeral of a close relative; visiting a close relative who is seriously ill; or such other purpose that the Director thinks proper.
- Superintendents must direct an officer to take charge of the resident whilst absent from the Centre.
- Is the only leave permitted to persons on Remand.

2. Grant of leave to be absent

- Must be for the purposes outlined in s24(1A) - i.e. funeral of close relative; visiting seriously ill close relative; applying for employment; engaging in employment; applying for enrolment in education or vocational training; attending course of education or vocational training or any other purpose that the Director thinks proper; being a

purpose which the Director considers to be directly associated with the welfare or rehabilitation of the person concerned.

- Is subject to the Regulations, namely Clause 32C which governs day leave (being leave which does not involve absence overnight) and Clause 32D which governs overnight leave.

Day Leave

Day Leave shall not be granted to a resident unless certain periods of detention have been expired.

1. Classified person on serious indictable offence - one half of that person's detention period
2. Classified person on other indictable offence - one third of that person's detention period
3. Classified person on any offence other than indictable or any other person for any offence whether indictable or not - one quarter of that person's detention period.

"Serious indictable offence" is defined in the Children (Criminal Proceedings) Act and the Children (Criminal Proceedings) Regulation and includes:

- * homicide
 - * an offence punishable by penal servitude for life or 25 years e.g. armed robbery with wounding
 - * sexual offences under Section 61, 66 and 78 of the Crimes Act (check the Children (Criminal Proceedings) Act
 - * attempt to commit certain sexual offences under Section 61 (check Act as above)
-

Overnight Leave

Overnight Leave shall not be granted unless certain periods of detention have expired.

1. Classified person detained in relation to an indictable offence (whether serious indictable or not) - two thirds of that person's period.
2. Classified person detained in relation to an offence other than an indictable or any other person for any offence whether indictable or not - one half of that person's detention period.

LEAVE GUIDELINES

Times allowed to be absent from the Centre whilst on various types of leave include:

Supervised Outings

When approval has been given for a supervised outing the time of leaving and expected returns to the Centre must be stated. Once this time has been agreed to it should not be varied without specific permission of the Superintendent or Deputy Superintendent.

Supervised outings will not be approved before six (6) weeks in detention have elapsed and in the case of classified "Serious" persons prior approval will need to be arranged with the officer of Juvenile Justice.

Day Leave

When a resident has qualified for day leave and approval has been obtained the day leave will be taken between the hours of 9am and 5pm. Day leave will be available on two (2) occasions each month subject to qualification and performance.

In all cases leave is granted subject to the condition of leave being understood and observed. Any breach of leave conditions will lead to an inquiry and could lead to a suspension of further leave for a period of time. For example should a young person who has been granted leave consume Drugs or Alcohol or bring Drugs or other Contraband into the Centre they could be referred to the Police for further investigation and depending on the outcome, they could lose the right to go on leave again for up to three (3) months or during the whole of the present committal period.

Leave will generally be granted to residents in the care of parents or significant others but most often to parents only. Additionally they must be picked up from Admissions and returned to Admissions by the person into whose care they have been granted the leave.

The Parent Interview Form must be completed before leave is requested.

Overnight Leave

Overnight leave will consist of two (2) periods of 24 hours commencing at 4pm on the day agreed for leave to commence and terminating at 5pm on the agreed date. It may be necessary to adjust the time a Resident is allowed to be picked up depending on how far away their home address is or on the travelling time. If travelling time is in excess of three (3) hours or greater the time arranged for the Parent to pick up

the Resident should be adjusted by that time but only out going, the time of return is fixed. In special circumstances and following prior negotiation time could, but not generally, be changed. This has to be the exception and must be approved by the Superintendent. Each resident will be entitled to two (2) overnight leaves each month. This will be subject to meeting the criteria for leave and includes qualifying period and acceptable behaviour.

Residents who breach the conditions of leave stand to lose their right to ongoing leave unless they can demonstrate by strong evidence that the breach was out of their control. This decision to prevent further leave can only be taken by the Superintendent or the Deputy Superintendent following an investigation.

Special Leave

This leave is only available on occasions to meet a critical need. The times and transport arrangements will be examined and approved in conjunction with individual submissions from unit managers.

CRITICAL DATES FOR YOUNG PEOPLE BEING ADMITTED
TO MOUNT PENANG JUVENILE JUSTICE CENTRE

Name: D.O.B.:

Date of Admission:

Date of Discharge:

Date on which Supervised Outings will
be considered:

Date on which Day Leave can be
considered:

Date on which Overnight Leave can be
considered:

The above dates are Guidelines. Leave or Outings will only be approved if:

1. The Book Carrier approves the application.
2. The Unit Administrative Officer or the Principal Youth Worker supports the application after checking the correctness of the dates noted.

L. GUILFOYLE
Superintendent

30th March 1992
File: polleave

No. 7/92

MOUNT PENANG JUVENILE JUSTICE CENTRE

POLICY AND PROCEDURES FOR WARRANTS

MOUNT PENANG JUVENILE JUSTICE CENTRE

WARRANTS

The following procedure will apply in relation to those young persons admitted to the Centre for Warrants of Commitment.

- On admission, the Duty Administration Officer is to ensure the Warrant is correct and all documentation is complete.

- Staff are reminded that for Warrants expressed in hours or days, the calculation is accumulative. For example, the young person may have Warrants for the following periods: 24 hours; 1 day and 2 days. The young person therefore, would be in custody for a total of 2 days.

Additionally, this calculation is based on the apprehension time noted on the Warrant. Therefore, if the apprehension time for Police is 1.00 pm and the young person does not arrive at the Centre until 2.45pm the discharge calculation would commence from 1.00pm - apprehension time.

- The Duty Administration Officer is then to inform the Superintendent, then induct and allocate the young person to a Unit.

- The young person is then to attend the Hospital for a medical examination to ensure he is able to undertake work duties.

- The young person then returns to the Operations Centre where he will be provided with work boots and individual clothes.
- The young person will then be directed by the Duty Operations Officer to undertake work duties.
- Supervision of Warrants Boys will be the responsibility of Operations.
- The areas of responsibility for Warrants Boys will be supervised by the Operations Centre.

Continuous work for Warrants is to ensure the immediate area surrounding the Admissions / Operations Centre, roadway to Store, Gymnasium and outside Kitchen and around the Kitchen are maintained before other areas are addressed.

- Equipment and tools required to undertake work duties are all maintained at the Outdoor Attendant's work station.
- The Duty Operations Officer will then be required to monitor work performance of the boy.
- The Warrants boy will not be directly supervised however, the Operations Officer will ensure that the

boy attends the Dining Room and Unit etc. at the completion of his work period.

- Upon discharge, the young person will not be discharged before the calculated apprehension time.

- Warrants expressed as stated in the above stated hours/days may be paid in lieu of serving the commitment period. The correct calculation is noted in the Departmental document, "Warrants of Commitment Procedures Handbook", Sept 1987 Juvenile Justice Unit. Please refer to this document for the calculation.

- If Warrants Boy is paid out - \$50.00 plus costs. All cash coming into Mount Penang must be receipted immediately and deposited at Court House at earliest convenience. Receipt Books must be available for audit at any time.

29th March 1992
File: wrrntssw

No. 6/92

MOUNT PENANG JUVENILE JUSTICE CENTRE

POLICY & PROCEDURES

HIGHER DUTIES

HIGHER DUTIES

Historically the criteria for "acting up" or performing "Higher Duties" has been done on a seniority basis. If not a seniority basis then as experience or an "old school tie" or other methods.

The quest is to instigate in Mount Penang Juvenile Justice Centre a mechanism into the management of the Centre whereby the following would occur.

1. All staff would have the opportunity to indicate to their immediate supervisor that they would like to act up if the opportunity arises.
2. That Unit Supervisors/All Administration have done staff appraisals. In these Staff Appraisals, the Managers would indicate to their staff whether they would support their "acting up" or "higher duties". These would need to be a formal document signed and sighted by the relevant staff members.
3. All positions that will need to be filled on a temporary basis must be available early so that last minute "quick fixes" are avoided. This requires staff leave (all or just Administration/Principle) be planned for a period of twelve months.
4. A mechanism to distribute all higher duties to all staff that are suitable. To be considered suitable, staff need to:-
 - a) indicate on career profiles their willingness to perform higher duties.
 - b) be performing their substantive position to a very high level. This is available via staff appraisals.
 - c) apply for the internally advertised vacancy stating their essential qualities that make them a likely candidate.
 - d) attend an internal interview to consist of:
 - i. Deputy Superintendent - Administration
 - ii. Unit Supervisor
 - iii. Independent
 - e) after a suitability list is established, those that were unsuccessful be notified as to why not suitable.
 - g) between Interview Panel, nominate No. 1 relief, No. 2., etc. Pool to consist of 4 - 5 suitable applicants.
 - h) based on merit, higher duties offer to No. 1.

- i) No. 1 relief to be used until it is necessary to have two on higher duties. Then No. 2 acts up etc.

This system should then put the onus back onto staff wishing to apply. The incentive to get higher duties - perform your job better than No. 1 relief.

OR

Suitability list established for six (6) months. Those on the list have the opportunity of equally sharing in the higher duties on a rotating basis. The benefits are:

- i. staff obtain a variety of relief positions in different units.
- ii. The Whole Centre has more experienced staff.
- iii. Staff gain an appreciation of what higher positions consist of and maybe some benefit in terms of respect or understanding for those filling the higher positions.

As it is quite unprecedented for Senior Youth Workers to act up as a Principal Youth Worker or Assistant Superintendent, the new system would establish a framework within Mount Penang Juvenile Justice Centre that would expose all staff to the opportunity of performing higher duties. This would leave it open to Senior Youth Workers acting as Principal Youth Workers or Assistant Superintendents. However, the criteria and essentials for the vacant positions need to be **selection basis** not seniority.

Because a staff member is a Chief Youth Worker, it does not necessarily follow that he/she will be offered the opportunity to "act up". The operation of the Centre must be the main influence upon selection, not outside or personal preferences. This again puts the onus on staff to perform their substantive position to a very high level.

It also follows that a Principal Youth Worker does not necessarily get the opportunity to perform higher duties simply because he/she is a Principal Youth Worker. Staff appraisals again influence the number of applicants for temporarily vacant positions in that supervisors can indicate as to what areas of his/her staff's performance need attending to that would then make them a suitable applicant for higher duties.

The evenly distributed opportunity to perform higher duties does not end at Principal Youth Worker level or Assistant Superintendent level. Applicants need to be aware of their impending higher duties opportunity as early as possible so that a decent handover is achieved.

Assistant Superintendents should be endeavouring to train or place their staff who will have the opportunity to act up in a position, into that position, with the substantive occupant. This will allow them to observe the complexity and scope of the various positions.

In some cases, the Principal Youth Worker could take the Senior Youth Worker's position for a day and have the Administration Officer instruct and train them in the Principal Youth Worker position.

The Operations Centre could be done the same way, ensuring Principal Youth Worker 1 was rostered on that day as well to train and advise those being trained for the day.

From research done over the last two weeks, a number of interesting facts have arisen that may influence the final outcome of this policy. These facts are:-

- a) Some people have cynical opinions concerning interviews. Claims that the outcome is usually an expected one.
- b) If higher duties shared in a pool, some agreed to sharing between 3 - 4 or whatever and others thought the best for the job should always get it.
- c) Should all be based on merit or time at Mount Penang.
- d) Majority believe if not capable of "acting up" staff appraisals should say so and training and staff development be recommended.
- e) Most conjecture or uncertainty is based around whether Senior Youth Workers can/should go straight to acting Principal Youth Worker or should have done a minimum of four (4) weeks as Chief Youth Worker at Operations Centre. The policy needs to be flexible in this instance as some individuals may be well and truly able to perform the duties adequately at Principal Youth Worker level without having acted as a Chief Youth Worker at the Operations Centre.

However, most people tend to agree that the progression should be:-

SYW -> CYW -> PYW -> Asst. Supt -> Deputy Supt -> Supt

The basis for this is as a Chief Youth Worker staff gain an awareness of the whole Centre and this broadens their perspective. Again, though, it should be emphasised that individual cases may waiver this "protocol" and other arrangement be made.

At all times the Superintendent would have the final say, based on the Deputy Superintendent's recommendations. The only point to stress here is that the Superintendent should not have to be involved to any more of a degree than this, as his/her workload would increase. The Deputy Superintendent Administration and Deputy Superintendent Programmes and the Assistants should be able to come up with the suitability lists and nominate people for positions and merely obtain the Superintendent's agreement.

In the case of the Deputy Administration and Deputy Programmes, the same procedure will be used. The main difference will be the involvement of the Superintendent if he/she so wishes.

SUMMARY

1. Under Equal Employment Opportunities all staff should have the opportunity to perform higher duties.
2. Does the present unstated hierarchy adequately fulfil all staffs' ambitions.
3. Should training at Chief Youth Worker level be a pre-requisite for Principal Youth Worker positions.
4. Staff appraisals must be done and must be accurate.
5. Assistant Superintendents need to liaise with and assist their staff in terms of training and direction.
6. Flexibility to allow for individual ability or flair for a position.

7. Creditability for interview system.
8. Best person for the job. Merit not seniority.

18th March 1992
File: polhgrdt

No. 5/92

MOUNT PENANG JUVENILE JUSTICE CENTRE

VISITING PROCEDURES

MOUNT PENANG JUVENILE JUSTICE CENTRE

VISITING POLICY AND PROCEDURES

PROBLEM: During a large Administration Meeting on 11th December 1991, the subject of visiting policy was raised. Various concerns were identified as follows:

1. Lack of clarity and/or policy regarding visiting procedures.
2. Inconsistency in applying existing policies.
3. Lack of control over visitor access.
4. Unregulated movement by residents and family members both within and without the designated visiting oval.

INTRODUCTION: Family visiting is a basic right of all incarcerated persons. It is also a programme in its own right which, when properly managed, contributes enormously to both the individual and collective health of the Centre. Hardly less importantly, it provides an important vehicle for public contact and community relations. It is therefore critical that this programme is managed, and seen to be managed, in the most effective manner possible.

At present, there appears to be a lack of common purpose regarding both the objectives and the practices of visiting at Mount Penang Juvenile Justice Centre.

It is not the purpose of this paper to restate Departmental policy, although it is clear that there is a need for the policy(s) to be compiled and made available to all Mount Penang staff. Sufficient to say however, that while visiting is an individual right, the Administration retains the concurrent rights and responsibility to regulate it.

This regulation may be flexible and minimal but should extend at least to the point where contraband is minimized, security is not compromised and resident movement is appropriately accountable. Where possible, Centre regulations should also further longer term case management and general programmatic goals.

During a visit the resident is essentially re-assigned to their family's control, albeit within certain parameters. Given that a lack of family control was likely a factor in the youth's life prior to incarceration, it is essential that these parameters are clearly stated and appropriately supportive. From experience, discussion and a review of current practice, the following recommendations are made:

1. Visiting regulations should be clearly identified in a concise handout given to all visitors.

Discussion: At present, there are many expectations assumed but not stated. Visitors should be notified in writing of their responsibilities while on the Mount Penang Juvenile Justice Centre site, to the Centre and to/for their relative. These should include physical boundaries and contraband prohibitions, but may also include relevant advice (e.g. to advise Mount Penang Juvenile Justice Centre staff regarding concerning behaviour or information). These regulations should be developed as a separate exercise.

2. Visitors should present satisfactory proof of identification.

Discussion: Any authorization process will fail if visitors with apparent family knowledge can satisfy the entrance requirements without identification.

3. Written and immediately accessible record should be kept regarding all specifically approved visitors and conditions.

Discussion: At present, there are many cases where approved visitors are not properly recorded. At a minimum, the visiting card should contain the full names and ages of all persons within normally approved categories. In addition, there should be a clear and accountable audit trail applying valid criteria for all specially approved visitors.

4. No alcohol should be permitted in any area with a potential for resident access.

Discussion: Preferably this policy would include the entire Mount Penang Juvenile Justice Centre site; however; for the purpose of this paper, the visits area only is at issue. It is simply too easy for residents to obtain alcohol, either directly from visitors or left inadvertently by community groups or personnel. A clearly posted alcohol; prohibition will make grounds supervision considerably more effective.

5. Visiting Times.

Discussion: No time limit. However, can only visit in the morning between 10 - 12pm then must leave. Visits during the week must be previously arranged with the Administration Officer. Ring up to 24 hours and book in advance.

Unable to visit at this time due to work or travel commitments - visit only by arrangement with Duty Officers. Time limited

between 10 - 3.30pm. Family visits during the week.

Normal visiting: Saturday 1.30 - 3.30pm
 Sunday 10.30 - 3.30 pm

Admissions Centre will handle Visitors Register, so this should be better organised.

6. Restricted Visits policy should be amended.

Discussion: At present, there is little to distinguish a restricted visit from a regular one. It is recommended that a restricted visit be imposed by exception to address a specific issue, e.g. contraband control; absconding risk; inappropriate conduct; etc., and as such, clearly differentiated from normal visits. A restricted visit to control contraband should provide for ongoing staff supervision while an absconding alert should provide for some additional restraint (either physical barrier or staffing position). Both the initiating rationale and visit plan should be clearly identified in advance and signed off together with a projected time frame (ongoing or situational).

7. A private communication link (telephone or portable radio) must exist between the visits reception booth and the Operations Centre.

Discussion: The visits Co-ordinator cannot be expected to do the job and ensure appropriate approval/rejection without accurate and timely information. He/she should also be in a position to request staff assistance if required. Furthermore, it is, and should remain, the Operations Centre's role to know the whereabouts of all residents at all times.

8. Current facilities should be upgraded, enhanced, relocated to minimize undesirable movement and ensure better distribution of resources.

Discussion: The Cricket Oval which is currently used for family visiting has the capacity to accommodate between 15 to 20 distinct visiting sites spaced at least 15 metres apart along three sides of the perimeter. At present, there are six (6) barbeque pits. While not every site necessitates a barbeque it would be desirable to increase their number to 12 or 14. Similarly, the seating needs to be upgraded substantially. Not only are there insufficient benches and tables, but many of those which currently exist are in a poor state of repair. It is suggested that each barbeque site be matched with a fixed fibreglass table, bench and umbrella unit similar to the one opposite the Sobraon dormitory. This would also serve to address the shelter needs which become evident every time it rains. Locations without a barbeque should have

a bench and/or picnic table unit.

Water outlets are a concern since a barbeque along the west side requires a substantial walk for clean up purposes. At present there are three (3) taps along one side; one (1) tap with a quick capacity for another along the second, and none along the third. It is suggested that an additional line be laid to provide for at least three (3) more outlets along the west side.

Toilet access is the single largest and potentially the most expensive problem facing the visiting programme. At present there is one female ablutions block adjacent to the Cricket grounds and another male block down from the Operations Centre. So long as these are the only facilities it will be impossible to significantly restrict movement around the Centre on visiting day. It is therefore suggested that a new toilet block, for both males and females with clearly visible and distinct points of entry, be constructed.

9. A specifically designated Visit's Supervisor should be identified.

Discussion: Specific designation will ensure continuity and effective management of this programme. A complete post description should be developed as a separate task.

10. Visitors could park near Vernon and walk through. Gates will be provided, one at the corner of Vernon laneway and the other in front of the Hospital.

New boom gate lower down near Sobraon to stop people going down there except for staff.

Units near Hospital can be booked for parents.

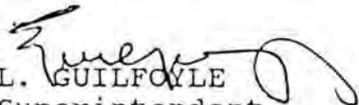
11. Staff practice at all levels should reflect a commitment to essential visiting programme principles.

Discussion: Rather than simply permitting visits Mount Penang Juvenile Justice Centre should foster their existence. This would include soliciting commitments and even strategizing a visiting plan. Residents should be encouraged to pursue constructive relationships and identify alternatives when family are unwilling and/or unable to visit. Visiting day should be viewed as a prime opportunity for Administrators and Youth Workers to make personal contact with family members. Youth Workers should be allowed time from their duties to meet the families as they work with these boys during most of their commitment here. It should also be a day for presenting Mount Penang Juvenile Justice Centre to the public in the best possible light.

SUMMARY

We believe that it is important to view visiting as a programme to be managed and ensure that it is resourced accordingly. It is also worthwhile to maintain as much as possible of the relaxed and informal feel which has characterized Mount Penang visiting to date. By implementing these suggestions, many of the administrative concerns regarding residents' movements and visitors' access can be addressed in an unobtrusive manner. Visitors gain through additional and upgraded facilities, most of which can be constructed at Mount Penang. Ultimately, the residents also gain through an increased emphasis upon the visit and the quality of the time spent.

All of the above recommendations have been made for the purpose of generating further discussion and with the recognition that visiting programme revision, while important, is only one of a number of policy considerations currently under way at Mount Penang Juvenile Justice Centre.


L. GUILFOYLE
Superintendent

24th February 1992
File: vistpoly

MOUNT PENANG JUVENILE JUSTICE CENTRE

POLICY FOR THE FILLING OF VACANCIES AT

PENANG INDUSTRIES

MOUNT PENANG INDUSTRIES

Vacancies and Procedures for Interview and
filling of Vacancies

S. Merritt

Each week it will be the responsibility of the Deputy Superintendent Programmes or the Senior Vocational Instructor to forward to each Unit and each Unit Manager a list of vacancies that exist in each of the Vocational trade areas.

The Unit Manager or Principal Youth Worker will then talk with residents in their Unit with a view to them applying for the available vacancies.

When the Unit Manager has had an interview with the residents, an application form is then filled in. They should then forward a list of the residents' names, application forms and their area of Vocational interest to the Deputy Superintendent Programmes or the Senior Vocational Instructor.

The residents' names who have been forwarded will be interviewed and assessed as to their suitability for their chosen area. If there are no vacancies in their chosen area, then they will be placed on an eligibility list. Each eligible resident should be given a one week time period in their chosen area, after which a contract should be drawn up and signed by the resident and the interviewer.

Areas of Work

At times, it is difficult for Units to supply a full compliment of residents for specific work areas. These areas include: Dining Room, Kitchen, Main Gardens, etc.

To try to alleviate some of the problems experienced, consideration should be given to expanding part of each Unit Programme to cover such areas i.e. A resident before he is considered for a Vocational area should experience a 1 week or 2 week period in one of the above areas. This could be seen as a pre-employment or pre-requisite before advancement is possible into one of the specific trade areas.

This may give an incentive for residents to volunteer for the less "attractive" work areas.

These areas of "pre-requisite" should be promoted as positively as possible and seen as a very necessary step forward as part of the resident's overall case plan which may include a specific trade or work area.

APPLICATION FOR EMPLOYMENT
AT MOUNT PENANG INDUSTRIES

Name: _____

Unit: _____

Section: _____

Committal Length: _____

Vocational Area: _____

Any Past Experience: _____

Primary Worker: _____

Unit Manager's Comments: _____

Interviewer's Comments: _____

Proposed Plan: _____

Interviewer's Signature: _____

Resident's Signature: _____

Date: _____

File: cottappl

No. 3/92

MOUNT PENANG JUVENILE JUSTICE CENTRE

PRINCIPAL YOUTHWORKER ROUTINES

MOUNT PENANG JUVENILE JUSTICE CENTRE

PRINCIPAL YOUTHWORKER ROUTINES

The Company Principal Youth Workers on duty should attend his/her respective companies prior to meals, in order to:

1. Be on hand should a security problem arise.
2. Assist Company Officers (by instruction) in maintaining correct movements.
3. Assist company officers by offering support.

Principals are to attend Dining Rooms with residents and return to Companies with residents.

Emphasis should be placed at all times on behaviour in movements and Dining Room, plus manner of movement (orderly-quiet).

24th February 1992
File: pywdngm

No. 2/92

MOUNT PENANG JUVENILE JUSTICE CENTRE

POLICY & PROCEDURES

FOR THE

REPORTING AND MANAGEMENT OF COMPLAINTS

OF MISBEHAVIOUR BY RESIDENTS

TO: All Staff

FROM: L. Guilfoyle
Superintendent
Mount Penang Juvenile Justice Centre

RE: PROCEDURE FOR THE REPORTING AND MANAGEMENT OF
COMPLAINTS OF MISBEHAVIOUR BY RESIDENTS

It is a requirement under the Act and Associated Regulations that incidents of misbehaviour by residents be reported to the Superintendent in writing. At Mount Penang, this requirement is met by the completion of the Standard Internal Incident Report. It is essential, therefore, that incidents be reported in detail prior to the end of each shift.

Incidents that are considered serious which could result in isolated detention being awarded, should be discussed with the Superintendent within a short period of the occurrence. A decision to use isolated detention must be made by the Officer with the delegation either the Superintendent, Deputy Superintendent or other persons who for the time being are acting in the position of superintendent or Deputy Superintendent.

It is essential that all reported incidents of misbehaviour are appropriately investigated and such an enquiry should be completed within 24 hours of the reported occurrence. The Procedures and Rules for such enquiries are set out in the Regulations in Part 7, Sections 39, 40, 41, 42, 43, 44 and 45. All staff are expected to be familiar with these Sections and to follow those instructions without variation.

It is the duty of every responsible officer to ensure that regular enquiries are held and that the young person concerned is given a copy of the Punishment Schedule, clearly setting out the misbehaviour being investigated and finding as well as the Punishment Award.

The procedure which must be followed when a resident is to be interviewed by the duty Administrative Office is as follows:

1. The name of the resident will be entered in the Register of Person to see the Superintendent by the night shift each night.
2. The Chief Youth Worker responsible for the Unit where the young person resides will present the young person at the Superintendent's office between 8.00 am and 8.45 am in the morning.

3. The Superintendent, or his delegate, will hold enquiries each morning between 8.00 am and 8.45 am to deal with those matters.
4. Matters of a more serious nature will be dealt with at the time of the occurrence by 'phone contact initially, and follow-up enquiries as soon as possible.

Residents are NOT to be placed in isolated detention or any other punishment inflicted upon them until the matter has been considered by the Duty Officer.

In situations where it is essential that a resident be placed in isolated detention without the benefit of the required enquiry, for example, for the safety of either the resident, other residents or staff, the Superintendent is to be notified immediately.

The Superintendent is to take prompt action to ensure that the Law and Regulations pertaining to those situations are up-held and maintained at all times. The incident is to be investigated and a decision made concerning guilt or otherwise and the necessary action taken.

When a young person is placed in isolated detention, the Isolated Detention Register must be completed. Failure to do so is neglect of duty and could lead to disciplinary action.

Checks must be carried out at least every 30 minutes and observations recorded.

The Administration Officer that approves the use of isolated detention must sign the Register and ensure that the facts are recorded in the Punishment Register. Any difficulties encountered whilst a young person is in isolation detention or any variations which could lead to concern for the safety of the young person must be reported immediately to the Superintendent.

It is important to remember that whilst the Act and the Regulations give the Juvenile Justice Centre the means of controlling unacceptable behaviour, it is necessary to provide a framework for how those controls may be used. The same Act also places controls on staff and the use of various punishment. The Act and Regulations set out clearly the

process and procedures to be followed and documentation that must be completed and maintained. Failure to do so will lead to serious consequences for all staff concerned.

Punishments at Mount Penang

Recent changes to the Regulations give rise to a need for staff to clearly identify which misbehaviours will be punished and in what way.

The Regulations now identifies two categories of behaviour:

1. Minor misbehaviours, and
2. Serious misbehaviours.

Minor Misbehaviour includes:

Disobeying rules or instructions

1. A resident must not breach any of the published rules of the Juvenile Justice Centre or disobey and reasonable instruction given by a Centre staff member.

Lying

2. A resident must not tell lies which will adversely affect the good order and discipline of the Juvenile Justice Centre.

Unauthorised telephone calls

3. A resident must not make telephone calls other than those authorised by a Centre staff member.

Deliberate harassment or provocation

4. A resident must not deliberately use either words or actions to harass or provoke other residents, Centre staff members or any other person.

Damage to Government or personal property

5. A resident must not, unless by accident, cause damage to any Government property or to the personal property of another resident, a Centre staff member or any other person in the Juvenile Justice Centre.

Abusive, indecent or threatening language

6. A resident must not use abusive, indecent or threatening language when speaking to another person in the Juvenile Justice Centre, or when corresponding or communicating with persons either in the Centre or elsewhere.

Subversive behaviour

7. A resident must not, by work or action, attempt to undermine the good order or discipline of a Juvenile Justice Centre, or encourage other residents to behave in such a way as to disrupt the good order and discipline of the Centre.

This category of misbehaviour can be dealt with internally in accordance with the instruction previously laid down. Incidents must be reported in writing to the Superintendent who will conduct an enquiry and make a decision as to what the punishment is to be. In any event, the following punishment for identified misbehaviour will serve as a guideline for Mount Penang under my management. Variations may be considered but not before discussions with myself or the Assistant Director of Juvenile Justice.

1. Disobeying Rules or Instructions
2. Lying
3. Unauthorised Telephone Calls

For any of these misbehaviours in the first instance a caution should be issued. If this fails then the resident should be counselled by the Chief Youth Worker or duty Administration Officer. Should this action fail to have the desired results then consideration should be given to reporting the incident and having the matter dealt with by the Superintendent.

The punishment under consideration could be restriction from participation in sport or leisure activities for up to four days but not more than two days for up to three incidents.

4. Deliberate Harassment or Provocations
5. Damage to Government or Personal Property

For these two categories a caution should be issued in the first instance followed by counselling by either the Chief Youth Worker, Duty Administration Officer or the Psychologist. Should these fail then consideration must be given to reporting the incident to the Superintendent.

The options of punishment for these misbehaviours include:

- (a) up to four days restriction from participation in sport or leisure activities
- (b) additional duties for up to seven days - these must be duties that will have a beneficial effect for the residents
- (c) loss of Assessment Points which may result from the above misbehaviours will also have an impact on the possibility of gaining some of the privileges which are available for good/acceptable behaviour.

6. Abusive, Indecent or Threatening Language
7. Subversive Behaviour

Again, in the case of both these more serious minor behaviours, the first action should be to caution the young person followed by attempts to counsel. Should these fail, then the resident should be reported to the Superintendent, who as we have noted, is required to enquire into the incident. The punishment available for persistent misbehaviour in this category can include:

- (a) restriction from participation in sport or leisure activities for up to four days
- (b) additional duties for up to seven days.

It is not envisaged that the maximum available penalty be used in the first instance but that repeated breaches of the Rules would attract such sanctions.

The use of isolated detention for those minor misbehaviours will only be considered in exceptional cases. Again, it is to be noted that the resultant loss of Assessment Points for good/acceptable behaviour will also have an impact on the Rewards Available to residents who exhibit poor or unacceptable behaviour.

At this time serious misbehaviour includes:

Unauthorized entry to certain areas

8. A resident must not, unless with the permission of a Juvenile Justice Centre staff member, enter a room, office, storeroom or other area to which entry by residents has been clearly prohibited.

Possession of unauthorised articles

9. A resident must not receive, possess, or pass on to others, any article which is not of a kind that has been authorised by the Superintendent.

Fighting

10. A resident must not become involved, or entice others to become involved, in physical altercations with other residents.

Unauthorized use of alarms or equipment

11. A resident must not, unless authorised by a Centre staff member or responding to a perceived emergency, use any alarm, fire fighting equipment or first aid supplies.

Petty Stealing

12. A resident must not steal.

Refusal to work or participate in activities

13. A resident must not, except with reasonable excuse, refuse to perform properly allocated duties or to

participate in authorised programme activities.

Serious Misbehaviour

Assault

1. A resident must not assault or attempt to assault any other person.

Concealment for purpose of escape

2. A resident must not hide, or assist another resident to hide, in an attempt to escape.

Insubordination

3. A resident must not defy the reasonable instructions of Centre staff or refuse to comply with the established rules or routines of the Juvenile Justice Centre.

Inciting misbehaviour

4. A resident must not incite other residents to engage in behaviour which seriously disrupts the good order or discipline of the Juvenile Justice Centre.

Mistreatment of animals

5. A resident must not maim, wound, beat or cruelly ill-treat any animal.

Unauthorized medications or substances

6. A resident must not procure, possess or supply to other residents unauthorised medications or substances likely to be injurious to health.

must be referred to the Superintendent in writing.

No resident should be placed in isolated detention without the matter being discussed with the Superintendent. Again, should the situation warrant, the resident may be contained for his/her safety or the safety of other residents or staff.

There is a provision under the Regulation, Section 49 and 49A, for residents who are charged with serious misbehaviour to be brought before the Children's Magistrate. There is a prescribed punishment which the Magistrate can impose should the resident be found guilty of serious misbehaviour.

PROHIBITED AND ACCEPTABLE PUNISHMENTS

It is with some concern that I feel I must bring to the attention of all staff the law in relation to punishing young persons in Juvenile Justice Centres.

As staff will understand, any action they take in relation to punishment of young persons is taken under delegation of the Superintendent. Therefore, they will be accountable to the Superintendent for such actions. To ensure that no confusion exists with regard to the punishment of young people, the following extract from the Detention Centres Act 1987 No. 57 Section 21 Punishments for Misbehaviour is quoted for your information. Additionally, the Section 22 on Prohibited Punishments is also presented here.

Punishment for Misbehaviour

Section 21 (1) Subject to the regulations, the following punishments may be imposed on a resident found guilty of misbehaviour:

- (a) caution
- (b) restriction from participation in sport or leisure activities for a period not exceeding four (4) days;
- (c) additional duties for a period not exceeding seven (7) days, being duties of a constructive nature designed to promote the welfare of residents;
- (d) exclusion from, or confinement to, a place for a period not exceeding three (3) hours or, in the case of a resident of or over the age of sixteen (16) years, not exceeding twelve (12) hours;

(e) loss of remission, not exceeding seven (7) days.

(2) Punishment of a kind referred to in Subsection (1) (d) may only be imposed on a resident subject to the following conditions:

(a) the resident shall be provided with some means of usefully occupying himself or herself;

(b) if the punishment consists of confinement to a place, the physical environment of the place where the resident is confined shall, unless otherwise appropriate, be no less favourable than the physical environment of other places occupied by residents in the Juvenile Justice Centre;

(c) the resident shall at all times be visible to, and able to communicate with, an officer.

(3) A punishment must not be imposed on a resident so as to interfere with a visit to the resident by:

(a) a barrister or solicitor (or such other classes of persons as may be prescribed); or

(b) any other person, unless the Superintendent is of the opinion that the security, safety or good order of the Juvenile Justice Centre would be adversely affected if the visit were permitted.

Prohibited Punishments

Section 22 (1) A resident shall not be punished by being:

(a) struck, cuffed, shaken or subjected to any other forms of physical violence;

(b) dosed with medicine or any other substance;

- (c) compelled to hold himself or herself in a constrained or fatiguing position;
 - (d) deprived of food or drink;
 - (e) denied the right to read or write letters or to make or receive telephone calls (except during any period of punishment by exclusion or confinement referred to in Section 21 (1) (d));
 - (f) subjected to treatment of a kind that could reasonably be expected to be detrimental to his or her physical, psychological or emotional well-being;
 - (g) subjected to treatment of a kind that is cruel, inhuman or degrading;
 - (h) segregated in contravention of Section 19; or
 - (i) subjected to treatment of a kind forbidden by the regulations.
- (2) A resident shall not, without reasonable excuse, be handcuffed or forcibly restrained.
- (3) A person who punishes a resident, or causes a resident to be punished, in a manner prohibited by Subsection (1) or (2), is guilty of an offence and liable to a penalty not exceeding \$1,000.00 or imprisonment for a period not exceeding twelve (12) months, or both.

April 1992

File Name: misbh/cmpt

MOUNT PENANG JUVENILE JUSTICE CENTRE

POLICY AND PROCEDURE FOR THE

CONTROL AND MANAGEMENT OF

1. COMPLAINTS AND REQUESTS RECEIVED FROM RESIDENTS

2. COMPLAINTS OF MISBEHAVIOUR BY RESIDENTS IN JUVENILE JUSTICE CENTRES

1. COMPLAINTS AND REQUESTS RECEIVED FROM RESIDENTS

It is the requirement under the Detention Centres Act and associated Regulations, that incidents of complaints and/or requests by residents be reported to the Superintendent or his/her delegate, both verbally and in writing as soon as possible after they are received. It is therefore essential that complaints and/or requests by residents to see the Superintendent or his/her delegate, are reported in detail prior to the end of each shift.

Incidents that are considered serious and which could result in Police or Departmental action, should be recorded by the Administrative officer concerned in a suitable note book (which each Officer is required to carry at all times) at the time the complaint is received. The incidents should then be discussed with the Superintendent or his/her delegate as soon as possible. The Superintendent or his/her delegate is required to report all incidents considered serious to the Assistant Director of Juvenile Justice as soon as possible after receipt of such complaints.

Notification of incidents are made on the standard Incident Form. The form must contain information concerning the alleged incident and what immediate action was taken to ensure the safety and security of the resident. All such incidents i.e., of a serious nature, are to be reported/notified in accordance with the requirements of the Policy, Child at Risk or Child Abuse.

Incidents of requests to see the Superintendent concerning minor matters must be noted by the Administrative Officer receiving the request. Action should be taken to ensure that the resident making the request is given access to the Superintendent as soon as possible after receipt of such a request. The Regulations require that this action must be taken within a 24 hour period of receipt.

The procedure to be followed when a resident is to be interviewed by the Superintendent following a complaint or request by a resident, is as follows:

- (1) The Duty Officer will make a note in his/her Shift Book that a request and/or complaint has been received.
- (2) The request will be entered in the Register of Persons to see the Superintendent by the Duty Officer.

- (3) All residents listed to see the Superintendent will be seen by the Superintendent between 8.00 am and 8.45 am each morning.
- (4) The Superintendent, and Chief Youth Worker Operations, will hold enquiries and/or interviews each morning to deal with those matters.
- (5) More serious complaints and/or requests will be dealt with at the time of occurrence and followed up as soon as possible.

The Superintendent or his/her delegate is to take prompt action in ensuring that incidents and/or complaints reported to him/her in this way are reported to the Assistant Director of Juvenile Justice, and a follow up investigation is to be initiated immediately.

In situations where the resident is considered to be at risk, action ensuring the security and safety of the resident must be put in place and approval for such action obtained from the Assistant Director of Juvenile Justice without delay. In all cases, the Regulations require that the resident concerned be advised of decisions made or actions to be taken as a result of their complaint as soon as possible after that decision is made.

Decisions following requests will be communicated to the resident concerned following the making of such a decision. The Act and Regulations further provide that should the resident be dissatisfied with the decision of the Superintendent he/she has the right to have the complaint/request dealt with by the Assistant Director of Juvenile Justice. Request, either verbally or in writing, for access to the Assistant Director of Juvenile Justice must be processed without hindrance. Similarly written complaints from residents concerning:-

- (i) his/her treatment in Centres, or
- (ii) the administration or management of the Centre

to the Director must be processed unopened if received in a sealed envelope. If received unsealed, they must be placed in a sealed envelope and dispatched.

The only exception to this process is provided for by Section 30 (2) of the Regulations. Residents are not allowed to complain about such matters as may be disposed of by the Superintendent under Clause 29 of the Regulations.

Other acceptable ways in which residents can make complaints and/or requests include direct communication with the Ombudsman's Office. The law in New South Wales provides that residents can complain to the Ombudsman about anything that affects them whilst they are in a Juvenile Justice Centre. The Juvenile Justice Centre is compelled by the same law to make every resident aware of his/her rights in this area and to process any communication between a resident and the Office of the Ombudsman without hindrance and mail letters or sealed documents without opening them. Additionally, incoming mail from the Office of the Ombudsman will be delivered unopened to the resident named on the correspondence. The resident will sign to indicate he/she received the envelope unopened.

Each Unit has an appointed Official Visitor who is expected to visit the Unit on one occasion each month. The Official Visitor is an independent person who will be available to hear any complaints and/or requests by residents. Under the Act and various Regulations, the Visitor is required to attempt to find solutions to the complaints and/or requests presented by residents.

When the Official Visitor presents complaints and/or requests on behalf of residents the Superintendent or his/her Administrative Officers, are required to proceed with immediate action. Serious complaints will be reported as Incidents on the standard Incident Report form to the Assistant Director of Juvenile Justice and action taken ensuring the safety and security of the resident must be effected whilst the complaint is being investigated.

Minor matters and requests should be dealt with without delay, and the resident and Official Visitor informed of the decision. In all cases, should the residents and/or Official Visitor continue to be dissatisfied with the decision there is a requirement that the Official Visitor refer the matter for consideration to the Assistant Director of Juvenile Justice and thereafter to the Director General. Matters of a more serious nature for which no solutions are found will be reported to the Minister by the Official Visitor.

The Official Visitor, under the Regulations, has direct access to the Minister and is urged by the Minister to report on matters for which no solution can be found. When solutions are agreed to the official Visitor is obliged to inform the resident of the decision, and to ensure that such solutions are implemented.

The Superintendent or his/her delegated officer are to ensure that appropriate documentation of all complaints and requests are undertaken and that such documentation includes descriptions of decisions and the eventual satisfaction or dissatisfaction resulting from those decisions.

Chaplains are appointed to each Juvenile Justice Centre. The duties of Chaplains include the receiving of complaints and requests and the advocating for residents with Centre Management, Courts and other Statutory bodies. They are also in touch with the families of residents and are able to resolve many of the difficulties experienced in relationships with families.

Superintendents and their Administrators are to receive complaints and requests from Chaplains on behalf of residents. Each complaint or request is to be dealt with in accordance with the procedures described for the Management of Complaints by Superintendents. Serious incidents of complaints and/or requests are to be reported to the Assistant Director of Juvenile Justice on the standard Incident form and action taken ensuring the safety and security of the resident.

In incidents where there is a risk of abuse to the resident the matter should be reported in accordance with the prescribed procedures for the Notification of Children in Care at Risk.

Minor matters will also be dealt with and decisions recorded and transmitted to the resident by the Chaplain if possible, or otherwise by the Superintendent or his/her delegate.

Other persons to whom residents will make complaints or requests include:

- Teachers
- Psychologists
- Vocational Instructors
- Craft Teachers
- Families and Significant others.

Complaints and requests can be received from any of this group on behalf of any resident and should be dealt with in accordance with the procedures described.

All Superintendents and Administrative staff are required to treat, in a most urgent way, any complaints or requests received from any residents or any person on behalf of a resident. Failure to do so could have serious consequences and may be regarded as a breach of Administrative responsibility.

2. COMPLAINTS OF MISBEHAVIOUR BY RESIDENTS IN JUVENILE JUSTICE CENTRES

It is a requirement under the Act and Associated Regulations that incidents of misbehaviour by residents be reported, to the Superintendent in writing. This requirement is met by the completion of the standard internal Incident Report. It is essential, therefore, that Incidents be reported in detail prior to the end of each shift.

Incidents that are considered serious, which could result in isolated detention being awarded, should be discussed with the Superintendent or his/her delegate within a short period of the occurrence. A decision to use isolated detention must be made by the Officer with the delegation of either the Superintendent, Deputy Superintendent or other persons who for the time being are acting in the position of Superintendent or Deputy Superintendent.

It is essential that all reported incidents of misbehaviour are appropriately investigated and such an enquiry should be completed within 24 hours of the reported occurrence. The Procedures and Rules for such enquiries are set out in the Regulations in Part 7, Section 39, 40, 41, 42, 43, 44 and 45. All staff are expected to be familiar with these Sections and to follow their instructions without variation.

It is the duty of every responsible officer to ensure that regular enquiries are held and that the young person concerned is given a copy of the Punishment Schedule, clearly setting out the misbehaviour being investigated and the decision as well as the Punishment awarded.

The procedure which must be followed when a resident is to be interviewed by the Superintendent or his/her delegate is as follows:

1. The name of the resident will be entered in the Register of Person to see the Superintendent by the Duty Officer each night.
2. The Chief Youth Worker Operations will present the young person for the Superintendent between 8.00 am and 8.45 am each morning.
3. The Superintendent, or his/her delegate, will hold enquiries to deal with those matters.
4. Matters of a more serious nature will be dealt with at the time of the occurrence by 'phone contact initially, and follow-up enquiries as soon as possible.

Residents are NOT to be placed in isolated detention or any other punishment inflicted upon them until the matter has been considered by the Duty Officer.

In situations where it is essential that a resident be placed in isolated detention without the benefit of the required Enquiry, e.g. for the safety of either the resident, other residents or staff, the Superintendent or his/her delegate is to be notified immediately.

The Superintendent is to take prompt action to ensure that the Law and Regulations pertaining to these situations are up-held and maintained at all times. The incident is to be investigated and a decision made concerning guilt or otherwise and the necessary action taken.

When a young person is placed in isolated detention, the Isolated Detention Register must be completed. Failure to do so is a neglect of duty and could lead to disciplinary action.

Whilst a resident is in isolation, checks must be carried out every 30 minutes and observations recorded in the Register provided.

The Administrative Officer that approves the use of isolated detention must sign the Register and ensure that the facts are recorded. Any difficulties encountered whilst a young person is in isolated detention or any variations which could lead to concern for the safety of the young person, must be reported immediately to the Superintendent or his/her delegate.

It is important to remember that whilst the Act and the Regulations give the Juvenile Justice Centre the means of controlling unacceptable behaviour, providing a framework for how these controls may be used, the same Act also places controls on staff and the use of various punishments. The Act and Regulations set out clearly the process and procedures to be followed and documentation that must be completed and maintained. Failure to do so will lead to serious consequences for all staff concerned.

Recent changes to the Regulations give rise to a need for staff to clearly identify which misbehaviours will be punished and in what way.

The Regulations now identifies two categories of behaviour:

1. Minor misbehaviours, and
2. Serious misbehaviours.

Minor Misbehaviours include:

Disobeying rules or instructions

1. A resident must not breach any of the published rules of the Juvenile Justice Centre or disobey any reasonable instruction given by a Centre staff member.

Lying

2. A resident must not tell lies which will adversely affect the good order and discipline of the Juvenile Justice Centre.

Unauthorised telephone calls

3. A resident must not make telephone calls other than those authorised by a Juvenile Justice Centre staff member.

Deliberate harassment or provocation

4. A resident must not deliberately use either words or actions to harass or provoke other residents, Centre staff members or any other person.

Damage to Government or personal property

5. A resident must not, unless by accident, cause damage to any Government property or to the personal property of another resident, a Centre staff member or any other person in the Juvenile Justice Centre.

Abusive, indecent or threatening language

6. A resident must not use abusive, indecent or threatening language when speaking to another person in the Juvenile Justice Centre, or when corresponding or communicating with persons either in the Centre or elsewhere.

Subversive behaviour

7. A resident must not, by work or action, attempt to undermine the good order or discipline of a Juvenile Justice Centre, or encourage other residents to behave in such a way as to disrupt the good order and discipline of the Centre.

This category of misbehaviours can be dealt with internally in accordance with the instruction previously laid down. Incidents must be reported in writing to the Superintendent who will conduct any enquiry and make a decision as to appropriate punishment. In any event, the following punishment for identified misbehaviour will serve as a guideline for Juvenile Justice Centres. Variations may be considered but not before discussion with the Assistant Director of Juvenile Justice.

1. Disobeying Rules or Instructions
2. Lying
3. Unauthorised Telephone Calls

For any of the misbehaviours in the first category a Caution should be issued. If this fails then the resident should be counselled by the Chief Youth Worker or duty Administrative Officer. Should this action fail to have the desired results, then consideration should be given to reporting the incident and having the matter dealt with by the Superintendent.

The punishment for these misbehaviours may be restriction from participation in sport or leisure activities for up to four days but should be not more than two days for up to three incidents.

4. Deliberate Harassment or Provocations
5. Damage to Government or Personal Property

For these two categories a caution should be issued in the first instance followed by counselling either by the Chief Youth Worker, duty Administrative Officer or the Psychologist. Should these fail, then consideration must be given to reporting the Incident to the Superintendent.

The options of punishment for these misbehaviours include:

(a) up to four days restriction from participation in sport or leisure activities,

(b) additional duties for up to seven days - these must be duties that will have a beneficial effect for the resident,

(c) loss of Assessment Points which may result from the above misbehaviours will also have an impact on the possibility of gaining some of the privileges which are available for good/acceptable behaviour.

6. Abusive, Indecent or Threatening Language
7. Subversive Behaviour

Again in the case of both these more serious minor behaviours, the first action should be to caution the young person followed by attempts to counsel. Should these fail then the

resident should be reported to the Superintendent, who as we have noted, is required to enquire into the incident. The punishment available for persistent misbehaviour in this category can include:

- (a) restriction from participation in sport or leisure
- (b) additional duties for up to seven days.

It is not envisaged that the maximum available penalty be used in the first instance, but that repeated breaches of the Rules would attract such sanctions.

The use of isolated detention for those minor misbehaviours will only be considered in exceptional cases. Again, it is to be noted that the resultant loss of Assessment Points for good/acceptable behaviour will also have an impact on the Rewards available to residents who exhibit poor or unacceptable behaviour.

8. Unauthorised entry to certain areas

A resident must not, unless with the permission of a Juvenile Justice Centre staff member, enter a room, office, storeroom or other area to which entry by residents has been clearly prohibited.

9. Possession of unauthorised articles

A resident must not receive, possess, or pass on to another, any article which is not of a kind that has been authorised by the Superintendent.

10. Fighting

A resident must not become involved, or entice others to become involved, in physical altercations with other residents.

11. Unauthorised use of alarms or equipment

A resident must not, unless authorised by a Juvenile Justice Centre staff member or responding to a perceived emergency, use any alarm, fire fighting equipment or first aid supplies.

12. Petty Stealing

A resident must not steal.

13. Refusal to work or participate in activities

A resident must not, except with reasonable excuse, refuse to perform properly allocated duties or to participate in authorised programme activities.

Serious Misbehaviours:

Assault

1. A resident must not assault or attempt to assault any other person.

Concealment for purpose of escape

2. A resident must not hide, or assist another resident to hide, in an attempt to escape.

Insubordination

3. A resident must not defy the reasonable instructions of Juvenile Justice Centre staff or refuse to comply with the established rules or routines of the Centre.

Inciting misbehaviour

4. A resident must not incite other residents to engage in behaviour which seriously disrupts the good order or discipline of the Juvenile Justice Centre.

Mistreatment of animals

5. A resident must not maim, wound, beat or cruelly ill-treat any animal.

Unauthorised medications or substances

6. A resident must not procure, possess or supply to other residents unauthorised medications or substances likely to be injurious to health.

No punishment can be determined for serious misbehaviour without the matter being referred to the Court. However, should the situation warrant, the resident may be contained for his/her safety or the safety of other residents or staff.

There is provision under the Regulations, Section 49 and 49A, for residents who are charged with serious misbehaviour to be brought before the Children's Magistrate. There is a prescribed punishment which the Magistrate can impose should the resident be found guilty of serious misbehaviour.

PROHIBITED AND ACCEPTABLE PUNISHMENTS

As staff will understand, any action they take in relation to punishment of young persons is taken under delegation of the Superintendent. Therefore, they will be accountable to the Superintendent for such actions. To ensure that no confusion exists with regard to the punishment of residents, the following extract from the Detentions Centres Act 1987 No. 57 Section 21 Punishments for Misbehaviour is quoted for your information. Additionally, Section 22 on Prohibited Punishments is also presented.

Punishments for Misbehaviour

Section 21 (1) Subject to the regulations, the following punishments may be imposed on a resident found guilty of misbehaviour:

(a) caution;

- (b) restriction from participation in sport or leisure activities for a period not exceeding four (4) days;
- (c) additional duties for a period not exceeding seven (7) days, being duties of a constructive nature designed to promote the welfare of residents;
- (d) exclusion from, or confinement to, a place for a period not exceeding three (3) hours or, in the case of a resident of or over the age of 16 years, not exceeding twelve (12) hours.
- (e) loss of remission, not exceeding seven (7) days.

(2) Punishment of a kind referred to in Subsection (1) (d) may only be imposed on a resident subject to the following conditions:

- (a) the resident shall be provided with some means of usefully occupying himself or herself;
- (b) if the punishment consists of confinement to a place, the physical environment of the place where the resident is confined shall, unless otherwise appropriate, be no less favourable than the physical environment of other places occupied by residents in the Juvenile Justice Centre;
- (c) the resident shall at all times be visible to, and able to communicate readily with, an officer.

(3) A punishment must not be imposed on a resident so as to interfere with a visit to the resident by:-

- (i) a barrister or solicitor (or such other class of person as may be prescribed); or
- (ii) any other person, unless the Superintendent is of the opinion that the security, safety or good order of the Juvenile Justice Centre would be adversely affected if the visit were permitted.

Prohibited Punishments

Section 22 (1) A resident shall not be punished by being:

- (a) struck, cuffed, shaken or subjected to any other form of physical violence;
- (b) dosed with medicine or any other substance;
- (c) compelled to hold himself or herself in a constrained or fatiguing position;
- (d) deprived of food or drink;
- (e) denied the right to read or write letters or to make or receive telephone calls (except during any period of punishment by exclusion or confinement referred to in Section 21 (1) (d));
- (f) subjected to treatment of a kind that could reasonably be expected to be detrimental to his or her physical, psychological or emotional well-being;
- (i) subjected to treatment of a kind forbidden by the regulations.

(2) A resident shall not, without reasonable excuse, be handcuffed or forcibly restrained.

(3) A person who punishes a resident, or causes a resident to be punished, in a manner prohibited by Sub-section (1) or (2), is guilty of an offence and liable to a penalty not exceeding \$1,000.00 or imprisonment for a period not exceeding twelve (12) months, or both.

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