



Youth detention centre

OPERATIONAL POLICY

Title: YD-1-12 Youth detention – Interactions between young people

Policy statement

The department will safeguard the social, emotional, and physical wellbeing of young people in youth detention by promoting and upholding appropriate physical, emotional, and psychological boundaries between young people.

Maintaining appropriate boundaries between young people contributes to their social and behavioural development and rehabilitation. However, inappropriate or harmful behaviour between young people may compromise their safety, emotional and psychological health and affect the good order of the centre.

Accordingly, the department will ensure that all interactions between young people are:

- appropriate
- safe
- comply with the conditions of any active court orders.

Inappropriate behaviour, including harmful sexual behaviours¹, sexual activity and domestic and family violence² between young people is strictly prohibited.

Responses to inappropriate or harmful behaviour between young people will be immediate, managed sensitively and actioned in accordance with the behaviour support framework and incident management framework, as relevant.

Principles

1. General principles

- 1.1 The safety of young people and youth detention centre (YDC) staff is paramount.
 - 1.2 YDC staff will respect young people's dignity, cultural background and beliefs.
 - 1.3 Behavioural expectations about appropriate behaviour and healthy boundaries with other young people will be explained to young people during induction and consistently upheld and promoted by YDC staff.
 - 1.4 Appropriate behaviour between young people is:
 - respectful and safe
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¹ Harmful sexual behaviours is defined by the Royal Commission into Institutional Responses to Child Sexual Abuse

² DFV is defined under section 8 of the Domestic and Family Violence Protection Act 2012



- appropriate to the activity
- age and developmentally appropriate peer behaviour
- compliant with court orders

1.5 Inappropriate or harmful behaviour between young people is:

- any unwanted interaction that may cause physical, emotional, and/or psychological harm
- harassing, threatening, intimidating or coercive behaviour
- bringing discomfort to the young person
- not appropriate behaviour to the activity
- not age and developmentally appropriate peer behaviour
- a deliberate breach of court-orders.

1.6 Inappropriate physical contact, including harmful sexual behaviour and sexual activity between young people is strictly prohibited.

1.7 Any behaviours by a young person towards another young person which breach a domestic violence order (DVO) are strictly prohibited.

1.8 Vigilant supervision by YDC staff is critical to prevent and limit inappropriate and harmful behaviour between young people.

1.9 Responses to inappropriate and harmful behaviour will be underpinned by trauma-informed practice principles and tailored to a young person's individual needs, taking into consideration their personal circumstances, age, culture, gender, developmental level, abilities/disabilities and cognitive functioning.

2. Management of males and females to minimise inappropriate interactions

2.1 Young people will be allocated single bedroom accommodation wherever possible³, unless there is an identified need and/or benefit to a young person room sharing.

2.2 Young people will be allocated to an accommodation section that is designed to meet their needs.⁴ Transgender, non-binary, intersex and gender diverse young people will be accommodated in sections in line with their individual needs, best interests and in a way that promotes and protects their safety and the safety of other young people in the section.

2.3 The following areas may be accessible to all genders at the same time, except where the shift supervisor (or higher position) directs otherwise:

- recreation areas
- education and vocation areas
- visiting areas.

2.4 Programs, activities, religious and cultural services may be accessible to all genders at the same time, except where the unit manager, team leader or shift supervisor (or higher position) directs otherwise.

3. Supervision of young people

3.1 YDC staff must be vigilant at all times when supervising young people. This includes but is not limited to:

- throughout all structured day activities

³ In line with United Nations Standards, Nelson Mandela Rules, r 12.

⁴ In line with United Nations Standards, Nelson Mandela Rules, r 11.



- during movements within the centre
 - while young people are in accommodation areas
 - overnight for any young people sharing a bedroom (refer to [policy YD-1-4: Room Sharing](#)).
- 3.2 Any obstruction to closed-circuit television (CCTV) must be addressed immediately. If this cannot be rectified immediately, physical checks must be completed.
- 3.3 YDC staff must ensure the correct level of observations are maintained and recorded for each young person.
- 3.4 Supervision and the management of movements within the YDC must consider and mitigate the additional risks posed by not to mix schedules, intelligence and special interest young people (SIYP).
- 3.5 YDC staff must supervise interactions between young people to ensure it remains appropriate, is suitable for the activity the young people are engaging in and maintains the good order of the centre.

4. Responding to inappropriate or harmful behaviour

- 4.1 If a young person engages in inappropriate or harmful behaviour with another young person, YDC staff must immediately direct the young person/s to stop the behaviour and remind the young person of the behavioural expectations.
- 4.2 Consequences for inappropriate or harmful behaviour will be in line with the [behaviour support framework](#), [incident management framework](#), statutory obligations and other referral pathways as required, including Queensland Police Service (QPS). The management of consequences will be underpinned by trauma-informed practice principles and tailored to a young person's individual needs, taking into consideration their personal circumstances, age, culture, gender, developmental level, abilities/disabilities and cognitive functioning.
- 4.3 Some young people may have been in an intimate relationship with another detained young person prior to youth detention or actively seek an intimate relationship with another young person while in youth detention. In such circumstances:
- relevant information systems must be reviewed to identify if the young person is party to an active or historical DVO with other detained young people to ensure the conditions of the order are upheld
 - staff must immediately report to their supervisor any information that suggests a previous or planned relationship between young people to ensure the situation is actively managed in a way that respects and supports the safety and emotional wellbeing of the young people involved
 - safety response strategies must be developed with key stakeholders, including the young person as appropriate
 - the safety response strategies and the concerns that prompted the action must be thoroughly documented and recorded in DCOIS and ICMS as relevant
 - the response must also consider SIYP, not to mix, structured day timetable, intelligence and not to share risk assessment processes
 - where appropriate, the young people may be referred to evidence informed programming that promotes and supports healthy relationships in preparation for their release.
- 4.4 Sexual harassment, assault, domestic and family violence, or any other type of harmful behaviour that constitutes an incident must be managed in accordance with the [incident management framework](#) and the [behaviour support framework](#).
- 4.5 Post-incident actions must:
- provide immediate therapeutic support, assessment and risk mitigation actions
 - address and aim to prevent future inappropriate or harmful behaviours



- trigger a review of the young person's SIYP, not to mix schedule and not to share assessment
 - consider information sharing and referral obligations, including any required notifications to the young person's guardians, QPS or child safety
 - consider whether a report of harm is required under section 268 of the *Youth Justice Act 1992*
 - consider whether therapeutic or specific program referral is required.
- 4.6 To remove any doubt, even when sexual activity between young people appears to be consensual, it remains strictly prohibited and responses must be applied as relevant through the incident management and behaviour support framework. This includes responding to and addressing harmful sexual behaviours.
- 4.7 Any sexual activity involving a young person under the age of 16 (a young person under the age of 16 does not have the legal capacity to consent to sexual activity) must be classified as a sexual assault and the response actioned must be commensurate with the criminal nature of the activity. This must include a referral to QPS and a report of harm under section 268 of the *Youth Justice Act 1992*.

Objectives

Young people in youth detention are highly vulnerable and require special protection and care to ensure their safety, wellbeing and effective rehabilitation.

Managing incidents of inappropriate and/or harmful behaviour between young people is a serious legal, professional and moral obligation for YDC staff. These incidents represent critical opportunities to prevent and limit physical, emotional and psychological harm to young people.

This policy aims to ensure:

- YDCs take all reasonable steps to prevent and protect young people from harm caused by interactions between young people
- YDC staff understand how to meet their responsibilities to prevent and limit incidents of inappropriate and harmful behaviour between young people
- incident responses are timely, appropriate and sensitive to the needs of the affected parties, including staff involved in response
- required information sharing and reporting occurs with relevant stakeholders and agencies.

Scope

This policy applies to all young people accommodated in a YDC.

This policy is part of a suite of policies and procedures developed to support the safety, wellbeing and rehabilitation of young people. This policy is to be read in conjunction with:

- Policy YD-1-1: Casework
- Policy YD-1-2: Behaviour support
- Policy YD-1-4: Room sharing
- Policy YD-3-4: Communication and resolution techniques
- Policy YD-3-9: Identifying and reporting harm in a youth detention centre
- Philosophy of youth detention services
- Chapter 1: Care and management of young people, Youth Detention Centre Operations Manual
- Chapter 3: Incident management, Youth Detention Centre Operations Manual.

This policy does not apply to inappropriate or harmful behaviours between staff and young people. Guidance about managing professional boundaries is governed by the Queensland Government



Code of Conduct and the department's workplace ethics booklet. For more information, refer to the Learning and Development team or the Professional Standards Unit.

Roles and responsibilities

- Deputy director or assistant director:
 - ensure incident responses are appropriate and sensitive to the needs of affected parties, including staff involved in response
 - oversee incident reporting including any required reports of harm.
- Director, Youth Detention Operations:
 - review and update policy as required
 - provide practice advice to support compliance with this policy.
- Executive director:
 - ensure staff understand obligations under this policy
 - ensure practice, training and learning resources comply with this policy
 - contribute to policy reviews.
- Practice support manager or client relations advisor:
 - refer relevant incidents to QPS
 - oversee incident reporting including any required reports of harm.
- Team leader and caseworker:
 - refer relevant incidents to guardians and child safety services.
 - action referrals to programs, interventions and support services to address and prevent future incidents as required
- Training team:
 - ensure training content complies with relevant policies and procedures
 - contribute to policy and procedure reviews as required.
- Unit manager:
 - action behaviour support consequences as required
 - oversee incident reporting including any required reports of harm
 - ensure incident responses are appropriate and sensitive to the needs of affected parties.
- YDC staff:
 - supervise young people to promote and uphold appropriate physical, emotional and psychological boundaries between young people
 - respond to incidents of inappropriate behaviour

Authority

Youth Justice Act 1992

Youth Justice Regulation 2016

Delegations

Position	Delegation
Deputy Director-General Senior Executive Director Executive Director, Youth Detention Centre	<i>Youth Justice Act 1992</i> Section 263 (2) – Issue directions, codes, standards and guidelines for the security and



Director, Youth Detention Operations and Reform	management of detention centres and the safe custody and wellbeing of children in detention.
Deputy Director-General Senior Executive Director Director, Youth Justice Learning and Development Principal Inspector, Youth Detention Inspectorate	<i>Youth Justice Act 1992</i> Section 263 (4) – Inspect and monitor operation of detention centres.
Deputy Director-General Senior Executive Director Executive Director, Youth Detention Centre Deputy Director, Youth Detention Centre Assistant Director, Youth Detention Centre Director, Youth Detention Operations and Reform	<i>Youth Justice Act 1992</i> Section 263 (5) - Comply with youth justice principles.
Deputy Director-General Senior Executive Director Executive Director, Youth Detention Centre Deputy Director, Youth Detention Centre Assistant Director, Youth Detention Centre Manager, Client Services, Youth Detention Centre Manager, Cultural Unit, Youth Detention Centre Unit Manager, Youth Detention Centre Team Leader, Youth Detention Centre Shift Supervisor, Youth Detention Centre Structured Day Coordinator, Youth Detention Centre Section Supervisor, Youth Detention Centre Senior Youth Detention Worker, Youth Detention Centre Detention Youth Worker, Youth Detention Centre	<i>Youth Justice Regulation 2016</i> Section 15 (1) (2) – Give written notice of types of behaviour. Ensure information in notice is explained.
Deputy Director-General Senior Executive Director Executive Director, Youth Detention Centre Deputy Director, Youth Detention Centre Assistant Director, Youth Detention Centre Manager, Client Services, Youth Detention Centre Manager, Cultural Unit, Youth Detention Centre Unit Manager, Youth Detention Centre Shift Supervisor, Youth Detention Centre Section Supervisor, Youth Detention Centre Visits Coordinator, Youth Detention Centre Structured Day Coordinator, Youth Detention Centre Aboriginal and Torres Strait Islander Programs Support Officer, Youth Detention Centre Transition Officer, Youth Detention Centre Aboriginal and Torres Strait Islander Transition Officer, Youth Detention Centre Cultural Liaison Officer, Youth Detention Centre Program Coordinator, Youth Detention Centre Program Support Officer, Youth Detention Centre Program Deliverer, Youth Detention Centre Team Leader, Youth Detention Centre Psychologist, Youth Detention Centre Caseworker, Youth Detention Centre Detention Youth Worker, Youth Detention Centre Intelligence Officer, Youth Detention Centre Senior Intelligence Officer, Youth Detention Centre Speech Pathologist, Youth Detention Centre	<i>Youth Justice Regulation 2016</i> Section 16 (2) – May discipline child.
Deputy Director-General Senior Executive Director Executive Director, Youth Detention Centre Deputy Director, Youth Detention Centre Assistant Director, Youth Detention Centre Manager, Client Services, Youth Detention Centre Manager, Cultural Unit, Youth Detention Centre Unit Manager, Youth Detention Centre Shift Supervisor, Youth Detention Centre	<i>Youth Justice Regulation 2016</i> Section 16 (3) – Must ensure misbehaviour is managed in a way that respects the child's dignity, and has regard to the nature of the misbehaviour, and the child's age and maturity, and the child's cultural background or beliefs.



<p>Section Supervisor, Youth Detention Centre Visits Coordinator, Youth Detention Centre Structured Day Coordinator, Youth Detention Centre Aboriginal and Torres Strait Islander Programs Support Officer, Youth Detention Centre Transition Officer, Youth Detention Centre Aboriginal and Torres Strait Islander Transition Officer, Youth Detention Centre Program Coordinator, Youth Detention Centre Program Support Officer, Youth Detention Centre Program Deliverer, Youth Detention Centre Team Leader, Youth Detention Centre Psychologist, Youth Detention Centre Caseworker, Youth Detention Centre Senior Youth Detention Worker, Youth Detention Centre Detention Youth Worker, Youth Detention Centre Cultural Liaison Officer, Youth Detention Centre Restorative Practice Coordinator, Youth Detention Centre Intelligence Officer, Youth Detention Centre Senior Intelligence Officer, Youth Detention Centre Speech Pathologist, Youth Detention Centre</p>	
<p>Deputy Director-General Senior Executive Director Executive Director, Youth Justice Director, Youth Justice Regional Operations Manager, Youth Justice Service Centre Manager, Taskforce Guardian Manager, Youth Justice Court and Regional Operations Practice Support Team Coordinator, Youth Justice Service Centre Team Leader, Youth Justice Service Centre Senior Practitioner, Youth Justice Team Leader, Taskforce Guardian Team Leader (Intensive Case Management), Youth Justice Service Centre Caseworker, Youth Justice Service Centre Caseworker (Domestic and Family Violence High Risk Team) Caseworker, Taskforce Guardian Caseworker, (Intensive Case Management), Youth Justice Service Centre Court Coordinator, Taskforce Guardian Court Coordinator, Youth Justice Service Centre</p>	<p><i>Youth Justice Regulation 2016</i> Section 17 (2) – Give information about discipline to court.</p>

Definitions

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

Term	Definition
Appropriate behaviour	Behaviour that is: <ul style="list-style-type: none"> • respectful and safe • appropriate to the activity • age and developmentally appropriate peer behaviour • compliant with court orders.
Behaviour support framework	A system that encourages positive behaviour and provides consequences for challenging behaviour. The framework comprises of: <ul style="list-style-type: none"> • underpinning principles • clear behavioural expectations and rules for young people



	<ul style="list-style-type: none"> • an incentive scheme • consequences and responses. <p>Refer to policy YD-1-2: Behaviour support for more information.</p>
Inappropriate or harmful behaviour	<p>Behaviour that is:</p> <ul style="list-style-type: none"> • physically, emotionally and/or psychologically harmful • harassing, threatening, intimidating or coercive • brings discomfort to the young person • not appropriate to the activity • not age and developmentally appropriate peer behaviour • in breach of court orders <p>Sexual activity between young people is inappropriate and is strictly prohibited.</p>
Domestic and family violence (DFV)	<p>The Domestic and Family Violence Protection Act 2012 broadly defines DFV as: behaviour perpetrated by one person against another, where two people are in a relevant relationship, which is:</p> <ul style="list-style-type: none"> • physically or sexually abusive • emotionally or psychologically abusive • economically abusive • threatening • coercive • in any other way controls or dominates the victim and causes the victim to fear for their own, or someone else's, safety and wellbeing.
Harmful sexual behaviours	<p>Children with harmful sexual behaviours is defined by the Royal Commission into Institutional Responses to Child Sexual Abuse (2017) as children and young people under 18 years of age who have sexual behaviours that fall outside the normal range for a child's age and level of development and recognises the seriousness of these behaviours.</p>
Incident management framework	<p>The four-step incident management framework described in Chapter 3 – Incident management, Youth Detention Centre Operations Manual. The incident management framework includes the dynamic risk assessment process and the communication and resolution techniques (CART).</p>
Induction	<p>Part of the admissions process. It is a critical point of communicating to the young person their rights and responsibilities while in youth detention.</p>
Not to share	<p>A risk assessment process to determine whether a young person can safely share a room with another young person. Refer to policy YD-1-4: Room sharing for more information.</p>
Not to mix	<p>A risk assessment process to determine whether a young person can safely mix with another young person.</p>
Special interest young person	<p>A security rating given to a young person who requires specific risk management to reduce risks to themselves, other young people and YDC staff and property.</p>

Human rights compatibility statement

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

United Nations Standards

Youth Justice is committed to promoting Australia's international obligations and protecting the safety and wellbeing of young people in youth detention. Ensuring interactions between young people are appropriate, safe and prosocial supports young people's development, health and wellbeing and rehabilitation. To minimise the impacts of harm in youth detention, in accordance



with the United Nations Standards and in compliance with the *Havana Rules*, the *Beijing Rules*, and the *Nelson Mandela Rules*, young people interaction provisions are outlined in this policy.

Multicultural Queensland Charter

Youth Justice supports the [Multicultural Queensland Charter](#), established under the *Multicultural Recognition Act 2016* (Qld). The Charter seeks to promote Queensland as a unified, harmonious and inclusive community.

Child safe standards

The Royal Commission into Institutionalised Responses to Child Sexual Abuse developed several national [child safe standards](#) for institutions and organisations working with children and provided [contemporary youth detention](#) specific recommendations. Youth Justice is cognisant of these standards when considering operational practice guidelines and service delivery in community and youth detention centres.

State disability plan

Youth Justice will work with our partners to build a fairer, more inclusive Queensland where people with a disability, their families and carers are able to access the same opportunities, on the same basis as everyone else. We will take actions to progress the priorities of the [All Abilities Queensland: opportunities for all](#) state disability plan and support improved access to services for Queenslanders with disability.

Date of approval: 10 April 2024

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

1.1 Assistant Director-General (2 December 2014)

1.2 Director, Statewide Intel and Secure Services Support (8 February 2022)

1.3 YDC Executive Directors (10 April 2024)

Date of operation: 23 September 2013

Date to be reviewed: 3 years from the date of approval

Office: Youth Detention Operations

Help contact: Youth Detention Operations
YDCPracticeEnquiries@cyjma.qld.gov.au

Communication strategy:

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



Links:

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

[Human Rights Act 2019](#)

[Queensland Human Rights Commission](#)

[Royal Commission into Institutional Responses to Child Sexual Abuse](#)

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

[United Nations Standard Minimum Rules for the Treatment of Prisoners \(Mandela Rules\)](#)

[United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders \(Bangkok Rules\)](#)

[United Nations Standard Minimum Rules for the Administration of Juvenile Justice \(Beijing Rules\)](#)

[Youth Detention Centre Operations Manual](#)

[Youth Justice delegations](#)

[Youth Justice policies](#)

Bob Gee

Director-General