

Australasian
Juvenile Justice
Administrators

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Standards
for Juvenile Custodial
Facilities

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Revised Edition*
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Under construction:

<http://www.juvenile-justice.net>

A web site for juvenile custodial facilities
in Australia and New Zealand.

A list
of juvenile custodial facilities is shown
on the last page of this document.

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Introduction

In May 1998 the Australasian Juvenile Justice Administrators formed a National Working Party with instructions to prepare service standards for juvenile custodial facilities. The working party was asked also to design an accreditation mechanism for the formal regulation of the standards.

The present document contains the standards that were adopted by the AJJA in November 1998, along with five new standards that the National Working Party developed in response to resolutions of the Australasian Conference of Managers and Superintendents in Sydney (March 1999).

The Sydney Conference also resolved that the standards would be given immediate effect, and would be implemented by way of locally developed (internal) processes, in preparation for formal (external) accreditation.

The accreditation mechanism developed by the National Working Party will be fully described in a separate document, which will be published following the AJJA's meeting in May 1999.

Working Party membership

The Working Party was chaired by Ken Buttrum, Director-General, New South Wales Department of Juvenile Justice. The other members were:

Diana Batzias	CEO, Melbourne Juvenile Justice Centre (Vic)
Inara Blundell	Manager, Cavan Training Centre (SA)
Martin Grandellis	Manager, John Oxley Youth Detention Centre (Qld)
Kevin Hanson	A/Manager, Ashley Youth Detention Centre (Tas)
Lou Johnston	Manager, Worimi Juvenile Justice Centre (NSW)
Rhonda Lang	A/Manager, Quamby Youth Detention Centre (ACT)
Steve Parker	Superintendent, Juvenile Detention (NT)
Jan Shuard	Superintendent, Banksia Hill Juvenile Detention Centre (WA)
Alexander Zahar	Co-ordinator of Working Party

Consultation in member States and Territories

A large number of people were consulted on the standards, including nurses, official visitors, chaplains, school principals, staff development personnel, etc., and, of course, a variety of centre staff, from youth workers to managers and superintendents.

Why Australasian standards?

In the United Nations' *Standard Minimum Rules for the Administration of Juvenile Justice* (1985), there is the following grim comment:

Little or no difference has been found in terms of the success of institutionalization as compared to non-institutionalization. The many adverse influences on an individual that seem unavoidable within any institutional setting evidently cannot be outbalanced by treatment efforts. This is especially the case for juveniles, who are vulnerable to negative influences. [Commentary on Rule 19.1.]

Nevertheless, as long as custodial systems for juveniles exist, they should aim to maximise young people's chances of rehabilitation and integration into society. The fundamental principles of this philosophy may be found in the *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand*,¹ where it is stated that all young people in custody are entitled to:

1. a safe and secure environment;
2. living conditions that meet duty-of-care requirements;
3. privacy and dignity;
4. programs and services that meet their educational, vocational, and gender- and age-related needs;
5. adequate health services;
6. adequate recreation facilities.

In summary, the objective of juvenile custodial facilities should be to provide a humane, safe and secure environment, which assists young people to address their offending behaviour and to make positive choices about their lives, both during custody and upon their return to the community.

The *quality* of services provided to young people in custody is fundamental to the achievement of the above objective. One way to define "quality" is through *standards*. Common standards with a general application in New Zealand and Australia have the potential to:

1. fully and systematically describe the rights and needs of young people in custodial care;
2. create a shared commitment across Australia and New Zealand to quality practices;
3. encourage the exchange of information about quality practices;
4. provide benchmarks for comparison within the industry;
5. be a springboard for further development and innovation.

Standards are also a sign to the community that staff and authorities responsible for juvenile custodial facilities intend continually to improve the quality of their services, in the best interests of young people and other stakeholders who come into contact with the centres.

Common standards will not remain common for long if they are not administered uniformly across the AJJA's member States and Territories. Hence the need for a common *accreditation* mechanism.

¹ Department of Health and Community Services (Vic) and the Australasian Juvenile Justice Administrators (1996), p. 11. (Standard 9.1 incorporates the Design Guidelines.)

Accreditation is an assurance to young people in custody, their families, custodial staff, and government and community stakeholders, of the high quality of services provided at the accredited custodial facility. (The AJJA's accreditation mechanism will be described in a separate paper.)

Broad, outcome-focused standards

This document lists 46 standards grouped into eleven major areas of service. It is unavoidable that standards that aim to be comprehensive but are few in number will be worded broadly, and this is true of the present standards. However, broadly-worded standards are not necessarily imprecise or uncertain, especially if interpreted thoughtfully, knowledgeably, and fairly.

There are three distinct advantages to the broadness of the present standards: they allow for variability and innovation at the centre level; they allow outsiders to scrutinise the traditionally closed institutions in terms that are not entirely controlled by the institutions themselves; and they enable "floating" standards, that is, standards whose interpretation changes as expert opinion and expectations themselves change with time.

Another characteristic of the present standards is that they are, wherever possible, outcome-focused. One might distinguish between standards whose purpose is to regulate a *process*, or guarantee a *protection*, or safeguard a *right* of the young person while in detention, and standards whose purpose is to make a *positive difference* to the health, knowledge, reasoning ability, self-control, self-esteem, creative thinking, independent living skills, appetite for sport and entertainment, or other constitutional feature of a young person in the course of detention.

What the former kind of standard requires is best described as a process or service in existence (if it exists and is in working order, the standard is met). By contrast, the latter kind of standard looks to the *effect* of the centre's intervention in the life of a young person, and attempts to measure that effect (if there is an effect and it is beneficial, the standard is met).

Both kinds of standard are required to ensure that a custodial facility is offering a reasonable service – that is, not just humane treatment of young people, but also the imparting of skills to enable community integration.

Relationship to United Nations rules

Following each of the standards in this document are "references" to United Nations rules. These are meant to indicate the moral – and possibly legal – authorities on which the AJJA's standards are based.²

Rule 2 of the United Nations' *Rules for the Protection of Juveniles Deprived of their Liberty* (December 1990) states that:

² On the legal force of the United Nations' instruments see the discussion in chapter 5 of the New South Wales Ombudsman's *Inquiry into Juvenile Detention Centres* (December 1996).

Juveniles should only be deprived of their liberty in accordance with the principles and procedures set forth in these Rules and in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice.

This other set of rules – the *Standard Minimum Rules for the Administration of Juvenile Justice* – was adopted by the United Nations in 1985. It sets out general principles for the administration of juvenile justice, but it does not specify detailed provisions about the conditions under which juveniles may be deprived of their liberty.

By contrast, the (later) *Rules for the Protection of Juveniles Deprived of their Liberty*, adopted by the General Assembly of the United Nations in December 1990, give an exceedingly detailed account of conditions that should prevail in juvenile detention centres.

Rule 3 states:

The Rules are intended to establish minimum standards accepted by the United Nations for the protection of juveniles deprived of their liberty in all forms, consistent with human rights and fundamental freedoms, and with a view to counteracting the detrimental effects of all types of detention and to fostering integration in society.

Rule 5 adds:

The Rules are designed to serve as ***convenient standards of reference*** and to provide encouragement and guidance to professionals involved in the management of the juvenile justice system.

The extensive excerpts from the *Rules* following each of the AJJA's standards should assist the reader to interpret those standards, while serving as "convenient standards of reference" for detention centre staff.

Sample indicators

The "sample indicators" following each standard are just what the name suggests: *they are relevant to consider when deciding if a standard is met.*

This does not mean, of course, that the indicators appearing after a standard are either individually necessary or jointly sufficient conditions for meeting that standard. Other indicators certainly exist, and will be added to this document in the course of time.

A reasonable assessment of the performance of a centre against a standard may therefore be based on a set of indicators that is partly or (very unlikely) wholly different from the indicators shown after that standard.

Modifications and additions

A request to modify an existing standard, add a new standard, add a sample indicator, or contribute in some other way, should be addressed to the Chairperson of the AJJA (see www.juvenile-justice.net for contact details).

1. Basic Entitlements

1.1 Abuse-Free Environment

Standard

The centre provides an environment in which young people, staff and others feel safe, secure and not threatened by any form of abuse or harassment.

Sample indicators

- A. The centre's policy and practice documents include:
- commitments to an environment free of physical, psychological and emotional abuse or harassment;
 - mechanisms for dealing with incidents of abuse or harassment;
 - mechanisms for dealing with complaints;
 - records of abuse and harassment and records of complaints.
- B. Young people, staff and visitors report that they are satisfied that the environment of the centre is free of physical, psychological and emotional abuse or harassment.
- C. During sleeping hours there is regular, unobtrusive supervision of all sleeping areas, including individual rooms and group dormitories.

References

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

1. The juvenile justice system should uphold the rights and safety and promote the physical and mental well-being of juveniles.

87(d). All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required.

87(a). No member of the detention facility or institutional personnel may inflict, instigate or tolerate any act of torture or any form of harsh, cruel, inhuman, or degrading treatment, punishment, correction or discipline under any pretext or circumstance whatsoever.

66. Any disciplinary measures and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person.

65. The carrying and use of weapons by personnel should be prohibited in any facility where juveniles are detained.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice:

26.2. Juveniles in institutions shall receive care, protection and all necessary assistance – social, educational, vocational, psychological, medical and physical – that they may require because of their age, sex and personality and in the interest of their wholesome development.

1.2 Respect, Dignity, Individual Focus

Standard

The centre promotes the individuality and diversity of young people, builds on their strengths, encourages their personal growth, and respects their dignity as human beings.

Sample indicators

- A. The centre's policies, procedures and practices are consistent, and reflect the standard.
- B. Young people, including girls and young women, indigenous young people, young people of non-English speaking background, and young people with disabilities and other special needs, report that they feel valued and respected at the centre.
- C. Staff report that they work in an environment that values and respects the individual needs of young people, and staff can provide examples of the ways in which they themselves apply the standard.
- D. Young people's case plans refer to their individual needs, rights, strengths, and areas for development.

References

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

12. The deprivation of liberty should be effected in conditions and circumstances which ensure respect for the human rights of juveniles.

87(f). All personnel should seek to minimise any differences between life inside and outside the detention facility which tend to lessen due respect to the dignity of juveniles as human beings.

13. Juveniles deprived of their liberty shall not for any reason related to their status be denied the civil, economic, political, social or cultural rights to which they are entitled under national or international law, and which are compatible with the deprivation of liberty.

4. The [UN] Rules should be applied impartially, without discrimination of any kind as to race, colour, sex, age, language, religion, nationality, political or other opinion, cultural beliefs or practices, property, birth or family status, ethnic or social origin, and disability. The religious and cultural beliefs, practices and moral concepts of the juvenile should be respected.

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations. The principal criterion for the separation of different categories of juveniles deprived of their liberty should be the provision of the type of care best suited to the particular needs of the individuals concerned and the protection of their physical, mental and moral integrity and well-being.

1.3 Regard to Age and Gender

Standard

The centre provides age-appropriate and gender-appropriate services in recognition of the differing needs of young people at different stages of development and the specific needs of young females.

Sample indicators

- A. The centre interprets policies, follows procedures, delivers programs, and generally provides services with due regard to the age and gender of the young people in its care.
- B. There is an appropriate policy or established method of responding to the needs of pregnant young females and young mothers.
- C. There is an appropriate policy or established method of responding to the needs of transgender and other young people who do not fit traditional gender categories.

References

United Nations Standard Minimum Rules for the Administration of Juvenile Justice:

13.5. While in custody, juveniles shall receive care, protection and all necessary individual assistance – social, educational, vocational, psychological, medical and physical – that they may require in view of their age, sex and personality.

22.2. Juvenile justice personnel shall reflect the diversity of juveniles who come into contact with the juvenile justice system. Efforts shall be made to ensure the fair representation of women in juvenile justice agencies.

26.4. Young female offenders placed in an institution deserve special attention as to their personal needs and problems. They shall by no means receive less care, protection, assistance, treatment and training than young male offenders.

1.4 Privacy and Confidentiality

Standard

The centre recognises and responds appropriately to the right of each young person to privacy and confidentiality.

Sample indicators

- A. The centre's privacy and confidentiality policies, procedures and practices are consistent, and reflect the standard.
- B. Staff are aware of and demonstrate respect for the right of young people to privacy and confidentiality.
- C. Young people report that staff respect their privacy and confidentiality.

References

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

87(e). All personnel should respect the right of the juvenile to privacy, and, in particular, should safeguard all confidential matters concerning juveniles or their families learned as a result of their professional capacity.

19. All reports, including legal records, medical records and records of disciplinary proceedings, and all other documents relating to the form, content and details of treatment, should be placed in a confidential individual file, which should be kept up to date, accessible only to authorised persons and classified in such a way as to be easily understood.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice:

8.1. The juvenile's right to privacy shall be respected at all stages in order to avoid harm being caused to her or him by undue publicity or by the process of labelling.

8.2. In principle, no information that may lead to the identification of a juvenile offender shall be published.

2. Rights of Expression

2.1 Linguistic and Cultural Diversity

Standard

The centre recognises and responds appropriately to the linguistic and cultural diversity of young people, their families and significant others.

Sample indicators

- A. The centre's policies, procedures, practices and staff training in relation to the linguistic and cultural needs of young people are consistent, and reflect the standard.
- B. Young people have access to staff and community representatives of appropriate linguistic and cultural groups.
- C. Young people, their families and significant others report that they are satisfied with the centre's response to their linguistic and cultural needs.

References

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

- 6. Juveniles who are not fluent in the language spoken by the personnel of the detention facility should have the right to the services of an interpreter free of charge whenever necessary, in particular during medical examinations and disciplinary proceedings.
- 38. Special attention should be given by the administration of the detention facilities to the education of juveniles of foreign origin or with particular cultural or ethnic needs. Juveniles who are illiterate or have cognitive or learning difficulties should have the right to special education.

2.2 Religious Observance

Standard

The centre recognises and responds appropriately to the expressed religious and spiritual needs of young people.

Sample indicators

- A. The centre's policy, procedure and practices are consistent, and reflect the standard.
- B. There is a communal area available in the centre for religious observance.
- C. There is a chaplaincy service available at the centre.
- D. The centre provides young people with reading materials and special diets in accordance with their religious requirements.
- E. Young people report that the centre allows them to satisfy their religious and spiritual needs.
- F. Staff demonstrate awareness of the religious and spiritual needs of young people from differing cultural backgrounds.

References

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

48. Every juvenile should be allowed to satisfy the needs of his or her religious and spiritual life, in particular by attending the services or meetings provided in the detention facility or by conducting his or her own services and having possession of the necessary books or items of religious observance and instruction of his or her denomination. If a detention facility contains a sufficient number of juveniles of a given religion, one or more qualified representatives of that religion should be appointed or approved and allowed to hold regular services and to pay pastoral visits in private to juveniles at their request. Every juvenile should have the right to receive visits from a qualified representative of any religion of his or her choice, as well as the right not to participate in religious services and freely to decline religious education, counselling or indoctrination.

2.3 Clothing and Grooming

Standard

Young people are provided with a sufficient quantity and reasonable choice of clean clothing in good condition, and their choices in matters of personal grooming are maximised.

Sample indicators

- A. Observation of variety, cleanliness, and condition of clothing.
- B. Young people report satisfaction with clothing and grooming choices available to them.
- C. Young people have regular access to a hairdresser.
- D. Level of complaints relating to clothing and grooming.

References

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

36. To the extent possible juveniles should have the right to use their own clothing. Detention facilities should ensure that each juvenile has personal clothing suitable for the climate and adequate to ensure good health, and which should in no manner be degrading or humiliating. Juveniles removed from or leaving a facility for any purpose should be allowed to wear their own clothing.

2.4 Personal Property

Standard

The preservation of good order and safety at the centre is the only basis for limiting the possession of personal effects by young people. Young people's property held at the centre is safeguarded.

Sample indicators

- A. Policy, procedure and practices are consistent, and reflect the standard.
- B. Documentation and secure storage of personal effects held by the centre.
- C. Complaints about / reports of property loss or theft.
- D. Observation of range of personal effects allowed to young people, and facilities available for safe storage.
- E. Young people report that they understand the centre's reasons for any restrictions imposed on their possession of personal property.

References

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

35. The possession of personal effects is a basic element of the right to privacy and essential to the psychological well-being of the juvenile. The right of every juvenile to possess personal effects and to have adequate storage facilities for them should be fully recognised and respected. Personal effects that the juvenile does not choose to retain or that are confiscated should be placed in safe custody. An inventory thereof should be signed by the juvenile. Steps should be taken to keep them in good condition. All such articles and money should be returned to the juvenile on release, except in so far as he or she has been authorized to spend the money or send such property out of the facility. If a juvenile receives or is found in possession of any medicine, the medical officer should decide what use should be made of it.

18(c). Juveniles should receive and retain materials for their leisure and recreation as are compatible with the interests of the administration of justice.

46. Every juvenile who performs work should have the right to an equitable remuneration. Part of the earnings of a juvenile should normally be set aside to constitute a savings fund to be handed over to the juvenile on release. The juvenile should have the right to use the remainder of those earnings to purchase articles for his or her own use or to indemnify the victim injured by his or her offence or to send it to his or her family or other persons outside the detention facility.

2.5 Legal Advice and Advocacy

Standard

The centre advises and enables each young person to make or maintain confidential contact with a legal adviser, and advocates for young people within the justice system.

Sample indicators

- A. The centre's legal access policy, procedure and practices are consistent, and reflect the standard.
- B. Young people are aware of their right to access legal advice or advocacy while in detention.
- C. Staff support and assist young people to access legal advice and to assert their legal rights.
- D. Legal advisers or advocates report that access to their clients is supported and facilitated by the centre.
- E. Frequency of visits or contacts between young people and their legal advisers.

References

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

18(a). Juveniles should have the right of legal counsel and be enabled to apply for free legal aid, where such aid is available, and to communicate regularly with their legal advisers. Privacy and confidentiality shall be ensured for such communications.

20. No juvenile should be received in any detention facility without a valid commitment order of a judicial, administrative or other public authority. The details of this order should be immediately entered in the register. No juvenile should be detained in any facility where there is no such register.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice:

7.1. Basic procedural safeguards such as the presumption of innocence, the right to be notified of the charges, the right to remain silent, the right to counsel, the right to the presence of a parent or guardian, the right to confront and cross-examine witnesses and the right to appeal to a higher authority shall be guaranteed at all stages or proceedings.

19.1. The placement of a juvenile in an institution shall always be a disposition of last resort and for the minimum necessary period.

28.1. Conditional release from an institution shall be used by the appropriate authority to the greatest possible extent, and shall be granted at the earliest possible time.

2.6 Access to Personal Information

Standard

The centre gives young people reasonable access to information about themselves held by the centre, and the opportunity to challenge and correct inaccuracies.

Sample indicators

- A. The centre's policy, procedure and practices are consistent, and reflect the standard.
- B. A simple, accessible and timely process exists for young people to challenge and correct inaccurate information about themselves held by the centre.
- C. Young people know they can access, challenge and correct personal information held by the centre.

References

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

19. Where possible, every juvenile should have the right to contest any fact or opinion contained in his or her file so as to permit rectification of inaccurate, unfounded or unfair statements. In order to exercise this right, there should be procedures that allow an appropriate third party to have access to and to consult the file on request.

2.7 Complaints and Grievances

Standard

The centre provides young people with clear, accessible and fair avenues for lodging and resolving complaints and grievances, and with the opportunity to appeal decisions.

Sample indicators

- A. Formal and informal complaints are dealt with in accordance with written policy and procedure.
- B. Young people are assisted to raise concerns about the centre or its services without fear of retribution.
- C. Young people and their advocates know about and understand the internal and external complaints procedures, and report satisfaction with the centre's practices.
- D. Young people are presented with sufficient opportunities to voice their complaints to independent people who visit the centre, such as Official Visitors or officers of the Ombudsman.
- E. Visitors who take complaints from young people as part of their official duties report satisfaction with the centre's practices.
- F. Feedback is provided to young people who lodge or appeal complaints.
- G. Number of complaints and grievances received, and number resolved to the satisfaction of those involved.

References

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

- 75. Every juvenile should have the opportunity of making requests or complaints to the director of the detention facility and to his or her authorized representative.
- 76. Every juvenile should have the right to make a request or complaint, without censorship as to substance, to the central administration, the judicial authority or other proper authorities through approved channels, and to be informed of the response without delay.
- 78. Every juvenile should have the right to request assistance from family members, legal counsellors, humanitarian groups or others where possible, in order to make a complaint. Illiterate juveniles should be provided with assistance should they need to use the services of public or private agencies and organizations which provide legal counsel or which are competent to receive complaints.

3. Entry

3.1 Admission

Standard

On admission, screening and assessment of young people identify risk factors and individual needs that are relevant to the safe management of young people while in detention.

Sample indicators

- A. The centre's admission policy, procedure and practices are consistent, and reflect the standard.
- B. Admissions staff demonstrate ability to identify risk factors.
- C. Percentage of young people screened and assessed within an acceptable time frame after admission.
- D. Immediate risk factors identified on admission are communicated to relevant staff.

References

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

50. Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility, for the purpose of recording any evidence of prior ill-treatment and identifying any physical or mental condition requiring medical attention.

27. As soon as possible after the moment of admission, each juvenile should be interviewed, and a psychological and social report identifying any factors relevant to the specific type and level of care and programme required by the juvenile should be prepared. This report, together with the report prepared by a medical officer who has examined the juvenile upon admission, should be forwarded to the director for purposes of determining the most appropriate placement for the juvenile within the facility and the specific type and level of care and programme required and to be pursued.

22. Information on admission, place, transfer and release should be provided without delay to the parents and guardians or closest relative of the juvenile concerned.

26. The transport of juveniles should be carried out at the expense of the administration in conveyances with adequate ventilation and light, in conditions that should in no way subject them to hardship or indignity. Juveniles should not be transferred from one facility to another arbitrarily.

3.2 Orientation and Induction

Standard

Young people and their families or significant others are provided with comprehensive information in accessible formats about their rights, obligations, programs and services at the centre, as soon as practicable after admission.

Sample indicators

- A. The centre's orientation and induction policy, procedure and practices are consistent, and reflect the standard.
- B. Young people and their families or significant others report that orientation / induction information received from the centre is adequate, useful and easy to understand.
- C. The induction program reduces the anxiety of young people entering the centre.
- D. Young people report that they continue to have appropriate access to relevant information throughout their residence at the centre.

References

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

24. On admission, all juveniles shall be given a copy of the rules governing the detention facility and a written description of their rights and obligations in a language they can understand, together with the address of the authorities competent to receive complaints, as well as the address of public or private agencies and organizations which provide legal assistance. For those juveniles who are illiterate or who cannot understand the language in the written form, the information should be conveyed in a manner enabling full comprehension.

25. All juveniles should be helped to understand the regulations governing the internal organisation of the facility, the goals and methodology of care provided, the disciplinary requirements and procedures, other authorised methods of seeking information and of making complaints, and all such other matters as are necessary to enable them to understand fully their rights and obligations during detention.

4. Personal and Social Development

4.2 Academic and Vocational Programs

Standard

The centre's coordinated and varied educational and accredited vocational programs are suited to individual needs, interests and market-place opportunities, provide positive learning experiences, and systematically assess and improve the numeracy levels, literacy levels and the work-place knowledge, experience, and qualifications of young people.

Sample indicators

- A. Programs on offer at the centre are selected or designed with reference to identified client needs and offending behaviour.
- B. Programs reflect valid scientific theory on personal development.
- C. Program-delivery staff demonstrate understanding of the programming model.
- D. Program delivery is monitored to ensure the integrity of programs is maintained.
- E. Program attendance rate. Patterns of success. Percent of young people completing accredited vocational and other programs.
- F. Intake and exit academic and vocational assessments.
- G. Young people report that they find the programs interesting and useful.

References

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

38. Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided in community schools wherever possible and, in any case, by qualified teachers through programmes integrated with the education system of the country so that, after release, juveniles may continue their education without difficulty. Special attention should be given by the administration of the detention facilities to the education of juveniles of foreign origin or with particular cultural or ethnic needs. Juveniles who are illiterate or have cognitive or learning difficulties should have the right to special education.

39. Juveniles above compulsory school age who wish to continue their education should be encouraged to do so, and every effort should be made to provide them with access to appropriate educational programmes.

42. Every juvenile should have the right to receive vocational training in occupations likely to prepare him or her for future employment.

43. With due regard to proper vocational selection and to the requirements of institutional administration, juveniles should be able to choose the type of work they wish to perform.

45. Wherever possible, juveniles should be provided with the opportunity to perform remunerated labour, if possible within the local community, as a complement to the vocational training provided in order to enhance the possibility of finding suitable employment when they return to their communities. The type of work should be such as to provide appropriate training that will be of benefit to the juveniles following release. The organisation and methods of work offered in detention facilities should resemble as closely as possible those of similar work in the community, so as to prepare juveniles for the conditions of normal occupational life.

46. Every juvenile who performs work should have the right to an equitable remuneration.

4.3 Offender Programs

Standard

The centre provides specialised programs that assist young people to understand why they offend and what measures they can take to stop or reduce their offending.

Sample indicators

- A. Number of programs available with a specific focus on offending, and percentage of young people participating.
- B. Offender program intake and exit assessments.
- C. Young people report increased knowledge of factors that influence their offending, and express empathy with victims.

References

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

12. Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society.

79. All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release.

4.4 Counselling Services

Standard

The centre provides opportunities for young people to resolve family and personal issues through supportive guidance and professional assistance, including individual, group, and family counselling.

Sample indicators

- A. Records of participation in counselling sessions and clinical groups.
- B. Counselling referrals are influenced by the identified needs and the offending behaviour of young people.
- C. Young people and their families or significant others report that the capacity of young people to manage situations after counselling has improved.

References

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

12. Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society.

79. All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release.

4.5 Recreation and Leisure

Standard

The centre provides a broad range of coordinated physical and passive recreational and leisure activities that are enjoyable and improve the fitness levels, skills, self-esteem, and community integration of young people. These activities involve a reasonable level of community interaction, and include activities initiated by young people themselves.

Sample indicators

- A. Amount of recreation and leisure time for young people structured into daily routines.
- B. Degree of choice available to young people about how they use allocated recreation and leisure time.
- C. Range of available indoor and outdoor options in the centre and in the community.
- D. Young people report enjoyment and satisfaction with the range of recreation and leisure programs.
- E. Fitness intake and exit assessments.

References

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

12. Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society.

32. The design of detention facilities for juveniles and the physical environment should be in keeping with the rehabilitative aim of residential treatment, with due regard to the need of the juvenile for privacy, sensory stimuli, opportunities for association with peers and participation in sports, physical exercise and leisure-time activities.

47. Every juvenile should have the right to a suitable amount of time for daily free exercise, in the open air whenever weather permits, during which time appropriate recreational and physical training should normally be provided. Adequate space, installations and equipment should be provided for these activities. Every juvenile should have additional time for daily leisure activities, part of which should be devoted, if the juvenile so wishes, to arts and crafts skill development. The detention facility should ensure that each juvenile is physically able to participate in the available programs of physical education. Remedial physical education and therapy should be offered, under medical supervision, to juveniles needing it.

41. Every detention facility should provide access to a library that is adequately stocked with both instructional and recreational books and periodicals suitable for the juveniles, who should be encouraged and enabled to make full use of it.

5. Family and Community

5.1 Family and Significant Others

Standard

The centre encourages and enables visitation and communication between young people and their families or significant others that is not unreasonably limited by the centre, is responsive to individuals' needs, and occurs in conditions that are dignified and relatively private.

Sample indicators

- A. Statistics on the frequency and length of contact between young people and their families or significant others.
- B. Quality of designated areas for contact.
- C. Range and flexibility of options available to achieve equitable contact between young people and their families or significant others.
- D. Young people report that they are provided with adequate opportunities to contact their families or significant others.
- E. The families or significant others of young people report that they are provided with adequate opportunities to contact their young people in custody.

References

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

59. Every means should be provided to ensure that juveniles have adequate communication with the outside world, which is an integral part of the right to fair and humane treatment and is essential to the preparation of juveniles for their return to society. Juveniles should be allowed to communicate with their families, friends and other persons or representatives of reputable organizations, to leave detention facilities for a visit to their home and family and to receive special permission to leave the detention facility for educational, vocational or other important reasons.
60. Every juvenile should have the right to receive regular and frequent visits, in principle once a week and not less than once a month, in circumstances that respect the need of the juvenile for privacy, contact and unrestricted communication with the family and the defence counsel.
61. Every juvenile should have the right to communicate in writing or by telephone at least twice a week with the person of his or her choice, unless legally restricted, and should be assisted as necessary in order effectively to enjoy this right.
30. Detention facilities for juveniles should be decentralised and of such size as to facilitate access and contact between the juveniles and their families.
58. A juvenile should be informed at the earliest possible time of the death, serious illness or injury of any immediate family member and should be provided with the opportunity to attend the funeral of the deceased or go to the bedside of a critically ill relative.
56. The family or guardian of a juvenile and any other person designated by the juvenile have the right to be informed of the state of health of the juvenile on request and in the event of any important changes in the health of the juvenile. The director of the detention facility should notify immediately the family or guardian of the juvenile concerned, or other designated person, in case of death, illness requiring transfer of the juvenile to an outside medical facility, or a condition requiring clinical care within the detention facility for more than 48 hours.

5.2 Community Contact

Standard

The centre maximises opportunities for young people at every stage of custody to interact with the community, and fosters community involvement in, and support for, the centre.

Sample indicators

- A. Range and frequency of contacts of community representatives with young people at the centre and in the community.
- B. Community representatives report that the centre supports their involvement.
- C. The centre has established a committee with community liaison functions, and the committee includes community representatives in its membership.
- D. Availability of televisions, radios, newspapers, etc., to young people other than through the incentive scheme.
- E. Amount, type and quality of information resources supplied to the public.

References

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

59. Every means should be provided to ensure that juveniles have adequate communication with the outside world, which is an integral part of the right to fair and humane treatment and is essential to the preparation of juveniles for their return to society. Juveniles should be allowed to communicate with their families, friends and other persons or representatives of reputable organizations, to leave detention facilities for a visit to their home and family and to receive special permission to leave the detention facility for educational, vocational or other important reasons.
30. Open detention facilities for juveniles should be established. Open detention facilities are those with no or minimal security measures. Detention facilities for juveniles should be de-centralised and of such size as to facilitate access and contact between the juveniles and their families. Small-scale detention facilities should be established and integrated into the social, economic and cultural environment of the community.
62. Juveniles should have the opportunity to keep themselves informed regularly of the news by reading newspapers, periodicals and other publications, through access to radio and television programmes and motion pictures, and through the visits of the representatives of any lawful club or organization in which the juvenile is interested.
38. Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided in community schools wherever possible.
49. All medical care should, where possible, be provided to detained juveniles through the appropriate health facilities and services of the community in which the detention facility is located, in order to prevent stigmatization of the juvenile and promote self-respect and integration into the community.
8. The competent authorities should constantly seek to increase the awareness of the public that the care of detained juveniles and preparation for their return to society is a social service of great importance, and to this end active steps should be taken to foster open contacts between the juveniles and the local community.

5.3 Transition Support

Standard

The return of young people to the community happens in a planned and supported manner. Where local laws enable early or conditional release, these options are used to the greatest possible extent and are granted at the earliest possible time.

Sample indicators

- A. Amount and type of community contact and involvement young people have during the pre-release period.
- B. Case plans and exit plans include arrangements for post-release support.
- C. Referrals and established links with community-based organisations.
- D. Evidence of satisfactory progress towards rehabilitation is systematically gathered and used to effect early or conditional release wherever feasible.
- E. Young people report that the centre supports them to achieve an early and successful return to the community.

References

United Nations Standard Minimum Rules for the Administration of Juvenile Justice:

24.1. Efforts shall be made to provide juveniles, at all stages of the proceedings, with necessary assistance such as lodging, education or vocational training, employment or any other assistance, helpful and practical, in order to facilitate the rehabilitative process.

25.1. Volunteers, voluntary organisations, local institutions and other community resources shall be called upon to contribute effectively to the rehabilitation of the juvenile in a community setting and, as far as possible, within the family unit.

19.1. The placement of a juvenile in an institution shall always be a disposition of last resort and for the minimum necessary period.

28.1. Conditional release from an institution shall be used by the appropriate authority to the greatest possible extent, and shall be granted at the earliest possible time.

29.1. Efforts shall be made to provide semi-institutional arrangements, such as half-way houses, educational homes, day-time training centres and other such appropriate arrangements that may assist juveniles in their proper reintegration into society.

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

79. All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release. Procedures, including early release, and special courses should be devised to this end.

80. Competent authorities should provide or ensure services to assist juveniles in re-establishing themselves in society and to lessen prejudice against such juveniles. These services should ensure, to the extent possible, that the juvenile is provided with suitable residence, employment, clothing, and sufficient means to maintain himself or herself upon release in order to facilitate successful reintegration. The representatives of agencies providing such services should be consulted and should have access to juveniles while detained, with a view to assisting them in their return to the community.

40. Diplomas or educational certificates awarded to juveniles while in detention should not indicate in any way that the juvenile has been institutionalised.

6. Health

6.1 Health Care

Standard

Young people have access to a comprehensive range of health care and health promotion services and programs that improve and maintain their health and well-being.

Sample indicators

- A. The centre's health care and infection control policies, procedures and practices are consistent, reflect the standard, and promote the safety of young people and their right to confidentiality.
- B. Health assessments on admission identify urgent health needs and areas for follow-up. Subsequent assessments identify existing and potential health needs.
- C. Young people have access to programs that provide early intervention, treatment, rehabilitation, health education, and continuity of care, and encourage young people and their families to make decisions about their own health.
- D. The health and the health-enhancing behaviour of young people is improved and maintained while in custody.
- E. Young people report that their health care needs are attended to in the centre.
- F. Percentage of young people assessed within a reasonable time after admission.
- G. Quality assurance and continuous improvement systems are used to evaluate and enhance health care services.

References

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

49. Every juvenile shall receive adequate medical care, both preventive and remedial, including dental, ophthalmological and mental health care, as well as pharmaceutical products and special diets as medically indicated. All medical care should, where possible, be provided to detained juveniles through the appropriate health facilities and services of the community in which the detention facility is located, in order to prevent stigmatization of the juvenile and promote self-respect and integration into the community.

50. Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility, for the purpose of recording any evidence of prior ill-treatment and identifying any physical or mental condition requiring medical attention.

51. The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society. Every detention facility for juveniles should have immediate access to adequate medical facilities and equipment appropriate to the number and requirements of its residents, and staff trained in preventive health care and the handling of medical emergencies. Every juvenile who is ill, who complains of illness or who demonstrates symptoms of physical and mental difficulties, should be examined promptly by a medical officer.

52. Any medical officer who has reason to believe that the physical or mental health of a juvenile has been or will be injuriously affected by continued detention or any condition of detention should report this fact immediately to the director of the detention facility.

55. Medicines should be administered only for necessary treatment on medical grounds and, when possible, after having obtained the informed consent of the juvenile concerned.

6.2 Cleanliness and Hygiene

Standard

Housekeeping practices ensure a satisfactory level of personal and collective cleanliness and hygiene, and comply with applicable regulations and standards.

Sample indicators

- A. Infection control training is in place and universal precautions are taken.
- B. Cleaning routines are specified and adhered to.
- C. Observed cleanliness of centre.

References

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

- 31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.
- 33. Every juvenile should, in accordance with local or national standards, be provided with separate and sufficient bedding, which should be clean when issued, kept in good order and changed often enough to ensure cleanliness.
- 34. Sanitary installations should be so located and of a sufficient standard to enable every juvenile to comply, as required, with their physical needs in privacy and in a clean and decent manner.

6.3 Food and Nutrition

Standard

Young people are provided with a variety of foods of satisfactory quality in sufficient quantities; meals are nutritious, meet special dietary needs, and their choice and preparation is influenced by young people's preferences.

Sample indicators

- A. Policy, procedure and practices in relation to food preparation and nutrition are consistent, and reflect the standard.
- B. Food services comply with applicable sanitation and health codes.
- C. Young people report satisfaction with the centre's food services.
- D. Cultural- and age-appropriate diets are provided, and religious requirements are observed.

References

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

37. Every detention facility shall ensure that every juvenile receives food that is suitably prepared and presented at normal meal times and of a quality and quantity to satisfy the standards of dietetics, hygiene and health and, as far as possible, religious and cultural requirements. Clean drinking water should be available to every juvenile at any time.

6.4 Mental Health

Standard

A comprehensive mental health service provides systematic early assessment, diagnosis and treatment of mental health issues of young people.

Sample indicators

- A. Case management plans for young people with identified mental health issues specify participation in relevant programs, both during custody and in the community after release.
- B. Staff are adequately trained and supported in the management of mental health issues.
- C. Percentage of young people with identified mental health issues who are provided with relevant services.
- D. The centre has protocols with mental health service providers in the community.
- E. Frequency of contact with mental health services at the centre and in the community.

References

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

51. The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society. Every detention facility for juveniles should have immediate access to adequate medical facilities and equipment appropriate to the number and requirements of its residents, and staff trained in preventive health care and the handling of medical emergencies. Every juvenile who is ill, who complains of illness or who demonstrates symptoms of physical and mental difficulties, should be examined promptly by a medical officer.
52. Any medical officer who has reason to believe that the physical or mental health of a juvenile has been or will be injuriously affected by continued detention or any condition of detention should report this fact immediately to the director of the detention facility.
53. A juvenile who is suffering from mental illness should be treated in a specialized institution under independent medical management. Steps should be taken, by arrangement with appropriate agencies, to ensure any necessary continuation of mental health care after release.
55. Medicines should be administered only for necessary treatment on medical grounds and, when possible, after having obtained the informed consent of the juvenile concerned.

6.5 Drug Dependency

Standard

A comprehensive alcohol and other drugs service, including assessment, education and intervention, assists young people to understand the issues arising from their use of alcohol or other drugs, and the measures they can take to safely manage or reduce their use of such drugs.

Sample indicators

- A. Case management plans for young people with identified AOD issues specify participation in relevant programs, both during custody and in the community after release.
- B. Range of AOD educational and counselling programs accessible to young people.
- C. Young people with identified AOD issues demonstrate increased knowledge about substance abuse, how it affects them, and what they can do to help themselves.
- D. Adequacy of system to detect contraband alcohol and other drugs in the centre.

References

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

51. The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society.

54. Juvenile detention facilities should adopt specialized drug abuse prevention and rehabilitation programmes administered by qualified personnel. These programmes should be adapted to the age, sex and other requirements of the juveniles concerned, and detoxification facilities and services staffed by trained personnel should be available to drug- or alcohol-dependent juveniles.

7. Behaviour Management

7.1 Personal and Social Responsibility

Standard

In their daily interactions with young people, centre staff provide young people with opportunities and support to make decisions, and to responsibly manage their own behaviour.

Sample indicators

- A. Young people report that staff provide them with opportunities, choices and support for self-management.
- B. Wherever possible, non-punitive methods are used by staff to divert and de-escalate inappropriate behaviours.
- C. There are positive and flexible interactions between young people and staff, through negotiation, conflict resolution, and other effective communication.
- D. Staff report that they have a range of techniques to deal non-punitively with young people's inappropriate behaviours.
- E. Frequency of use of punishments and restraints.

References

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

66. Any disciplinary measures and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person.

83. The personnel of juvenile detention facilities should be continually encouraged to fulfil their duties and obligations in a humane, committed, professional, fair and efficient manner, to conduct themselves at all times in such a way as to deserve and gain the respect of the juveniles, and to provide juveniles with a positive role model and perspective.

87(f). All personnel should seek to minimise any differences between life inside and outside the detention facility which tend to lessen due respect to the dignity of juveniles as human beings.

7.2 Incentive Scheme

Standard

The centre's incentive scheme reinforces socially acceptable behaviours and encourages participation in programs through appropriate rewards.

Sample indicators

- A. The centre's incentive scheme policy, procedure and practices are consistent, and reflect the standard.
- B. Publications for staff and young people clearly explain how the incentive scheme is meant to operate.
- C. Staff and young people understand the incentive scheme's rules and report that the incentive scheme's rewards are appropriate and desirable.
- D. A range of incentives is used, impartially and without bias.

References

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

83. The personnel of juvenile detention facilities should be continually encouraged to fulfil their duties and obligations in a humane, committed, professional, fair and efficient manner, to conduct themselves at all times in such a way as to deserve and gain the respect of the juveniles, and to provide juveniles with a positive role model and perspective.

67. The reduction of diet and the restriction or denial of contact with family members should be prohibited for any purpose. Labour should always be viewed as an educational tool and a means of promoting the self-respect of the juvenile in preparing him or her for return to the community.

7.3 Disciplinary Scheme

Standard

Disciplinary responses to unacceptable behaviour are in accord with international principles, local laws, and the centre's policies and procedures, which are applied in an impartial and fair manner.

Sample indicators

- A. Range of accessible and clear information about the centre's disciplinary scheme.
- B. Staff and young people demonstrate understanding of the disciplinary scheme.
- C. Records of disciplinary proceedings and outcomes are consistent with legislation, policy and procedure.
- D. Punishments for misbehaviour are relevant and timely, but are not "harsh, cruel, inhuman, or degrading".
- E. Statistics on the use of available punishments.

References

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

1. The juvenile justice system should uphold the rights and safety and promote the physical and mental well-being of juveniles. Imprisonment should be used as a last resort.
66. Any disciplinary measures and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person.
67. All disciplinary measures constituting cruel, inhumane or degrading treatment shall be strictly prohibited, including corporal punishment, placement in a dark cell, closed or solitary confinement or any other punishment that may compromise the physical or mental health of the juvenile concerned. The reduction of diet and the restriction or denial of contact with family members should be prohibited for any purpose. Labour should always be viewed as an educational tool and a means of promoting the self-respect of the juvenile in preparing him or her for return to the community and should not be imposed as a disciplinary sanction. No juvenile should be sanctioned more than once for the same disciplinary infraction. Collective sanctions should be prohibited.
- 87(a). No member of the detention facility or institutional personnel may inflict, instigate or tolerate any act of torture or any form of harsh, cruel, inhuman, or degrading treatment, punishment, correction or discipline under any pretext or circumstance whatsoever.
69. A report of misconduct should be presented promptly to the competent authority, which should decide on it without undue delay. The competent authority should conduct a thorough examination of the case.
70. No juvenile should be disciplinarily sanctioned except in strict accordance with the terms of the law and regulations in force. No juvenile should be sanctioned unless he or she has been informed of the alleged infraction in a manner appropriate to the full understanding of the juvenile, and given a proper opportunity of presenting his or her defence, including the right to appeal to a competent impartial authority. Complete records should be kept of all disciplinary proceedings.
71. No juveniles should be responsible for disciplinary functions.

7.4 Protective Care

Standard

Appropriate protective care is provided to young people who are deemed to be vulnerable, or who may be a threat to themselves or to others.

Sample indicators

- A. An adequate method for identifying high-risk young people is followed.
- B. The special management of high-risk young people is documented in each person's case plan.
- C. Intervention plans minimise the separation of an identified young person, and allow access to activities provided to other young people without placing the identified young person at risk.

References

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

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations.

87(d). All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required.

7.5 Self Harm and Suicide Prevention

Standard 7.5.1

The centre minimises opportunities for self-harming behaviour by young people, and where self-harming behaviour is exhibited there is effective and responsible intervention.

Sample indicators

- A. The centre's self-harm prevention policy, procedure and practices are consistent, and reflect the standard.
- B. The centre analyses self-harm incidents and responds on the basis of such analyses.
- C. Regular audits of the built environment and equipment identify and minimise self-harm points and opportunities.
- D. Records of counselling and referral in relation to self-harming behaviour.

Standard 7.5.2

A suicide prevention and intervention strategy includes intake screening, identification and supervision of young people according to their regularly-assessed risk levels.

Sample indicators

- A. The centre has a current and comprehensive suicide prevention and intervention strategy that is understood and applied by staff.
- B. Procedures and information are available for dealing with suicidal behaviour, both pre-emptively and after-the-fact.
- C. Records of counselling and referral in relation to self-harming behaviour.

References

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

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations.

87(d). All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required.

7.6 Separation

Standard

Separation of a young person, including separation by means of closed or solitary confinement, is used only in response to an unacceptable risk of immediate harm to the young person or to others.

Sample indicators

- A. The centre's separation policy, procedure and practices are consistent, and reflect the standard and legislative requirements.
- B. A young person is never isolated from other people except to protect the young person from his or her own actions or from the actions of others, or to protect others from the actions of the young person, when the danger or risk of harm is unacceptably high.
- C. Statistics on the frequency, length and reasons for the use of separation.

References

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

64. By order of the director of the administration, [instruments of restraint and force] might be resorted to in order to prevent the juvenile from inflicting self-injury, injuries to others or serious destruction of property. In such instances, the director should at once consult medical and other relevant personnel and report to the higher administrative authority.

67. All disciplinary measures constituting cruel, inhumane or degrading treatment shall be strictly prohibited, including corporal punishment, placement in a dark cell, closed or solitary confinement or any other punishment that may compromise the physical or mental health of the juvenile concerned.

7.7 Use of Force

Standard

Force or instruments of restraint are used on a young person only in response to an unacceptable risk of escape, immediate harm to the young person, or immediate harm to others, and are used for the shortest possible period of time, and in such a way as to avoid or minimise feelings of humiliation or degradation.

Sample indicators

- A. The centre's policies, procedures and practices on the use of force and instruments of restraint are consistent, and reflect the standard and legislative requirements.
- B. Force or instruments of restraint are never used on a young person except to prevent escape, to protect the young person from his or her own actions or from the actions of others, or to protect others from the actions of the young person, when the danger or risk of harm or escape are unacceptably high.
- C. Statistics on the frequency, length and reasons for the use of force.

References

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

64. Instruments of restraint and force can only be used in exceptional cases, where all other control methods have been exhausted and failed, and only as explicitly authorized and specified by law and regulation. They should not cause humiliation or degradation, and should be used restrictively and only for the shortest possible period of time. By order of the director of the administration, such instruments might be resorted to in order to prevent the juvenile from inflicting self-injury, injuries to others or serious destruction of property. In such instances, the director should at once consult medical and other relevant personnel and report to the higher administrative authority.

8. Security and Safety

8.1 Security

Standard

Security measures promote the safe operation of the centre and assure the orderly completion of young people's custodial terms. Unless there is proper authorisation, young people always remain within designated areas on the grounds of the centre, and access by the general public is prevented.

Sample indicators

- A. Staff are aware of the correct procedures for centre security and control and know how to implement these procedures.
- B. Leave guidelines in relation to assessment, authorisation, supervision, and support of young people on leave are followed.
- C. Number of escapes or abscondings from the centre. Number of incidents involving drugs, weapons or other contraband imported into the centre.
- D. Escapes and incidents involving contraband are investigated, and records are kept of the investigations.
- E. Searches and other methods used to control contraband are respectful of the dignity and rights of the young people and their families or significant others.
- F. The centre's perimeter is appropriately controlled, so that young people remain within the grounds of the centre and do not have unauthorised contact with members of the public.
- G. There is a centre-wide communications system to complement staff supervision activities.
- H. There is a 24-hour system for monitoring and co-ordinating security, safety and communications systems within the centre.
- I. The centre has a system for physically counting young people at least once per shift. Adequate checks are instituted to allow for human error.
- J. A daily report indicates the number of young people in the centre, their names and unit assignments. Daily movement sheets detail the number and types of admissions and the count at the close of the day.

References

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

84. The administration should introduce forms of organisation and management that facilitate communications between different categories of staff in each detention facility so as to enhance co-operation between the various services engaged in the care of juveniles, as well as between staff and the administration, with a view to ensuring that staff directly in contact with juveniles are able to function in conditions favourable to the efficient fulfilment of their duties.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice:

28.2. Juveniles released conditionally from an institution shall be assisted and supervised by an appropriate authority and shall receive full support by the community.

8.2 Safety

Standard

The centre as a whole complies with occupational health and safety standards, and provides a safe living and work environment.

Sample indicators

- A. Evidence of the implementation and monitoring of OHS standards and procedures.
- B. Young people and staff report that the environment of the centre is safe.
- C. Level of WorkCover claims / accident reports.
- D. Frequency of OHS disputes.

References

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

- 31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.
- 32. The design and structure of juvenile detention facilities should be such as to minimise the risk of fire and to ensure safe evacuation from the premises. There should be an effective alarm system in case of fire, as well as formal and drilled procedures to ensure the safety of the juveniles.
- 33. During sleeping hours there should be regular, unobtrusive supervision of all sleeping areas, including individual rooms and group dormitories, in order to ensure the protection of each juvenile.

8.3 Emergencies

Standard

Comprehensive emergency procedures have the protection of life as their first priority.

Sample indicators

- A. Emergency plans and procedures are in place.
- B. Staff and young people are regularly trained in and are familiar with emergency procedures.
- C. Emergency equipment is operational and readily available.
- D. Emergency keys are checked at least quarterly to make sure that they function properly.

References

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

32. The design and structure of juvenile detention facilities should be such as to minimise the risk of fire and to ensure safe evacuation from the premises. There should be an effective alarm system in case of fire, as well as formal and drilled procedures to ensure the safety of the juveniles.

9. Built Environment

9.1 Building Design

Standard

The centre provides a physical environment that is safe and secure and has due regard to the rehabilitative expectations of custodial care, in accordance with the recommendations of the Royal Commission into Aboriginal Deaths in Custody and the *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand*.

Sample indicators

- A. The design of the centre facilitates personal contact and interaction between staff and young people.
- B. Use of the built environment maximises the benefit of young people.
- C. Young people, their families, staff and visitors report satisfaction with the facilities.
- D. Modifications or additions to existing buildings are in line with the recommendations of the Royal Commission into Aboriginal Deaths in Custody and the *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand* (Department of Health and Community Services, Victoria; Australasian Juvenile Justice Administrators; 1996).
- E. Clinics, kitchens, training rooms and other specialised facilities meet applicable standards.

References

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

- 31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.
- 30. Open detention facilities for juveniles should be established. Open detention facilities are those with no or minimal security measures. The population in such detention facilities should be as small as possible. The number of juveniles detained in closed facilities should be small enough to enable individualized treatment. Detention facilities for juveniles should be decentralised and of such size as to facilitate access and contact between the juveniles and their families. Small-scale detention facilities should be established and integrated into the social, economic and cultural environment of the community.
- 32. The design of detention facilities for juveniles and the physical environment should be in keeping with the rehabilitative aim of residential treatment, with due regard to the need of the juvenile for privacy, sensory stimuli, opportunities for association with peers and participation in sports, physical exercise and leisure-time activities.
- 33. Sleeping accommodation should normally consist of small group dormitories or individual bedrooms, while bearing in mind local standards.
- 34. Sanitary installations should be so located and of a sufficient standard to enable every juvenile to comply, as required, with their physical needs in privacy and in a clean and decent manner.

9.2 Cyclic Maintenance

Standard

The centre's buildings, grounds, furnishings and equipment are kept in good repair and working order.

Sample indicators

- A. A cyclic maintenance plan is implemented.
- B. Signs of disrepair to buildings include large cracks in the plaster, holes in walls and ceilings, chipped and peeling paint, broken windows and worn carpeting.
- C. Condition of equipment for use by young people, such as sporting equipment, musical instruments, kitchenware, library books, etc.
- D. There is a scheduled maintenance procedure for all locks, windows, doors and other security and emergency devices.
- E. Modifications or additions to existing buildings are in line with the recommendations of the Royal Commission into Aboriginal Deaths in Custody and the *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand* (Department of Health and Community Services, Victoria; Australasian Juvenile Justice Administrators; 1996).

References

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

- 31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.
- 32. The design of detention facilities for juveniles and the physical environment should be in keeping with the rehabilitative aim of residential treatment, with due regard to the need of the juvenile for privacy, sensory stimuli, opportunities for association with peers and participation in sports, physical exercise and leisure-time activities.

10. Human Resources

10.1 Selection and Promotion

Standard

All qualified persons are able to compete equally for entry into and promotion within the centre. Staff are selected, retained and promoted on the basis of merit and specified qualifications, and an affirmative action program actively encourages the selection, retention and promotion of members of minority groups, people with disabilities, and women.

Sample indicators

- A. The centre's policies, procedures, practices and staff training in relation to selection and promotion of staff are consistent, and reflect the standard.
- B. Staff involved in selection and promotion decisions understand and know how to apply EEO principles.
- C. Percentage of staff who are women, have disabilities, or are from minority groups represented in the community or in the centre's client group.
- D. Number of staff grievances arising from selection and promotion decisions.
- E. Information evenings are used to reach out to employee target groups.
- F. Police checks form a compulsory part of the recruitment process.

References

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

82. The administration should provide for the careful selection and recruitment of every grade and type of personnel, since the proper management of detention facilities depends on their integrity, humanity, ability and professional capacity to deal with juveniles, as well as personal suitability for the work.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice:

22.2. Juvenile justice personnel shall reflect the diversity of juveniles who come into contact with the juvenile justice system. Efforts shall be made to ensure the fair representation of women and minorities in juvenile justice agencies.

10.2 Competency of Staff

Standard

All staff possess competencies appropriate to their job descriptions.

Sample indicators

- A. Correspondence between the job descriptions of staff and their demonstrable qualifications.
- B. Staff report that they are confident they have the necessary skills to adequately perform their duties.
- C. Percent of staff who have been accredited against national competency standards, or who hold other relevant qualifications.
- D. Recruitment policy targets appropriate applicants for positions.
- E. Pre-employment training and placements are used to screen out applicants whose on-the-job performances fall short of the standard expected.

References

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

81. Personnel should be qualified and include a sufficient number of specialists such as educators, vocational instructors, counsellors, social workers, psychiatrists and psychologists.

82. The administration should provide for the careful selection and recruitment of every grade and type of personnel, since the proper management of detention facilities depends on their integrity, humanity, ability and professional capacity to deal with juveniles, as well as personal suitability for the work.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice:

22.1. Professional education, in-service training, refresher courses and other appropriate modes of instruction shall be utilized to establish and maintain the necessary professional competence of all personnel dealing with juvenile cases.

22.2. Juvenile justice personnel shall reflect the diversity of juveniles who come into contact with the juvenile justice system. Efforts shall be made to ensure the fair representation of women and minorities in juvenile justice agencies.

10.3 Range of Specialists

Standard

The centre's staff include a sufficient number of specialists, such as youth workers, educators, vocational instructors, counsellors, social workers, psychiatrists and psychologists, who significantly contribute to the management of the centre.

Sample indicators

- A. Number of different specialists having input into case plans.
- B. Staff report participation in centre management.
- C. Average specialist hours per week available per young person, by type of specialist.
- D. The centre assists specialist staff to comply with any additional standards that apply to their professions.

References

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

81. Personnel should be qualified and include a sufficient number of specialists such as educators, vocational instructors, counsellors, social workers, psychiatrists and psychologists.

82. The administration should provide for the careful selection and recruitment of every grade and type of personnel, since the proper management of detention facilities depends on their integrity, humanity, ability and professional capacity to deal with juveniles, as well as personal suitability for the work.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice:

22.1. Professional education, in-service training, refresher courses and other appropriate modes of instruction shall be utilized to establish and maintain the necessary professional competence of all personnel dealing with juvenile cases.

10.4 Accessibility of Staff

Standard

The centre provides a sufficient number of trained staff to ensure that young people are treated as individuals and are assisted with their involvement in the centre's programs and activities.

Sample indicators

- A. Policies, procedures, staffing allocations and practices show that the care of young people at the centre is achieved through a culture of positive personal interactions rather than a culture of rules and regulations.
- B. Staff are aware of the risk and dangers of institutionalisation of young people and apply strategies to counteract that tendency within the centre.
- C. The quality of relationships established between staff and young people help young people respond positively to adults as authority figures.
- D. Young people report sufficient personal contact time with staff.
- E. Staff report sufficient personal contact time with young people.
- F. Amount of time per twenty-four-hour period during which young people are not locked in or confined to their bedrooms.
- G. Structured program hours per day.

References

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

87(f). All personnel should seek to minimise any differences between life inside and outside the detention facility which tend to lessen due respect to the dignity of juveniles as human beings.

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health.

30. The number of juveniles detained in closed facilities should be small enough to enable individualised treatment.

10.5 Development and Training

Standard 10.5.1

The centre's staff development and training program meets competency and job-related training needs of staff, and is planned, coordinated and reviewed.

Sample indicators

- A. Average number of staff training hours, by course, competency or other category.
- B. Demonstrated link between actual training and staff development program.
- C. There is adequate training on the policies, procedures and legislation referred to in the present standards.
- D. Staff report satisfaction with the development and training program.

Standard 10.5.2

Supervision and assessment improve staff work performance and development.

Sample indicators

- A. Records of supervision. Staff feedback on the quality of supervision.
- B. Performance enhancement procedures, such as annual written performance reviews based on defined criteria, are in use with all staff.

Standard 10.5.3

Centre staff participate in the formulation of local policies, procedures, programs and other initiatives.

Sample indicators

- A. Levels of participation in staff meetings, suggestion programs, staff committees and similar formats.
- B. There is evidence of consultative processes, and of efficient patterns of communication among staff at all levels.

References

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

85. The personnel should receive such training as will enable them to carry out their responsibilities effectively, including, in particular, training in child psychology, child welfare and international standards and norms of human rights and the rights of the child, including the present Rules. The personnel should maintain and improve their knowledge and professional capacity by attending courses of in-service training, to be organized at suitable intervals throughout their career.

11. Quality Leadership

11.1 Commitment to Quality

Standard

The centre's staff are committed to the continuous improvement in quality of the centre's services for young people and the public, within the boundaries of responsible fiscal management.

Sample indicators

- A. Staff have a planned approach to the improvement of services in their areas of responsibility.
- B. The centre systematically assesses all of its service areas against the present standards.
- C. The management of the centre's budget does not cause the quality of the centre's services for young people to fluctuate through the year.
- D. There is internal control and external monitoring of accounting procedures.

References

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

- 5. The [UN] Rules are designed to serve as convenient standards of reference and to provide encouragement and guidance to professionals involved in the management of the juvenile justice system.

11.2 Supportive Leadership

Standard

The centre's management team, in consultation with other staff, formulates a vision and clear goals for the centre as a whole, translates the goals into clear and measurable objectives, facilitates decision-making by staff to achieve the objectives, monitors and evaluates the results, and takes decisive corrective action when necessary. Goals always include the timely, substantive and consistent implementation of all of the present standards.

Sample indicators

- A. There is a written business plan which includes the centre's philosophy and goals.
- B. Staff demonstrate understanding and ownership of the centre's goals and objectives, especially in relation to their areas of responsibility.
- C. Client programs and other services are analysed and evaluated in terms of their objectives and their relation to the centre's philosophy and goals.

References

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

- 5. The [UN] Rules are designed to serve as convenient standards of reference and to provide encouragement and guidance to professionals involved in the management of the juvenile justice system.

11.3 Ethical Conduct

Standard

The centre enforces a code of conduct that requires and assists staff to be positive role models for young people in custody.

Sample indicators

- A. Staff demonstrate adequate knowledge of the code of conduct.
- B. Evidence of staff participation in the development of strategies to comply with the code of conduct.
- C. Client complaints and staff grievance statistics on alleged misconduct by staff.
- D. The quality of relationships established between staff and young people help young people respond positively to adults as authority figures.
- E. Young people and staff report that they feel valued and respected at the centre.
- F. The centre assists specialist staff to comply with any additional codes of ethics that apply to their professions.

References

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

83. The personnel of juvenile detention facilities should be continually encouraged to fulfil their duties and obligations in a humane, committed, professional, fair and efficient manner, to conduct themselves at all times in such a way as to deserve and gain the respect of the juveniles, and to provide juveniles with a positive role model and perspective.

87. In the performance of their duties, personnel of detention facilities should respect and protect the human dignity and fundamental human rights of all juveniles.

87(a). No member of the detention facility or institutional personnel may inflict, instigate or tolerate any act of torture or any form of harsh, cruel, inhuman, or degrading treatment, punishment, correction or discipline under any pretext or circumstance whatsoever.

87(b). All personnel should rigorously oppose and combat any act of corruption, reporting it without delay to the competent authorities.

87(c). All personnel should respect the present Rules. Personnel who have reason to believe that a serious violation of the present Rules has occurred or is about to occur should report the matter to their superior authorities or organs vested with reviewing or remedial power.

87(d). All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required.

87(e). All personnel should respect the right of the juvenile to privacy, and, in particular, should safeguard all confidential matters concerning juveniles or their families learned as a result of their professional capacity.

**JUVENILE CUSTODIAL FACILITIES IN NEW ZEALAND
AND AUSTRALIA**

NEW ZEALAND

Epuni Centre

441 Riverside Drive
Lower Hutt, Wellington
Tel: (04) 577 8450

Kingslea Centre

20 Horseshoe Lake Road
Shirley, Christchurch
Tel: (03) 385 0720

Northern Residential Centre

400 Waymouth Road
Clendon Town, Manurewa, Auckland
Tel: (09) 268 3440

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AUSTRALIAN CAPITAL TERRITORY

Quamby Youth Detention Centre

RMB, Mugga Lane
Symonston ACT 2600
Tel: (02) 6207 0716/0600

NEW SOUTH WALES

Broken Hill Juvenile Justice Centre

146 Chloride Street
Broken Hill NSW 2880
Tel: (08) 8087 1446/1439

Cobham Juvenile Justice Centre

Corner Great Western Highway and Water Street, St
Marys NSW 2760
Tel: (02) 9623 8088

Kariong Juvenile Justice Centre

Pacific Highway
Kariong NSW 2250
Tel: (02) 4340 2600

Keelong Juvenile Justice Centre

Staff Road
Unanderra NSW 2526
Tel: (02) 4271 5044

Minda Juvenile Justice Centre

1 Joseph Street
Lidcombe NSW 2141
Tel: (02) 9646 0777

Mt Penang Juvenile Justice Centre

Pacific Highway
Kariong NSW 2250
Tel: (02) 4340 1002

Reiby Juvenile Justice Centre

20 Briar Road
Airds NSW 2560
Tel: (02) 4629 3800

Riverina Juvenile Justice Centre

Fernleigh Road
Wagga Wagga NSW 2650
Tel: (02) 6931 2811

Worimi Juvenile Justice Centre

21 Lambton Road
Broadmeadow NSW 2292
Tel: (02) 4969 3255

Yasmar Juvenile Justice Centre

185 Parramatta Road
Haberfield NSW 2045
Tel: (02) 9797 3000

NORTHERN TERRITORY

Alice Springs Juvenile Holding Centre

9 Kempe Street
Alice Springs NT 0870
Tel: (08) 8953 5934

Don Dale Centre

Tivendale Road
Berrimah NT 0828
Tel: (08) 8947 1139

Wilderness Work Camp

G.P.O. Box 1407
Darwin NT 0801
Tel: (08) 8978 8929

QUEENSLAND

Cleveland Youth Detention Centre

Old Common Road
Belgian Gardens QLD 4310
Tel: (07) 4771 2041

John Oxley Youth Detention Centre

139 Wacol Station Road
Wacol QLD 4076
Tel: (07) 3274 9550/9555

Sir Leslie Wilson Youth Detention Centre

Tenth Avenue
Windsor QLD 4030
Tel: (07) 3357 0200

SOUTH AUSTRALIA

Cavan Training Centre

1 Jonal Drive
Cavan SA 5094
Tel: (08) 8200 6400

McGill Training Centre

Glen Stuart Road
McGill SA 5072
Tel: (08) 8130 4444

TASMANIA

Ashley Youth Detention Centre

4260 Meander Valley Highway
Deloraine TAS 7304
Tel: (03) 6362 2311

VICTORIA

Malmsbury Juvenile Justice Centre

Calder Highway
Malmsbury VIC 3446
Tel: (03) 5421 3100

Melbourne Juvenile Justice Centre

900 Park Street
Parkville VIC 3052
Tel: (03) 9389 4200

Parkville Youth Residential Centre

930 Park Street
Parkville VIC 3052
Tel: (03) 9389 4400/4401

WESTERN AUSTRALIA

Banksia Hill Juvenile Detention Centre

Warton Road
Canningvale WA 6155
Tel: (08) 9333 2201

Rangeview Remand Centre

Murdoch Drive, Murdoch
Perth WA 6150
Tel: (08) 9333 9100

