
Government response to the independent review of youth detention

Message from the Attorney General

Government Response to the Independent Review of the Youth Detention

The Palaszczuk Government is committed to ensuring the safety and wellbeing of young people in Queensland youth detention centres. Equally, any allegations of mistreatment of young people must be thoroughly and appropriately investigated.

The Government welcomes the report of the Independent Review of Youth Detention (the Review), conducted by Kathryn McMillan QC and Professor Megan Davis, into the practices, policies and programs of Queensland's youth detention centres.

The Government has accepted all 83 recommendations to improve practices and services pivotal to the safety, wellbeing and rehabilitation of young people in youth detention. Critically, the report found no evidence of systemic mistreatment of young people in Queensland youth detention centres.

The Government acknowledges that while the review was subject to compressed timeframes and focused on specific allegations, the findings and recommendations provide a considered and comprehensive insight into the operations of youth detention centres and implementation of its 83 recommendations will ensure Queenslanders can have confidence in the administration of youth justice and in the safety of young people in youth detention.

We recognise that youth detention centres are highly complex and sometimes volatile environments and balancing welfare, justice and security needs is a complex and daily challenge. Ensuring that young people, staff and visitors are safe and secure within detention centre is a primary objective of the youth justice system. Equally, it is critical that incident and behaviour management responses are appropriate and are actioned in a way that ensures rehabilitation objectives are not undermined.

The report also acknowledges the significant trauma that many young people in the youth justice system have experienced and the need for this to be a fundamental consideration when implementing the recommendations.

The attached response to each of the recommendations by the review present a range of commitments to further improve services in the areas of:

- cultural services and supports
- programs, education and training
- mental health and therapeutic services
- behaviour management and incident prevention
- monitoring and oversight

Through the implementation of the recommendations, the Government will ensure youth detention centres are well placed to deliver improved outcomes for young people.

Critical to this outcome is the need for integrated and culturally-appropriate services and supports across the education, mental health and child safety contexts in youth detention and community-based settings.

The report of the Independent Review of the Youth Detention reviewed specific incidents that largely occurred in 2013, 2014 and early 2015. Since that time there has been significant reform within Queensland Youth Detention Centres.

The recent reforms in Queensland Detention Centres have been comprehensive and are reflected in some of the findings of the review. The reform process undertaken by Youth Justice since 2015 was driven by the recognition that the youth justice system could not be determined by compliance alone but had to provide real outcomes for young people that change their lives for themselves, their families and the community. These reforms are listed below to illustrate the considerable work that has been undertaken which is now complemented by the recommendations of the review.

Transition to Success

Young people leaving detention and those in the community can now participate in the Transition to Success (T2S) program being rolled out across the State. T2S began at Forest Lakes in late 2015 and provides alternative education and training program designed at re-engaging young people with certificate based qualifications and connecting them with employment opportunities. Further, T2S a unique and innovative program, takes a collective impact approach to supporting young offenders involving business, NGOs and government and

has resulted in over 70% of young people who participate no longer offending.

Trauma Informed Practice

In 2015, Youth Justice implemented Trauma Informed Practice within detention. Trauma Informed Practice provides staff with the skills to work more effectively with young people regarding their behaviour, trauma impacts and behavioural triggers. Over 900 staff have been trained in Trauma Informed Practice that ensures that staff work more effectively with young people in detention resulting in less incidents of violence and other challenging behaviour.

First Nations Action Board (FNAB)

In 2016, Youth Justice established the First Nations Action Board which is comprised of Youth Justice staff from Aboriginal and Torres Strait Islander backgrounds. The First Nations Action Board, the first of its type in Australia, are strong advocates and leaders within their own communities. The FNAB provides advice to senior management within Youth Justice in ways to reduce over-representation of young people in the youth justice system and is acknowledged as an important step by the Review in understanding the cultural considerations of young people within youth detention.

Stronger Communities Initiative

The Government's Stronger Communities initiative, implemented in 2017 in Townsville, addresses the underlying causes of offending for young people leaving detention and others in the community aimed at preventing them from further offending. Young people receive services/programs such as Intensive Case Management, Cultural

Mentoring, After Hours Diversion Services, Flexible Learning opportunities, engagement with the T2S program and Mental Health services to considerably reduce their chances of reoffending.

Restorative Justice

Restorative Justice Practices were implemented in youth detention and in the community in 2016. Restorative Justice provides a mediation process between young people who may be in conflict which at times may lead to serious issues such as violence or bullying within detention. Similar to outcomes in the community, young people in detention may be the victim of crimes and through Restorative Justice Practices they can mediate their differences and restore relationships within detention.

Transition from Detention

Since 2015, Youth Justice has implemented a range of programs and strategies to more effectively transition young people from detention to the community. These include:

- incorporating regular Elder visits to create stronger cultural connections to family/community
- enhanced role of Transition Officers in detention centres to develop transition plans for when young people leave detention – engagement with education, health, employment and necessary therapeutic services/supports
- implementation of specific detention based programs — aimed at assisting young people to engage and motivate themselves for when they transition to the community
- Collaborative Panels – in 2015, Youth Justice established a Collaborative

Panel to provide a coordinated response to young people who have complex needs and high risk of offending. The panel comprises of a range of organisations including Youth Justice, Education, Health, and Housing to provide intensive support and services to young people exiting detention.

Childrens Court Committee

The Childrens Court Committee was established in 2016 to review matters largely relating to the remand of young people and to develop strategies to reduce remand times which adversely impact on young people in detention. Chaired by the President of the Childrens Court, the Childrens Court Committee also has senior members of organisations and government bodies that are involved in the youth justice system. The Committee has already developed new practice directions that will result in reduced remand times and is considering a number of strategies that will impact on remand reduction outcomes for young people.

Justice Reinvestment

Youth Justice has established a “proof of concept” project in Cherbourg to explore the feasibility of implementing Justice Reinvestment in Cherbourg. Justice reinvestment is a data-driven approach to improve public safety and reduce related criminal justice spending to reinvest savings in strategies that can reduce crime and strengthen communities.

Standardised Program Evaluation Protocol (SPEP)

To enhance the quality and effectiveness of locally developed programs and

services, Youth Justice introduced the Standardised Program Evaluation Protocol (SPEP) in 2016. SPEP is a validated rating system used to determine how well a program matches the research evidence on reducing recidivism. It also predicts the likelihood that a program will reduce recidivism and points to improvements that can be made to enhance program effectiveness. SPEP highlights systemic improvements that must be made to support effective program and service delivery.

Cultural Units

In 2015, Youth Justice implemented Cultural Units at both detention centres which provide advice to senior management and staff who work with Aboriginal and Torres Strait Islander young people. Further, each centre have a Aboriginal and Torres Strait Islander Advisory Group comprising of Elders from local community organisations which provide feedback to enhance service to Aboriginal and Torres Strait Islander young people in detention.

Programs in Detention

Girls moving On (GMO) – In 2016, Youth Justice recognised the increasing numbers of young females entering youth detention and implemented a program called GMO in 2016. This program is aimed at working with young females in youth detention to create positive changes in their lives.

Emotional Regulation and Impulse Control (ERIC) - In 2017, Youth Justice also implemented ERIC which is designed to deliver cognitive and therapeutic services to improve individual behaviour and responses by young people.

Adventures on the Inside – in late 2015, the ‘Adventures on the Inside’ program was implemented in youth detention. This program provides experiential learning which challenges young people’s behaviour, allowing them to set goals and achieve positive behaviour and life outcomes.

Mental Health services

Greater collaboration between Youth Justice and Queensland Health has led to increased mental health and psychological support for young people with complex needs. Detention staff have received training in suicide risk and other general mental health issues.

Service Review Team

In 2015, Youth Justice established the Service Review Team to provide a further internal oversight body. The team focuses on operational and service delivery in youth detention centres and advise senior management with recommendations for improvements.

Review of detention occur quarterly and have resulted in a number of positive improvements of service delivery within youth detention centres.

Improved Flexible Education Models

Greater collaboration between Youth Justice and DET has seen the development of improved educational outcomes for young people in youth detention. This includes a better understanding of the educational needs of young people and responses required to enable them to follow further educational opportunities within the community.

Security Upgrade

The Government has committed \$16M to upgrade the security management system at the Brisbane Youth Detention Centre to provide improved surveillance and recording of all incidents improving the safety and security of the centre for young people, staff and the community.

Increased Information Sharing

Youth Justice has collaborated with a range of agencies to enhance the information sharing agreements. This allows consistent service delivery across different agencies for mutual young people. Collaborative Panels and other inter agency meetings have resulted in consolidating outcomes for young offenders and will improve the delivery of support services.

Vocational and Educational Training

Recent negotiations with DET will see improved VET services provided to detention enhancing vocational outcomes for young people.

Practice Improvements

Youth Justice have reformed a range of practice improvements and changes such as:

- Enhanced Incident Management responses – this includes an overhaul of policies relating to critical incident responses, personal protective equipment training and engaging with QPS for emergency responses
- Enhanced reporting structures for incident trend analysis – this allows Youth Justice to more effectively analyse and improve practices for significant incidents
- Root Causal Analysis – in 2015, this was implemented to better understand the contributing factors to incidents aimed at incident prevention
- Enhance complaint management processes – this has streamlined the complaints process for young people allowing complaints to be resolved in a more efficient way.

Youth Justice has progressed many significant reforms since these incidents occurred and with the review recommendations adding to these reforms, young people in detention in Queensland will be treated with care and respect, be held accountable for their behaviour and effectively be rehabilitated when they transition back into the community.

Yvette D'Ath

Attorney-General for Queensland,
Minister for Justice and Minister for
Training and Skills

Response to the Independent Review of Youth Detention Report

Recommendation	Response
Chapter 1: Site visits	
<p>Recommendation 1.R1</p> <p>The Review recommends that Youth Justice should create a consistent uniform standard to apply at both BYDC and CYDC. The uniform standard should not reflect a police style uniform.</p>	<p>Accepted</p>
<p>Recommendation 1.R2</p> <p>The Review recommends that Youth Justice should create a consistent standard regarding access to clocks to apply at both BYDC and CYDC.</p>	<p>Accepted</p>
Chapter 7: 17-year-olds – Transition	
<p>Recommendation 7.R1</p> <p>The Review recommends that the Principles set out 1-4,6.3 and 6.4 of 'Youth detention- Transfer of a young person policy' should be applied to 17-year-olds transferring from prison to youth detention.</p>	<p>Accepted</p>
<p>Recommendation 7.R2</p> <p>The Review recommends that legal advice and support should be provided to individual 17-year-olds who are the subject of transfer orders.</p>	<p>Accepted</p>
<p>Recommendation 7.R3</p> <p>The Review recommends that the YJOLA Act regulations should include that 17-year-olds are able to review or appeal a transfer decision without undue delay.</p>	<p>Accepted</p>
<p>Recommendation 7.R4</p>	<p>Accepted</p>

<p>The Review recommends that information sharing between prisons and youth detention centres should include security classifications with supporting documentation, details of any existing support services and health needs of the 17-year-old to facilitate the re-implementation of these supports upon transfer.</p>	
<p>Recommendation 7.R5</p> <p>The Review recommends that Aboriginal and/or Torres Strait Islander organisations should play a key role in stakeholder consultation.</p>	<p>Accepted</p>
<p>Recommendation 7.R6</p> <p>The Review recommends that YJ should be provided with adequate funding and staffing levels to respond to the needs of 17-year-olds to be transferred in the next 12 months and 16-year-olds who form part of the future client cohort.</p>	<p>Accepted</p>
<p>Recommendation 7.R7</p> <p>The Review recommends that consideration should be given to the implementation of justice reinvestment collaborations between existing community-based services and YJ.</p>	<p>Accepted</p>
<p>Recommendation 7.R8</p> <p>The Review recommends that appropriate consideration should be given to investment in community-based wrap around services to support and co-ordinate with YJ. This is consistent with YJ objective to work, "in partnership with the community and other service providers to address the causes of the young person's</p>	<p>Accepted</p>

<p>offending' and was recommended in a number of submissions.</p>	
<p>Recommendation 7.R9</p> <p>The Review recommends that the Tasmanian experience highlighted in the QNADA submission should be examined closely with a view to incorporating practices and concepts of social justice return in the YJ funding framework. In particular, in relation to reintegration support for young people exiting youth detention.</p>	<p>Accepted</p>
<p>Recommendation 7.R10</p> <p>The Review recommends that if Aboriginal and Torres Strait Islander young people are transferred from remote and regional areas of the State, appropriate cultural visits from the young person's community should be arranged in person or with the use of video conferencing.</p>	<p>Accepted</p>
<p>Recommendation 7.R11</p> <p>The Review recommends that VET funding arrangements at BYETC and CETC should be re-examined with respect to the increased numbers of 17-year-olds. Factors relevant for consideration include the type of programming that will lead to employment options for young people and ensure that the service delivery is appropriate and engaging for an older cohort.</p>	<p>Accepted</p>
<p>Recommendation 7.R12</p> <p>The Review recommends that educational programs such as those successfully introduced in the Parkville College Victoria and the Whitelion program should be considered as models for service delivery in Queensland.</p>	<p>Accepted</p>

Chapter 8: Oversight	
<p>Recommendation 8.R1</p> <p>The Review recommends that the Queensland Government replace the Youth Detention Inspectorate (ESU) and Office of the Chief Inspector (QCS) with an independent statutory Office of the Inspector of Custodial Services in a similar form to that of Western Australia.</p>	Accepted
<p>Recommendation 8.R2</p> <p>The Review recommends that the key features of the Queensland Inspector of Custodial Services should include:</p> <ul style="list-style-type: none"> • Independence • transparency and • accountability. 	Accepted
Chapter 9: Programs and Services	
<p>Recommendation 9.R1</p> <p>The Review recommends that the program evaluations from SPEP should be published upon completion.</p>	Accepted
<p>Recommendation 9.R2</p> <p>The Review recommends that SPEP should be undertaken on an annual basis to ensure that programs provided to young people in youth detention centres and in the community remain effective in addressing their specific criminogenic needs. These evaluations should be recorded and should inform the criteria for the development of specific programs each year.</p>	Accepted
<p>Recommendation 9.R3</p>	Accepted

<p>The Review recommends that programs and services offered in detention centres should be flexible enough to allow effective implementation for, and participation of, young people on remand.</p>	
<p>Recommendation 9.R4</p> <p>The Review recommends that access to programs, particularly those which relate to education and culture, should not be restricted on a punitive, behaviour management basis.</p>	<p>Accepted</p>
<p>Recommendation 9.R5</p> <p>The Review recommends that consultation with external stakeholders should be undertaken in the development of programs for young people with disabilities and/or learning difficulties.</p>	<p>Accepted</p>
<p>Recommendation 9.R6</p> <p>The Review recommends that consultation with external stakeholders should be undertaken in the development of programs for young women.</p> <p>In respect of young women, this consultation should involve key stakeholders, such as Sisters Inside, and women's health organisations.</p>	<p>Accepted</p>
<p>Recommendation 9.R7</p> <p>The Review recommends that physical activity should be incorporated into school programs offered at BYDC and CYDC, and be otherwise accessible to young people at least once per day.</p>	<p>Accepted</p>
<p>Recommendation 9.R8</p> <p>The Review recommends that sports programs developed within youth detention centres should be linked to</p>	<p>Accepted</p>

sports programs available in the community.	
<p>Recommendation 9.R9</p> <p>The Review recommends that external stakeholders should be invited to join the FNAB.</p>	<p>Accepted</p>
<p>Recommendation 9.R10</p> <p>The Review recommends that consultation with external Aboriginal and Torres Strait Islander stakeholders to develop, design and implement cultural-specific programs should occur as a matter of priority.</p> <p>In respect of Aboriginal and Torres Strait Islander young people, this should include consultation with community Elders.</p>	<p>Accepted</p>
<p>Chapter 10: Creating and Retaining CCTV Footage</p>	
<p>Recommendation 10.R1</p> <p>The Review recommends that the Manager, Monitoring and Compliance should review the CCTV footage of all incidents that this chapter recommends should be taken and retained.</p>	<p>Accepted</p>
<p>Recommendation 10.R2</p> <p>The Review recommends that security cameras should be placed in all areas where incidents involving use of force, violence, restraints or separation are known to have occurred.</p>	<p>Accepted-in-principle</p> <p>The Queensland Government accepts this recommendation in principle noting that CYDC already has extensive CCTV coverage of the centre, including areas where incidents are more likely to occur (such as young people’s accommodation areas).</p> <p>BYDC is also about to commence their security upgrade, which involves a significant expansion to its CCTV coverage.</p> <p>Officer ‘body-worn cameras’ have been trialled in both centres and Youth Justice is of the view that this may be a cost effective option to ensure there is an audio and visual record of incidents where there is limited</p>

	CCTV. Youth Justice will further consider the option of body-worn cameras in the context of this recommendation.
<p>Recommendation 10.R3</p> <p>The Review recommends that CCTV should be utilised in a way that ensures that all relevant information is captured and retained to:</p> <ul style="list-style-type: none"> • facilitate the investigation of incidents without delay and • without unduly impacting on the mental health or personal privacy of young people. 	Accepted
<p>Recommendation 10.R4</p> <p>The Review recommends that CCTV footage should be retained in relation to all incidents including:</p> <ul style="list-style-type: none"> • a use of force response that is classified as a level 2 to 4 PAC response; • a medical emergency; • where harm has occurred to a young person, staff or another person; • where property has been significantly damaged or where a criminal charge against the young person is contemplated; • a period of separation occurring immediately after an incident; <ul style="list-style-type: none"> a) the first two hours of the separation period should be retained; or b) the whole period of separation if the young person is released before the two hour period ends. 	<p>Accepted-in-principle</p> <p>The Queensland Government accepts this recommendation in principle noting that there are multiple avenues through which CCTV is downloaded and most footage is retained indefinitely.</p> <p>However, an expansion of the current extraction and retention procedures may be cost-prohibitive. As such, Youth Justice is of the view that the intent of the recommendation could be achieved through strengthened reporting procedures and further consideration of body-worn cameras. The introduction of intelligence officers will further streamline this process and give effect to this recommendation in an incident prevention and harm minimisation context.</p>
Recommendation 10.R5	Accepted-in-principle

<p>The Review recommends that the CCTV footage should be retained:</p> <ol style="list-style-type: none"> 1. for three years after a young person turns 18 or dies (whichever happens first) and is therefore no longer able to bring an action for personal injury within the meaning of the Limitations of Actions Act 1974; 2. otherwise until any investigation is finalised and any applicable appeal time limit period has passed. 	<p>Refer to response 10.R4 above.</p>
<p>Recommendation 10.R6</p> <p>The Review recommends that the <i>Youth Justice Act 1992</i> should be amended in order to implement the requirement to retain CCTV footage in line with the above recommended timeframes.</p>	<p>Accepted-in-principle</p> <p>The Queensland Government accepts this recommendation in principle. In addition to response 10.R4 above, Youth Justice is of the view that this can be achieved through strengthened reporting and evidence gathering requirements and linking these with the existing reporting requirements outlined in the <i>Youth Justice Act 1992</i> and the <i>Youth Justice Regulation 2016</i> in relation to force, harm, restraints and separation. This will be further considered as part of the CCTV Review and Incident Review to be undertaken by Youth Justice.</p>
<p>Chapter 11: Use of Security Dogs at CYDC</p>	
<p>Recommendation 11.R1</p> <p>The review considers that security dogs should not be used in youth detention centres as a means of responding to incidents or disciplining young people.</p>	<p>Accepted</p>
<p>Chapter 12: Behaviour Development Plans</p>	
<p>Recommendation 12.R1</p> <p>The review recommends that staff should seriously consider a range of options to address misbehaviour by young people, and consider whether a BDP, or a BDP imposing separation and isolation, is the</p>	<p>Accepted</p>

<p>best option for addressing misbehaviour for a particular young person.</p>	
<p>Recommendation 12.R2</p> <p>The review recommends that BDPs should be a tool to address misbehaviour in an individualised way that attempts to redress and reduce individual misbehaviour and the underlying causes of it.</p>	<p>Accepted</p>
<p>Recommendation 12.R3</p> <p>The review recommends that additional training should be provided to multi-disciplinary teams and staff creating interim BDPs to ensure that a BDP for a young person is personal and individually tailored to meet the needs identified in response to the young person’s misbehaviour.</p>	<p>Accepted</p>
<p>Recommendation 12.R4</p> <p>The Review recommends that the imposition of periods of separation or isolation should not be a default condition on a BDP. Staff should ensure that any decision to impose separation is in accordance with the law and policies and supported by evidence showing how the requirements of both are satisfied for each separation.</p>	<p>Accepted</p>
<p>Recommendation 12.R5</p> <p>The Review recommends that the Chief Executive or delegate should ensure that each young person at a youth detention centre has access to education appropriate to the child’s age and must ensure that adequate training is provided to detention centre staff about their legal obligations to ensure a child receives education material in accordance with Youth Justice principle 20(g).</p>	<p>Accepted</p>

Recommendation 12.R6

The Review recommends that the Chief Executive should formulate a system with the Chief Executive (Education) and the Inspectorate to ensure that the educational facility and programs at the youth detention centres are informed of the absence of a young person, the reason for the absence and the lawful authority justifying the absence. The Review considers that the Inspectorate should remain aware of the statistics about the failure to attend educational classes and programs. Such a system should have the following features:

1. detention centre staff in a unit must notify the educational institution that a young person from the unit is unable to attend the educational institution. The notice must be in writing and must state the lawful reason why the child is not attending the educational institution and be delivered to the school principal or delegate.
2. Any child unable to attend the educational classes or programs must be delivered suitable educational materials for completion during their absence from the educational classes or programs.
3. that material is to be delivered to the person in charge of the child's unit.
4. The Principal or delegate of the educational institution must:
 - a) inform the teacher or instructor of the young person's absence; and
 - b) ensure that the young person who does not attend classes is provided with educational material that can be completed in the unit; and

Accepted

<p>c) ensure that a written record is kept on One School for each school day stating the name of each young person who was absent from school classes or programs, where the child was when they were absent, and what educational work was provided for the young person to complete; and</p> <p>d) record whether the educational work was completed or record an explanation as to why the educational work was not completed.</p> <p>5. The principal or delegate must ensure that the written record of all educational classes or programs absences is provided to the Inspectorate each quarter to ensure that the information is included in the Inspectorate's Quarterly reports.</p> <p>6. The Inspectorate must liaise with Education Queensland to identify any concerning trends in the provision of education within detention centres and include any concerns and recommendations in the Inspectorate's quarterly reports.</p>	
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Chapter 13: No content. Left intentionally blank by the Reviewers

Chapter 14: Young person A1

<p>Recommendation 14.R1</p> <p>The Review recommends that the current policy should be amended to ensure that it is consistent with, and reflects, applicable legislation.</p>	<p>Accepted</p>
<p>Recommendation 14.R2</p> <p>The Review recommends that, in considering whether or not to use restraints, regard should be had to whether</p>	<p>Accepted</p>

<p>there was any other way to stop the conduct.</p>	
<p>Recommendation 14.R3</p> <p>The Review recommends that corrective services officers should be counselled and re-trained on the specific situations in which it is appropriate to use force, in particular restraints, under the Corrective Services Act 2006.</p> <p>Such training to include de-escalation techniques and identification of alternative strategies to be employed before utilising physical restraint of a prisoner, for a discipline purpose, as a last resort.</p> <p>Such training to include appropriate documentation and record keeping to ensure that managers are kept informed of all incidents of physical restraint.</p>	<p>Accepted</p>
<p>Recommendation 14.R4</p> <p>The Queensland Government write to [REDACTED] and apologise for the unlawful segregation.</p>	<p>Accepted-in-principal</p>
<p>Chapter 15: Young person A3</p>	
<p>Recommendation 15.R1</p> <p>The Review recommends that there should be commonality between the definition of harm under the <i>Child Protection Act 1999</i> and the <i>Youth Justice Act 1992</i> and it should include an unacceptable risk of harm.</p>	<p>Accepted</p>
<p>Recommendation 15.R2</p> <p>The Review recommends that there should be specialised, ongoing training to youth detention staff to assist them in identifying signs of emotional and psychological harm of a young person, as well as how</p>	<p>Accepted</p>

<p>institutionalised practices can cause or trigger significant harm to a young person.</p> <p>The training should be provided by representatives from the Mental Health Alcohol, Tobacco, and Other Drugs Services (MHATODS). (It is understood there is currently no ongoing training on this issue).</p>	
<p>Recommendation 15.R3</p> <p>The Review recommends that harm reporting obligations should be subject to annual refresher training for all youth detention centre staff.</p>	<p>Accepted</p>
<p>Recommendation 15.R4</p> <p>The Review recommends that all records of SR1 in ICMS should provide detailed information the specific management of suicide risk and behaviour, detailing specific pro-active interventions, as a means of ensuring transparency and accountability between relevant government departments.</p>	<p>Accepted</p>
<p>Recommendation 15.R5</p> <p>The Review recommends that the SR1 in ICMS should be relayed to CHQ state-wide MHS to ensure that appropriately skilled mental health practitioners are aware of the incident and risk alert and can assist where appropriate.</p>	<p>Accepted</p>
<p>Recommendation 15.R6</p> <p>The Review recommends that Queensland Health staff responsible for conducting mental health assessments on young people in response to a serious suicide attempt should be trained (if not qualified) in mental health assessment specific to young people (particularly those with complex needs).</p>	<p>Accepted</p>

<p>Recommendation 15.R7</p> <p>The Review recommends that parents and guardians should be advised of all significant incidents occurring in the centre for which children may have suffered harm as defined in the Youth Justice Act 1992, section 268 as soon as there is a recognition that harm has been suffered.</p>	<p>Accepted</p>
<p>Chapter 16: Young person A4</p>	
<p>Recommendation 16.R1</p> <p>The Review recommends that ESU investigations of alleged staff misconduct by young people should include, where possible, an interview with the complainant in the company of a complainant's preferred support person.</p>	<p>Accepted</p>
<p>Recommendation 16.R2</p> <p>The Review recommends that staff who are no longer required to manage an incident should leave the area.</p>	<p>Accepted</p>
<p>Recommendation 16.R3</p> <p>The Review recommends that staff who are not directly involved in the management of an incident but may be required to remain should ensure they are not obscuring CCTV cameras and the occurring incident.</p>	<p>Accepted</p>
<p>Recommendation 16.R4</p> <p>The Review recommends that the Inspectorate should consider including an ongoing record of all complaints made by young people at every inspection in order to consider whether or not a youth detention centre is appropriately handling, recording and resolving complaints lodged by young people.</p>	<p>Accepted</p>

<p>Recommendation 16.R5</p> <p>The Review recommends that appropriate and operationally effective measures to restrict contact between a staff member and a young person should be taken immediately following a complaint by the young person.</p>	<p>Accepted</p>
<p>Recommendation 16.R6</p> <p>The Review recommends that accurate records of measures taken to separate staff and young people as part of a complaints management process should be kept by the youth detention centre.</p>	<p>Accepted</p>
<p>Recommendation 16.R7</p> <p>The Review recommends that ESU should identify an expected end date for an investigation and provide details of the expected end date to the young person at the commencement of the investigation into the young person's complaint.</p>	<p>Accepted</p>
<p>Recommendation 16.R7</p> <p>The Review recommends that the review right, if any available to a young person should be included in any outcome letter to the young person, and these rights should be additionally explained to the young person by their caseworker or appropriate staff member.</p>	<p>Accepted</p>
<p>Chapter 17: Young persons A5, A6 and A7</p>	
<p>Recommendation 17.R1</p> <p>The Review recommends that the responses in relation to incidents under the Protective Actions Continuum should be revised in order to remove inconsistencies in response to varying categories of risk.</p>	<p>Accepted</p>

<p>Recommendation 17.R2</p> <p>The Review recommends that the relevant Policy and Operations Manual should be updated to state specific circumstances as to when handcuffs are to be applied to a young person's hands in front of their body or behind their back.</p>	<p>Accepted</p>
<p>Recommendation 17.R3</p> <p>The Review recommends that the inconsistency in the Policy and the Operations Manual regarding who is authorised to apply restraints should be resolved.</p>	<p>Accepted</p>
<p>Recommendation 17.R4</p> <p>The Review recommends that the CYDC management should require the recording of the classification of the force used along with a justification of the force used in accordance with the PAC:</p> <ul style="list-style-type: none"> • to show that adequate justification for the use of force is included in the DCOIS report; and • to allow the Inspectorate to conduct a review into whether the use of force in an incident was justified. 	<p>Accepted</p>
<p>Recommendation 17.R5</p> <p>The Review recommends that all CYDC staff responsible for the classification of incidents in DCOIS at CYDC should undergo additional training in appropriate classification rating of incidents within six months of the date of this report.</p> <p>Such additional training should be approved by both the ADG and ESU Inspectorate as being sufficient to address the concern that incident classification is accurately recorded in future.</p>	<p>Accepted</p>

<p>Such training should satisfy both the ADG and ESU Inspectorate that the approved retraining will ensure that all external oversight bodies are informed of all higher level incidents as required in future.</p>	
<p>Recommendation 17.R6</p> <p>The Review recommends that the use of PAC level 3 and 4 responses should be reviewed by the Executive Director of the Centre and ESU Inspectorate to decide whether the response was appropriate in the circumstances (including whether, because of the nature of the incident, it may have been classified as a PAC level or 2 risk).</p>	<p>Accepted</p>
<p>Recommendation 17.R7</p> <p>The Review recommends that the policy relating to the use of force, including ground stabilisation, should be amended to emphasise that ground stabilisation is to be used as a last resort, and only for an incident requiring a PAC level 4 response, and only if there is no other way of managing the situation and securing the young person's safety, cooperation or to ensure the safety of another person.</p> <p>All staff involved in the care and management of young people should be made aware through training that the use of force, including ground stabilisation, is to be used as a last resort in cases where a PAC level 4 response is appropriate.</p>	<p>Accepted</p>
<p>Recommendation 17.R8</p> <p>The Review recommends that all staff should be trained in de-escalation techniques.</p> <p>All use of force, which includes any actual physical contact with a young person,</p>	<p>Accepted</p>

<p>should be classified at a minimum of PAC level 3 response.</p>	
<p>Recommendation 17.R9</p> <p>The Review recommends that continuous separations based on factors in the <i>Youth Justice Regulation 2016</i> should be supported by contemporaneous evidence justifying the separation.</p>	<p>Accepted</p>
<p>Recommendation 17.R10</p> <p>The Review recommends that the food provided to a young person whilst they are in a separation room or subject to a BDP should be accurately recorded. If adequate food or prescribed medication is not provided, the reason for the failure to provide either essential should be recorded and justified by evidence explaining why it was appropriate to withhold the provision of food or medication.</p>	<p>Accepted</p>
<p>Recommendation 17.R11</p> <p>The Review recommends that all records relating to the application of restraints should contain a sufficient basis for objective determination of the reasonable grounds upon which the decision to apply restraints to a young person was made.</p>	<p>Accepted</p>
<p>Recommendation 17.R12</p> <p>The Review recommends that additional training should be provided to people on multi-disciplinary teams and people creating interim BDPs to ensure that a BDP for a young person is personal and individually tailored to meet the needs identified in response to the young person's misbehaviour.</p>	<p>Accepted</p>
<p>Recommendation 17.R13</p>	<p>Accepted</p>

<p>The Review recommends that a communication liaison position should be created to manage individual complaints and incidents relating to use of force and separation within the detention centres, ensuring consistent and adequate communication with parents, families and guardians is provided.</p>	
<p>Recommendation 17.R14</p> <p>The Review recommends that parents and guardians should be advised of all incidents occurring in youth detention centres for which their children are subjected to use of force, restrained, separated or as a result of which they may have suffered harm as defined in the Youth Justice Act 1992, section 268.</p>	<p>Accepted</p>
<p>Recommendation 17.R15</p> <p>The Review recommends that staff should be counselled and trained on the legislation and policy outlined in this chapter of the report.</p>	<p>Accepted</p>
<p>Chapter 18: Young person A8</p>	
<p>Recommendation 18.R1</p> <p>The Review recommends that the use of force at CYDC should be reviewed and staff be trained in de-escalation techniques and other alternatives to the use of force, including instruction that use of force (ground stabilisation) and mechanical restraints (handcuffs) are to be used only when all other measures have failed, and otherwise limited to use in emergency situations only. That training should include cultural sensitivity training regarding physical intervention and shame.</p>	<p>Accepted</p>
<p>Recommendation 18.R2</p>	<p>Accepted</p>

<p>The Review recommends that a communication liaison position should be created to manage individual incidents, use of force and separation within the detention centres, and should ensure that consistent and adequate communication with parents, families and guardians is provided.</p>	
<p>Chapter 19: Young person A9</p>	
<p>Recommendation 19.R1</p> <p>The Review recommends that further investigation should be undertaken as to the concerning allegation of the misuse of Individual THHS-12's electronic signature and accuracy of meeting minutes.</p>	<p>Accepted</p>
<p>Recommendation 19.R2</p> <p>Staff who authored the documentary records identified in this Chapter should be retrained in minimum standards of documentation requirements to provide accurate documentary entries reflecting all interventions (including methods of restraint) and incidents.</p>	<p>Accepted</p>
<p>Recommendation 19.R3</p> <p>The Review recommends that Youth Justice policies, procedures and manuals should be amended to positively preclude the use of restraints to 'hog-tie' (or restraint by means of a similar description) a young person. Alternatively, the Youth Justice legislation should be amended to reflect that where a number of restraints are used in combination (except transport restraints- i.e. approved handcuffs and ankle cuffs) each specific combined use should be approved by the Director-General of DJAG with concurrent approval from the Director-General of Queensland Health.</p>	<p>Accepted</p>

<p>Recommendation 19.R4</p> <p>The Review recommends that in addition to a list of approved restraints, Youth Justice policies should provide clear descriptions of how they are to be used (e.g. whether they may be used in combination, and if so the method by which this combination is achieved). This is particularly important given that, upon its commencement on 26 August 2016, the Youth Justice Regulation 2016 required individual staff members to hold the reasonable beliefs necessary to exercise the power pursuant to section 19(1). This is in contrast with sections 20(2) and {3) of the Youth Justice Regulation 2003 (repealed), which entrusted delegated managers only.</p>	<p>Accepted</p>
<p>Recommendation 19.R5</p> <p>The Review recommends that youth detention centre employees should receive more training in identification, treatment and management of young people with mental health issues.</p>	<p>Accepted</p>
<p>Recommendation 19.R6</p> <p>The Review recommends that Youth Justice policies and risk assessment tools should:</p> <ul style="list-style-type: none"> • distinguish between suicide risk and self-harm risk; and • reflect the research undertaken by Youth Justice that physical restraints escalate self-harming behaviour. 	<p>Accepted</p>
<p>Recommendation 19.R7</p> <p>The Review recommends that consideration should be given to creating a 0.5 FTE consultant psychiatrist and a 1.0</p>	<p>Accepted</p>

FTE psychiatry registrar to be based at each youth detention centre.	
Recommendation 19.R8 The Review recommends that a consultant psychiatrist should be available on call after hours and on weekends.	Accepted