Policy

Youth detention - Use of mechanical restraints
YD-3-7
Policy statement

The department is committed to safely resolving incidents using an intervention response that is proportionate to the level of risk present.

Accordingly, the department has developed a Youth Detention Protective Actions Continuum to guide youth detention operational staff in their responses to incidents to ensure they are proportionate to the level of risk present and are as safe as possible for all people involved.

The use of mechanical restraints is an intervention option provided for in the Youth Detention Protective Actions Continuum.

Similar to the physical and restricted physical holds provided for in the Youth Detention Protective Actions Continuum; the use of mechanical restraints in response to an incident must be used in strict compliance with the relevant provisions outlined in the Youth Justice Regulation 2003.

Principles

1. Deciding whether mechanical restraints are appropriate to use in response to an incident

In accordance with the Youth Justice Regulation 2003, mechanical restraints can be used if it is reasonably likely that a young person may:

- attempt to escape
- seriously harm themselves or another person
- seriously disrupt the order and security of the centre.

An attempt to escape, cause serious harm to a person or a serious disruption to the order and security of the centre may be reasonably likely in a variety of situations in a youth detention centre environment, including (but not limited to):

- an assault on a person resulting in serious injury
- a self-harming incident that has resulted in serious injury to the young person
- a siege or riot situation that has involved a number of young people physically assaulting other people
- an incident where a young person is threatening other people with a dangerous item and is reasonably likely to carry through on the threat.

Determining whether mechanical restraints are appropriate in the circumstances will vary depending on the each individual incident and accordingly, will require an assessment about the level of risk that exists to people or the order of the centre and the likelihood of that risk becoming a reality.

The responsibility for determining whether mechanical restraints are appropriate in the circumstances is a delegated authority under the Youth Justice Regulation 2003 and is limited to a few specific supervising positions that are specifically trained in the use of mechanical restraints.

Depending on the type of restraint, the centre director may also need to be notified prior to its use (refer to appendix A for more information).
In accordance with section 21 of the *Youth Justice Regulation 2003*, the authorised officer who determined that mechanical restraints were appropriate in the circumstances, must also ensure the following information is recorded on DCOIS:

- name of the young person
- time and date the mechanical restraints were applied and removed
- the reasons why mechanical restraints had to be used
- why there was no other way to resolve the situation.

Refer to the *Youth Justice Delegations* for section 20(1) of the *Youth Justice Regulation 2003* regarding the youth detention operational positions that are also authorised officers.

### 2. Duty of care obligations when using mechanical restraints

If mechanical restraints are used on a young person, the authorised officer who approved their use must ensure:

- all reasonable steps are taken to use the mechanical restraints in a way that respects the young person’s dignity
- the restraints are used for no longer than is reasonably necessary in the circumstances.

### Objectives

This policy aims to ensure youth detention centres use mechanical restraints in strict compliance with the relevant provisions outlined in the *Youth Justice Regulation 2003*.

### Scope

This policy applies to all situations in which an authorised officer is required to use approved mechanical restraints (refer to appendix A) on a young person inside of a youth detention centre because it is reasonably likely that the young person may:

- attempt to escape
- seriously harm themselves or another person
- seriously disrupt the order and security of the centre.

It is part of a suite of policies and processes developed to support the safe resolution of incidents, including:

- Policy YD-3-4: Youth Detention - Protective Actions Continuum, and

For the purpose of this policy, mechanical restraints refer to actual restraint equipment such as handcuffs, to restrict a young person’s movement. It does not refer to physical holds used to restrict a young person’s movement.

This policy does not apply to the use of mechanical restraints when a young person is about to leave a youth detention centre under escort by a staff member.
Roles and responsibilities

An authorised officer is responsible for:

- participating in all training relating relevant to the use of mechanical restraints
- maintaining competency in the use of mechanical restraints
- determining whether mechanical restraints are appropriate to use in the circumstances
- ensuring that mechanical restraints are used in accordance with this policy
- demonstrating a duty of care towards young people when using mechanical restraints
- accurately recording the use of mechanical restraints, including the circumstances that led to their use.

The shift supervisor is responsible for:

- verbally reporting the use of mechanical restraint equipment to the centre director or on-call manager (after hours)
- ensuring the accurate and timely recording of the use of mechanical restraints
- ensuring that mechanical restraints are used in accordance with this policy.

The centre director is responsible for:

- approving the use of restraints for self-harming purposes (refer to appendix A)
- ensuring there are local arrangements in place for monitoring the use of mechanical restraints to ensure compliance with this policy
- ensuring that authorised officers receive annual training and are assessed as competent in the use of mechanical restraints.

The Director, Youth Detention Operations is responsible for:

- collecting and analysing data for monitoring purposes about incident trends and providing regular advice to the Youth Detention Governance committee about any emerging issues
- providing practice support and advice to youth detention operational staff and youth detention management about issues relating to compliance with this policy
- reviewing and updating this policy as required.

The Director, Youth Justice Capability and Learning is responsible for:

- ensuring authorised officers have access to annual training in the use of mechanical restraints
- ensuring records are maintained of attendance at training and competence in the use of mechanical restraints.

Authority

Youth Justice Act 1992
Youth Justice Regulation 2003
Delegations

- Assistant Director-General, Youth Justice - *Youth Justice Regulation 2003* Section 19 – chief executive may approve restraints.
- Director, youth detention centre, deputy director, youth detention centre, unit manager (accommodation), unit manager (operations), unit manager, youth detention centre, shift supervisor, youth detention centre, section supervisor, youth detention centre - *Youth Justice Regulation 2003* Section 20 (1) – Authorise staff member to use approved restraints.
- Assistant Director-General, Youth Justice, director, youth detention centre, deputy director, youth detention centre, unit manager (accommodation), unit manager (operations), unit manager, youth detention centre, shift supervisor, youth detention centre, section supervisor, youth detention centre - *Youth Justice Regulation 2003* Section 20 (2)(b) – Circumstances where staff member may use approved restraints.
- Assistant Director-General, Youth Justice, director, youth detention centre, deputy director, youth detention centre, unit manager (accommodation), unit manager (operations), unit manager, youth detention centre, shift supervisor, youth detention centre, court supervisor, youth detention centre, gym instructor, youth detention centre, section supervisor, youth detention centre, structured day coordinator, youth detention centre - *Youth Justice Regulation 2003* Section 20 (4) – Guidelines for use of restraints.
- Assistant Director-General, Youth Justice, director, youth detention centre, unit manager (operations), unit manager, youth detention centre, shift supervisor, youth detention centre, section supervisor, youth detention centre, community assistance project supervisor, youth detention centre, visits coordinator, youth detention centre, youth worker, youth detention centre - *Youth Justice Regulation 2003* Section 21 – Must keep a register.

Definitions

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

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorised officer</td>
<td>Authorised officer refers to a youth detention operational staff member who has a delegated authority under section 20(1) of the <em>Youth Justice Regulation 2003</em> to authorise the use of mechanical restraints</td>
</tr>
<tr>
<td>Centre director</td>
<td>Means the director of the youth detention centre</td>
</tr>
<tr>
<td>Dangerous item</td>
<td>Refers to a purpose developed object or an everyday object that can be used to inflict harm</td>
</tr>
<tr>
<td>DCOIS</td>
<td>DCOIS refers to the Detention Centre Operational Information System</td>
</tr>
<tr>
<td>Intervention response</td>
<td>Intervention response refers to any intervention option outlined in the Youth Detention Protective Actions Continuum</td>
</tr>
<tr>
<td>Mechanical restraints</td>
<td>Mechanical restraints are actual restraint equipment such as handcuffs, to restrict a young person’s movement</td>
</tr>
</tbody>
</table>
Serious disruption to the order of the centre

Serious disruption to the order of the centre refers broadly to circumstances where order may need to be restored in a youth detention centre when the extent of a young person’s misbehaviour is:

- placing the security of the centre at serious risk
- placing property or people at serious risk

Serious injury

Serious injury refers to an injury requiring off-site medical attention and treatment and/or an injury requiring ongoing treatment and assessment

Youth detention operational staff

Youth detention operational staff refers to a staff member who has direct care responsibility for young people, for example a youth worker or section supervisor

Youth Detention Protective Actions Continuum

Refers to an incident intervention response framework based on using the proportionate level of response possible in order to safely resolve an incident

Youth Detention Governance committee

Refers to the regular meetings convened between the centre directors and the Director, Youth Detention Operations

Communication strategy

- publish on intranet (all Youth Justice policies to be published on intranet)
- publish on internet
- advise staff to read
- supervisors discuss with direct reports

Links

- Australasian Juvenile Justice Administrators (AJJA) service standards for juvenile custodial facilities
- United Nations Rules for the Protection of Young People Deprived of Their Liberty 1990
- Youth Justice Delegations
- Youth Justice Policies

<table>
<thead>
<tr>
<th>Policy</th>
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<tbody>
<tr>
<td>Version number</td>
<td>V 1.1</td>
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<tr>
<td>Date of approval</td>
<td>26 April 2013</td>
</tr>
<tr>
<td>Date of operation</td>
<td>To be advised</td>
</tr>
<tr>
<td>Policy owner</td>
<td>Youth Detention Operations</td>
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</table>
Review date 12 months from the date of approval
**Appendix A - Approved mechanical restraints**

Only the following restraint equipment is approved for use in Queensland youth detention centres:

<table>
<thead>
<tr>
<th>Approved restraint equipment</th>
<th>Covered under this policy?</th>
<th>Additional conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handcuffs – hinged and chain</td>
<td>Yes</td>
<td>na</td>
</tr>
<tr>
<td>Nylon body belt</td>
<td>Yes - for self-harming incidents only</td>
<td>Requires centre director to be notified prior to use</td>
</tr>
<tr>
<td>Protective helmet</td>
<td>Yes - for self-harming incidents only</td>
<td>Requires centre director to be notified prior to use</td>
</tr>
<tr>
<td>Restraint sleeve</td>
<td>Yes - for self-harming incidents only</td>
<td>Requires centre director to be notified prior to use</td>
</tr>
<tr>
<td>Zip ties</td>
<td>Yes – for when handcuffs are exhausted</td>
<td>Requires operations manager or centre director to be notified prior to use</td>
</tr>
<tr>
<td>Ankle cuffs – for use on centre</td>
<td>Yes – in emergency situations</td>
<td>Requires centre director to be notified prior to use</td>
</tr>
<tr>
<td>Safety escort cable</td>
<td>Safety escort cables are used for evacuations (i.e. for controlled movement when escorting large groups of young people outside of the detention centre).</td>
<td>Requires centre director to be notified prior to use</td>
</tr>
<tr>
<td>Ankle cuffs – for use during an escort off centre</td>
<td>Ankle cuffs can be used during a medical emergency leave of absence.</td>
<td>na</td>
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</tbody>
</table>