

# Inspection standards for Queensland youth detention centres

## Quick guide

### Standards for all children

#### Protecting basic rights of children in a diverse and predominantly Aboriginal and Torres Strait Islander population

- 1 All youth detention centres must reflect a child-focused, trauma-informed and culturally appropriate operational philosophy.
- 2 Aboriginal and Torres Strait Islander children in youth detention centres have fair and equitable access to services, activities and facilities, including services specifically relating to their cultural identity.

### Early days in the youth detention centre

#### Reception and admission

- 3 Children are only held in youth detention centres under a legal authority for admission to detention and are released on the required date.
- 4 Children are safe and treated with respect on admission to a youth detention centre. They undergo a comprehensive assessment to ensure their immediate risks and needs are identified within two hours of admission, and they are accommodated appropriately within the centre.

#### Orientation

- 5 Induction begins within 24 hours of a child's arrival at the youth detention centre.

### Duty of care

#### Access to legal representatives and resources

- 6 Children have access to legal representatives and resources and are supported to understand their rights and obligations.

#### Bullying, discrimination and violence reduction

- 7 No child or group of children will experience disadvantage, discrimination or violence while in a youth detention centre.
- 8 Children, staff and visitors understand bullying, intimidating or racist behaviour is not acceptable. They are aware of the consequences of such conduct and know how to address the specific behaviours.

#### Victims of abuse or trauma

- 9 The needs of children with a high level of vulnerability or a history of trauma are assessed. Children have access to services, activities and facilities specific to their needs.

## At-risk children

- 10 Children at risk of self-harm and/or suicide are promptly identified, and short-term, medium-term and/or long-term plans are created.
- 11 Strategies are developed for children who are at risk of suicide or self-harm, to ensure their safety.

## Reporting harm

- 12 Children are assessed to ensure they are safe from physical, psychological and emotional harm, and any harm is immediately reported.

## Separation and solitary confinement

- 13 Children are never subjected to solitary confinement, including a routine that amounts to solitary confinement.
- 14 Staff consider and strictly comply with the requirements of domestic legislation relevant to separation.
- 15 Children are separated only in accordance with the limited grounds prescribed by law, as a last resort, and where there is a demonstrated need to do so. The separation must be carried out in the least restrictive way and for the shortest possible time.
- 16 Where a child is separated from other children, they are treated with respect and dignity, and have meaningful opportunities to leave the unit, associate with other children and earn privileges.

## Transfers

- 17 Children transferred between youth detention centres are well prepared and supported.

## Requests and complaints

- 18 Children are consulted about matters which affect them.
- 19 Youth detention centres, health service providers and education providers have effective, transparent and confidential complaints processes in place for children, staff and visitors.
- 20 Children understand and have confidence in the complaints handling system and are protected from repercussions for making complaints.

## Managing behaviour

### Encouraging positive behaviour

- 21 Children understand the standards of behaviour and the rules and routines of the youth detention centre.
- 22 The youth detention centre embeds a restorative practice framework to address children's on-centre behavioural issues.
- 23 Positive behaviour support schemes are evidence-informed and trauma-informed and take into account children's cultural, health and disability needs.

### Behaviour support

- 24 Children who require support to manage their behaviours are identified and support plans are created by appropriately trained staff. They receive personal and consistent support to address their individual needs and have unhindered access to relevant services.
- 25 A child is accommodated in a separate unit away from other children for the good order, safety and/or security of the centre for the shortest possible time.

### Punishment and disciplinary procedures

- 26 Behaviour management systems define fair and consistently applied rules for behaviour, where responses to misbehaviour are escalated.

## Use of force and restraints

- 27 Force is used on a child as a last resort, for the shortest time required, and never as punishment. When used, force is lawful, necessary and proportionate. It is safely and humanely applied, and subject to rigorous governance.
- 28 Instruments of restraint are only used in exceptional circumstances when no lesser form of control would be effective to address the risks posed by unrestricted movement. The use of restraints is proportionate in the circumstances.

## Daily life

### Regime

- 29 The treatment of children and the conditions in which they are held meet contemporary community standards to promote and uphold the humane treatment of children.
- 30 The youth detention centre has a structured daily routine conducive to the rehabilitation and positive development of children.
- 31 Children have a minimum 10 hours outside their room each day, including at least two hours in the open and fresh air during daylight hours.

### Living conditions and hygiene

- 32 Youth detention centres are not oppressive environments and operate flexibly to allow children to feel safe and comfortable.
- 33 The infrastructure of the youth detention centre is well maintained and supports its operating principles and security requirements.
- 34 Effective emergency management, workplace health and safety, and other systems exist to ensure safety across the youth detention centre.

### Accommodation

- 35 Children are accommodated in a safe, clean and decent environment which is in a good state of repair and suitable for children.
- 36 Children are not required to sleep in shared rooms.

## Clothing and bedding

- 37 All children are provided with clean clothing and bedding appropriate to the climate, as well as necessary toiletries and sanitary products.

## Family and community contact

- 38 Support from a child's family and community is encouraged.
- 39 Children's connections to the community are strengthened by participation in interventions and activities involving relevant government and non-government agencies, community organisations and Elders.
- 40 Children are detained as close as possible to their home region.
- 41 The importance of peer interaction and social contact to healthy development is recognised during a period of detention.
- 42 Children have the opportunity to voluntarily engage in community service activities while in a youth detention centre.

## Recreation

- 43 Children should have daily opportunities for physical and recreational activity, and a regular structured sport and recreation program.

## Food and nutrition

- 44 Healthy lifestyles are supported through the provision of extensive health promotion and education, nutritious food and drink, and encouragement of exercise and personal hygiene.
- 45 Children have a varied, healthy and balanced diet which meets their individual needs.

## Religious and spiritual support

- 46 All children are able to satisfy the needs of their religious, spiritual and cultural life.

## Property

- 47 Children's property is held securely in storage and recorded accurately.

## Children's purchases

- 48 Children can purchase a suitable range of goods at reasonable prices to meet their needs and can do so safely.

## Health and support

### Physical and mental health care

- 49 Children's health needs are addressed through accredited health services.
- 50 The youth detention centre has safe facilities, procedures and practices for the distribution of medication to children.
- 51 An initial medical and psychological assessment of each child is conducted by a health practitioner within 48 hours of the child's admission to the youth detention centre.
- 52 Children in a youth detention centre with actual or suspected mental health issues have access to age and culturally appropriate mental health services in a timely manner.

### Substance use treatment

- 53 The youth detention centre uses specialised harm minimisation and prevention programs administered by qualified professionals.

### Support

- 54 Children are aware of the health services available and how to access them.

## Security

### Procedural security

- 55 There is a clear policy on the role of security in meeting the youth detention centre's operating principles and stated objectives.
- 56 Safety and good order are maintained at all times.

## Searches

- 57 Searching reduces risks to safety and security posed by contraband, weapons, alcohol and other drugs.
- 58 All searches of children are lawful, reasonable and proportionate to the risk posed. They are carried out in the least intrusive way and in a manner that is respectful of the inherent dignity of the child being searched.
- 59 Room searches are only conducted when necessary and with respect to the child's dignity and privacy.
- 60 Searching of visitors and their property is carried out in a professional way and is appropriately recorded.

## Deaths in custody and serious incidents

- 61 The youth detention centre promptly notifies all relevant parties about serious incidents and facilitates a comprehensive investigation.

## Transport

- 62 Children in a youth detention centre are transported only when absolutely necessary and are never to be transported in unsafe or inhumane conditions.

## Rehabilitation and preparation for release

### Case management

- 63 Each child has an individual youth detention centre caseworker who is available to provide support or assistance.
- 64 All children have an individual case plan that meets their assessed risks and needs. This case plan is implemented within a reasonable period after entering a youth detention centre.
- 65 Children are supported to achieve the goals of their individual case plan by staff across all disciplines within the youth detention centre.

## Education and programs

- 66 The range of education and programs accommodate the disparate needs of children in the youth detention centre.
- 67 All children are engaged in education and personal development programs to meet their individual needs. The standard of education and programs is equivalent to that available within the community.
- 68 A range of evidence-based programs are available to address the assessed risks and needs of children in a youth detention centre.
- 69 All programs and services offered to children in a youth detention centre are reviewed to measure their effectiveness.
- 70 The youth detention centre operates in partnership with both government and community organisations to ensure programs and activities offered by partner agencies are effective and evidence based.
- 71 Children have access to a library which meets Australian standards and are encouraged to use it frequently.<sup>1</sup>

## Preparation for release

- 72 Planning for a child's transition and reintegration into the community occurs with the child, their family and their community, and is considered prior to the child's release.
- 73 Children have access to services and activities outside the youth detention centre to assist them to reintegrate into the community, develop and maintain relationships and prioritise their care and wellbeing.

## Young parents and their children

- 74 Special consideration is given to children in detention who are parents or who have parental and/or carer responsibilities.

## Equity and diversity

### Sexual orientation

- 75 The needs of children of all sexual orientations in a youth detention centre are recognised and they have equitable access to services, activities and facilities.

### Young people 18 years and older

- 76 The specific needs and risks of young people 18 years or older are identified early for management within youth detention centres.

### Culturally and linguistically diverse children

- 77 Children from culturally and linguistically diverse (CALD) backgrounds have fair and equitable access to services, activities and facilities, including services specifically related to their CALD status.

### Foreign national children

- 78 The needs of foreign national children in a youth detention centre are recognised and they have equitable access to services, activities and facilities, including services specifically related to their foreign national status.

## Girls

### Placement and accommodation

- 79 Girls are accommodated separately from boys and in accommodation suitable to their needs.

### Living conditions and hygiene

- 80 Girls are held in conditions that are clean and dignified and are encouraged to maintain their own personal care and hygiene.

### Health and support

- 81 Health care services meet the needs of girls in a safe and dignified environment.

<sup>1</sup> See the Australian Library and Information Association, Minimum Standard Guidelines for Library Services to Prisoners (2015).

- 82 The specific mental health needs of girls are identified, treated and supported by services that are equivalent to those in the community.

### Pregnancy and postnatal health care and support

- 83 Pregnant and postnatal girls are supported and treated with dignity and respect.

### Young mothers

- 84 Young mothers are provided with adequate facilities to allow their child to reside with them at the centre if it is in the best interests of their child.

### Searches

- 85 Girls are subject to searches only when an assessment has been conducted and the search is deemed proportionate to the risk. Searches are conducted in the least intrusive way and search practices maintain the inherent dignity of girls.

### Rehabilitation and preparation for release

- 86 Girls have equitable access to services and activities which are gender-specific and culturally appropriate.

### Staff

- 87 There is sufficient staffing to enable the management of girls, and staff are trained in their specific needs.

## Transgender children and gender diverse children

### Gender identity

- 88 Children are addressed as, and referred to in, the gender they identify with.

### Respect

- 89 The dignity, sensitivity and privacy of transgender children and gender diverse children is respected.

### Bullying and violence reduction

- 90 Transgender children and gender diverse children are safe from violence and abuse.

### Placement and accommodation

- 91 Decisions about the accommodation of transgender children and gender diverse children reflect the child's self-identified gender and consider their preference. These decisions include a comprehensive assessment of the safety and wellbeing of the child and others.

### Property, clothing and appearance

- 92 Transgender children and gender diverse children can access personal effects to maintain their gender expression and appearance.

### Health and support

- 93 Access to physical and mental health care, including assessment and treatment, meets the needs of transgender children and gender diverse children, and it is equivalent to that which they would receive in the community.
- 94 Comprehensive and individual case plans and service response plans meet the needs of transgender children and gender diverse children.

### Searches

- 95 Search procedures maintain the inherent dignity of transgender children and gender diverse children.

### Rehabilitation and preparation for release

- 96 Transgender children and gender diverse children have equal access to rehabilitative and reintegration opportunities.

## Intersex children

### Gender identity

- 97 Children are addressed as, and referred to in, the gender they identify with.

### Respect

- 98 The dignity, sensitivity and privacy of intersex children is respected.

### Bullying and violence reduction

- 99 Intersex children are safe from violence and abuse.

## Placement and accommodation

- 100 Decisions about the accommodation of intersex children reflect the child's self-identified gender and consider their preference. These decisions are made after a comprehensive assessment of the safety and wellbeing of the child and others.

## Property, clothing and appearance

- 101 Intersex children can access personal effects to maintain their appearance.

## Health and support

- 102 Access to physical and mental health care, including assessments and treatments, meets the needs of intersex children, and is equivalent to that which they would receive in the community.

- 103 Comprehensive and individualised case plans and service response plans meet the needs of intersex children.

## Searches

- 104 Search procedures maintain the inherent dignity of intersex children.

## Rehabilitation and preparation for release

- 105 Intersex children have equal access to rehabilitation and preparation for release opportunities.

## Children with a disability

### Disability screening

- 106 The needs of children with a disability are assessed on admission and specific assistance is provided to support their needs.

### Bullying and violence reduction

- 107 Children with a disability feel safe from bullying and victimisation, and are offered assistance and support.

### Activities

- 108 Children with a disability are meaningfully and purposefully involved in youth detention centre activities.

## Health and support

- 109 The specific health care needs of children with a disability are appropriately met.

## Use of force and restraints

- 110 The use of force, control and restraint on a child with a disability ensures the inherent dignity of the child.

## Searches

- 111 Children with a disability are treated with dignity and respect during all searches.

## Transport

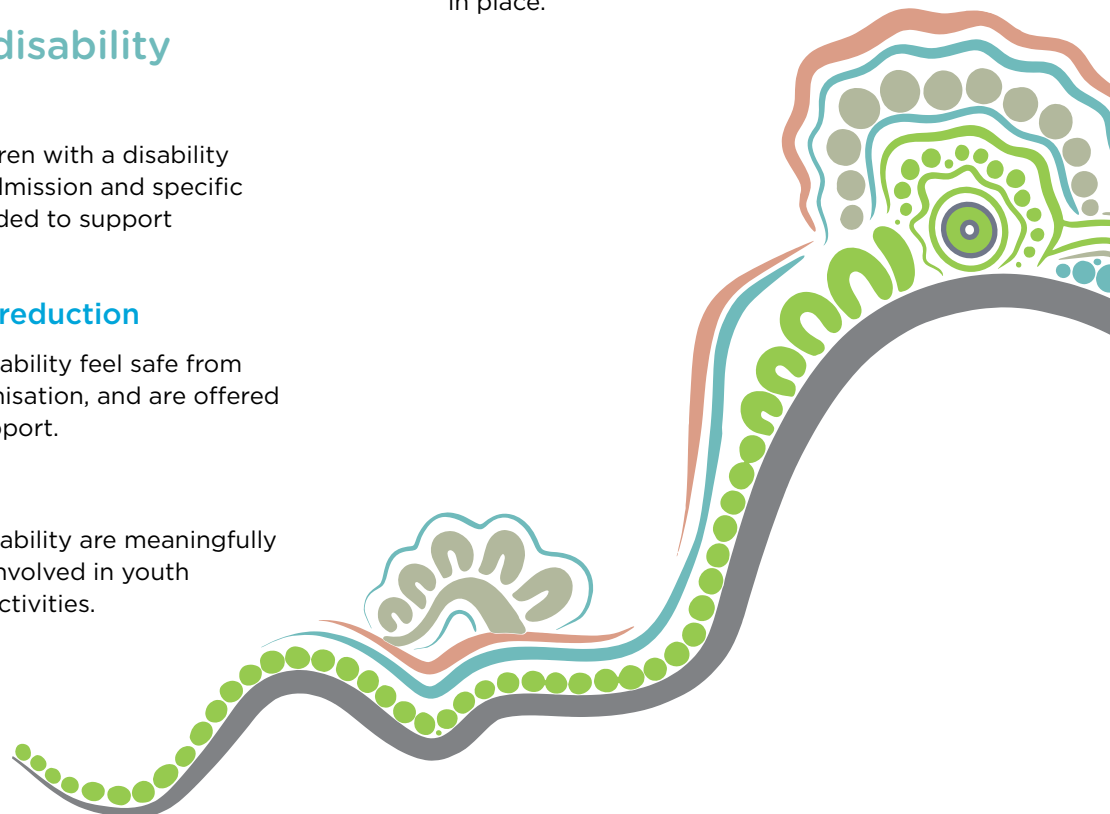
- 112 Children with a disability have the same opportunities as other children to attend court, medical appointments and other leave of absence activities in person. Their transportation is safe and secure.

## Education and programs

- 113 The needs of children with a disability are considered and they have equitable access to education, programs and activities, including specific assistance related to their needs.

## Rehabilitation and preparation for release

- 114 Children with a disability are adequately prepared for their release, with any reasonable and necessary support in place.



## Governance

### Strategic planning

- 115 A strategic vision informs a comprehensive plan of the youth detention centre's general aims, principles, values and strategic actions.

### Informed advice

- 116 Current information about policies and the operation of the youth detention centre is readily available to staff, children, visitors and any other interested parties as appropriate.
- 117 Staff comply with legislative reporting requirements.

## Information management

- 118 Information regarding individuals must be kept private and confidential.
- 119 The youth detention centre has comprehensive and accurate records management processes.
- 120 There are robust and accountable recordkeeping, auditing and reporting systems for major aspects of the youth detention centre's activities.
- 121 Systems are in place for communicating effectively and appropriately with staff and service providers.

## Workforce

### Youth detention centre staff

- 122 Staffing meets the needs of the youth detention centre to manage children safely and meet the centre's operating philosophy.
- 123 Recruitment, supervision and retention strategies are in place to ensure there are sufficient staff with experience to meet the needs of the youth detention centre and the population of children at all times.
- 124 All staff have the necessary knowledge, skills and authority to work in a youth detention centre, and are trained to the highest standards of professional competence, integrity and honesty.
- 125 Staff value and develop positive relationships with children while maintaining appropriate boundaries.

### Staff grievances

- 126 Staff are supported and have avenues to raise and address grievances that affect them in a timely and effective way.

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Information about these standards is also available as *Inspection standards for Queensland youth detention centres*, which includes indicators used to determine if the standards have been met.

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