

Youth detention centre

OPERATIONAL POLICY

Title: YD-3-10 Youth detention – Complaints about young people to the Queensland Police Service

Policy statement

The department is committed to promoting and protecting the safety and rights of youth detention staff and ensuring young people are held accountable for their behaviours in youth detention centres (YDCs). Criminal conduct by young people in youth detention, particularly violence and threats of violence directed towards staff, is never condoned. This behaviour is not tolerated and will result in consequences for involved young people.

For criminal conduct to be formally responded to, it must be reported to the Queensland Police Service (QPS) for investigation. The department will support youth detention staff members who decide to make a complaint to the QPS:

- following an alleged assault by a young person/s in youth detention
- if an individual is subject to a plausible threat (including verbal) by a young person in youth detention to harm them or a member of their family
- following damage to property
- any other circumstance where a young person engages in criminal conduct while in youth detention custody.

Principles

1. Support for staff

- 1.1 Youth detention staff have the right to make a complaint to QPS about a young person in youth detention.
- 1.2 Youth detention staff are defined as public officers under the *Criminal Code Act 1899*¹ and are therefore afforded extra protections against a wider range of assaultive behaviours including spitting.²
- 1.3 To help with decision making, youth detention staff are given all the necessary information and support for making a complaint to QPS. No matter what decision is made, the department will fully support and respect the staff member's choice.³
- 1.4 Staff must notify their line manager⁴ of their intention to make a complaint to QPS. This ensures the staff member receives appropriate support and allows for any necessary risk mitigation strategies to be implemented.
- 1.5 The department is committed to supporting YDC staff by ensuring:

¹ Schedule 1 'The Criminal Code' within the *Criminal Code Act 1899* defines a public officer as inclusive of public service employees.

² As per s340(2AA) 'Serious assaults' of the *Criminal Code Act 1899*.

³ Noting that QPS are ultimately responsible for determining whether criminal charges can and will be pursued.

⁴ Or unit manager or client relations manager/advisor as appropriate.



- youth detention staff are aware of their right to make a complaint to QPS
- 24/7 access to the [Employee Assistance Service for affected staff members and their families](#)
- local procedures are in place to facilitate the complaints process to QPS
- access to a support person if requested
- access to ongoing support from the staff wellness officer and safety, health and wellbeing advisors
- staff feel supported to discuss any outstanding complaint matters with their line manager or supervisor
- steps are taken by YDC management to prevent (as far as practicably possible) the parties having any further contact, while the matter is being investigated
- steps are taken to facilitate the QPS investigation, such as preserving and/or providing closed circuit television (CCTV) images, body worn camera footage and access to staff on shift to take statements
- staff debriefing sessions occur following the incident
- the provision of any immediate or ongoing assistance to gain medical, psychological and/or emotional support
- arrangements are made to backfill youth detention staff who are required to physically attend QPS during work hours (e.g. to lodge a complaint or to provide additional information or statements) and/or organising reimbursement for staff who attend QPS in their own time (e.g. on a rostered day off), where applicable⁵
- staff are given the regular opportunities to provide feedback on the safety, health and wellbeing and resilience support available to staff.

1.6 Restorative processes are available to youth detention staff to participate in, facilitated by appropriately trained staff.⁶ Restorative responses hold the young person accountable for their actions and provide them with an opportunity to repair the damage caused by their actions. A victim representative can attend in a staff member's place if they do not want to participate directly.

1.7 Youth detention staff who engage in a restorative process and are not satisfied with the outcome retain the right to make a complaint to QPS following the process.

1.8 Youth detention staff will be informed about the management of the young person and provided with opportunities to raise any immediate or ongoing concerns. Following an incident, young people's behaviour will be addressed appropriately and proportionately in line with the behaviour support framework, with consequences applied for any threatened or actual harm to staff.⁷

2. Information sharing and reporting

2.1 Client relations will act as the central coordination point for all complaints and will liaise with youth detention staff and the QPS to gather all required evidence to support the complaint.

2.2 Staff must complete an occurrence report as soon as possible after the incident. This will assist the QPS investigation, help to guide any WorkCover assessments and ensure all requirements are met around the incident reporting processes.

2.3 Information provided to QPS to assist with their investigation may include:

⁵ Individual YDC practices may differ regarding how this process occurs and local operating procedures should also be consulted.

⁶ Noting that the ability to undertake restorative processes may be impacted by active QPS investigations. Refer to [policy YD-1-6: Restorative practice](#) for more information.

⁷ In accordance with [policy YD 1-2 Behaviour support](#).



- details about the young person, including their name, date of birth, last known address and next scheduled court date
- the DCOIS incident report and associated documents including occurrence reports
- any photographic evidence available including of injuries, items or weapons used in the incident, damage, location or fluids (e.g. spit, urine)
- any physical evidence retained (e.g. weapons)
- CCTV and body worn camera footage.

2.4 Records must be kept about what information and documents are provided to QPS in response to staff complaints. If CCTV or body worn camera footage is provided to the QPS, it must be recorded on a register⁸ with the following details:

- date footage was provided
- name of officer who provided the footage
- for what purpose footage was provided
- who the footage was provided to
- any other details as directed by the executive director, deputy director or assistant director.

2.5 Any incidents involving a staff assault or significant threats to staff⁹ will be communicated to the young person's youth justice service centre (YJSC) and child safety service centre (CSSC) as relevant. This will ensure that all staff working with the young person are informed of any potential for risk and to allow for the development of any necessary risk mitigation strategies prior to a young person's release from custody. Consideration should also be given to generating an alert in Unify.

Objectives

Youth detention staff work in a highly complex environment where they may be the victim of violence or threatened violence by a young person. Despite prevention efforts, sometimes a young person's behaviour towards staff may constitute a criminal offence. Any young person who engages in criminal conduct towards staff will be subject to appropriate consequences. Such behaviour may include spitting, threats of or actual physical or sexual violence.

Individual youth detention staff members subject to such behaviour will be provided with information and supports to decide whether they wish to make a complaint to QPS about criminal conduct by a young person in detention.

QPS complaint protocols and post-incident support are managed in a supportive manner to minimise the impact of the incident on the affected staff member.

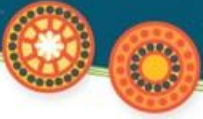
Scope

This policy applies to all youth detention staff who experience behaviour which may constitute a criminal offence. It describes what support individual staff are provided from the department in making a complaint to QPS and what information will be shared to assist QPS with their investigations.

This policy is part of a suite of policies and processes developed to provide youth detention staff support in the event that they are the victim of a criminal offence perpetrated by a detained young person.

⁸ Refer to policy [YD-4-4: Retention and disposal of evidence and property relevant to an incident](#).

⁹ Any threats made directly about staff in the community will be communicated within one business day.



Roles and responsibilities

- Caseworker:
 - notify the relevant YJSC/CSSC of any incidents involving staff assaults to ensure staff involved with working with the young person upon their release from custody are aware of potential risks
 - generate alerts on Unify
 - ensure the young person has access to legal representation and support during the investigation.
- Client relations manager or advisor:
 - maintain youth detention staff awareness of their right to make a complaint following an alleged assault and of the supports the department provides if they decide to do so
 - coordinate the provision of information to QPS following a complaint, including gathering evidence to support the complaint and liaising with youth detention staff and the QPS
 - provide the affected staff member with information on the referral process
 - ascertain who the potential witnesses are to the matter and consider their relationship to the complainant and the young person, and whether additional strategies need to be put in place to manage any further interactions
 - provide advice about footage that must be preserved to assist with the investigation of a complaint
 - provide documents and footage to the QPS, as necessary
 - keep a record of all documents and footage provided
 - keep a record of the number of complaints made to QPS by youth detention staff.
- Deputy director or assistant director:
 - maintain youth detention staff awareness of their right to make a complaint following an alleged assault and of the supports the department provides if they decide to do so
 - ensure there are local procedures in place to facilitate the complaints process
 - ensure that the support mechanisms outlined in this policy are provided to youth detention staff who decide to make a complaint to QPS.
- Executive director:
 - ensure there are local procedures in place to facilitate the complaints process
 - ensure that the support mechanisms outlined in this policy are provided to youth detention staff who decide to make a complaint to QPS.
- Restorative practice coordinator:
 - coordinate any restorative practices if requested by staff.
- Principal safety, health and wellbeing advisor:
 - participate in incident debriefings as required
 - oversee staff wellness activities
 - ensure support is provided to staff returning to work after a period of injury or ill health
 - triage and refer employees requiring ongoing support
 - participate in post incident reviews with senior management as required
 - provide expert advice to support tailored responses to the health, wellbeing and resilience needs of staff members
 - develop proactive safety measures and injury management processes that mitigate risk and prioritise staff safety, health and wellbeing.



- Section supervisor:
 - manage any further immediate risk the young person may present to staff, other young people and visitors
 - provide support to youth detention staff as necessary
 - notify the shift supervisor, as soon as practicable
 - participate in any post incident actions.
- Shift supervisor:
 - provide support to youth detention staff as necessary
 - inform the executive director that a staff member has been assaulted as soon as practicable
 - contact the staff wellness officer and the unit manager as soon as practicable
 - lead post-incident debriefs with staff
 - consider appropriate risk mitigations to ensure staff, young person and visitor safety
 - complete the staff assault post incident checklist, including providing a work injury report form (WIRF) package if the staff member has sustained an injury
 - ensure occurrence reports are completed as soon as practicable.
- Staff wellness officer:
 - provide ongoing support to youth detention staff, including completing referrals for further assistance or support for affected staff and their families
 - participate in incident debriefings
 - provide expert advice to YDC management to support tailored responses to the health, wellbeing and resilience needs of staff members.
- Unit manager:
 - provide support to youth detention staff as necessary
 - consider appropriate risk mitigations to ensure staff, young person and visitor safety
 - ensure (as far as practicable) that the parties of the complaint do not have further contact during the course of the investigation
 - ascertain who the potential witnesses are to the matter and consider their relationship to the complainant and the young person, and whether additional strategies need to be put in place to manage any future interactions
 - ensure that any relevant workplace injury processes are also followed in the event a youth detention staff member sustains an injury from the related incident
 - attend and participate in the post incident debrief, as appropriate.
- Youth detention staff:
 - decide whether to make a complaint to QPS
 - notify the shift supervisor, unit manager, client relations manager or advisor (or other line manager or supervisor) of the intention to make a complaint
 - complete a WIRF form, if appropriate
 - participate in post incident actions.

Authority

Youth Justice Act 1992

Youth Justice Regulation 2016



Delegations

Relevant sections	
<i>Youth Justice Act 1992</i> Section 263(2) – May issue directions, codes, standards and guidelines for the security and management of detention centres and the safe custody and well-being of children in detention.	Refer to the Statutory Delegations which detail positions with delegated authority. Relevant statutory delegations align with the roles and responsibilities outlined in this policy.
<i>Youth Justice Act 1992</i> Section 263(5) – Must ensure principles are complied with in relation to each child detained in a detention centre	

Definitions

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

Term	Definition
WIRF	Work injury report form

Human rights compatibility statement

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

United Nations Standards

Youth Justice is committed to promoting Australia's international obligations and protecting the safety and wellbeing of young people in youth detention. Ensuring interactions between young people are appropriate, safe and prosocial supports young people's development, health and wellbeing and rehabilitation. To minimise the impacts of harm in youth detention, in accordance with the United Nations Standards and in compliance with the Havana Rules, the Beijing Rules, and the Nelson Mandela Rules, young people interaction provisions are outlined in this policy.

Multicultural Queensland Charter

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

Child Safe Standards

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

State disability plan

Youth Justice will work with our partners to build a fairer, more inclusive Queensland where people with a disability, their families and carers are able to access the same opportunities, on the same basis as everyone else. We will take actions to progress the priorities of the All Abilities 10 Queensland: opportunities for all state disability plan and support improved access to services for Queenslanders with disability.



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Approved by: 1.0 Director-General DJAG (22 November 2012)
 1.1 Director, Practice, Program and Design (16 November 2017)
 1.2 Deputy Director-General (2 December 2019)
 1.3 Senior Executive Director (6 December 2022)
 1.4 Director, Youth Detention Operations (10 October 2024)
 1.5 Senior Executive Director (29 January 2025)

Date of operation: 29 January 2025

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

Office: Youth Detention Operations

Help contact: YDCPracticeEnquiries@youthjustice.qld.gov.au

Communication strategy:

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

Links:

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

[Human Rights Act 2019](#)

[Support for staff who have been assaulted](#)

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

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

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

[United Nations Standard Minimum Rules for the Administration of Juvenile Justice \(Beijing Rules\) Youth Detention Centre Operations Manual](#)

[Youth Detention Centre Operations Manual](#)

[Youth Justice delegations](#)

Bob Gee

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