



Philosophy of youth detention services

This philosophy outlines the fundamental principles critical to the operation of Queensland youth detention centres.

It is informed by relevant Queensland youth justice, human rights and other legislation and frameworks, national standards and international agreements to which Australia is signatory.

It ties together and informs our:

- youth detention operational policies
- Youth Detention Centre Operations Manual
- youth detention centre local procedures and practices
- youth detention programs
- daily practice for all staff who work in and support youth detention services in Queensland
- priorities for staff training, skills development and capability-building.

Philosophy statement

Youth detention centres are established under the *Youth Justice Act 1992* to:

- protect the safety of the community
- provide consequences for offending
- prepare detained young people to live productively in the community.

The health, welfare, and wellbeing of young people in youth detention are respected, promoted and protected according to the *Youth Justice Act 1992*, *Youth Justice Regulation 2016*, and the *Human Rights Act 2019*.

Achieving these objectives in an environment where there are constant tensions between welfare, justice and security needs is a complex and daily challenge for youth detention centres. To ensure a consistent approach to these challenges, the department is committed to delivering youth detention services in accordance with the following principles.

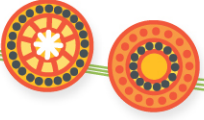
Principles

1. The safety of people in youth detention centres is paramount

Our most important priority is ensuring that young people, staff and visitors are safe, and that youth detention centres are secure.

It is also critical that the practices and interventions designed to minimise risk:

- are culturally-appropriate
- match in degree to the level of risk that exists
- are actioned in a way that ensures rehabilitation and healing objectives are not undermined.



While force, restraints and separation are sometimes necessary, the department recognises that these practices may perpetuate a young person's trauma and lead to emotional or psychological harm.

In this context, the department strives for safety responses that promote physical, emotional, psychological and cultural safety.

2. Services must promote rehabilitation to stop the cycle of youth crime

The department recognises that young people who offend have a range of things happening in their lives that influence their criminal behaviour.

The department also recognises that challenging behaviours often represent adaptive responses to past traumatic experiences. By addressing the causes behind their offending, there is a better chance to stop the revolving door of youth detention.

To this end, the department will work with its partner agencies to deliver integrated case management, therapeutic and cultural support and rehabilitative services to find ways to help young people reintegrate and live productively in their communities.

Offending behaviour will be addressed through programs and services that:

- foster a sense of responsibility
- promote health, wellbeing, healing, skill development and self-respect
- engage Elders, kinship carers and respected members of the community
- promote a sense of belonging, identity and connection
- build resilience
- promote opportunities for effective reintegration and transition i.e., education and employment pathways.

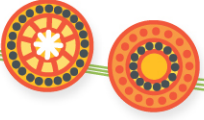
3. Services must be culturally appropriate for Aboriginal and/or Torres Strait Islander young people

Young people flourish in their culture when they are exposed to knowing who they are and where they come from. Youth detention centres will be culturally safe environments, where Aboriginal and/or Torres Strait Islander young people are able to draw strength from their identity and connections with family, community and country.

Informed by the [Reframing the relationship plan 2023-2025](#), youth detention centres will engage respectfully and inclusively to draw on the cultural strength and knowledge of Aboriginal and Torres Strait Islander peoples as the oldest First Nations cultures in the world, bringing rich history and cultural practices to support First Nations young people in youth detention.

The department recognises that the people most able to provide a culturally safe environment to Aboriginal and/or Torres Strait Islander young people, are Aboriginal and/or Torres Strait Islander people. Youth detention policies, services and programs will be developed in consultation with youth detention centre cultural units and cultural staff as well as other key Aboriginal and Torres Strait Islander cultural stakeholders.

Cultural safety will also be promoted in the detention centre environment through initiatives that demonstrate respect for Aboriginal and Torres Strait Islander cultures, such as celebration of



significant events and dates, cultural art showcases, participation in cultural practices such as Yarning Circles and invitation of visiting supports such as Elders and Cultural Healers.

Cultural units and cultural staff will:

- provide essential frontline support to promote young people's cultural identities and backgrounds
- promote young people's participation in significant cultural traditions, customs, protocols and events
- work collaboratively with internal and external stakeholders to achieve the best possible outcomes for Aboriginal and Torres Strait Islander young people.

Youth detention centres will also promote:

- regular opportunities for young people to participate in culturally specific programs
- community-led cultural healing-based initiatives
- services that support cultural wellbeing
- holistic culturally specific therapeutic, intervention and cultural programs
- cultural awareness training for all staff members and key stakeholders to ensure that professional conduct and services are culturally-appropriate
- regular opportunities for Aboriginal and/or Torres Strait Islander Elders and respected persons to participate in advisory groups and other forums to provide cultural leadership and mentoring
- celebration of significant cultural events such as Coming of the Light, Mabo Day and NAIDOC week
- Australian Aboriginal English (AAE) as a formal dialect of Standard Australian English (SAE) and Torres Strait Creole as an English-based creole of the various traditional languages that are spoken in the Torres Strait Island and Cape York regions, and
- other initiatives that demonstrate and promote respect for Aboriginal and Torres Strait Islander cultures.

Refer to Appendix A for further information.

4. Services must be culturally appropriate

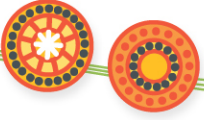
Youth detention centres will be culturally safe environments for all young people. This includes supporting young people from culturally and linguistically diverse backgrounds.

Young people will be provided with opportunities and support to nurture their connections with identity, family, community, religion and culture. Youth detention centres acknowledge that languages hold culture, custom, identity, and connection and must be encouraged, promoted, and supported.

5. Services must be trauma-informed

The department acknowledges that many young people in the youth justice system have a history of complex trauma that strongly influences their day-to-day behaviour, developmental level and capacity to understand why appropriate behaviour is important. This trauma can include:

- neglect
- psychological and physical abuse
- sexual assault
- family violence



- disrupted attachment
- complicated grief and loss
- other adverse developmental impacts.

For Aboriginal and/or Torres Strait Islander young people, inter-generational trauma, experiences of racism and discrimination, overrepresentation in child protection and youth detention systems, cultural and social issues and loss can compound this.

Challenging behaviours can represent adaptive responses to past traumatic experiences. Similar to the need for physical safety and culturally appropriate services, trauma-informed practice is foundational and a pre-requisite for all other efforts to support a young person's rehabilitation and healing.

Youth detention centres must provide young people with:

- a sense of physical, emotional and cultural safety
- expectations about pro-social behaviours and structure and predictability to promote their capacity to manage their feelings, behaviour and responses
- developmentally appropriate opportunities to develop independence and autonomy
- support and interventions that respond to a young person's individual trauma-based needs.

Staff must be attuned to how a young person is feeling and respond to challenging behaviour in a way that is culturally safe, consistent, yet conscious of the young person's triggers.

A multidisciplinary, cultural and holistic approach needs to be actioned to minimise risk and respond to a young person's challenging behaviours.

Force, separation and restraints must only be used as a last resort, only when they are absolutely necessary and for the shortest period of time necessary. Once the immediate risk to safety is mitigated, staff must seriously consider whether the use of restraints and separation is required (i.e. justified) and if the risks created by the young person can be managed another way. Staff must engage respectfully at all times when using force, restraints and separation. Where possible, decisions or deliberations to use these interventions should be communicated to young people.

A young person must be provided a range of supports (including multi-disciplinary support, cultural support and access to internal and external complaint mechanisms) if they feel they were not treated fairly and respectfully.

6. Positive behaviours must be modelled and promoted

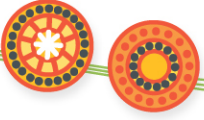
Youth detention centre staff will model positive and appropriate behaviour.

Young people's daily routine will provide structure, consistency and predictability.

We will help young people to become aware of their behaviours and encourage them to make appropriate choices by promoting and reinforcing positive behaviours, while considering their personal circumstances.

Young people in youth detention centres are expected to:

- be respectful of others
- be responsible by following the instructions of staff



- be safe at all times
- be active by participating in centre programs.

Youth detention centres will manage challenging behaviour in an appropriate, culturally-safe, restorative and consistent manner, considering young people's personal circumstances.

Fundamental rights and entitlements will not be revoked for disciplinary purposes.

Young people will be always treated with respect and dignity and will be encouraged to treat others with respect and dignity.

7. Services must recognise and appropriately respond to and support young people with disabilities and mental health issues

Youth detention centres will ensure young people with diagnosed or suspected disabilities, learning difficulties, disorders and/or mental health issues receive appropriate services and supports, which maintain a strengths-based focus.

Youth detention centres will consider the functional impacts of neuro-developmental disabilities, physical disabilities, hearing or vision disabilities, acquired brain injuries and sensory differences in all aspects of a young person's care and management.

For young people with neuro-developmental disabilities, including Autism Spectrum Disorder, Foetal Alcohol Spectrum Disorder, Language Disorder, Intellectual Disability, and/or Attention Deficit Hyperactivity Disorder; staff will make reasonable adjustments to programs, activities and expectations to accommodate these difficulties. Staff will also provide individualised guidance and support to help young people develop their executive functioning, cognition, communication, and attention skills as much as possible.

Youth detention centres, in partnership with youth justice service centres, will help young people and their families to apply for National Disability Insurance Scheme (NDIS) plans, navigate the National Disability Insurance Agency and where available, find suitable providers in their community as part of transition planning.

8. Services must be gender-responsive

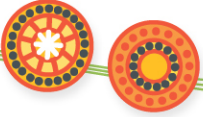
Youth detention centres will provide gender-responsive and gender-diverse services and supports to young people in youth detention. This includes specific programs, activities, cultural support and accommodation management protocols.

If a young person is transgender or gender diverse, any specific therapeutic, wellbeing or cultural needs will be considered as part of case work, program planning and accommodation management processes.

Youth detention staff will ensure young people's gender identity is upheld and respected.

9. Services must be restorative

The department is committed to the use of restorative practices in youth detention centres to support the safety, wellbeing and rehabilitation of young people.



Restorative approaches provide youth detention staff with a relational way to build, maintain and repair safe and productive relationships with young people and each other.

Staff will use restorative responses to promote role-modelling of positive behaviour, cultural mentoring, as well as assisting with:

- challenging behaviour
- problem solving
- managing conflict, and
- incident prevention.

Restorative practices create a safe space for young people to:

- take responsibility for their actions
- learn the impacts their behaviour has on others, and
- assist with developing skills in emotion regulation and making positive choices.

10. Young people's relationships with their family, friends, community members and advocates are supported

We will help young people in youth detention centres to maintain appropriate relationships and establish new relationships that will provide them support while in youth detention and when they return to their community.

Youth detention centres will support young people's transition and reintegration from detention to community by working in collaboration with:

- families
- important members of young people's communities
- local communities.

11. Young people's views are important

We will provide young people with opportunities to have their views taken into account in planning processes, to the fullest extent possible, having regard to their age and ability to understand.

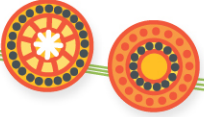
Youth detention centres will establish a range of mechanisms (e.g. peer support groups, cultural support/mentoring, youth councils) to allow young people to participate in discussions about:

- the management of accommodation units
- cultural support
- behaviour support strategies (e.g. rewards and incentives).

Young people and their advocates have the right to access complaint mechanisms that are accountable, transparent and responsive.

12. Continuous improvement

We are committed to continuous improvement to ensure our services in youth detention centres evolve with contemporary best practice.



Performance will be monitored and areas for improvement will be identified and prioritised through regular evidence-based reporting.

Recommendations identified by internal and external oversight and review functions will contribute to this evidence base.

Partnerships with leading researchers, practice experts and other jurisdictions will also be developed to inform evidence-based policy and program decisions.

Scope

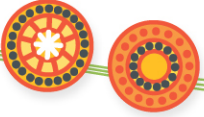
The youth detention policies and Youth Detention Centre Operations Manual give procedural effect to this philosophy.

Roles and responsibilities

All youth detention centre staff and staff who support youth detention are responsible for ensuring that services in youth detention centres are delivered in line with this philosophy.

Links

- [Australasian Youth Justice Administrators \(AYJA\) service standards for juvenile custodial facilities](#)
- [Australian Restorative Justice National Guidelines](#)
- [Come together, talk together, walk together – Reframing the relationship plan 2023-2025](#)
- [Human Rights Act 2019](#)
- [Queensland Human Rights Commission](#)
- [Royal Commission into Institutional Responses to Child Sexual Abuse](#)
- [United Nations Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters](#)
- [United Nations Rules for the Protection of Young People Deprived of Their Liberty \(Havana Rules\)](#)
- [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 \(Beijing Rules\)](#)
- [United Nations Standard Minimum Rules for the Treatment of Prisoners \(Mandela Rules\)](#)
- Youth Detention Centre Operations Manual
- Youth Justice delegations
- Youth Justice policies



Appendix A – Working as a culturally competent centre

The Department of Youth Justice is committed to having a workforce whose programs and practices embody the spirit of reconciliation and who recognise the significant contribution which Aboriginal and Torres Strait Islander staff and people can make towards the department.

The Department of Youth Justice Cultural Capability Action Plan, *Respectfully Journey Together*, Reframing the Relationship Plan 2023-2025 and the Queensland Government Reconciliation Action Plan documents this commitment and the key steps required to build and support cultural capability across Youth Justice. The establishment of Cultural Units and Cultural Liaison Officers within each youth detention centre are a key mechanism to build and support cultural capability across all aspects of youth detention service delivery.

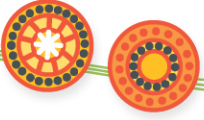
Cultural Units and cultural staff will work collaboratively with all youth detention workgroups and stakeholders in support of the following objectives:

- to foster respect and acknowledgment of the contribution of Aboriginal and Torres Strait Islander people
- to strengthen relationships between detention centres and Aboriginal and Torres Strait Islander young people, families and communities
- to ensure youth detention centres and service providers take into account transgenerational trauma and the impact of historical, cultural and social issues which may have affected Aboriginal and Torres Strait Islander people, and
- to ensure that **cultural competence**, **cultural respect** and **cultural safety** is integrated across all policy, procedures and business areas of the youth detention service delivery.

Cultural competence	Means understanding the culture, values and beliefs of another cultural group. A commitment to recognise the diversity and richness of another culture whilst having the ability to set aside your own assumptions and beliefs and accepting the views and experiences of other people
Cultural respect	Means a shared respect that recognises and protects the cultures and traditions of Aboriginal and Torres Strait Islander people. Cultural differences are respected including cultural practices, values and expectations
Cultural safety	Means taking into account historical, cultural and environmental contexts that impact Aboriginal and Torres Strait Islander people. Empowering and promoting the interests of Aboriginal and Torres Strait Islander people by engaging them in key decision making processes

Culturally competent youth detention centre service delivery will also:

- support culturally competent recruitment processes
- provide staff the necessary skills and awareness to be able to recognise the direct association and the need of a trauma informed approach due to the impacts of intergenerational trauma and the adverse effect this had on Aboriginal and Torres Strait Islander people and communities
- improve the transition and reintegration services for Aboriginal and Torres Strait Islander young people, and
- promote culturally sound youth detention policy and procedures.



Version

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